

**2009 -- S 0203 SUBSTITUTE A AS AMENDED**

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LC00888/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2009**

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A N A C T

RELATING TO ELECTIONS -- POLITICAL PARTY

Introduced By: Senators Bates, and E O'Neill

Date Introduced: February 04, 2009

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 17-1-2 of the General Laws in Chapter 17-1 entitled "General  
2 Provisions" is hereby amended to read as follows:

3           **17-1-2. Definitions.** -- For the purposes this title, except as may otherwise be required by  
4 the context:

5           (1) "Election" means the filling of any public office or the determination of any public  
6 question by vote of the electorate, and includes without limitation any state, town, or city office  
7 or question, and any political party primary election for the nomination of any candidate for  
8 public office; except that it shall not include a financial town meeting or a meeting to elect  
9 officers of a fire, water, or sewer district;

10           (2) "General election" means an election held on the first Tuesday next after the first  
11 Monday in November in even numbered years for the election of members of the general  
12 assembly and/or for the election of general officers, and/or for the election of presidential electors  
13 for president/vice-president of the United States;

14           (3) "General officer" means an officer designated as a general officer by chapter 2 of this  
15 title;

16           (4) "Independent candidate" means a candidate who has no affiliation with any political  
17 party;

18           (5) "Local board" means a town or city board of canvassers, board of canvassers and  
19 registration, canvassing authority, or any other local board, commission, or officer empowered by

1 law to have custody of the permanent registration records;

2 (6) "Local election" means any election limited to the electorate of any city or town, or  
3 any part, at which any city, town, ward, or district officers are to be chosen, or any elective  
4 meeting at which a question is to be submitted to the voters of a city, town, or any subdivision of  
5 a city or town, but it shall not include a financial town meeting;

6 (7) "Party member" means any person who is a member of a designated political party  
7 pursuant to section 17-9.1-23;

8 (8) "Party voter" means any qualified voter who is eligible to vote at the primary election  
9 of a political party;

10 (9) "Political party" or "party" means: (i) any political organization which, at the next  
11 preceding general election for the election of general officers, nominated a candidate for  
12 governor, and whose candidate for governor at the election polled at least five percent (5%) of the  
13 entire vote cast in the state for governor, or (ii) any political organization which at the next  
14 preceding general election for the election of a president of the United States nominated a  
15 candidate for president and whose candidate for president at the election polled at least five  
16 percent (5%) of the entire vote cast in the state for president, or (iii) any political organization  
17 which, on petition forms provided to the chairperson of the organization by the state board of  
18 elections, obtains the signatures and addresses of that number of registered qualified voters ~~equal~~  
19 ~~to five percent (5%) of the entire vote cast in the state for governor or president in the~~  
20 ~~immediately preceding general election.~~ in the amount of ten thousand (10,000). ~~All the~~  
21 ~~signatures must be obtained no earlier than January 1 of the year in which the political~~  
22 ~~organization desires to place a candidate or candidates on any ballot as a "party" candidate.~~ If the  
23 political organization wishes to select its nominees in a primary election, the petitions, bearing the  
24 requisite number of valid signatures, shall be presented to the appropriate local boards of  
25 canvassers no later than June 1 of the same year. If the petitions are validated by the local boards  
26 as containing the requisite number of valid signatures, the political organization shall be deemed  
27 to be a political party for all elections held during the year and may select its nominees in a  
28 primary election. If the political organization does not wish to select its nominees in a primary  
29 election, then the petitions need not be returned to local boards of canvassers until August 1 of the  
30 same year. An organization qualifying as a political party through the petition process shall  
31 qualify as a political party only during the year in which signatures are obtained unless the  
32 candidates for governor or president of the United States of the party at a general election held in  
33 the year, shall receive five percent (5%) of the vote as provided in this subdivision for either  
34 governor or president of the United States. If the candidates do not receive five percent (5%) of

1 the vote, the organization shall no longer qualify as a political party unless and until it shall, in a  
2 subsequent year, once again qualify by the submission of petitions;

3 (10) "Polling place" means the room in which any election or elective meeting is  
4 conducted;

5 (11) "Primary election" means any election to select the candidates of a political party;

6 (12) "Proposition" or "public question" means any question put to a referendum of the  
7 electorate of the entire state or any part of it;

8 (13) "Qualified voter" means any person who is eligible to vote under the requirements  
9 of age, residence, and citizenship prescribed by the state constitution and who is duly registered  
10 to vote, or who is exempt from registration, pursuant to this title, and who is not otherwise  
11 disqualified as a voter pursuant to law;

12 (14) "Special election" means any election other than a local election or primary election  
13 which is not held on a general election day;

14 (15) "State board" means the state board of elections constituted pursuant to this title;

15 (16) "State election" means any election at which any presidential electors, senator or  
16 representatives in congress, general officers of the state, or members of the general assembly are  
17 to be chosen, or at which a public question or an amendment to the Constitution is submitted to  
18 the electors of the state;

19 (17) "State officer" means the governor, lieutenant governor, secretary of state, attorney  
20 general, general treasurer, state senator, and state representative;

21 (18) "Vacancy in office" means the condition resulting from any failure to elect or  
22 appoint an eligible and qualified person to public office, or the failure of any person duly elected  
23 or appointed to qualify, or from the death, resignation, or removal of an incumbent prior to the  
24 expiration of his or her term of office and where no fixed term is prescribed upon the death,  
25 resignation, or removal;

26 (19) "Voting list" means the complete list of all voters prepared from the information  
27 contained in the original permanent registration records in the possession of the local board of  
28 canvassers;

29 (20) "Warden" includes "moderator" and vice versa;

30 (21) Words importing the masculine gender shall include the feminine gender.

31 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- POLITICAL PARTY

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- 1           This act would make it easier for a political organization to qualify as a political party for
- 2 their candidate to be placed on the ballot by obtaining 10,000 qualified voter signatures.
- 3           This act would take effect upon passage.

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