

2018 -- H 7993

LC005280

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO ELECTIONS - VACANCY IN GENERAL ASSEMBLY

Introduced By: Representatives Fellela, Costantino, and Ucci

Date Introduced: March 23, 2018

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-3-6 of the General Laws in Chapter 17-3 entitled "General
2 Assembly Members" is hereby amended to read as follows:

3 **17-3-6. Vacancy in general assembly -- Special elections.**

4 (a) Whenever from any cause a vacancy occurs in the representation of any senatorial or
5 representative district in the general assembly while the general assembly is in session, the
6 secretary of state shall cause the local board of the city or town to issue a warrant ordering an
7 election to fill the vacancy, to be held in that district at least seventy (70) but not more than ninety
8 (90) days from the occurrence of the vacancy; provided, that if the general assembly has nearly
9 completed its January session so that it is doubtful whether the person to be chosen can serve as a
10 member at that session, the election shall not be ordered within that time limit, but may be held at
11 any later date within that calendar year, if that year is the first year of the biennial period for
12 which a general assembly has been chosen. If the vacancy occurs after the first Monday in
13 February in the second year of the biennial period for which a general assembly was chosen, no
14 warrant shall be issued for a special election to fill the vacancy. If the vacancy occurs or exists at
15 any other time when the general assembly is not in session, the secretary of state shall cause to be
16 issued a warrant for an election to be held to fill the vacancy.

17 (b) Every person appointed or elected pursuant to the provisions of this section shall hold
18 his or her office for the remainder of the term that person is appointed or elected to fill, and until
19 his or her successor is elected and qualified.

1 (c) When a vacancy occurs in a senatorial or representative district, the chief executive of
2 the city or town with the largest percentage of population in the district shall appoint a new
3 representative or senator to fill the vacancy for the remainder of the term.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would enable a chief executive of a town or city with the largest percentage of
2 population in the district to appoint a representative or senator to a vacant seat for the remainder
3 of the term.

4 This act would take effect upon passage.

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