

2018 -- S 2446 SUBSTITUTE A

LC004731/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO ELECTIONS

Introduced By: Senator Frank S. Lombardi

Date Introduced: February 15, 2018

Referred To: Senate Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-9.1-24 of the General Laws in Chapter 17-9.1 entitled
2 "Registration of Voters" is hereby amended to read as follows:

3 **17-9.1-24. Change of designation.**

4 (a) Any person who has designated his or her party affiliation pursuant to § 17-9.1-23
5 may change the designation on or before the ~~ninetieth (90th)~~ thirtieth day preceding any primary
6 election for which the person is eligible. Whenever any person desires to change his or her party
7 designation, that person shall appear before the local board of the city or town in which that
8 person has his or her residence, as defined in § 17-1-3.1, or before the clerk or other duly
9 authorized agent of the board, and shall change his or her party designation and, after the
10 information has been recorded on the form furnished for that purpose, the person shall sign his or
11 her name and certify to the truth of the facts recorded in the appropriate spaces in the form; or the
12 person shall furnish an affidavit properly executed and signed by him or her to the board directing
13 the board to change the party designation. Whenever any person is unable to sign his or her name
14 because of physical incapacity or otherwise, that person shall make his or her mark "(X)", which
15 shall be witnessed by the person receiving the registration. For the convenience of persons voting
16 at a primary election, affidavits for changing party designation shall be available at all primary
17 polling places. The presence of the affidavits at the primary polling place shall not be construed
18 to allow a person to change his or her party designation within ~~ninety (90)~~ thirty (30) days
19 preceding the primary election.

1 (b) Notwithstanding the provisions of subsection (a) of this section, affidavits for
2 changing party designation which are executed by voters at polling places immediately after
3 voting in primary elections conducted in the city of Warwick in January, 2000, shall take effect
4 immediately.

5 (c) Notwithstanding the provisions of subsection (a) of this section, affidavits for
6 changing party designation which are executed by voters at polling places immediately after
7 voting in primary elections conducted in senate district 20 comprising parts of the city of
8 Woonsocket and town of Cumberland in March, 2008, shall take effect immediately.

9 SECTION 2. Section 17-25-8 of the General Laws in Chapter 17-25 entitled "Rhode
10 Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as
11 follows:

12 **17-25-8. Appointment of campaign treasurer by candidate -- Filings.**

13 (a) Each candidate in an election shall file a "notice of organization" with the board of
14 elections and appoint one campaign treasurer before receiving any contribution or expending any
15 money in furtherance or aid of the candidate's candidacy. The "notice of organization" shall
16 include the name and address of the candidate, the campaign treasurer and the committee being
17 established. The candidate shall declare the office being sought and shall comply with the
18 financial statement requirement of § 36-14-16(c).

19 (b) A candidate may appoint deputy campaign treasurers as required. The candidate shall
20 file the names and addresses of deputy campaign treasurers with the board of elections.

21 (c) A candidate may remove a campaign treasurer or deputy campaign treasurer. In the
22 case of the death, resignation, or removal of a campaign treasurer, the candidate shall appoint a
23 successor as soon as practicable and shall file his or her name and address with the board of
24 elections within ten (10) days. A candidate may serve as his or her own campaign treasurer, and
25 upon failure to designate a treasurer, the candidate shall be designated his or her own treasurer by
26 the board of elections.

27 SECTION 3. Section 36-14-16 of the General Laws in Chapter 36-14 entitled "Code of
28 Ethics" is hereby amended to read as follows:

29 **36-14-16. Financial statement to be filed.**

30 (a) On or before the last Friday in April of each year, the following officials and
31 employees subject to this code of ethics shall file with the commission a financial statement
32 complying with the requirements of this chapter.

33 (1) All state elected officials;

34 (2) All state appointed officials;

1 (3) All state appointed officials and employees who hold a major decision-making
2 position in a state agency;

3 (4) All municipal elected officials; and

4 (5) All municipal appointed officials whose official duties and responsibilities include
5 exercising decision-making authority over the expenditure of more than fifty thousand dollars
6 (\$50,000) in public funds in any fiscal or calendar year, and expressly including solicitors and
7 assistant solicitors, police chiefs, fire chiefs, superintendents of schools, principals,
8 superintendents and administrators of charter schools, board members of charter schools,
9 principals, superintendents and administrators of state schools, board members of state schools,
10 building inspectors, members of planning boards, zoning boards, licensing boards and tax appeal
11 boards. This subsection shall also include all municipal appointed officials whose official duties
12 and responsibilities include nominating, appointing or hiring any persons that will receive
13 compensation of more than fifty thousand dollars (\$50,000) in public funds in any fiscal or
14 calendar year.

15 (b) In the case of state and municipal appointed officials on and after January 1, 1988, the
16 appointee shall file the financial statement within thirty (30) days after the date of his or her
17 appointment or the date he or she qualifies for the office; provided, however, that in the case of
18 the appointment of officials that require senate confirmation, the appointee shall file the financial
19 statement with the appropriate senate committee prior to the institution of those confirmation
20 proceedings.

21 (c) Within thirty (30) days after the filing deadline, [or within thirty \(30\) days after filing a](#)
22 [notice of organization or compliance with § 17-25-8](#) every person who is a candidate for an office
23 as an elected officer, except those candidates for moderator and clerk of a voting district of the
24 cities and towns, shall file the financial statement as required by this chapter. Filings of
25 candidates for general office shall include information as required in subdivision 36-14-17(b)(2).
26 The commission shall grant an extension for good cause shown of not more than fifteen (15)
27 days, provided a request for the extension is received prior to the filing deadline for the financial
28 statement.

29 (d) Except as otherwise provided in this chapter, at least thirty (30) days before the
30 deadline date for the filing of a financial statement by each individual required to file, the
31 commission shall mail to the individual a copy of the financial statement form. In the case of
32 candidates other than those covered by subsection (f) of this section, the forms shall be mailed
33 within ten (10) days after the filing deadline date. In the case of appointed officers covered by this
34 section, the forms shall be mailed within seven (7) days after the date of the appointment.

1 (e) If a person has filed a financial statement as required by one subsection of this section
2 covering the preceding calendar year, he or she is not required to file a financial statement as
3 required by another subsection if, before the deadline for filing under the other subsection, he or
4 she notifies the commission in writing that he or she has already filed a financial statement under
5 the subsection specified.

6 (f) A person required to file a financial statement under subsection (a) of this section may
7 request the commission to grant an extension of time of not more than sixty (60) days for filing
8 the statement. The commission shall grant the extension of not more than sixty (60) days if the
9 request is received prior to the filing deadline or if a timely filing or request for extension is
10 prevented because of physical or mental incapacity. Not more than one extension may be given to
11 a person in one year except for good cause shown.

12 (g) The deadline for filing any statement required by this section is 5:00 P.M. of the last
13 day designated in the pertinent subsection of this section for filing the statement. When the last
14 day of filing falls on a Saturday or Sunday or an official state holiday, the deadline for filing is
15 extended to 5:00 P.M. of the next day which is not a Saturday or Sunday or holiday. Any
16 statement required by any provision of this section to be filed within a specified time period shall
17 be deemed to be timely filed if it is placed in the United States post office or in the hands of a
18 common or contract carrier properly addressed to the appropriate authority within the time limits
19 applicable to the statement. The postmark or receipt mark (if received by a common or contract
20 carrier) will be prima facie evidence of the date that the statement was deposited with the post
21 office or carrier. The person filing the statement may show by competent evidence that the actual
22 date of posting was to the contrary.

23 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS

1 This act would allow any voter who has designated their political party affiliation to
2 change that affiliation on or before the thirtieth day preceding any primary. It would also require
3 all candidates for elected office to include, when they file their "notice of organization",
4 declaration of the office being sought and to file their code of ethics financial statements within
5 thirty (30) days thereafter.

6 This act would take effect upon passage.

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