

2017 -- H 5706

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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 - FAIL SAFE VOTING PROVISIONS

Introduced By: Representatives Barros, Shanley, Cunha, Tobon, and Maldonado

Date Introduced: March 01, 2017

Referred To: House Judiciary

(Board of Elections)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-9.1-16 of the General Laws in Chapter 17-9.1 entitled
2 "Registration of Voters" is hereby amended to read as follows:

3 **17-9.1-16. Procedure on change of address -- Fail safe voting provisions.**

4 (a) (1) Change of address within the same city or town. A registered voter who has
5 moved from a residence address within a voting district to another residence address within the
6 same voting district and who has not notified the local board of the change of residence address
7 thirty (30) days or more prior to the election shall be permitted to vote at the polling place
8 designated for the voting district or at the local board upon completion of a written affirmation
9 form which shall record the voter's change of address within the voting district. The form may be
10 completed by the voter at the polling place designated for the voting district and thereafter
11 transmitted, after the close of the polls, to the local board or may be completed at the local board.

12 (2) Any registered voter who has moved his or her residence from one residence address
13 to another residence address within the same city or town and who has not notified the local
14 board of the change of residence address thirty (30) days or more prior to the election shall be
15 permitted to vote as follows:

16 (i) A registered voter who has moved from a residence address in one voting district to a
17 residence address in another voting district within the same city or town thirty (30) days or more
18 preceding an election shall be permitted to vote a full ballot at the polling place of the new
19 residence address or at the local board upon completion of an affirmation form which shall record

1 the voter's change of address. ~~If the form is completed at the polling place, the~~ The form shall be
2 forwarded to the local board after the close of the polls; or

3 (ii) Any registered voter who has moved less than thirty (30) days preceding an election
4 from one address to another address within a different voting district within the same city or town
5 shall be permitted to vote at the polling place of the former address or at the local board and is
6 entitled to vote the full ballot for the old polling place upon completion of an affirmation form
7 which shall record the voter's change of address.

8 (3) Any registered voter to whom a confirmation mailing was sent by either the state
9 board or a local board, based upon information other than change of address information received
10 from or through the postal service, shall be placed on the inactive list of voters if the recipient of
11 the confirmation mailing fails to return the related confirmation card. If the voter continues to
12 reside in the same city or town and at the residence address currently recorded on the voter's
13 registration card or at a residence address within the same voting district, the voter shall be
14 permitted to vote at the polling place for that residence address upon signing an affirmation form.
15 If the voter has moved to a new residence address within the same city or town but within a
16 different voting district the registered voter shall be permitted to vote a full ballot at the polling
17 place of the new residence address or at the local board upon completion of an affirmation form
18 which shall record the voter's change of address.

19 (4) Any registered voter to whom a confirmation mailing was sent by either the state
20 board or a local board, based upon change of address information provided by or through the
21 postal service, shall not be placed on the inactive list even if the recipient of the confirmation
22 mailing fails to return the related confirmation card. The registered voter shall be permitted to
23 vote at the polling place of the new residence address or the local board without the requirement
24 of signing an affirmation form. If the change of address information provided by or through the
25 postal service was in error, the registered voter shall be permitted to vote at the polling place of
26 his or her former address or at the local board upon signing the required affirmation form.

27 (b) Change of address from one city or town to another city or town.

28 (1) A registered voter who has moved his or her residence, as defined in § 17-1-3.1, from
29 the address at which the voter is registered to another within a different city or town ~~shall be~~
30 ~~required to register in the city or town to which the voter has moved;~~ within the state, thirty (30)
31 days or more preceding an election, shall be permitted to vote a full ballot at the polling place of
32 the new residence address upon completion of an affirmation form which shall record the voter's
33 change of address; provided, that no person qualified to vote in any city or town in this state shall
34 lose his or her right to vote in that city or town by reason of his or her removal to another city or

1 town in this state during the thirty (30) days, less one day, next preceding an election or primary
2 in the former city or town.

3 (2) ~~That a voter who remains within the state, although he or she fails to register in the~~
4 ~~city or town to which the voter has moved within time to vote in the city or town, shall be~~
5 ~~permitted to vote by special paper ballot to be provided by the secretary of state upon application~~
6 ~~for it approved by the board of canvassers of the voter's former city or town for federal and~~
7 ~~statewide elected officials only during the six (6) months, less one day, next preceding an election~~
8 ~~or primary.~~

9 (c) Persons erroneously excluded from certified voting list. Any voter finding that his or
10 her name is not on the certified voting list of his or her city or town being used at any election
11 may cast a provisional ballot in accordance with § 17-19-24.1.

12 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 permit a voter who has moved from one city or town in the state to
2 another thirty (30) days or more prior to an election to vote a full ballot in the new city or town.

3 This act would take effect upon passage.

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