

2017 -- H 5310

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO CRIMINAL PROCEDURE -- ARREST--VOTING RIGHTS

Introduced By: Representatives Williams, Slater, Maldonado, Solomon, and Cunha

Date Introduced: February 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-7 of the General Laws entitled "Arrest" is hereby amended by
2 adding thereto the following section:

3 **12-7-23. Arrestees--Voting by provisional ballot.**

4 (a) Any person who has been arrested and held for any period of time in any facility,
5 including jails, prisons, cell blocks, or hospitals on the date of any state or federal primary or
6 general election shall be notified of and afforded the opportunity to vote by provisional ballot in
7 accordance with §17-19-24.1.

8 (b) Any person who has been arrested and held in any facility including jails, prisons, cell
9 blocks, or hospitals within sixty (60) days of a federal or state primary or general election shall be
10 notified of and afforded the opportunity to register to vote and/or apply for a mail ballot with the
11 assistance of the division of sheriffs through regulations promulgated by the board of elections in
12 accordance with the procedures relating to registration of voters in chapter 9.1 of title 17 and mail
13 ballots in chapter 20 of title 17.

14 (c) The board of elections and the division of sheriffs shall formulate and promulgate
15 rules and regulations in order to carry out the provisions of this section.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would afford arrestees who are held on an election day the opportunity to vote by
2 provisional ballot in accordance with state law and would require the division of sheriffs to assist
3 arrestees in registering to vote and applying for mail ballots if an arrestee is held within sixty (60)
4 days of an election.

5 This act would take effect upon passage.

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