

2018 -- H 7509

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LC004520
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO ELECTIONS - POLITICAL PARTIES

Introduced By: Representatives Edwards, Casey, Keable, Blazejewski, and Corvese

Date Introduced: February 08, 2018

Referred To: House 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.**

4 For the purposes this title, except as may otherwise be required by 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 § 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. ~~All the signatures must be obtained no earlier than~~
21 ~~January 1 of the year in which the political organization desires to place a candidate or candidates~~
22 ~~on any ballot as a "party" candidate.~~ If the political organization wishes to select its nominees in a
23 primary election, the petitions, bearing the requisite number of valid signatures, shall be presented
24 to the appropriate local boards of canvassers no later than June 1 of the same year. If the petitions
25 are validated by the local boards as containing the requisite number of valid signatures, the
26 political organization shall be deemed to be a political party for all elections held during the year
27 and may select its nominees in a primary election. If the political organization does not wish to
28 select its nominees in a primary election, then the petitions need not be returned to local boards of
29 canvassers until August 1 of the same year. An organization qualifying as a political party
30 through the petition process shall qualify as a political party only during the year in which
31 signatures are obtained unless the candidates for governor or president of the United States of the
32 party at a general election held in the year, shall receive five percent (5%) of the vote as provided
33 in this subdivision for either governor or president of the United States. If the candidates do not
34 receive five percent (5%) of the vote, the organization shall no longer qualify as a political party

1 unless and until it shall, in a subsequent year, once again qualify by the submission of petitions;

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

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

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

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

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

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

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

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

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

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

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO ELECTIONS - POLITICAL PARTIES

1 This act would allow a political organization, that wants to become a recognized political
2 party in the state of Rhode Island, to begin collecting voter signatures equal to five percent (5%)
3 of the votes cast in the state for governor or president in the preceding general election,
4 immediately after the general election instead of no earlier than January 1 of the year the political
5 organization wants to place a candidate on the ballot.

6 This act would take effect upon passage.

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