

2021 -- S 0516

LC001938

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO ELECTIONS

Introduced By: Senators Euer, Sosnowski, Goodwin, Coyne, Cano, and DiMario

Date Introduced: March 04, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-6-4 and 17-6-13 of the General Laws in Chapter 17-6 entitled
2 "Secretary of State" are hereby amended to read as follows:

3 **17-6-4. ~~Absentee, shut-in, and war ballots~~ Printing and distribution of mail ballots.**

4 The secretary of state shall prepare, print, and furnish all application forms for ~~absentee,~~
5 ~~shut-in, and war~~ mail ballots. The secretary of state shall arrange, print, and distribute all ~~these~~ mail
6 ballots, together with ~~instruction sheets and the required~~ instructions, secrecy sleeves, return
7 envelopes, and any other materials required by law, in accordance with the requirements of this
8 title.

9 **17-6-13. ~~Electoral process education~~ Electoral process education -- Voter information**
10 **hotline.**

11 (a) During each year in which a general election is to be held, the secretary of state shall
12 identify communities within the state in need of electoral process education by outreaching
13 community organizations. Electoral process education shall consist of instruction on how a person
14 may become a candidate for electoral office and how a person registers and votes for candidates
15 for electoral office. The secretary of state shall furnish electoral process education throughout the
16 state of Rhode Island in a manner to be determined by the secretary of state.

17 (b) The secretary of state shall make available a free telephone hotline to provide the public
18 with information about the electoral process, including the voting process, registering to vote, and
19 polling locations. This hotline shall be available in multiple languages. The secretary may partner

1 [with entities that are not state agencies, to operate this hotline.](#)

2 SECTION 2. Sections 17-9.1-26, 17-9.1-27 and 17-9.1-34 of the General Laws in Chapter
3 17-9.1 entitled "Registration of Voters" are hereby amended to read as follows:

4 **17-9.1-26. Confirmation process -- Verification of the address of registered voter.**

5 (a)(1) Whenever: (i) An acknowledgement card that was mailed to a voter whose
6 application to register to vote has been accepted is returned as undeliverable; (ii) Through the
7 periodic updating of voter registration records as provided in § 17-9.1-27, a change of address is
8 detected for any voter; (iii) As the result of a challenge under § 17-9.1-28, the challenged voter
9 fails to appear before the local board; or (iv) A mailing by the jury commissioner to a voter is
10 returned as undeliverable; the local board shall begin the confirmation process described in
11 subsection (b) of this section.

12 (2) Whenever any other official mailing, from either the state board or a local board or
13 from the office of the secretary of state, which official mailing has been sent to at least a majority
14 of the registered voters in a particular city or town, is returned as undeliverable to any one or more
15 of the voters to whom it was mailed, the local board may commence the confirmation process
16 described in subsection (b) of this section.

17 (b) The confirmation notice shall, [unless otherwise specified in § 17-9.1-27](#), be sent by
18 first-class, forwardable mail and shall be of any size or other specifications that shall be determined
19 by the state board. The notice shall include a voter registration form that may be used by the voter
20 to verify or correct the voter's residence address for voting purposes.

21 (c) The confirmation notice shall be prepared in substantially the following form and shall
22 contain substantially the following information, subject to any additional information as may be
23 required by the state board; provided, that the wording of the form may be [to conform with the](#)
24 [requirements of § 17-9.1-27 or](#) revised and updated from time to time by the state board in a manner
25 to make its content as easily readable and understandable as possible:

26 The board of canvassers has received information that you may no longer reside at the
27 address from which you are currently registered. If you have not permanently changed your
28 residence address, or if you have permanently changed your residence address but continue to live
29 in the same city or town, you should immediately return the voter registration form no later than
30 fourteen (14) days after the date of this mailing even if this notice was mailed to your correct current
31 address. If the voter registration form is not returned, affirmation or confirmation of your current
32 address may be required at the polls on election day. If the registration form is not returned and you
33 do not vote by _____, which is the date of the second general election following the date of
34 this mailing, then your name may be removed from the voter registration list. If you have

1 permanently changed residence address to another city or town in Rhode Island, please complete
2 and return the completed voter registration form to the local board of canvassers in the city or town
3 of your current address.

4 (d) The confirmation notice shall be mailed to both the voter's current registered address
5 and any new residence address, to the extent both addresses are available to the local board.

6 (e) If a confirmation notice is mailed to a voter and returned as undeliverable, or if delivered
7 and the voter has not responded within fourteen (14) days from the date of the mailing, the voter
8 shall remain on, or be placed on, the inactive list and shall not be permitted to vote until the voter
9 has signed an affirmation form at either the approved polling place or at the local board of
10 canvassers as provided in this chapter. Any application for a mail ballot under § 17-20-2.1 or an
11 emergency mail ballot under § 17-20-2.2 shall serve as a proper affirmation form under this section
12 if the address is the same as the voter's current address on record with the board of canvassers. If
13 the voter fails to vote by the second general election following the date of the confirmation mailing,
14 then the voter shall be removed from the voting list. Notwithstanding the foregoing provisions, if
15 the confirmation mailing was based upon the change of address information provided by or through
16 the United States Postal Service National Change of Address Program, and the voter has failed to
17 respond to the confirmation mailing, the voter shall remain on the active list of voters and shall not
18 be required to sign the affirmation form. In these cases, the voter's residence address for voting
19 purposes will be changed by the local board to the new address as indicated by the National Change
20 of Address Program.

21 (f) Local boards shall be required to maintain for a period of at least two (2) years a record
22 of all outgoing confirmation mailings, including the reasons for the mailing of the confirmations.
23 Records shall be kept in a fashion that may be determined by the state board.

24 **17-9.1-27. ~~Periodic updating of voter registration records~~ Periodic updating of voter**
25 **registration records. [Effective until July 1, 2022.]**

26 (a) In every odd-numbered year, the secretary of state shall update the central voter register
27 using the United States Postal Service National Change of Address (NCOA) Program. The office
28 of the Secretary of State shall be responsible for obtaining the NCOA data and providing each local
29 board of canvassers with their data; provided, that the updating shall be performed by each local
30 board. The NCOA list of address changes shall be compared by the local board with lists of
31 registered voters, and if address changes are detected for any voter, the local board shall institute
32 the confirmation process described in § 17-9.1-26.

33 (b) Each local board of canvassers in each city or town shall send annually, a notice
34 prescribed by the secretary of state and marked "Do Not Forward -- Return if Undeliverable", to

1 every active registered voter who has not voted in the past five (5) calendar years and has not
2 otherwise communicated with the board during that period of time, advising them of their current
3 polling place and voting eligibility, and informing them that mail that is returned as undeliverable
4 will initiate the confirmation process described in § 17-9.1-26; provided, however, that the local
5 boards shall not be obligated to send such notice if the state or federal government fails to
6 appropriate the necessary funds. The mailing shall take place in all municipalities and be performed
7 in a uniform manner, in accordance with standards adopted by the secretary of state and the list
8 maintenance procedures provided by the National Voting Rights Act, 42 U.S.C. § 1973gg.

9 **17-9.1-34. Electronic registration of voters.**

10 (a) The secretary of state shall establish, maintain, and administer a portal for electronic
11 voter registration. An applicant may use such portal to register to vote, or to update existing voter
12 registration information, [or apply for a mail ballot in accordance with § 17-20-8](#) provided:

13 (1) The applicant's information is verifiable in the manner described in subsection (b) of
14 this section;

15 (2) The applicant's signature is in a database described in subsection (b) of this section; and

16 (3) Such signature may be imported into such system for electronic voter registration.

17 (b) Upon request of the secretary of state, a state agency, quasi-public agency, or
18 municipality shall provide information to the secretary of state that the secretary of state deems
19 necessary to maintain the system for electronic voter registration, and the information so obtained
20 shall be used for no other purpose. The secretary of state shall verify applicant information by cross-
21 referencing information submitted by applicants with data or information contained in any state
22 agency's, quasi-public agency's, or municipality's database or a database administered by the
23 federal government, or any voter registration database of another state. The secretary of state shall
24 not use the information obtained from any such databases except to verify information submitted
25 by the applicant. The applicant's signature, if part of the data contained in the state agency's, quasi-
26 public agency's, or municipality's database, shall be included as part of the applicant's information
27 contained in the system for electronic voter registration. No information viewed or received by the
28 secretary of state pursuant to this subsection may be transferred to, shared with, or otherwise
29 conveyed to any other governmental or non-governmental entity for any reason except for voter
30 registration purposes or pursuant to a court order.

31 (c) The submission of an electronic application shall contain all of the information that is
32 required for an application under § 17-9.1-9, with the exception of the signature, which shall be
33 obtained from another state agency, quasi-public agency, or municipality's database pursuant to
34 subsection (b) of this section.

1 (d) An applicant using the system shall mark the box associated with the following
2 statement included as part of the electronic application:

3 "By clicking on the box below, I swear or affirm all of the following under penalty of
4 perjury:

5 (1) I am the person whose name and identifying information is provided on this form, and
6 I desire to register to vote or update my voter registration information in the state of Rhode Island.

7 (2) All of the information I have provided on this form is true and correct as of the date I
8 am submitting this form.

9 (3) I authorize a Rhode Island state agency, quasi-public agency, or municipality to
10 transmit, for voter registration purposes, to the secretary of state and my city's/town's board of
11 canvassers my signature that is on file with such state agency, quasi-public agency, or municipality.
12 I understand that the secretary of state and my city's/town's board of canvassers will use such
13 signature on this electronic voter registration application as if I had signed this form personally."

14 (e) Upon approval of such application, the boards of canvassers shall send a confirmation
15 notice to the applicant.

16 (f) The secretary of state may enter into an agreement and exchange information or data
17 with any other state exclusively for the purposes of updating the statewide central voter register
18 and registering voters, provided such activities are performed under the supervision of the secretary
19 of state and the secretary of state enters into an agreement to protect the confidentiality of such
20 information or data. A Rhode Island state agency shall provide the secretary of state with
21 information or data to be used exclusively for voter registration purposes and shall advise the
22 secretary of state if such information or data is held confidential. The secretary of state shall not
23 use or transmit the information or data for any purpose except for voter registration purposes or
24 pursuant to a court order.

25 (g) To ensure full, equal, and independent access to all voters with disabilities, any internet
26 site and voter registration form created to register voters electronically or allow voters to update
27 their voter registration shall comply with all requirements under Title II of the Americans with
28 Disabilities Act, 42 U.S.C. §§ 12131-12165, and Web Content Accessibility Guidelines (WCAG)
29 2.0 compliance level AA. Experts concerning disability and usability access to websites shall be
30 included in the development of any voter registration website and voter registration form, and shall
31 verify accessibility and usability before the website, or an updated version of the website, is made
32 available to the general public.

33 (h) The website and form shall be available in any language required by federal or state
34 voting rights laws [and may be available in other languages, as determined by the secretary of state.](#)

1 SECTION 3. Section 17-10-1 of the General Laws in Chapter 17-10 entitled "Canvassing
2 the Lists of Qualified Electors" is hereby amended to read as follows:

3 **17-10-1. Maintenance of registration -- Inactive file.**

4 (a) The local board or its duly authorized agent shall maintain the files of registration cards
5 in a condition that will correctly represent the registration of qualified voters at all times. It shall
6 continually purge the cards of voters no longer qualified to vote in the city or town. It shall promptly
7 record all changes of address, changes of name, and transfers and cancellations of registration.

8 (b) If a confirmation card has been mailed to a registered voter at an address outside of the
9 city or town of the voter's current registered address for voting purposes, or if the confirmation card
10 has been mailed to an address within the same city or town where the voter is registered, which
11 card was sent to confirm the voter's continuing residence within the city or town and not merely to
12 confirm information provided by or through the postal service concerning a change of address
13 within the city or town, and in both cases the voter has failed to respond to the confirmation card,
14 the voter shall be stricken from the voting list and the voter registration shall be canceled if the
15 voter has not voted or appeared to vote in an election during the period beginning on the date of
16 mailing of the confirmation card and ending on the date after the date of the second general election
17 that occurs after the date of mailing of the card. Provided, that the registration of any person shall
18 not be canceled during his or her service in the armed forces of the United States and during two
19 (2) years thereafter. A voter whose registration has been canceled shall not thereafter be eligible to
20 vote unless that voter shall again register in accordance with the provisions of this title and in
21 accordance with the provisions of the Constitution of this state. The local board shall notify the
22 secretary of state of any cancellation. The local board shall notify each voter whose registration has
23 been canceled by a notice addressed to the voter at the voter's last known address, and a
24 memorandum that the notice has been sent shall be maintained on file by the local board; ~~provided,~~
25 ~~that failure to give or receive the notice shall not affect the cancellation of the voter's registration.~~
26 The local board shall take affirmative action to purge the voter's name from its files of registration
27 cards.

28 (c) Using the central voter registration system, upon receipt of the monthly list of
29 individuals who have died from the office of vital statistics as prescribed by § 23-3-5, or provided
30 by the federal Social Security Administration's master death list, the secretary of state shall identify
31 all voter registrations that may be reflected on the list and so notify electronically, the local board
32 of canvassers of each applicable city or town. The local board, upon receipt of the list of deceased
33 persons from the secretary of state, or upon receipt of an affidavit of death on forms prescribed by
34 the secretary of state, shall promptly purge its files of registration cards by removing the cards of

1 each deceased elector and canceling the voter registration information of the deceased elector from
2 the central voter registration system.

3 (d) The local board shall maintain a separate list of all new registrations and all transfers
4 of registration which are received by the board within the thirty (30) day period prior to the close
5 of registration prior to each primary, regular, and special election. The list shall be maintained until
6 the time that the election is held.

7 SECTION 4. Section 17-15-1 of the General Laws in Chapter 17-15 entitled "Primary
8 Elections" is hereby amended to read as follows:

9 **17-15-1. Date of primaries.**

10 ~~A~~ The 2022 primary election for the nomination of candidates for each political party shall
11 be held in each voting district in the manner provided in this chapter on the eighth Tuesday
12 preceding that year's biennial state elections. Beginning on January 1, 2024, every primary election
13 for the nomination of candidates for each political party, shall be held in each voting district in the
14 manner provided in this chapter, on the third Tuesday after the first Monday in August preceding
15 biennial state elections.

16 SECTION 5. Section 17-19-8.1 of the General Laws in Chapter 17-19 entitled "Conduct
17 of Election and Voting Equipment, and Supplies" is hereby amended to read as follows:

18 **17-19-8.1. Ballots for voters who are blind, visually impaired or disabled.**

19 (a) Any voter who is blind or visually impaired or disabled is eligible to request a special
20 ballot for voting by mail ballot. Special mail ballots are available in Braille or tactile format.

21 (b) Requests must be made in writing to the local board of canvassers where the person is
22 registered to vote or through the electronic voter registration portal established in § 17-20-8 at least
23 ~~forty five (45)~~ twenty-one (21) days before the election for which the voter is requesting the special
24 ballot. In addition, the request will be valid for all elections held during the calendar year in which
25 the request was received and in which the voter is eligible to participate. Applicants must also file
26 the appropriate mail ballot application as required by chapter 20 of this title for each election in
27 which they wish to participate. An applicant may request the special ballot when indicating that he
28 or she wishes to be a permanent mail voter, in accordance with § 17-20-8 and that request will be
29 valid for all subsequent elections, as long as the applicant remains a permanent mail voter.

30 (c) The office of the secretary of state shall prepare and provide the appropriate form, which
31 shall be available at local boards and upon request from the office of the secretary of state. The
32 voter may also choose to submit his or her request in writing without using the form provided, as
33 long as the communication contains all of the required information. The request shall include the
34 following information:

- 1 (1) The name and registered address of the voter;
- 2 (2) A daytime telephone number;
- 3 (3) An indication of whether this request is for the entire calendar year or only for the next
4 upcoming election;
- 5 (4) The voter's political party affiliation, if the request for a special ballot is also for
6 primaries;
- 7 (5) Indicate the special ballot format.
- 8 (d) All requests received by local boards must be processed and forwarded to the office of
9 the secretary of state within twenty-four (24) hours of receipt. The secretary of state shall maintain
10 a list of all persons requesting special Braille or tactile mail ballots and must forward a copy of the
11 list to the state board of elections at least eighteen (18) days before the date of any election.
- 12 (e) The state board may adopt rules and regulations for the procedure for the manual
13 reproduction of voted ballots, when necessary, and the tabulation of Braille and tactile mail ballots.
- 14 (f) The office of the secretary of state shall be responsible for the preparation and
15 distribution of special Braille and tactile mail ballots. Whenever possible, the secretary of state
16 shall prepare the Braille or tactile mail ballot so that the voted ballot can be read by the tabulation
17 equipment, rather than being manually reproduced by election officials onto a machine readable
18 ballot.
- 19 (g) The office of the secretary of state may adopt rules and regulations setting forth the
20 procedure for the preparations and distribution of the Braille and tactile mail ballots.
- 21 (h) The office of the secretary of state shall prepare and publish a guide describing the types
22 of ballots available and the manner in which each ballot can be voted. This guide shall be revised
23 whenever the types of ballots available are updated. This guide shall be available in print, Braille,
24 audio, or other accessible formats.
- 25 (i) The office of the secretary of state shall establish a special Braille and tactile ballot
26 program for voters who are blind or visually impaired. The office of the secretary of state shall
27 expand the special ballot service to other voters with disabilities, as feasible, as determined by the
28 secretary of state, and incorporate other accessible formats as technology and resources allow.
- 29 (j) In accordance with the Help America Vote Act of 2003, the voting system at each
30 polling place shall be accessible for individuals with disabilities, including nonvisual accessibility
31 for the blind and visually impaired, in a manner that provides the same opportunity for access and
32 participation as for other voters.

33 SECTION 6. Sections 17-20-1, 17-20-1.1, 17-20-2.1, 17-20-2.2, 17-20-3, 17-20-7, 17-20-
34 8, 17-20-10, 17-20-12, 17-20-13.1, 17-20-14, 17-20-16, 17-20-19, 17-20-21, 17-20-23, 17-20-24,

1 17-20-24.1, 17-20-26, 17-20-29, 17-20-30, 17-20-33 and 17-20-34 of the General Laws in Chapter
2 17-20 entitled "Mail Ballots" are hereby amended to read as follows:

3 **17-20-1. Voting by mail ballot.**

4 The ~~electors~~ voters of this state ~~who, for any of the reasons set forth in § 17-20-2, being~~
5 ~~otherwise qualified to vote, are unable to vote in person,~~ shall have the right to vote; a ballot by
6 mail, with a reasonable guarantee of ballot secrecy, privacy, and independence, in the manner and
7 time provided by this chapter, in all general and special elections and primaries, including
8 presidential primaries in this state for electors of president and vice-president of the United States,
9 United States senators in congress, representatives in congress, general officers of the state,
10 senators and representatives in the general assembly for the respective districts in which the elector
11 is duly qualified to vote, and for any other officers whose names appear on the state ballot and for
12 any city, town, ward, or district officers whose names appear on the respective city or town ballots
13 in the ward or district of the city or town in which the elector is duly qualified to vote, and also to
14 approve or reject any proposition of amendment to the Constitution or other propositions appearing
15 on the state, city, or town ballot.

16 **17-20-1.1. Declaration of policy.**

17 ~~Those electors who are unable to vote in person at the polls for the reasons set forth in §~~
18 ~~17-20-2~~ Voters are entitled to vote by mail in a manner which reasonably guarantees the secrecy
19 of their ballots. The procedures set forth in this chapter are designed to promote the effective
20 exercise of their rights while safeguarding those voters who utilize the mail ballot process from
21 harassment, intimidation, and invasion of privacy. The procedures are intended to prevent misuse
22 of the electoral system by persons who are not eligible to vote by mail ballot. The provisions of this
23 chapter shall be interpreted to effectuate the policies set forth in this section.

24 **17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.**

25 (a) Any legally qualified elector of this state whose name appears upon the official voting
26 list of the city, town, or district of the city or town where the elector is qualified, and who desires
27 to avail himself or herself of the right granted to him or her by the Constitution and declared in this
28 chapter, may obtain from the local board in the city or town, or electronically from the secretary of
29 state, an affidavit form prepared by the secretary of state as prescribed in this section, setting forth
30 the elector's application for a mail ballot.

31 (b) Whenever any person is unable to sign his or her name because of physical incapacity
32 or otherwise, that person shall make his or her mark "X".

33 (c) ~~The application, when duly executed, shall be delivered~~ To receive a ballot in the mail,
34 a voter must submit an application in person, ~~or~~ by mail, or electronically so that it is received by

1 the local board not later than four o'clock (4:00) p.m. on the twenty-first (21st) day before the day
2 of any election referred to in § 17-20-1. Beginning twenty (20) days before election day and no
3 later than four o'clock (4:00) p.m. on the day before the day of any election, referred to in § 17-20-
4 1, a voter may appear in person at the office of the local board to request and pick up a mail ballot.

5 (d) ~~In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in~~
6 ~~order to be valid, must have been cast in conformance with the following procedures:~~

7 (1) ~~All mail ballots issued pursuant to subdivision 17-20-2(1) shall be mailed to the elector~~
8 ~~at the Rhode Island address provided by the elector on the application. In order to be valid, the~~
9 ~~signature on all certifying envelopes containing a voted ballot must be made before a notary public~~
10 ~~or before two (2) witnesses who shall set forth their addresses on the form.~~

11 (2) ~~All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the~~
12 ~~name and location of the hospital, convalescent home, nursing home, or similar institution where~~
13 ~~the elector is confined. All mail ballots issued pursuant to subdivision 17-20-2(2) shall be delivered~~
14 ~~to the elector at the hospital, convalescent home, nursing home, or similar institution where the~~
15 ~~elector is confined; and the ballots shall be voted and witnessed in conformance with the provisions~~
16 ~~of § 17-20-14.~~

17 (3) ~~All mail ballots issued pursuant to subdivision 17-20-2(3) shall be mailed to the address~~
18 ~~provided by the elector on the application or sent to the board of canvassers in the city or town~~
19 ~~where the elector maintains his or her voting residence. In order to be valid, the signature of the~~
20 ~~elector on the certifying envelope containing voted ballots does not need to be notarized or~~
21 ~~witnessed. Any voter qualified to receive a mail ballot pursuant to subdivision 17-20-2(3) shall also~~
22 ~~be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410~~
23 ~~("UOCAVA Act").~~

24 (4) ~~All mail ballots issued pursuant to subdivision 17-20-2(4) may be mailed to the elector~~
25 ~~at the address within the United States provided by the elector on the application or sent to the~~
26 ~~board of canvassers in the city or town where the elector maintains his or her voting residence. In~~
27 ~~order to be valid, the signature on all certifying envelopes containing a voted ballot must be made~~
28 ~~before a notary public, or other person authorized by law to administer oaths where signed, or where~~
29 ~~the elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In~~
30 ~~order to be valid, all ballots sent to the elector at the board of canvassers must be voted in~~
31 ~~conformance with the provisions of § 17-20-14.2.~~

32 (e) Any person knowingly and willfully making a false application or certification, or
33 knowingly and willfully aiding and abetting in the making of a false application or certification,
34 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

1 ~~(f) In no way shall a mail ballot application be disqualified if the voter's circumstances~~
2 ~~change between the time of making the application and voting his or her mail ballot as long as voter~~
3 ~~remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board of~~
4 ~~canvassers shall provide the state board of elections with written notification of any change in~~
5 ~~circumstances to a mail ballot voter.~~

6 **17-20-2.2. Requirements for validity of emergency mail ballots.**

7 (a) Any legally qualified elector of this state whose name appears upon the official voting
8 list of the town or district of the city or town where the elector is so qualified, who on account of
9 circumstances manifested twenty (20) days or less prior to any election becomes eligible to vote by
10 mail ballot according to this chapter falls within one of the categories of electors described in
11 subsection (d) of this section, may obtain from the local board an application for an emergency
12 mail ballot ~~or may complete an emergency in-person mail ballot application on an electronic poll~~
13 ~~pad at the board of canvassers where the elector maintains his or her residence.~~

14 (b) The emergency mail ballot application, when duly executed, shall be delivered in
15 person, electronically, or by mail so that it shall be received by the local board not later than four
16 o'clock (4:00) p.m. on the last day preceding the date of the election.

17 (c) The elector shall execute the emergency mail ballot application in accordance with the
18 requirements of this chapter, which application shall contain a certificate setting forth the facts
19 relating to the circumstances necessitating the application.

20 (d) In addition to those requirements set forth elsewhere in this chapter, an emergency mail
21 ballot, ~~except those emergency mail ballots being cast pursuant to subsection (g) of this section~~, in
22 order to be valid, must have been cast in conformance with the following procedures:

23 (1) All mail ballots issued ~~pursuant to § 17-20-2(1)~~ pursuant to § 17-20-2(1) to voters within the state of Rhode
24 Island, who are incapacitated, to the extent that it would be an undue hardship to vote at the polls
25 because of illness, or mental or physical disability, blindness, or serious impairment of mobility
26 shall be mailed to the elector at the state of Rhode Island address provided on the application by
27 the office of the secretary of state, or delivered by the local board to a person presenting written
28 authorization from the elector to receive the ballots, ~~or cast in private at the local board of~~
29 ~~canvassers. In order to be valid, the signature of the voter on the certifying envelope containing a~~
30 ~~voted ballot must be made before a notary public, or other person authorized by law to administer~~
31 ~~oaths where signed, or where the elector voted, or before two (2) witnesses who shall set forth their~~
32 ~~addresses on the form. In order to be valid, all ballots sent to the elector at the board of canvassers~~
33 ~~must be voted in conformance with the provisions of § 17-20-14.2.~~

34 (2) All applications for emergency mail ballots ~~pursuant to § 17-20-2(2)~~ by electors who

1 are confined in any hospital, convalescent home, nursing home, rest home, or similar institution,
2 public or private, within the state of Rhode Island, must state under oath the name and location of
3 the hospital, convalescent home, nursing home, or similar institution where the elector is confined.
4 All mail ballots issued pursuant to this subdivision shall be delivered to the elector by the bipartisan
5 pair of supervisors, appointed in conformance with this chapter, and shall be voted ~~and witnessed~~
6 in conformance with the provisions of § 17-20-14.

7 (3) ~~All mail ballots issued pursuant to § 17-20-2(3) shall be mailed by the office of the~~
8 ~~secretary of state to the elector at an address provided by the elector on the application, or cast at~~
9 ~~the board of canvassers in the city or town where the elector maintains his or her voting residence.~~
10 ~~The signature of the elector on the certifying envelope containing the voted ballots issued pursuant~~
11 ~~to the subdivision does not need to be notarized or witnessed. Any voter qualified to receive a mail~~
12 ~~ballot pursuant to § 17-20-2(3) shall also be entitled to cast a ballot pursuant to the provisions of~~
13 ~~United States Public Law 99-410 ("UOCAVA Act").~~

14 (4) ~~All mail ballots issued pursuant to § 17-20-2(4) shall be cast at the board of canvassers~~
15 ~~in the city or town where the elector maintains his or her voting residence or mailed by the office~~
16 ~~of the secretary of state to the elector at the address within the United States provided by the elector~~
17 ~~on the application, or delivered to the voter by a person presenting written authorization by the~~
18 ~~voter to pick up the ballot. In order to be valid, the signature of the voter on all certifying envelopes~~
19 ~~containing a voted ballot must be made before a notary public, or other person authorized by law~~
20 ~~to administer oaths where signed, or where the elector voted, or before two (2) witnesses who shall~~
21 ~~set forth their addresses on the form. In order to be valid, all ballots sent to the elector at the board~~
22 ~~of canvassers must be voted in conformance with the provisions of § 17-20-14.2.~~

23 (e) The secretary of state shall provide each of the several boards of canvassers with a
24 sufficient number of mail ballots for their voting districts so that the local boards may provide the
25 appropriate ballot or ballots to the applicants. It shall be the duty of each board of canvassers to
26 process each emergency ballot application in accordance with this chapter, and it shall be the duty
27 of each board to return to the secretary of state any ballots not issued immediately after each
28 election.

29 (f) Any person knowingly and willfully making a false application or certification, or
30 knowingly and willfully aiding and abetting in the making of a false application or certification,
31 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

32 (g) ~~An emergency mail ballot application may be completed in person using an electronic~~
33 ~~poll pad provided by the board of canvassers upon presentation by the voter of valid proof of~~
34 ~~identity pursuant to § 17-19-24.2. Upon completion of the poll pad application, the voter shall be~~

~~provided with a ballot issued by the secretary of state and upon completion of the ballot by the voter, the voter shall place the ballot into the state approved electronic voting device, provided by the board of elections and secured in accordance with a policy adopted by the board of elections.~~

17-20-3. Definitions.

(a) Wherever used in this chapter, every word importing only the masculine gender is construed to extend to, and include, females as well as males.

(b) Whenever used in this chapter, "bipartisan pairs of supervisors" for primaries means a supervisor representing the endorsed candidates and a supervisor representing a majority of unendorsed candidates, and for nonpartisan elections and primaries means non-partisan pairs of supervisors.

(c) Wherever used in this chapter, "employed outside of the United States" includes any person who is:

(1) Employed by any agency, department or division of the United States government and who, by reason of that employment, resides outside of the continental United States;

(2) Employed outside the territorial limits of the United States; or

(3) A spouse or dependent residing with persons so employed.

(d) Wherever used in this chapter "services intimately connected with military operations" includes members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents, and the spouses and dependents of members of the armed forces and of the merchant marine; provided, that the spouses and dependents are residing outside of the state with the members of the armed forces, merchant marine, or members of the religious or welfare agencies.

(e) Whenever a signature is required by a voter in this chapter, "signature" also means the voter's mark "X" if the person is unable to sign his or her name because of physical incapacity or otherwise.

(f) Whenever used in this chapter, "bipartisan" means not of the same recognized political party.

(g) Whenever used in this chapter, "voter" and "elector" shall have the same meaning, except that "electors of president and vice-president of the United States" means the persons designated to elect the president and vice-president of the United States, in accordance with Article II, Section 1 of the United States Constitution.

(h) Whenever used in this chapter, "drop box" means the secure container described in § 17-20-2.4, whereby mail ballots may be returned to the board of elections.

(i) Whenever used in this chapter, "mail ballot" means a ballot issued to a voter in

1 accordance with this chapter.

2 (j) Whenever used in this chapter, “secrecy sleeve” means the envelope or sleeve issued
3 along with a mail ballot, that is designed to conceal and maintain the secrecy of the voter's vote
4 until the counting of votes for that particular election.

5 (k) Whenever used in this chapter, “return envelope” means the envelope issued, along
6 with a mail ballot, that is designed to contain a completed mail ballot and secrecy sleeve when
7 sealed and able to be sent through the mail.

8 **17-20-7. Duplication of votes -- Methods preferred.**

9 (a) In no event shall more than one vote be cast by any individual for any one office or
10 proposition.

11 (b) In the event that any person votes in person and also attempts to vote by mail ballot or
12 by an official state blank ballot or an official federal absentee ballot, as the case may be, the mail
13 and the official state blank ballot and the official federal absentee ballot, as the case may be, shall
14 ~~be destroyed and~~ not be counted and shall be retained for three (3) years.

15 (c) In the event that any person casts a mail ballot and an official federal absentee ballot
16 and/or official state blank ballot, the mail ballot shall be counted, but the official federal absentee
17 and/or the official state blank ballot shall ~~be destroyed and~~ not be counted and shall be retained for
18 three (3) years.

19 (d) In the event that any person casts more than one mail ballot, the mail ballot received
20 last shall be counted, but any other mail ballots shall not be counted and shall be retained for three
21 (3) years.

22 **17-20-8. Application for ballot.**

23 (a) Whenever any person is unable to sign his or her name because of physical incapacity
24 or otherwise, that person shall make his or her mark "X".

25 (b) Notwithstanding any other provision of this chapter as to time and manner thereof, it
26 shall be the duty of the applicant to cause the mail ballot application or the emergency mail ballot
27 application, as the case may be, to be processed by the local board so that the applicant may receive
28 the ballot, cast it, and cause delivery thereof to be made to the state board not later than eight o'clock
29 (8:00) p.m. on the date of election.

30 (c) The local board shall maintain a separate list of names and addresses of all applicants
31 ~~and their subscribing witnesses~~ and a copy of the list shall be made available for inspection to any
32 person upon request.

33 (d) Any voter may apply to receive an absentee ballot, in accordance with § 17-20-2.1, in
34 one of the following ways:

1 (1) By indicating that the voter wants to receive a ballot for the next upcoming general
2 election.

3 (2) By indicating that the voter wants to receive a ballot for the next upcoming primary and
4 general elections.

5 (3) By indicating that the voter wants to be a permanent mail voter and receive a ballot for
6 all elections covered under § 17-20-1 in perpetuity, until the voter indicates otherwise by
7 application or through the state's online voter registration portal.

8 (e) The secretary of state must maintain a list within the CVRS of all voters who are eligible
9 to remain on the permanent mail voter list, as described in subsection (d)(3) of this section.

10 ~~(d)~~(f) Any person knowingly and willfully making a false application or certification or
11 knowingly and willfully aiding and abetting in the making of a false application or certification
12 shall be guilty of a felony.

13 **17-20-10. Certification of applications -- Issuance of ballots -- Marking of lists --**
14 **Mailing address.**

15 (a) Upon receipt of the application, the local board shall immediately examine it and
16 determine whether it complies with each of the requirements set forth by this chapter and compare
17 the signature on the ballot application with the signature contained on the original registration card,
18 except as may be otherwise provided by law, to satisfy itself that the applicant is a qualified voter.
19 Upon determining that it does meet each requirement of this chapter and that the signature appears
20 to be the same, the local board shall mark the application "accepted" and record in the space
21 provided on the ballot application the senatorial, representative, and voting district in which the
22 applicant should vote.

23 (b) The local board shall also record the city or town code and district information in the
24 mailing label section of the mail ballot application. The local board shall also print or type the name
25 of the elector and the complete mailing address in that section. If the local board does not accept
26 the application, the local board shall return the application to the elector, together with a form
27 prescribed by the secretary of state, specifying the reason or reasons for the return of the application.

28 (c) Not later than 4:00 p.m. on the eighteenth (18th) day before the day of any election
29 referred to in this chapter or within seven (7) days of receipt by the local board, whichever occurs
30 first, the local board shall certify the applications to the secretary of state through the CVRS system
31 as this procedure is prescribed by the secretary of state. Upon the certification of a mail ballot
32 application to the secretary of state, the local board shall enter on the voting list the fact that a mail
33 ballot application for the voter has been certified and shall cause the delivery of the certified mail
34 ballot applications together with the signed certified listing thereof in sealed packages to the state

1 board of elections.

2 (d)(1) Upon the ballots becoming available, but not sooner than thirty (30) days before a
3 primary election, the secretary of state shall immediately issue and mail, by first-class mail, postage
4 prepaid, a mail ballot to each eligible voter who has been certified or who appears on the list of
5 permanent mail voters. ~~With respect to voters who have applied for these mail ballots under the~~
6 ~~provisions of § 17-20-2(1), the secretary of state shall include with the mail ballots a stamped,~~
7 ~~return envelope addressed to the board of elections.~~

8 (2) The secretary of state shall include on the mail ballot envelope a numerical or
9 alphabetical code designating the city or town where the voter resides. The secretary of state shall
10 immediately thereafter indicate on the voter's record that the secretary of state has sent mail ballots ;
11 provided that this mark shall serve solely to indicate that a mail ballot has been issued and shall not
12 be construed as voting in the election.

13 (e) Prior to each election, the secretary of state shall also furnish to the chairperson of the
14 state committee of each political party a list of the names and residence addresses of all persons to
15 whom mail ballots have been issued. The secretary of state shall also furnish to a candidate for
16 political office, upon request, a list of the names and residence addresses of all persons to whom
17 mail ballots have been issued within his or her district.

18 (f) If a ballot is returned to the secretary of state by the postal service as undeliverable, the
19 secretary of state shall consult with the appropriate local board to determine the accuracy of the
20 mailing address, and the secretary of state shall be required to re-mail the ballot to the voter using
21 the corrected address provided by the local board. If the local board is unable to provide a different
22 address than that to which the ballot was originally mailed, the ballot shall be reissued by the
23 secretary of state to the board of canvassers in the city or town where the voter resides utilizing the
24 numerical or alphabetical code established in subsection (d) of this section. The board shall then
25 attempt to notify the voter at his or her place of residence that the ballot has been returned as
26 undeliverable. The ballot must be voted ~~and witnessed~~ in accordance with the provisions of this
27 chapter.

28 (g) The acceptance of a mail ballot application by the board of canvassers and the issuance
29 of a mail ballot by the secretary of state shall not create any presumption as to the accuracy of the
30 information provided by the applicant or as to the applicant's compliance with the provisions of
31 this chapter. Any inaccuracy in the provided information or irregularity in the application may be
32 raised as a challenge to the ballot before the board of elections at the time of certification. If the
33 challenge raised at that time is meritorious, the ballot shall be voided.

34 (h) Within two (2) business days of receipt by the local board, the board shall certify

1 emergency mail ballot applications and shall cause the delivery of the emergency mail ballot
2 applications, and certification sheet in sealed packages to the state board of elections.

3 **17-20-12. Secretary of state to furnish forms and supplies.**

4 All mail ballots, application forms, ~~certified envelopes for enclosing ballots~~ secrecy
5 sleeves, any ~~other~~ envelopes that may be necessary, and instructions as to voting, and use of ballots,
6 ~~and affidavits~~, shall be furnished and supplied by the secretary of state for use in mailing ~~application~~
7 ~~forms~~, ballots, and other supplies or materials to ~~mail~~ voters to carry out the provisions of this
8 chapter, but each local board shall print or stamp upon the application form and upon the return
9 envelope the address of the local board. The secretary of state is authorized to interpret and apply
10 the provisions of this chapter in a manner that effects the legislative intention set forth in this
11 chapter.

12 **17-20-13.1. Form of emergency mail ballot application.**

13 The emergency mail ballot application to be subscribed by the voters before receiving a
14 mail ballot shall, in addition to any directions that may be printed, stamped, or written on the
15 application by authority of the secretary of state, be in substantially the following form:

16 STATE OF RHODE ISLAND ~~AND PROVIDENCE PLANTATIONS~~
17 EMERGENCY APPLICATION OF VOTER FOR BALLOT FOR ELECTION ON _____
18 (COMPLETE HIGHLIGHTED SECTIONS)

19 **NOTE -- THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF**
20 **CANVASSERS OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON _____**

21 BOX A (PRINT OR TYPE)
22 NAME _____
23 VOTING ADDRESS _____
24 CITY/TOWN _____ STATE RI ZIP CODE _____
25 DATE OF BIRTH _____ PHONE# _____

26 BOX B (PRINT OR TYPE)
27 NAME OF INSTITUTION (IF APPLICABLE) _____
28 ADDRESS _____
29 ADDRESS _____
30 CITY/TOWN _____ STATE _____ ZIP CODE _____

31 I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE
32 FOLLOWING BASIS: (CHECK ONE ONLY)

33 () 1. I am incapacitated to such an extent that it would be an undue hardship to vote at
34 the polls because of illness, mental or physical disability, blindness or a serious impairment of

1 mobility. ~~If not voting ballot at local board, ballot~~ Ballot will be mailed to the address in BOX A
2 above or to the Rhode Island address provided in BOX B above. If the ballot is to be delivered by
3 the local board of canvassers to a person presenting written authorization to pick up the ballot,
4 complete BOX A above and fill in the person's name below.

5 I hereby authorize _____ to pick up my ballot at
6 my local board of canvassers.

7 () 2. I am confined in a hospital, convalescent home, nursing home, rest home, or
8 similar institution within the State of Rhode Island. Provide the name and address of the facility
9 where you are residing in BOX B above.

10 ~~() 3. I am employed or in service intimately connected with military operations or~~
11 ~~because I am a spouse or dependent of such person, or I am a United States citizen who will be~~
12 ~~outside the United States. If not voting ballot at local board, provide address in BOX B above.~~

13 () 4.3. I may not be able to vote at the polling place in my city or town on the day of
14 the election. If the ballot is not being mailed to your voter registration address (BOX A above)
15 please provide the address within the United States where you are temporarily residing in BOX B
16 above. If you request that your ballot be sent to your local board of canvassers please indicate so in
17 BOX B above.

18 I hereby authorize _____ to pick up my ballot at
19 my local board of canvassers.

20 Under the pains and penalty of perjury, I certify that on account of the following
21 circumstances manifested twenty (20) days or less prior to the election for which I make this
22 application. I will be unable to vote at the polls.

23 BOX D OATH OF VOTER

24 I declare that all of the information I have provided on this form is true and correct to the
25 best of my knowledge. I further state that I am not a qualified voter of any other city or town or
26 state and have not claimed and do not intend to claim the right to vote in any other city or town or
27 state. If unable to sign name because of physical incapacity or otherwise, applicant shall make his
28 or her mark "X".

29 SIGNATURE IN FULL _____

30 Please note: A Power of Attorney signature is not valid in Rhode Island.

31 **17-20-14. Voting from hospitals, convalescent homes, nursing homes, rest homes or**
32 **similar institutions public or private within the State of Rhode Island -- Penalty for**
33 **interference.**

34 (a) The state board of elections shall appoint as many bipartisan pairs of supervisors as are

1 necessary whose duty it shall be to attend each hospital, rest home, nursing home and convalescent
2 home, or similar types of personal care facility in the state within twenty (20) days prior to the
3 election. They shall supervise the casting of votes by persons using mail ballots at a place that
4 preserves their secrecy and shall take acknowledgments ~~or serve as witnesses~~, and jointly provide
5 assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every
6 mail ballot cast by a patient in a hospital or convalescent home within this state must be witnessed
7 by the state supervisors. It shall be the duty of the person or persons in charge of hospitals, rest
8 homes, nursing homes and convalescent homes, or similar types of personal care facility to allow
9 the state supervisors to perform their duties as set forth in this section at all reasonable times. Every
10 person who willfully hinders the state supervisors in performing their duties as set forth in this
11 section shall be guilty of a misdemeanor.

12 (b) It shall be the responsibility of the state board of elections to provide all bipartisan pairs
13 of supervisors with an official identification card. All bipartisan pairs of supervisors will be
14 required to have in their possession their identification card when conducting official business.

15 (c) Any person who deliberately misrepresents themselves as an official of the board of
16 elections, or who deceives, coerces, or interferes with a voter casting a ballot, shall be subject to
17 prosecution under § 17-20-30.

18 **17-20-16. Time of casting vote.**

19 Mail ballots may be cast in the manner provided by law on or before election day; provided,
20 that no mail ballot shall be counted unless it is received by the state board not later than the time
21 prescribed by § 17-18-11 for the closing of polling places on election day, except ballots ~~cast under~~
22 ~~the provisions of § 17-20-6.1~~ returned through the United States Postal Service, which shall be
23 counted if received by the state board by ~~four o'clock p.m. (4:00) on~~ the third day following a
24 primary election or ~~four o'clock p.m. (4:00)~~ on the seventh day following ~~an~~ a state election other
25 than a primary election, and the return envelope for any such ballot contains a postmark date, no
26 later than the day of the election. Mail ballots returned through the United States Postal Service
27 that do not contain a postmark date on their return envelope, shall not be counted unless received
28 by the state board, not later than the day following a state election.

29 **17-20-19. ~~Envelopes for return of ballots~~ Return envelopes -- Tracking return**
30 **envelopes -- Ballot cure.**

31 ~~(a) Envelopes for the enclosure and return of mail ballots and their enclosing certified~~
32 ~~envelope~~ Return envelopes shall have the printed or written address: "Board of Elections, 2000
33 Plainfield Pike, Cranston, Rhode Island 02921"; or a post office box established and maintained by
34 the board; and shall be forwarded by the secretary of state to each mail voter whose application for

1 the mail ballot has been received and accepted.

2 (b) Every return envelope shall contain a unique identifier, associated with the voter, to
3 whom that return envelope and accompanying mail ballot is issued. The secretary of state and board
4 of elections shall create and maintain a secure system, using such unique identifiers to track and
5 record, when return envelopes and accompanying mail ballots are received from voters, when
6 return envelopes and accompanying mail ballots are processed and certified in accordance with §
7 17-20-26, when voters have voted in person, and anything else necessary to implement this chapter.
8 In addition to any other purposes required to implement this chapter, the secretary of state shall use
9 this system to prevent the duplication of votes, as described in § 17-20-7.

10 (c) The secretary of state and board of elections shall maintain a system that enables voters
11 to track the status of their ballots.

12 (d) The board of elections shall maintain a protocol to notify voters if their return envelope
13 has been challenged or has been found defective or deficient by the designated election officials,
14 and provide voters with an opportunity to correct any defects or deficiencies. The board shall notify
15 a voter, not less than one business day after finding any defect or deficiency of the envelope by
16 mail and by other means, including phone call, text message, electronic mail, or other form of
17 electronic notification, if available and the voter has designated a preference for such form of
18 notification through a form or protocol created by the board. The notification shall explain the
19 nature of the defect or deficiency, what steps the voter may take to remedy it, and the deadline to
20 do so. The ballot of any voter, who successfully complies with this protocol, shall be counted if
21 otherwise valid. Such protocol shall allow voters to correct any defects or deficiencies until five
22 o'clock (5:00) p.m. on the seventh day after the election. The board shall promulgate the protocol
23 and any other rules necessary to operate the notification and cure process, in accordance with the
24 rulemaking provisions of § 42-35-1, et seq.

25 **17-20-21. ~~Certifying envelopes~~ Certifying return envelopes -- Secrecy sleeve --**
26 **Instructions.**

27 The secretary of state shall cause to be prepared and printed and shall furnish with each
28 mail ballot ~~an~~ a return envelope described in § 17-20-19 for sealing up and certifying the ballot
29 when returned. The envelope shall be printed in substantially the following form:

30 ~~"After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to~~
31 ~~statement hereon. Enclose in envelope addressed to board of elections, which must receive the~~
32 ~~envelope not later than the time prescribed by § 17-18-11 for the closing of polling places on the~~
33 ~~day of election."~~

34 Date of Election _____ City/Town of _____

Certificate of Voter

Print Name of Voter

I swear or affirm, under penalty of perjury, that I am:

- 1. I am a United States citizen; and
- ~~2. I am a resident and qualified voter of the State of Rhode Island;~~
- ~~3. I am eligible to cast a mail ballot under the provisions of § 17-20-2; and~~
- ~~4. I am not qualified to vote elsewhere.~~

Voter must sign full name here: _____

(If unable to sign name because of physical incapacity or otherwise, voter shall make his or her mark "(X)").

~~I hereby attest under penalty of perjury that the enclosed voted ballot was cast, and the signature or mark on this certifying envelope was made by the voter whose name appears on the label above.~~

~~Before me the _____ day of _____, 20____, at _____ (city or town), county of _____, state of _____, personally appeared the above named voter, to me known and known by me to be the person who affixed his or her signature to this ballot envelope.~~

Notary Public

~~Notary must also print his or her name~~

~~Witness:~~

~~(Signature)(Print Name) _____ (Address)~~

~~(Signature)(Print Name) _____ (Address)~~

~~Note: Mail ballots must either be sworn to before a notary public or before two (2) witnesses who must sign their names and addresses.~~

(b) The return envelope shall be designed, such that the voter's signature and identifying information described in subsection (a) of this section, are concealed by the envelope's flap, when the envelope is sealed.

(c) In addition to the return envelope, the secretary of state shall cause to be prepared and printed and shall furnish with each mail ballot, a secrecy sleeve, which can fit within a sealed return envelope and is designed to conceal and maintain the confidentiality of the voter's vote until the counting of votes for that particular election.

(d) The secretary of state shall promulgate rules in accordance with the rulemaking

1 [provisions of § 42-35-1, et seq., setting forth specific and easily understandable voter instructions](#)
2 [that include all necessary information about marking the ballot, preparing it for return, certifying](#)
3 [the return envelope, and properly and timely returning it to the board of elections.](#)

4 **17-20-23. Marking and certification of ballot.**

5 (a) A voter may vote for the candidates of the voter's choice by making a mark in the space
6 provided opposite their respective names.

7 (b) In case a voter desires to vote upon a question submitted to the vote of the electors of
8 the state, the voter shall mark in the appropriate space associated with the answer that the voter
9 desires to give.

10 (c) ~~Voters receiving a mail ballot pursuant to § 17-20-2(1), (2), and (4) shall mark the ballot~~
11 ~~in the presence of two (2) witnesses or some officer authorized by the law of the place where~~
12 ~~marked to administer oaths. Voters receiving a mail ballot pursuant to § 17-20-2(3) do not need to~~
13 ~~have their ballot witnessed or notarized. Except as otherwise provided for by this chapter, the voter~~
14 ~~shall not allow the official or witnesses to see how he or she marks the ballot and the official or~~
15 ~~witnesses shall hold no communication with the voter, nor the voter with the official or witnesses,~~
16 ~~as to how the voter is to vote. Thereafter, the voter shall enclose and seal the ballot in the envelope~~
17 ~~provided for it. The voter shall then execute before the official or witnesses the certification on the~~
18 ~~envelope. The voter shall then enclose and seal the certified envelope with the ballot in the envelope~~
19 ~~addressed to the state board and cause the envelope to be delivered to the state board on or before~~
20 ~~election day.~~

21 (d) These ballots shall be counted only if received within the time limited by this chapter.

22 (e) There shall be a space provided on the general election ballot to allow the voter to write
23 in the names of persons not in nomination by any party as provided for in §§ 17-19-31 and 17-20-
24 24.

25 **17-20-24. Irregularities not impairing validity of ballots.**

26 (a) No ballot transmitted under the provisions of this chapter shall be rejected for any
27 immaterial addition, omission, or irregularity in the preparation or execution of the computer ballot,
28 nor for failure of the voter to affix sufficient postage. No ballot shall be invalid by reason of mistake
29 or omission in writing in the name of any candidate where the candidate intended by the voter is
30 plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any
31 particular candidate for office, it shall remain valid as to the candidates for other offices. No ballot
32 shall be invalid by reason of the voter writing upon the ~~inner envelope~~ [secrecy sleeve](#) the name of
33 a community within a town in place of the name of the town [or by reason of the voter failing to](#)
34 [cover the ballot with the secrecy sleeve or failing to return the secrecy sleeve, along with the ballot,](#)

1 [in the return envelope](#). No defect in the marking of the appropriate space associated with casting a
2 vote shall invalidate any ballot or a vote for any candidate, where the intention of the voter is clearly
3 indicated.

4 (b) No ballot shall be rejected if the intention of the voter is clear unless it contains clear
5 evidence of the identity of the voter.

6 **17-20-24.1. Irregularities in obtaining and casting mail ballots.**

7 The requirements set forth by this chapter controlling mail ballot eligibility and the
8 procedure by which mail ballots are obtained and cast shall be strictly applied to assure the integrity
9 of the electoral system. No mail ballot which was not obtained and/or cast in material conformance
10 with the provisions of this title shall be certified by the board of elections. ~~Notwithstanding the~~
11 ~~provisions of § 34-12-3 to the contrary, any mail ballot application or mail ballot certification~~
12 ~~notarized by a person who is not in fact a notary public or other officer authorized to administer~~
13 ~~oaths and take acknowledgements shall be void.~~ Nothing in this chapter shall be construed to
14 require the disqualification of a ballot merely because the elector did not sign the elector's full name
15 as it is listed on the voter registration list, but omitted or included a middle initial or name,
16 abbreviated a first and/or middle name, or made a similar omission or inclusion, as long as the
17 board of elections can reasonably determine the identity of the voter.

18 **17-20-26. Opening and counting of ballots.**

19 (a)(1) Beginning prior to and continuing on election day the state board, upon receipt of
20 mail ballots, shall keep the ballots in a safe and secure place that shall be separate and apart from
21 the general public area and shall:

22 ~~(i) Open the outer envelope and attach the matching ballot application to the inner~~
23 ~~certifying envelope;~~

24 ~~(ii) Beginning fourteen (14),~~ [beginning twenty \(20\)](#) days prior to and continuing on election
25 day, proceed to certify the mail ballots.

26 (2) Notice of these sessions shall be given to the public on the state board of elections'
27 website, the secretary of state's website, and announcements in newspapers of general circulation
28 published at least twenty-four (24) hours before the commencing of any session. All candidates for
29 state and federal office, as well as all state party chairpersons, shall be given notice by telephone
30 or otherwise of the day on which ballots affecting that candidate's district will be certified;
31 provided, that failure to effect the notice shall in no way invalidate the ballots.

32 (b) This processing shall be done within a railed space in the room in which it takes place,
33 and the board shall admit within the railed space, in accordance with those rules that the board shall
34 adopt, to witness the processing and certification of the ballots, the interested voter or the voter's

1 representative, the candidates, or at least one representative of each candidate for whom votes are
2 at the time being processed, and an equal number of representatives of each political party. These
3 representatives shall be authorized in writing by the voter, the candidate, or the chairperson of the
4 state committee of the political party, respectively, as the case may be. The board shall also, in
5 accordance with these rules, admit representatives of the press and newscasting agencies and any
6 other persons that it deems proper.

7 (c) At these sessions, and before certifying any ballot, the state board shall:

8 (1) Determine the city or town in which the voter cast his or her ballot and classify
9 accordingly; and

10 (2) Compare the name, residence, and signature of the voter with the name, residence, and
11 signature on ~~the ballot application for mail ballots~~ file in the central voter registration system and
12 satisfy itself that both signatures are identical.

13 (d) [Deleted by P.L. 2015, ch. 259, § 1].

14 (e)(1) If, upon initial review, a voter's signature on a return envelope does not appear to
15 match that voter's signature on file with the central voter registration system, a pair of election
16 supervisors, who are not affiliated with the same political party, shall compare the signatures. If
17 both election supervisors agree that the signatures do not match, the return envelope and its contents
18 shall be set aside to undergo the notification and correction process, established by § 17-20-19(d),
19 otherwise the return envelope and ballot it contains, shall continue through the counting process
20 established in this section.

21 (2) The initial review of signatures described in subsection (e)(1) of this section, may be
22 performed by an election official or by a signature verification device used in accordance with rules
23 established by the board of elections. All rules shall be promulgated in accordance with the
24 rulemaking provisions of § 42-35-1, et seq.

25 (3) The board of elections, in consultation with any appropriate experts and state agencies,
26 shall establish and make publicly available, statewide standards for signature verification. All
27 personnel assigned to verify signatures shall receive training on statewide standards for signature
28 verification.

29 (4) Before using a signature verification device, the board of elections shall promulgate
30 rules, in accordance with the rulemaking provisions of § 42-35-1, et seq., establishing an audit
31 process to ensure that the signature verification device is operating properly during signature
32 review, and establishing contingency procedures in the event that an audit fails.

33 ~~(e)~~(f) The board shall establish guidelines setting forth the grounds for challenging the
34 certification of mail ballots. These guidelines shall recognize that if a ballot can be reasonably

1 identified to be that of the voter it purports to be, ~~and if it can reasonably be determined that the~~
2 ~~voter was eligible to vote by mail ballot and if the requirements of § 17-20-2.1 were complied with,~~
3 it should not be subject to frivolous or technical challenge. The burden of proof in challenging a
4 mail ballot as not obtained and/or cast in conformance with this chapter is on the person challenging
5 the ballot. Once the irregularity is shown, the burden of proof shall shift to the person defending
6 the ballot to demonstrate that it is the ballot of the voter it purports to be, ~~that the voter was eligible~~
7 ~~to vote by mail ballot, and that all of the applicable requirements of § 17-20-2.1 were complied~~
8 ~~with.~~ The guidelines shall be adopted at a public meeting of the board and shall be made available
9 prior to the start of the certification process for mail ballots. The guidelines shall be promulgated
10 in accordance with the rulemaking provisions of § 42-35-1, et seq.

11 ~~(f)~~(g) After processing and certification of the mail ballots, they shall be separated in
12 packages in accordance with their respective cities and towns, in the presence of the board and all
13 other interested parties. Thereupon, in each instance the board shall open the enclosing envelope,
14 and without looking at the votes cast on the enclosed ballot, shall remove the ballot from the
15 envelope. The state board shall proceed to tabulate the ballots through the use of a central count
16 optical-scan unit with the same effect as if the ballots had been cast by the electors in open town or
17 district meetings.

18 ~~(g)~~(h) When a local election is held at a time other than in conjunction with a statewide
19 election, the state board, after the processing and certification of the mail ballots cast in the local
20 election, shall package the local ballots to be promptly delivered in sealed packages, bearing upon
21 the seals the signatures of the members of the board, to the appropriate local board which shall [a]
22 thereupon proceed to count the ballots in the same manner and with the same effect as state mail
23 ballots are counted by the state board.

24 ~~(h)~~(i) When a local election is held in New Shoreham at a time other than in conjunction
25 with a statewide election, the state board, after the processing and certification of the mail ballots
26 cast in the local election, shall have the authority to count the ballots in the same manner and with
27 the same effect as state mail ballots are counted by the state board in a statewide election. Once the
28 ballots are counted, the results shall be sent via facsimile to the local board in New Shoreham.

29 **17-20-29. Mail applicant not permitted to vote at polls.**

30 (a) ~~No person, or one claiming to be that person, whose name has been marked upon any~~
31 ~~voting list, provided for official use at any election, with the mark as provided by § 17-20-10, Any~~
32 ~~person who has been issued a mail ballot shall be permitted to vote in person at the election or~~
33 ~~during the in-person early voting period; provided, that the person ~~may re-establish his or her right~~~~
34 ~~to vote in person by presenting himself or herself at that person's local board on or before election~~

1 ~~day and surrendering~~ surrenders his or her mail ballot at the polling place for his or her assigned
2 voting district. ~~Upon that surrender the person's name shall be restored to the voting list. Any person~~
3 ~~whose name has been marked on the voting list may also be permitted to vote in person if that~~
4 ~~person executes and delivers to the local board an affidavit stating that the person did not receive~~
5 ~~the mail ballot, or that the mail ballot was lost or destroyed.~~

6 (b) A voter who has been issued a mail ballot, but does not have the ballot available for
7 surrender, may vote in person at the polling place for his or her assigned voting district at the
8 election or during the in-person early voting period by provisional ballot.

9 ~~(b)~~(c) Each local board shall, immediately after the close of the polls, certify and deliver to
10 the state board the names and addresses of all persons ~~restored to the voting list~~ who were issued
11 mail ballots but votes in-person, together with the ~~affidavits~~ provisional and surrendered ballots
12 received pursuant to this section.

13 **17-20-30. Penalty for violations.**

14 (a) Any person who knowingly makes or causes to be made any material false statement in
15 connection with his or her application to vote as a mail voter, or who votes or attempts to vote
16 under the provisions of this chapter, by fraudulently signing the name of another upon any envelope
17 provided for in this chapter, or who, not being a qualified voter and having knowledge or being
18 chargeable with knowledge of the fact, attempts to vote under this chapter, or who votes the ballot
19 of another voter, or who deliberately prevents or causes to prevent the mail ballot to be received by
20 the voter or to be returned to the board of elections, ~~or who falsely notarizes or witnesses the voter~~
21 ~~signature on the ballot application or mail ballot,~~ or who deceives, coerces, or interferes with the
22 voter casting his or her ballot, and any person who does or attempts to do, or aid in doing or
23 attempting to do, a fraudulent act in connection with any vote cast or to be cast under the provisions
24 of this chapter, shall be guilty of a felony.

25 (b) Any person who, having received a mail voter's ballot and having voted or not voted
26 the mail ballot, votes or fraudulently attempts to vote at any elective meeting within the state held
27 on the day for which the ballot was issued shall be guilty of a felony.

28 (c) Any officer or other person who intentionally opens a mail voter's certified envelope or
29 examines the contents before the envelope is opened by the board of elections, as provided in this
30 chapter, shall be guilty of a felony.

31 (d) The offenses in this section shall be punishable by imprisonment of not more than ten
32 (10) years and/or by a fine of not less than five hundred dollars (\$500) nor more than five thousand
33 dollars (\$5000).

34 **17-20-33. Disqualification of ballot by board of elections.**

1 The board of elections shall, on its own motion, disqualify any mail ballot which it
2 determines, based upon a preponderance of the evidence, was not voted by the elector who
3 purportedly cast it, ~~or was voted by an elector who was not eligible to vote by mail ballot,~~ or was
4 not obtained and voted in the manner prescribed by this chapter. The board of elections may take
5 this action even in the absence of a challenge to the ballot and may take this action at any time prior
6 to the separation of the ballot from its ~~application and certifying return~~ envelope.

7 **17-20-34. Liberal construction.**

8 This chapter shall be construed liberally to effect the purposes of maintaining the integrity
9 and the secrecy of the mail ballot by ensuring that voters are able to vote by mail ~~assuring that only~~
10 ~~electors eligible to vote by mail ballot are allowed to utilize that method of voting,~~ by assuring that
11 the procedures set forth in this chapter controlling the application and balloting processes are
12 strictly enforced, and by safeguarding the mail ballot voter from harassment, intimidation, and
13 invasion of privacy.

14 SECTION 7. Chapter 17-9.1 of the General Laws entitled "Registration of Voters" is
15 hereby amended by adding thereto the following section:

16 **17-9.1-27. Periodic updating of voter registration records. [Effective until July 1,**
17 **2022.]**

18 (a) The secretary of state shall promulgate rules in accordance with the rulemaking
19 provisions of § 42-35-1, et seq., specifying a regular schedule and process updating voters'
20 registrations based on a change of address search, using the United States Postal Service National
21 Change of Address (NCOA) Program, for all voters whose names appear in the CVRS. At
22 minimum, the schedule established by the secretary of state shall require a search not less than four
23 (4) times within a calendar year, In addition, the secretary of state's rules shall require local boards
24 to update the address in the voter registration record for each voter who, according to the NCOA
25 search, has moved within the state or changed their permanent mailing address within the state; and
26 inactivate the record of any voter who, according to the NCOA search, has moved outside of the
27 state. The secretary of state's rules must require local boards to send notice to each voter, in
28 accordance with the requirements of the federal "National Voter Registration Act of 1993", 52
29 U.S.C. § 20501 et seq., as amended, of any change to the voter's record. The office of the secretary
30 of state shall be responsible for obtaining the NCOA data and providing each local board of
31 canvassers with their data; provided, that the updating shall be performed by each local board in
32 accordance with the rules promulgated under this section.

33 (b) Each local board of canvassers in each city or town shall send annually, a notice
34 prescribed by the secretary of state and marked "Do Not Forward -- Return if Undeliverable", to

1 every active registered voter who has not voted in the past five (5) calendar years and has not
2 otherwise communicated with the board during that period of time, advising them of their current
3 polling place and voting eligibility, and informing them that mail that is returned as undeliverable
4 will initiate the confirmation process described in § 17-9.1-26; provided, however, that the local
5 boards shall not be obligated to send such notice if the state or federal government fails to
6 appropriate the necessary funds. The mailing shall take place in all municipalities and be performed
7 in a uniform manner, in accordance with standards adopted by the secretary of state and the list
8 maintenance procedures provided by the National Voting Rights Act, 42 U.S.C. § 1973gg.

9 (c) Beginning thirty (30) days before any state election and through certification of that
10 election, local boards shall cease all list maintenance procedures under this section.

11 SECTION 8. Chapter 17-19 of the General Laws entitled "Conduct of Election and Voting
12 Equipment, and Supplies" is hereby amended by adding thereto the following section:

13 **17-19-24.4. In-person early voting.**

14 (a) In-person early voting shall be made available to any registered voter and eligible voter
15 of this state whose name appears upon the official voting list of the city or town where the voter is
16 so qualified to vote for all elections.

17 (b) The in-person early voting period shall begin on the twentieth day before a state
18 election, or the nineteenth day before a state election, if the twentieth day before is a state or federal
19 holiday, and extend through four o'clock (4:00) p.m. on the day before the state election.

20 (c) During the in-person early voting period, as set forth in subsection (b) of this section,
21 in-person early voting shall take place at locations to be determined by each local board and
22 approved by the state board, with at least one location for each town or city. The provisions of §
23 17-19-3.2 shall apply to the placement of all early voting polling places. Prior to the beginning of
24 the in-person early voting period, a notice shall be published by the secretary of state in a newspaper
25 or newspapers having general circulation throughout the state, at least three (3) days prior to the
26 beginning of the in-person early voting period. Adequate notice of at least seven (7) days shall be
27 posted at each local board's office and on the city's or town's website, if any, and in some
28 newspaper having a general circulation in the city or town, informing the public of the locations
29 where in-person early voting is being conducted. Notice of the in-person early voting period for
30 each city or town shall also be posted on the secretary of state's website and the board of elections'
31 website.

32 Effective January 1, 2022, in-person early voting shall take place during normal business
33 hours in each city or town, on Monday, Tuesday, Wednesday, Thursday and Friday during the in-
34 person early voting period. In-person early voting shall take place on the two (2) Saturdays

1 immediately preceding a general election day during the hours of twelve o'clock (12:00) p.m. to
2 four o'clock (4:00) p.m. and on the two (2) Sundays immediately preceding a general election day
3 during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m. during the in-person
4 early voting period. In-person early voting shall take place on the Saturday immediately preceding
5 all state election days, other than general elections, during the hours of twelve o'clock (12:00) p.m.
6 to four o'clock (4:00) p.m. and on the Sunday immediately preceding all state election days other
7 than general elections during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m.
8 during the in-person early voting period. Nothing contained herein shall be construed to prohibit a
9 municipality from including additional days and times where early voting is available during the
10 in-person early voting period.

11 (d) Prior to the in-person early voting period, the state board shall provide the local boards
12 with the ballots, ballot on-demand printers, ballot applications, tabulation equipment, ballot storage
13 boxes, voting booths, electronic poll books, instructions as to voting, and other supplies necessary
14 to effectuate the provisions of this section. During the in-person early voting period, the state board
15 shall provide technical support as needed at in-person early voting sites. The provisions of §§ 17-
16 19-3 and 17-19-8.2 shall apply to early voting.

17 (e) The secretary shall make available, no later than the next business day, the updated list
18 of those persons that have cast their ballot during the in-person early voting period.

19 (f) At the conclusion of the early voting period, the local board shall note on the appropriate
20 electronic or paper-based voter roll, that the voter has cast an early vote so as to prevent the voter
21 from casting an additional vote at the polls on election day.

22 (g) The procedure for voting during the in-person early voting period shall be established
23 through rules promulgated by the state board, in accordance with the rulemaking provisions of §
24 42-35-1, et seq.

25 (h) The secretary of state and state board shall convene an in-person early voting advisory
26 committee to assist in the drafting of rules for the in-person early voting period. The advisory
27 committee shall be comprised of the following:

28 (1) Secretary of state, or designee;

29 (2) Three (3) representatives of the board of elections;

30 (3) Three (3) representatives of the Rhode Island town and city clerk's association elections
31 committee appointed by the president of the Rhode Island town and city clerk's association;

32 (4) Three (3) members of the public, with one member each appointed by the secretary of
33 state, the board of elections, and the president of the Rhode Island town and city clerk's association.

34 (i) The advisory committee shall advise the state board on issues including, but not limited

1 to:

2 (1) Staffing of in-person early voting locations;

3 (2) Suitable in-person early voting locations;

4 (3) Accessibility criteria to be considered for in-person early voting locations.

5 (j) The provisions of subsections (h) and (i) of this section creating an in-person early
6 voting advisory committee shall sunset and be repealed effective December 31, 2022.

7 SECTION 9. Chapter 17-20 of the General Laws entitled "Mail Ballots" is hereby amended
8 by adding thereto the following sections:

9 **17-20-2.3. Return of mail ballots.**

10 (a) Mail ballots may be returned to the board of elections by any of the following methods:

11 (1) By mail, through the United States Postal Service or through a private delivery or
12 courier service;

13 (2) By drop box;

14 (3) Dropped off at any polling place during that polling place's hours of operation;

15 (4) Dropped off at any local board of canvassers during its hours of operation; or

16 (5) Dropped off at any other secure and supervised location designated by the board of
17 elections during the hours designated by the board of elections.

18 (b) All mail ballots returned in accordance with subsection (a) of this section shall be
19 delivered to the board of elections for certification, processing, and counting, regardless of the
20 method by which they are returned.

21 **17-20-2.4. Drop boxes.**

22 (a) "Drop box" means the locked and secure container established and maintained by the
23 board of elections, in accordance with this section, that shall serve as a receptacle for the receipt of
24 mail and emergency ballots cast by voters. Every drop box established by the board of elections
25 shall be deemed to be the property of the board of elections and shall be available to the public,
26 beginning thirty (30) days prior to the date of a state election (hereinafter "election day") and twenty
27 four (24) hours per day and seven (7) days per week throughout this period, if established outside
28 a municipal building, and during the normal business hours of the facility if established inside a
29 municipal building. All drop boxes must be accessible on election day, from the time polls open
30 until the time they close, in accordance with §§ 17-18-10 and 17-18-11. Any ballot that is cast by
31 a voter, as either a mail ballot, or emergency ballot and is deposited into a drop box on or before
32 the close of polls on election day, shall be deemed to be received by and in the possession of the
33 board of elections. At the close of polls on election day, upon the last ballot deposited by any person
34 in line at that time, a designated agent of the board of elections shall ensure that no other ballots

1 are deposited in the drop box.

2 (b) Drop boxes must be labeled “Official Ballot Drop Box,” and include language about
3 tampering, voter hotlines, postage and other information, and display the official seal of the board
4 of elections. Drop boxes must be constructed to withstand weather and vandalism, with a clearly
5 identified ballot insertion slot and a unique identifying number. Drop boxes must be accessible by
6 persons with disabilities. If feasible, drop boxes should be monitored by a video surveillance
7 system.

8 (c) For any election, there must be a minimum number of drop boxes where mail ballots
9 may be deposited, equal to at least one drop box for each twenty thousand (20,000) registered voters
10 in the town or city. No town or city shall have fewer than one drop box. A drop box may be
11 established inside a municipal building, only if the building remains open and accessible to the
12 public, up throughout the prescribed time period prior to election day and until the close of the
13 polls, in accordance with § 17-18-10. Drop boxes must be placed in locations that are accessible to
14 persons with disabilities and equitably distributed, so as to provide maximally convenient options
15 for all voters.

16 (d) In addition to the requirements of subsection (c) of this section, the board of elections
17 shall establish a drop box on each campus of a public institution of higher education that, has five
18 hundred (500) or more enrolled students, as determined in accordance with this section.

19 (e) The board of elections shall promulgate rules to implement this section, including rules
20 for the location of drop boxes and the receipt, storage, security, regular collection, and
21 transportation of mail ballots returned, in accordance with this section. Rules concerning the
22 location of drop boxes shall consider population, geographic areas, voter convenience, proximity
23 to public transportation and parking, security, and available funding. All rules promulgated under
24 this section shall be done in accordance with the rulemaking provisions of § 42-35-1, et seq.

25 (f) Each local board of canvassers shall determine the location of every drop box located
26 within the area over which that local board has authority, in accordance with the rules promulgated
27 by the board of elections, subject to the approval of the board of elections. The drop boxes shall be
28 arrayed throughout the town or city in a manner that provides the greatest convenience to electors.

29 (g) Each drop box shall begin accepting the deposit of mail ballots no later than thirty (30)
30 days before the day of the election and shall not accept the deposit of mail ballots after the last
31 person in line to deposit a ballot in that drop box at the time the polls close, on the day of the
32 election, has deposited their ballot.

33 (h) Local boards of canvassers shall inform the board of elections of the drop box locations
34 at least thirty (30) days prior to the election. Each local board shall make the location of every drop

1 box within the area over which it has authority publicly available at its office and on its website,
2 no later than thirty-three (33) days before the day of the election. The board of elections shall make
3 the location of all drop boxes located within the state, publicly available at its office and on its
4 website, no later than thirty-three (33) days before the day of the election.

5 (i) The board of elections shall designate one or more staff members of each local board of
6 canvassers, as the official agents of the board of elections, for purposes of retrieving ballots
7 deposited in drop boxes and, by regulations promulgated in accordance with the rulemaking
8 provisions of § 42-35-1, et seq., establish a schedule and process by which drop boxes are regularly
9 emptied and any ballots they contain are securely and promptly transported to the board of
10 elections.

11 **17-20-15.1. Publication of election data and voter intent guidelines -- Privacy of voter**
12 **information.**

13 (a) The board of elections shall collect and publish data concerning the number and
14 disposition of provisional ballots, mail ballots and mail ballot applications, ballot rejections and the
15 reasons for such rejections, mail ballots flagged as a mismatch by a signature verification device,
16 if any, mail ballot applications cured, mail ballots cured, mail ballots remade, and mail ballots
17 received after the deadline in § 17-20-16 for each state election.

18 (b) The board of elections shall issue rules for determining voter intent and publish all
19 guidelines, rules for determining voter intent, in accordance with § 42-35-1, et seq.

20 (c) Other than any information required by law to be made public, The board of elections
21 and secretary of state shall ensure the privacy and security of any personal information in their
22 possession, including phone numbers, email addresses, and any identification numbers provided
23 for identification purposes. All rules promulgated by the board of elections and secretary of state
24 relating to the privacy and security of such personal information, shall be promulgated in
25 accordance with the rulemaking provisions of § 42-35-1, et seq.

26 **17-20-36. Voter access study commission.**

27 (a) The voter access study commission is hereby established for the purpose of reviewing
28 the implementation and making recommendations on the improvement of:

29 (1) In-person early voting;

30 (2) Mail voting;

31 (3) Voter registration;

32 (4) Voting access and voter education for people with disabilities;

33 (5) Voting access and voter education for people whose primary language is not English;

34 (6) Voting access, voter education and measures to protect the identity and safety of victims

1 of domestic violence;

2 (7) Voting access and voter education for people experiencing homelessness and housing

3 insecurity; and

4 (8) Any other issues that affect equitable access to and participation in the electoral process

5 for all Rhode Island voters.

6 (b) The voter access study commission shall consist of fifteen (15) members selected as

7 follows:

8 (1) Five (5) members to be appointed by the speaker of the house, no more than three (3)

9 of whom shall be from the same political party;

10 (2) Five (5) members to be appointed by the president of the senate, no more than three (3)

11 of whom shall be from the same political party;

12 (3) Five (5) members to be appointed by the governor, no more than three (3) of whom

13 shall be from the same political party.

14 (c) All members of the study commission shall be registered voters of this state at the time

15 of their selection and at all times while they remain on said study group. When making

16 appointments, the speaker of the house, president of the senate, and governor shall select members

17 who represent the diversity of Rhode Island and make appointments on the basis of knowledge of

18 and experience with such issues as voting access and voting rights, elections and election

19 administration, civil rights and racial justice, language access, disability rights and access for

20 persons with disabilities, homelessness and housing insecurity, domestic violence, or any other area

21 relevant to the issues and communities referenced in subsection (a) of this section.

22 (d) Members of the voter access study commission shall be appointed no later than July 1,

23 2022.

24 (e) The voter access study commission shall present a report on its work and findings, and

25 recommend any statutory, regulatory, and constitutional changes necessary to implement its

26 recommendations, to the general assembly, the governor, the board of elections, and the secretary

27 of state no later than November 1, 2023. The report shall be made available to the public.

28 (f) The director of the legislative council shall provide staff assistance to the voter access

29 study commission. The secretary of state, board of elections, all local boards of canvassers, and all

30 other state agencies shall provide the voter access study commission with any information, data, or

31 other documents or materials relevant to the commission's work at the commission's request.

32 (g) The members of the voter access study commission shall serve without compensation;

33 except that the members shall be reimbursed for necessary expenses incurred in the performance

34 of their duties.

1 [\(h\) This section shall sunset and be repealed on December 31, 2023.](#)

2 SECTION 10. Sections 17-20-2, 17-20-14.2 and 17-20-32 of the General Laws in Chapter
3 17-20 entitled "Mail Ballots" are hereby repealed.

4 ~~**17-20-2. Eligibility for mail ballots.**~~

5 ~~Any otherwise qualified elector may vote by mail ballot in the following circumstances:~~

6 ~~(1) An elector, within the State of Rhode Island who is incapacitated to the extent that it~~
7 ~~would be an undue hardship to vote at the polls because of illness, or mental or physical disability,~~
8 ~~blindness, or serious impairment of mobility;~~

9 ~~(2) An elector who is confined in any hospital, convalescent home, nursing home, rest~~
10 ~~home, or similar institution, public or private, within the State of Rhode Island;~~

11 ~~(3) An elector who will be temporarily absent from the state because of employment or~~
12 ~~service intimately connected with military operations or who is a spouse or legal dependent residing~~
13 ~~with that person, or a United States citizen that will be outside of the United States;~~

14 ~~(4) An elector who may not be able to vote at his or her polling place in his or her city or~~
15 ~~town on the day of the election.~~

16 ~~**17-20-14.2. Voting from board of canvassers.**~~

17 ~~The local board of canvassers shall appoint as many supervisors as are necessary whose~~
18 ~~duty it shall be to supervise the casting of votes by persons using mail ballots at a place that~~
19 ~~preserves their secrecy and to take acknowledgments or serve as witnesses, and jointly provide~~
20 ~~assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every~~
21 ~~certifying envelope containing a mail ballot cast at a board of canvassers must have the signature~~
22 ~~of the elector notarized by an appointed person authorized by law to administer oaths or before two~~
23 ~~(2) appointed witnesses who shall set forth their signature on the form. The certifying envelope of~~
24 ~~any mail ballot voted at the local board of canvassers shall be stamped by the local board to indicate~~
25 ~~it was voted on in conformance with the law. Every person who willfully hinders the local~~
26 ~~supervisors in performing their duties as set forth in this section shall be guilty of a misdemeanor.~~
27 ~~The local board shall transmit a list to the state board of elections containing the names and~~
28 ~~signatures of people authorized to witness mail ballots.~~

29 ~~**17-20-32. Inquiry by board of elections.**~~

30 ~~Upon the request of any candidate for public office and upon a showing of good cause for~~
31 ~~it or upon its own motion, the board of elections shall inquire into any notary public or witness who~~
32 ~~witnesses the voter signatures on more than fifty (50) mail ballot envelopes in any one election and~~
33 ~~any notary public or witness who the board has reason to believe has not complied with the~~
34 ~~provisions of this chapter. The inquiry shall attempt to determine whether the notary public or~~

1 ~~witness was actually present when the documents were signed by the voters and whether all other~~
2 ~~applicable requirements set forth in this chapter were complied with. Any criminal violation of this~~
3 ~~chapter uncovered by the board of elections shall be referred to the state police for further~~
4 ~~investigation.~~

5 SECTION 11. This act shall take effect upon passage.

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LC001938
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS

1 This act would make very comprehensive changes to the election laws concerning voter
2 registration, voter rights, mail ballots, early day voting, and improvements of the voting process.

3 This act would take effect upon passage.

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LC001938
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