

2018 -- S 2446 SUBSTITUTE B

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LC004731/SUB B/2
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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 36-14-16 of the General Laws in Chapter 36-14 entitled "Code of
10 Ethics" is hereby amended to read as follows:

11 **36-14-16. Financial statement to be filed.**

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

15 (1) All state elected officials;

16 (2) All state appointed officials;

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

19 (4) All municipal elected officials; and

20 (5) All municipal appointed officials whose official duties and responsibilities include
21 exercising decision-making authority over the expenditure of more than fifty thousand dollars
22 (\$50,000) in public funds in any fiscal or calendar year, and expressly including solicitors and
23 assistant solicitors, police chiefs, fire chiefs, superintendents of schools, principals,
24 superintendents and administrators of charter schools, board members of charter schools,
25 principals, superintendents and administrators of state schools, board members of state schools,
26 building inspectors, members of planning boards, zoning boards, licensing boards and tax appeal
27 boards. This subsection shall also include all municipal appointed officials whose official duties
28 and responsibilities include nominating, appointing or hiring any persons that will receive
29 compensation of more than fifty thousand dollars (\$50,000) in public funds in any fiscal or
30 calendar year.

31 (b) In the case of state and municipal appointed officials on and after January 1, 1988, the
32 appointee shall file the financial statement within thirty (30) days after the date of his or her
33 appointment or the date he or she qualifies for the office; provided, however, that in the case of
34 the appointment of officials that require senate confirmation, the appointee shall file the financial

1 statement with the appropriate senate committee prior to the institution of those confirmation
2 proceedings.

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

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

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

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

28 (g) The deadline for filing any statement required by this section is 5:00 P.M. of the last
29 day designated in the pertinent subsection of this section for filing the statement. When the last
30 day of filing falls on a Saturday or Sunday or an official state holiday, the deadline for filing is
31 extended to 5:00 P.M. of the next day which is not a Saturday or Sunday or holiday. Any
32 statement required by any provision of this section to be filed within a specified time period shall
33 be deemed to be timely filed if it is placed in the United States post office or in the hands of a
34 common or contract carrier properly addressed to the appropriate authority within the time limits

1 applicable to the statement. The postmark or receipt mark (if received by a common or contract
2 carrier) will be prima facie evidence of the date that the statement was deposited with the post
3 office or carrier. The person filing the statement may show by competent evidence that the actual
4 date of posting was to the contrary.

5 SECTION 3. This act shall take effect July 1, 2018.

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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, and would require
3 certain officials and employees to file a financial statement thirty (30) days after the filing of a
4 notice of organization as required by the campaign contribution and expenditures reporting
5 statute.

6 This act would take effect July 1, 2018.

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