

2017 -- H 5112

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO ELECTIONS - VOTER REGULATIONS

Introduced By: Representatives Phillips, Barros, Costantino, Bennett, and Chippendale

Date Introduced: January 13, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. 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  
5 cards in a condition that will correctly represent the registration of qualified voters at all times. It  
6 shall continually purge the cards of voters no longer qualified to vote in the city or town. It shall  
7 promptly record all changes of address, changes of name, and transfers and cancellations of  
8 registration.

9           (b) If a confirmation card has been mailed to a registered voter at an address outside of  
10 the city or town of the voter's current registered address for voting purposes, or if the  
11 confirmation card has been mailed to an address within the same city or town where the voter is  
12 registered, which card was sent to confirm the voter's continuing residence within the city or town  
13 and not merely to confirm information provided by or through the postal service concerning a  
14 change of address within the city or town, and in both cases the voter has failed to respond to the  
15 confirmation card, the voter shall be stricken from the voting list and the voter registration shall  
16 be canceled if the voter has not voted or appeared to vote in an election during the period  
17 beginning on the date of mailing of the confirmation card and ending on the date after the date of  
18 the second general election that occurs after the date of mailing of the card. Provided, that the  
19 registration of any person shall not be canceled during his or her service in the armed forces of

1 the United States and during two (2) years thereafter. A voter whose registration has been  
2 canceled shall not thereafter be eligible to vote unless that voter shall again register in accordance  
3 with the provisions of this title and in accordance with the provisions of the Constitution of this  
4 state. The local board shall notify the secretary of state of any cancellation. The local board shall  
5 notify each voter whose registration has been canceled by a notice addressed to the voter at the  
6 voter's last known address, and a memorandum that the notice has been sent shall be maintained  
7 on file by the local board; provided, that failure to give or receive the notice shall not affect the  
8 cancellation of the voter's registration. The local board shall take affirmative action to purge the  
9 voter's name from its files of registration cards.

10 (c) Whenever the local board receives written evidence that a voter may not be living at  
11 the address provided to it by the voter, it shall reclassify that voter as inactive and he or she shall  
12 be notified of that reclassification. A voter so classified as inactive may only vote using a  
13 provisional ballot. Said provisional ballot shall be counted and the voter returned to the active  
14 voter rolls, if the voter establishes to the satisfaction of the local board or its duly authorized  
15 agent the validity of their provided voter registration address.

16 ~~(d)~~ Using the central voter registration system, upon receipt of the monthly list of  
17 individuals who have died from the office of vital statistics as prescribed by § 23-3-5, the  
18 secretary of state shall identify all voter registrations that may be reflected on the list and so  
19 notify electronically, the local board of canvassers of each applicable city or town. The local  
20 board, upon receipt of the list of deceased persons from the secretary of state, or upon receipt of  
21 an affidavit of death on forms prescribed by the secretary of state, shall promptly purge its files of  
22 registration cards by removing the cards of each deceased elector and canceling the voter  
23 registration information of the deceased elector from the central voter registration system.

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

28 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 allow voters, whom the local board of canvassers have questions about  
2 the validity of their provided address to vote using a provisional ballot, subject to the board's  
3 determination of the validity of their provided address.

4           This act would take effect upon passage.

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