2022 -- H 7100

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO ELECTIONS -- SECRETARY OF STATE -- LET RI VOTE ACT

Introduced By: Representatives Kazarian, Amore, Fogarty, Alzate, Shanley, Williams, Felix, Giraldo, Kislak, and Carson
Date Introduced: January 12, 2022
Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

SECTION 1. Section 17-6-13 of the General Laws in Chapter 17-6 entitled "Secretary of State" is hereby amended to read as follows:

17-6-13. Electoral process education Electoral process education -- Voter information

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

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

SECTION 2. Section 17-9.1-27 of the General Laws in Chapter 17-9.1 entitled "Registration of Voters" is hereby amended to read as follows:


(a) In every odd-numbered year Not less than four (4) times within a calendar year, the secretary of state shall update the central voter register using the United States Postal Service National Change of Address (NCOA) Program. The office of the Secretary of State shall be
responsible for obtaining the NCOA data and providing each local board of canvassers with their
data; provided, that the updating shall be performed by each local board. The NCOA list of address
changes shall be compared by the local board with lists of registered voters, and if address changes
are detected for any voter, the local board shall institute the confirmation process described in §

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

(c) The secretary of state shall promulgate regulations for the uniform implementation of
this section, consistent with all applicable federal voting laws. Such regulations shall be adopted in
accordance with the rulemaking provisions of § 42-35-1 et seq.

(d) Beginning thirty (30) days before any state election and through certification of that
election, local boards shall cease all list maintenance procedures required by this section.

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

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

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

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

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

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

of Election and Voting Equipment, and Supplies" is hereby amended to read as follows:

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

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

(b) Requests must be made in writing to the local board of canvassers where the person is
registered to vote or through the electronic voter registration portal established by §§ 17-20-2.3 and
17-20-8 at least forty-five (45) twenty-one (21) days before the election for which the voter is
requesting the special ballot. In addition, the request will be valid for all elections held during the
calendar year in which the request was received and in which the voter is eligible to participate.
Applicants must also file the appropriate mail ballot application as required by chapter 20 of this
title for each election in which they wish to participate.

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

(1) The name and registered address of the voter;
(2) A daytime telephone number;
(3) An indication of whether this request is for the entire calendar year or only for the next
upcoming election;
(4) The voter’s political party affiliation, if the request for a special ballot is also for
primaries;
(5) Indicate the special ballot format.

(d) All requests received by local boards must be processed and forwarded to the office of
the secretary of state within twenty-four (24) hours of receipt. The secretary of state shall maintain
a list of all persons requesting special Braille or tactile mail ballots and must forward a copy of the
list to the state board of elections at least eighteen (18) days before the date of any election.

(e) The state board may adopt rules and regulations for the procedure for the manual
reproduction of voted ballots, when necessary, and the tabulation of Braille and tactile mail ballots.

(f) The office of the secretary of state shall be responsible for the preparation and
distribution of special Braille and tactile mail ballots. Whenever possible, the secretary of state
shall prepare the Braille or tactile mail ballot so that the voted ballot can be read by the tabulation
equipment, rather than being manually reproduced by election officials onto a machine readable
ballot.

(g) The office of the secretary of state may adopt rules and regulations setting forth the
procedure for the preparations and distribution of the Braille and tactile mail ballots.

(h) The office of the secretary of state shall prepare and publish a guide describing the types
of ballots available and the manner in which each ballot can be voted. This guide shall be revised
whenever the types of ballots available are updated. This guide shall be available in print, Braille,
audio, or other accessible formats.

(i) The office of the secretary of state shall establish a special Braille and tactile ballot
program for voters who are blind or visually impaired. The office of the secretary of state shall
expand the special ballot service to other voters with disabilities, as feasible, as determined by the
secretary of state, and incorporate other accessible formats as technology and resources allow.

(j) In accordance with the Help America Vote Act of 2003, the voting system at each
polling place shall be accessible for individuals with disabilities, including nonvisual accessibility
for the blind and visually impaired, in a manner that provides the same opportunity for access and
participation as for other voters.

SECTION 5. Sections 17-20-1, 17-20-1.1, 17-20-2, 17-20-2.1, 17-20-2.2, 17-20-3, 17-20-
23, 17-20-24.1 and 17-20-30 of the General Laws in Chapter 17-20 entitled “Mail Ballots” are
hereby amended to read as follows:

17-20-1. Voting by mail ballot.
The electors of this state who, for any of the reasons set forth in § 17-20-2, being otherwise
qualified to vote, are unable to vote in person, shall have the right to vote, in the manner and time
provided by this chapter, in all general and special elections and primaries, including presidential
primaries in this state for electors of president and vice-president of the United States, United States
senators in congress, representatives in congress, general officers of the state, senators and
representatives in the general assembly for the respective districts in which the elector is duly
qualified to vote, and for any other officers whose names appear on the state ballot and for any city,
town, ward, or district officers whose names appear on the respective city or town ballots in the
ward or district of the city or town in which the elector is duly qualified to vote, and also to approve
or reject any proposition of amendment to the Constitution or other propositions appearing on the
state, city, or town ballot.

17-20-1.1. Declaration of policy.
Those electors who are unable to vote in person at the polls for the reasons set forth in §
17-20-2 vote by mail are entitled to vote in a manner which reasonably guarantees the secrecy of
their ballots. The procedures set forth in this chapter are designed to promote the effective exercise
of their rights while safeguarding those voters who utilize the mail ballot process from harassment,
imimidation, and invasion of privacy. The procedures are intended to prevent misuse of the
electoral system by persons who are not eligible to vote by mail ballot. The provisions of this
chapter shall be interpreted to effectuate the policies set forth in this section.

17-20-2. Eligibility for mail ballots.
Any otherwise qualified elector may vote by mail ballot in the following circumstances:
(1) An elector, within the State of Rhode Island who is incapacitated to the extent that it
would be an undue hardship to vote at the polls because of illness, or mental or physical disability,
blindness, or serious impairment of mobility;

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

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

(4) An elector who may not be able to vote at his or her polling place in his or her city or
town on the day of the election chooses to vote by mail for any reason.

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

(a) Any legally qualified elector of this state whose name appears upon the official voting
list of the city, town, or district of the city or town where the elector is qualified, and who desires
to avail himself or herself of the right granted to him or her by the Constitution and declared in this
chapter, may obtain from the local board in the city or town an affidavit a form prepared by the
secretary of state as prescribed in this section, setting forth the elector’s application for a mail ballot
or may apply online in accordance with § 17-20-2.3.

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

(c) The application, when duly executed, shall be delivered To receive a ballot in the mail,
an elector must submit an application in person, or by mail, or electronically, so that it is received
by the local board, not later than four o’clock (4:00) p.m. on the twenty-first (21st) day before the
day of any election referred to in § 17-20-1.

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

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

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

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

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

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

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

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

(a) Any legally qualified elector of this state whose name appears upon the official voting list of the town or district of the city or town where the elector is so qualified, who on account of circumstances manifested twenty (20) days or less prior to any election becomes eligible to vote by mail ballot according to this chapter, may obtain from the local board an application for an electronic poll pad at the board of canvassers where the elector maintains his or her residence.

(b) The emergency mail ballot application, when duly executed, shall be delivered in person, electronically, or by mail so that it shall be received by the local board not later than four o'clock (4:00) p.m. on the last day preceding the date of the election.
(c) The elector shall execute the emergency mail ballot application in accordance with the requirements of this chapter, which application shall contain a certificate setting forth the facts relating to the circumstances necessitating the application.

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

1. All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the state of Rhode Island address provided on the application by the office of the secretary of state, or delivered by the local board to a person presenting written authorization from the elector to receive the ballots, or cast in private at the local board of canvassers. In order to be valid, the voter must affix his or her signature of the voter on the certifying envelope containing a voted ballot must be made before a notary public, or other person authorized by law to administer oaths where signed, or where the elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In order to be valid, all ballots sent to the elector at the board of canvassers must be voted in conformance with the provisions of § 17-20-14.2.

2. All applications for emergency mail ballots pursuant to § 17-20-2(2) must state under oath the name and location of the hospital, convalescent home, nursing home, or similar institution where the elector is confined. All mail ballots issued pursuant to this subdivision shall be delivered to the elector by the bipartisan pair of supervisors, appointed in conformance with this chapter, and shall be voted and witnessed in conformance with the provisions of § 17-20-14.

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

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

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

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

(g) An emergency mail ballot application may be completed in person using an electronic
poll pad provided by the board of canvassers upon presentation by the voter of valid proof of
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.


(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, "emergency" voting pursuant to § 17-20-2.2(g) shall be
construed to mean "early" voting.

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

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

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

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

(e) Voters shall be able to apply for a mail ballot electronically through the voter
registration portal established by § 17-20-2.3

17-20-9. Application by permanently disabled or incapacitated voters

(a) A voter who is indefinitely confined because of physical illness or infirmity or is
disabled for an indefinite period or who is a long-term resident in a nursing home, may, by signing
an affidavit to that effect, request that an absentee mail ballot application be sent to him or her
automatically for every election. The affidavit form and instructions shall be prescribed by the
secretary of state, and furnished upon request to any elector by each local board of canvassers. The
envelope containing the absentee mail ballot application shall be clearly marked as not forwardable.
If any elector is no longer indefinitely confined or is no longer residing in a nursing home, he or she shall notify the clerk of the local board of canvassers of this fact. The clerk shall remove the name of any voter from the mailing list established under this section upon receipt of reliable information that a voter no longer qualifies for the service. The voter shall be notified of the action within five (5) days after the board takes the action.

(b) The affidavit form and instructions prescribed in this section shall be mailed to the applicant along with a stamped return envelope addressed to the local boards of canvassers. The secretary of state may process applications pursuant to this section through the online mail ballot application portal established by § 17-20-2.3.

(c) For purposes of this section, "nursing home" refers to facilities defined and licensed by the department of health. "Long-term" excludes any residents temporarily residing in such a facility for rehabilitation.

(d) The secretary of state shall maintain a list in the central voter registration system of all voters who automatically receive applications for mail ballots, pursuant to this section.

17-20-10. Certification of applications -- Issuance of ballots -- Marking of lists --

Mailing address.

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

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

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

(d)(1) Upon the ballots becoming available, the secretary of state shall immediately issue
and mail, by first-class mail, postage prepaid, a mail ballot to each eligible voter who has been
certified. With respect to voters who have applied for these mail ballots under the provisions of §
17-20-2(1), the secretary of state shall include with the mail ballots a stamped, return envelope
addressed to the board of elections.

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

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

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

(g) The acceptance of a mail ballot application by the board of canvassers and the issuance
of a mail ballot by the secretary of state shall not create any presumption as to the accuracy of the
information provided by the applicant or as to the applicant's compliance with the provisions of
this chapter. Any inaccuracy in the provided information or irregularity in the application may be
raised as a challenge to the ballot before the board of elections at the time of certification. If the
challenge raised at that time is meritorious, the ballot shall be voided.
(h) Within two (2) business days of receipt by the local board, the board shall certify emergency mail ballot applications and shall cause the delivery of the emergency mail ballot applications, and certification sheet in sealed packages to the state board of elections.

**17-20-13. Form of application.**

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

STATE OF RHODE ISLAND

APPLICATION OF VOTER FOR BALLOT FOR ELECTION ON

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

BOX A (PRINT OR TYPE)

NAME __________________________

VOTING ADDRESS __________________________

CITY/TOWN ____________________________ STATE RI ZIP CODE _______

DATE OF BIRTH ______ PHONE # ______

BOX B (PRINT OR TYPE)

NAME OF INSTITUTION (IF APPLICABLE) ____________________________

ADDRESS ____________________________

ADDRESS ____________________________

CITY/TOWN ____________________________ STATE ______ ZIP CODE _______

FACSIMILE NUMBER (if applicable) ____________________________

I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING BASIS;

(CHECK ONE ONLY)

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

If the ballot is not being mailed to your voter registration address (BOX A above) please provide the Rhode Island address where you are temporarily residing in BOX B above.

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

(3) 3. I am employed or in service intimately connected with military operations or because I am a spouse or dependent of such person, or I am a United States citizen and will be outside the
4. I may not be able to vote at the polling place in my city or town on the day of the election. I choose to vote by mail. If the ballot is not being mailed to your voter registration address (BOX A above) please provide the address within the United States where you are temporarily residing in BOX B above. If you request that your ballot be sent to your local board of canvassers please indicate so in BOX B above.

BOX D OATH OF VOTER

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

SIGNATURE IN FULL_________________________________________

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

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

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

STATE OF RHODE ISLAND

EMERGENCY APPLICATION OF VOTER FOR BALLOT FOR ELECTION ON________

(COMPLETE HIGHLIGHTED SECTIONS)

NOTE -- THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF CANVASSERS OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON________
FOLLOWING BASIS: (CHECK ONE ONLY)

( ) 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the polls because of illness, mental or physical disability, blindness or a serious impairment of mobility. If not voting ballot at local board, ballot will be mailed to the address in BOX A above or to the Rhode Island address provided in BOX B above. If the ballot is to be delivered by the local board of canvassers to a person presenting written authorization to pick up the ballot, complete BOX A above and fill in the person's name below.

I hereby authorize ____________________________ to pick up my ballot at my local board of canvassers.

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

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

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

I hereby authorize ____________________________ to pick up my ballot at my local board of canvassers.

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

BOX D OATH OF VOTER

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

SIGNATURE IN FULL ____________________________

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

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

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

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

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

17-20-14.1. Mail ballots -- Local supervision.

Each local board shall be authorized to appoint one or more bipartisan pairs of supervisors in the manner that other bipartisan pairs of supervisors are appointed for each election, whose duty it shall be to attend each person who makes an application for a mail ballot under §§ 17-20-2.1 and 17-20-2.2, who does not fall under the provisions of § 17-20-14, and who requests that a bipartisan pair of supervisors be sent by the board of canvassers to that person's place of residence for the purpose of supervising or assisting the mail voter in casting his or her vote. The bipartisan pairs of supervisors shall supervise the casting of votes by persons using the mail ballot at a place that preserves their secrecy and shall take acknowledgments or serve as witnesses, and jointly provide assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. The failure or neglect of any local board to appoint these bipartisan pairs, or the failure or neglect of any pair to attend any place at which a mail voter's ballot may be used, or the marking, sealing, or mailing of ballots in the absence of any pair, shall not invalidate any ballot.

17-20-14.2. Voting from board of canvassers.
The local board of canvassers shall appoint as many supervisors as are necessary whose
duty it shall be to supervise the casting of votes by persons using mail ballots at a place that
preserves their secrecy and to take acknowledgments or serve as witnesses, and jointly provide
assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every
certifying envelope containing a mail ballot cast at a board of canvassers must have the signature
of the elector notarized by an appointed person authorized by law to administer oaths or before two
appointed witnesses who shall set forth their signature on the form. The certifying envelope of
any mail ballot voted at the local board of canvassers shall be stamped by the local board to indicate
it was voted on in conformance with the law. Every person who willfully hinders the local
supervisors in performing their duties as set forth in this section shall be guilty of a misdemeanor.
The local board shall transmit a list to the state board of elections containing the names and
signatures of people authorized to witness mail ballots.

The secretary of state shall cause to be prepared and printed and shall furnish with each
mail ballot an envelope for sealing up and certifying the ballot when returned. The envelope shall
be printed in substantially the following form:

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

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;
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; I have not and will not vote elsewhere in
this election.

I hereby attest under the pains and penalty of perjury, that the enclosed voted
ballot was cast by me, and that the signature or mark on this certifying envelope was
made by me.

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.

17-20-23. Marking and certification of ballot.
(a) A voter may vote for the candidates of the voter's choice by making a mark in the space provided opposite their respective names.

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

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

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

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

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

17-20-30. Penalty for violations.

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

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

(c) Any officer or other person who intentionally opens a mail voter's certified envelope or examines the contents before the envelope is opened by the board of elections, as provided in this chapter, shall be guilty of a felony.
(d) The offenses in this section shall be punishable by imprisonment of not more than ten years and/or by a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5000).

SECTION 6. Chapter 17-20 of the General Laws entitled "Mail Ballots" is hereby amended by adding thereto the following sections:

17-20-2.3. Online application for mail ballot.

(a) In addition to any other available means of applying for a mail ballot, the secretary of state shall establish and maintain a system, through which voters may apply for a mail ballot online.

(b) Applications filed using such system shall be considered filed on the calendar date the application is initially transmitted by the voter through the online mail ballot application system.

(c) A voter shall be able to apply for a mail ballot using the online ballot application system when the voter:

(1) Completes an online mail ballot application form, established by the secretary of state, substantially similar to the paper-based mail ballot application form established by § 17-20-13;

(2) Affirms, subject to penalty of perjury, by means of electronic or manual signature, that the information contained in the mail ballot application is true; and

(3) Verifies the voter's identity by providing the voter's date of birth and a Rhode Island driver's license number or state identification number.

(d) The portal for mail ballot applications shall be available in any language required by federal or state voting rights laws.

(e) To ensure full, equal, and independent access to all voters with disabilities, the portal for mail ballot applications shall comply with all requirements under Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, and Web Content Accessibility Guidelines (WCAG) 2.0 compliance level AA.

17-20-22.1. Mail ballot drop boxes.

(a) "Drop box" means the locked and secure container established and maintained by the board of elections, in accordance with this section, that shall serve as a receptacle for the receipt of mail and emergency ballots cast by voters. Every drop box established by the board of elections shall be deemed to be the property of the board of elections and shall be accessible to the public, beginning twenty (20) days prior to the date of a state election and twenty-four (24) hours per day and seven (7) days per week throughout this period, if established outside a municipal building, and during the normal business hours of the facility if established inside a municipal building. All drop boxes must be accessible on election day, from the time polls open until the time they close, in accordance with §§ 17-18-10 and 17-18-11. Any ballot that is cast by a voter, as either a mail
ballot, or emergency ballot and is deposited into a drop box on or before the close of polls on
election day, shall be deemed to be received by and in the possession of the board of elections. At
the close of polls on election day, upon the last ballot deposited by any person in line at that time,
a designated agent of the board of elections shall ensure that no other ballots are deposited in the
drop box.

(b) Drop boxes must be labeled "State of Rhode Island Official Ballot Drop Box for Mail
Ballots," and include language about postage and display the official seal of the board of elections.
Drop boxes must be accessible by persons with disabilities. Drop boxes shall be monitored by a
video surveillance system.

(c) No town or city shall have fewer than one drop box. A drop box may be established
inside a municipal building, only if the building remains open and accessible to the public
throughout the prescribed time period prior to election day and until the close of the polls, in
accordance with § 17-18-10. A drop box shall also be placed outside the Office of the Board of
Elections and the Election Division of the Office of the Secretary of State. Drop boxes must be
placed in locations that are accessible to persons with disabilities.

(d) The board of elections shall promulgate rules to implement this section, including rules
for the location of drop boxes and the receipt, storage, security, regular collection, and
transportation of the mail ballots returned, in accordance with this section. All rules promulgated
under this section shall be done in accordance with the rulemaking provisions of § 42-35-1, et seq.

(e) Each local board of canvassers shall determine the location of every drop box located
within the geographic area over which that local board has authority, in accordance with the rules
promulgated by the board of elections.

(f) Each drop box shall not accept the deposit of mail ballots after the last person in line to
deposit a ballot in that drop box at the time the polls close, on the day of the election, has deposited
their ballot.

(g) Each local board shall make the location of every drop box within the area over which
it has authority publicly available on its website, to the extent feasible. The board of elections shall
make the location of all drop boxes located within the state, publicly available at its office and on
its website.

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

SECTION 7. Section 17-20-32 of the General Laws in Chapter 17-20 entitled “Mail

Ballots” is hereby repealed.

17-20-32. Inquiry by board of elections.

Upon the request of any candidate for public office and upon a showing of good cause for

it or upon its own motion, the board of elections shall inquire into any notary public or witness who

witnesses the voter signatures on more than fifty (50) mail ballot envelopes in any one election and

any notary public or witness who the board has reason to believe has not complied with the

provisions of this chapter. The inquiry shall attempt to determine whether the notary public or

witness was actually present when the documents were signed by the voters and whether all other

applicable requirements set forth in this chapter were complied with. Any criminal violation of this

chapter uncovered by the board of elections shall be referred to the state police for further

investigation.

SECTION 8. This act shall take effect upon passage.

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LC003657
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This act, to be known as the "Let RI Vote Act," would allow voting by mail without needing an excuse, improve voter roll cleanup procedures, allow voters to apply for mail ballots through an online system, allow long-term nursing home residents to receive mail ballot applications automatically, codify mail ballot drop box requirements, remove the notary and witness requirement for mail ballots, establish a voter information hotline, and allow more time to request special Braille ballots.

This act would take effect upon passage.