

2015 -- H 5949

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO ELECTIONS - MAIL BALLOTS

Introduced By: Representatives Solomon, Coughlin, Keable, Kazarian, and Blazejewski

Date Introduced: March 19, 2015

Referred To: House Judiciary

(Board of Elections)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-20-10 and 17-20-19 of the General Laws in Chapter 17-20  
2 entitled "Mail Ballots" are hereby amended to read as follows:

3 **17-20-10. Certification of applications -- Issuance of ballots -- Marking of lists --**

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

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

18 (c) Not later than 4:00 p.m. on the eighteenth (18th) day before the day of any election  
19 referred to in this chapter or within seven (7) days of receipt by the local board, whichever occurs

1 first, the local board shall certify the applications to the secretary of state through the CVRS  
2 system as this procedure is prescribed by the secretary of state. Upon the certification of a mail  
3 ballot application to the secretary of state, the local board shall enter on the voting list the fact  
4 that a mail ballot application for the voter has been certified and shall cause the delivery of the  
5 certified mail ballot applications together with the signed certified listing thereof in sealed  
6 packages to the state board of elections.

7 (d) (1) Upon the ballots becoming available, the secretary of state shall immediately,  
8 issue and mail, by first class mail, postage prepaid, a mail ballot to each eligible voter who has  
9 been certified. With respect to voters who have applied for these mail ballots under the provisions  
10 of subdivision 17-20-2(1), the secretary of state shall include with the mail ballots a stamped  
11 return envelope addressed: ~~"Board of Elections, 50 Branch Avenue, Providence, Rhode Island~~  
12 ~~02904-2790"~~ [to the board of elections.](#)

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

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

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

33 (g) The acceptance of a mail ballot application by the board of canvassers and the  
34 issuance of a mail ballot by the secretary of state shall not create any presumption as to the

1 accuracy of the information provided by the applicant or as to the applicant's compliance with the  
2 provisions of this chapter. Any inaccuracy in the provided information or irregularity in the  
3 application may be raised as a challenge to the ballot before the board of elections at the time of  
4 certification. If the challenge raised at that time is meritorious, the ballot shall be voided.

5 (h) Within two (2) business days of receipt by the local board, the board shall certify  
6 emergency mail ballot applications and shall cause the delivery of the emergency mail ballot  
7 applications, and certification sheet in sealed packages to the state board of elections.

8 **17-20-19. Envelopes for return of ballots. --** Envelopes for the enclosure and return of  
9 mail ballots and their enclosing certified envelope shall have the printed or written address:  
10 ~~"Board of Elections, 50 Branch Ave., Providence, Rhode Island 02904 2790"~~ [of the board of](#)  
11 [elections](#); and shall be forwarded by the secretary of state to each mail voter whose application  
12 for the mail ballot has been received and accepted.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
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1           This act would eliminate the statutory reference to the 50 Branch Ave., Providence, RI  
2 address on mail ballot envelopes provided by the secretary of state, and would instead require the  
3 address of the board of elections be placed on return envelopes.

4           This act would take effect upon passage.

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