STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N   A C T

RELATING TO ELECTIONS

Introduced By: Senators Euer, Sosnowski, Goodwin, Coyne, Cano, and DiMario

Date Introduced: March 04, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Sections 17-6-4 and 17-6-13 of the General Laws in Chapter 17-6 entitled "Secretary of State" are hereby amended to read as follows:

17-6-4. Absentee, shut-in, and war ballots. Printing and distribution of mail ballots. The secretary of state shall prepare, print, and furnish all application forms for absentee, shut-in, and war mail ballots. The secretary of state shall arrange, print, and distribute all these mail ballots, together with instruction sheets and the required instructions, secrecy sleeves, return envelopes, and any other materials required by law, in accordance with the requirements of this title.


(a) During each year in which a general election is to be held, the secretary of state shall identify communities within the state in need of electoral process education by outreaching community organizations. Electoral process education shall consist of instruction on how a person may become a candidate for electoral office and how a person registers and votes for candidates for electoral office. The secretary of state shall furnish electoral process education throughout the state of Rhode Island in a manner to be determined by the secretary of state.

(b) The secretary of state shall make available a free telephone hotline to provide the public with information about the electoral process, including the voting process, registering to vote, and polling locations. This hotline shall be available in multiple languages. The secretary may partner
SECTION 2. Sections 17-9.1-26, 17-9.1-27 and 17-9.1-34 of the General Laws in Chapter 17-9.1 entitled "Registration of Voters" are hereby amended to read as follows:


(a)(1) Whenever: (i) An acknowledgement card that was mailed to a voter whose application to register to vote has been accepted is returned as undeliverable; (ii) Through the periodic updating of voter registration records as provided in § 17-9.1-27, a change of address is detected for any voter; (iii) As the result of a challenge under § 17-9.1-28, the challenged voter fails to appear before the local board; or (iv) A mailing by the jury commissioner to a voter is returned as undeliverable; the local board shall begin the confirmation process described in subsection (b) of this section.

(2) Whenever any other official mailing, from either the state board or a local board or from the office of the secretary of state, which official mailing has been sent to at least a majority of the registered voters in a particular city or town, is returned as undeliverable to any one or more of the voters to whom it was mailed, the local board may commence the confirmation process described in subsection (b) of this section.

(b) The confirmation notice shall, unless otherwise specified in § 17-9.1-27, be sent by first-class, forwardable mail and shall be of any size or other specifications that shall be determined by the state board. The notice shall include a voter registration form that may be used by the voter to verify or correct the voter's residence address for voting purposes.

(c) The confirmation notice shall be prepared in substantially the following form and shall contain substantially the following information, subject to any additional information as may be required by the state board; provided, that the wording of the form may be to conform with the requirements of § 17-9.1-27 or revised and updated from time to time by the state board in a manner to make its content as easily readable and understandable as possible:

The board of canvassers has received information that you may no longer reside at the address from which you are currently registered. If you have not permanently changed your residence address, or if you have permanently changed your residence address but continue to live in the same city or town, you should immediately return the voter registration form no later than fourteen (14) days after the date of this mailing even if this notice was mailed to your correct current address. If the voter registration form is not returned, affirmation or confirmation of your current address may be required at the polls on election day. If the registration form is not returned and you do not vote by __________, which is the date of the second general election following the date of this mailing, then your name may be removed from the voter registration list. If you have
permanently changed residence address to another city or town in Rhode Island, please complete
and return the completed voter registration form to the local board of canvassers in the city or town
of your current address.

(d) The confirmation notice shall be mailed to both the voter's current registered address
and any new residence address, to the extent both addresses are available to the local board.

(e) If a confirmation notice is mailed to a voter and returned as undeliverable, or if delivered
and the voter has not responded within fourteen (14) days from the date of the mailing, the voter
shall remain on, or be placed on, the inactive list and shall not be permitted to vote until the voter
has signed an affirmation form at either the approved polling place or at the local board of
canvassers as provided in this chapter. Any application for a mail ballot under § 17-20-2.1 or an
emergency mail ballot under § 17-20-2.2 shall serve as a proper affirmation form under this section
if the address is the same as the voter's current address on record with the board of canvassers. If
the voter fails to vote by the second general election following the date of the confirmation mailing,
then the voter shall be removed from the voting list. Notwithstanding the foregoing provisions, if
the confirmation mailing was based upon the change of address information provided by or through
the United States Postal Service National Change of Address Program, and the voter has failed to
respond to the confirmation mailing, the voter shall remain on the active list of voters and shall not
be required to sign the affirmation form. In these cases, the voter's residence address for voting
purposes will be changed by the local board to the new address as indicated by the National Change
of Address Program.

(f) Local boards shall be required to maintain for a period of at least two (2) years a record
of all outgoing confirmation mailings, including the reasons for the mailing of the confirmations.
Records shall be kept in a fashion that may be determined by the state board.

registration records. [Effective until July 1, 2022.]

(a) In every odd-numbered year, the secretary of state shall update the central voter register
using the United States Postal Service National Change of Address (NCOA) Program. The office
of the Secretary of State shall be responsible for obtaining the NCOA data and providing each local
board of canvassers with their data; provided, that the updating shall be performed by each local
board. The NCOA list of address changes shall be compared by the local board with lists of
registered voters, and if address changes are detected for any voter, the local board shall institute
the confirmation process described in § 17-9.1-26.

(b) Each local board of canvassers in each city or town shall send annually, a notice
prescribed by the secretary of state and marked "Do Not Forward -- Return if Undeliverable", to
every active registered voter who has not voted in the past five (5) calendar years and has not
otherwise communicated with the board during that period of time, advising them of their current
polling place and voting eligibility, and informing them that mail that is returned as undeliverable
will initiate the confirmation process described in § 17-9.1-26; provided, however, that the local
boards shall not be obligated to send such notice if the state or federal government fails to
appropriate the necessary funds. The mailing shall take place in all municipalities and be performed
in a uniform manner, in accordance with standards adopted by the secretary of state and the list
maintenance procedures provided by the National Voting Rights Act, 42 U.S.C. § 1973gg.

**17-9.1-34. Electronic registration of voters.**

(a) The secretary of state shall establish, maintain, and administer a portal for electronic
voter registration. An applicant may use such portal to register to vote, or to update existing voter
registration information, or apply for a mail ballot in accordance with § 17-20-8 provided:

(1) The applicant's information is verifiable in the manner described in subsection (b) of
this section;

(2) The applicant's signature is in a database described in subsection (b) of this section; and

(3) Such signature may be imported into such system for electronic voter registration.

(b) Upon request of the secretary of state, a state agency, quasi-public agency, or
municipality shall provide information to the secretary of state that the secretary of state deems
necessary to maintain the system for electronic voter registration, and the information so obtained
shall be used for no other purpose. The secretary of state shall verify applicant information by cross-
referencing information submitted by applicants with data or information contained in any state
agency's, quasi-public agency's, or municipality's database or a database administered by the
federal government, or any voter registration database of another state. The secretary of state shall
not use the information obtained from any such databases except to verify information submitted
by the applicant. The applicant's signature, if part of the data contained in the state agency's, quasi-
public agency's, or municipality's database, shall be included as part of the applicant's information
contained in the system for electronic voter registration. No information viewed or received by the
secretary of state pursuant to this subsection may be transferred to, shared with, or otherwise
conveyed to any other governmental or non-governmental entity for any reason except for voter
registration purposes or pursuant to a court order.

(c) The submission of an electronic application shall contain all of the information that is
required for an application under § 17-9.1-9, with the exception of the signature, which shall be
obtained from another state agency, quasi-public agency, or municipality's database pursuant to
subsection (b) of this section.
(d) An applicant using the system shall mark the box associated with the following statement included as part of the electronic application:

"By clicking on the box below, I swear or affirm all of the following under penalty of perjury:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote or update my voter registration information in the state of Rhode Island.

(2) All of the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize a Rhode Island state agency, quasi-public agency, or municipality to transmit, for voter registration purposes, to the secretary of state and my city's/town's board of canvassers my signature that is on file with such state agency, quasi-public agency, or municipality. I understand that the secretary of state and my city's/town's board of canvassers will use such signature on this electronic voter registration application as if I had signed this form personally."

(e) Upon approval of such application, the boards of canvassers shall send a confirmation notice to the applicant.

(f) The secretary of state may enter into an agreement and exchange information or data with any other state exclusively for the purposes of updating the statewide central voter register and registering voters, provided such activities are performed under the supervision of the secretary of state and the secretary of state enters into an agreement to protect the confidentiality of such information or data. A Rhode Island state agency shall provide the secretary of state with information or data to be used exclusively for voter registration purposes and shall advise the secretary of state if such information or data is held confidential. The secretary of state shall not use or transmit the information or data for any purpose except for voter registration purposes or pursuant to a court order.

(g) To ensure full, equal, and independent access to all voters with disabilities, any internet site and voter registration form created to register voters electronically or allow voters to update their voter registration shall comply with all requirements under Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, and Web Content Accessibility Guidelines (WCAG) 2.0 compliance level AA. Experts concerning disability and usability access to websites shall be included in the development of any voter registration website and voter registration form, and shall verify accessibility and usability before the website, or an updated version of the website, is made available to the general public.

(h) The website and form shall be available in any language required by federal or state voting rights laws and may be available in other languages, as determined by the secretary of state.
SECTION 3. Section 17-10-1 of the General Laws in Chapter 17-10 entitled "Canvassing the Lists of Qualified Electors" is hereby amended to read as follows:

17-10-1. Maintenance of registration -- Inactive file.

(a) The local board or its duly authorized agent shall maintain the files of registration cards in a condition that will correctly represent the registration of qualified voters at all times. It shall continually purge the cards of voters no longer qualified to vote in the city or town. It shall promptly record all changes of address, changes of name, and transfers and cancellations of registration.

(b) If a confirmation card has been mailed to a registered voter at an address outside of the city or town of the voter's current registered address for voting purposes, or if the confirmation card has been mailed to an address within the same city or town where the voter is registered, which card was sent to confirm the voter's continuing residence within the city or town and not merely to confirm information provided by or through the postal service concerning a change of address within the city or town, and in both cases the voter has failed to respond to the confirmation card, the voter shall be stricken from the voting list and the voter registration shall be canceled if the voter has not voted or appeared to vote in an election during the period beginning on the date of mailing of the confirmation card and ending on the date after the date of the second general election that occurs after the date of mailing of the card. Provided, that the registration of any person shall not be canceled during his or her service in the armed forces of the United States and during two (2) years thereafter. A voter whose registration has been canceled shall not thereafter be eligible to vote unless that voter shall again register in accordance with the provisions of this title and in accordance with the provisions of the Constitution of this state. The local board shall notify the secretary of state of any cancellation. The local board shall notify each voter whose registration has been canceled by a notice addressed to the voter at the voter's last known address, and a memorandum that the notice has been sent shall be maintained on file by the local board; provided, that failure to give or receive the notice shall not affect the cancellation of the voter's registration.

The local board shall take affirmative action to purge the voter's name from its files of registration cards.

(c) Using the central voter registration system, upon receipt of the monthly list of individuals who have died from the office of vital statistics as prescribed by § 23-3-5, or provided by the federal Social Security Administration’s master death list, the secretary of state shall identify all voter registrations that may be reflected on the list and so notify electronically, the local board of canvassers of each applicable city or town. The local board, upon receipt of the list of deceased persons from the secretary of state, or upon receipt of an affidavit of death on forms prescribed by the secretary of state, shall promptly purge its files of registration cards by removing the cards of...
each deceased elector and canceling the voter registration information of the deceased elector from the central voter registration system.

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

SECTION 4. Section 17-15-1 of the General Laws in Chapter 17-15 entitled "Primary Elections" is hereby amended to read as follows:

**17-15-1. Date of primaries.**

The 2022 primary election for the nomination of candidates for each political party shall be held in each voting district in the manner provided in this chapter on the eighth Tuesday preceding that year's biennial state elections. Beginning on January 1, 2024, every primary election for the nomination of candidates for each political party, shall be held in each voting district in the manner provided in this chapter, on the third Tuesday after the first Monday in August preceding biennial state elections.

SECTION 5. Section 17-19-8.1 of the General Laws in Chapter 17-19 entitled "Conduct of Election and Voting Equipment, and Supplies" is hereby amended to read as follows:

**17-19-8.1. Ballots for voters who are blind, visually impaired or disabled.**

(a) Any voter who is blind or visually impaired or disabled is eligible to request a special ballot for voting by mail ballot. Special mail ballots are available in Braille or tactile format.

(b) Requests must be made in writing to the local board of canvassers where the person is registered to vote or through the electronic voter registration portal established in § 17-20-8 at least forty-five (45) twenty-one (21) days before the election for which the voter is requesting the special ballot. In addition, the request will be valid for all elections held during the calendar year in which the request was received and in which the voter is eligible to participate. Applicants must also file the appropriate mail ballot application as required by chapter 20 of this title for each election in which they wish to participate. An applicant may request the special ballot when indicating that he or she wishes to be a permanent mail voter, in accordance with § 17-20-8 and that request will be valid for all subsequent elections, as long as the applicant remains a permanent mail voter.

(c) The office of the secretary of state shall prepare and provide the appropriate form, which shall be available at local boards and upon request from the office of the secretary of state. The voter may also choose to submit his or her request in writing without using the form provided, as long as the communication contains all of the required information. The request shall include the following information:
(1) The name and registered address of the voter;
(2) A daytime telephone number;
(3) An indication of whether this request is for the entire calendar year or only for the next upcoming election;
(4) The voter's political party affiliation, if the request for a special ballot is also for primaries;
(5) Indicate the special ballot format.
(d) All requests received by local boards must be processed and forwarded to the office of the secretary of state within twenty-four (24) hours of receipt. The secretary of state shall maintain a list of all persons requesting special Braille or tactile mail ballots and must forward a copy of the list to the state board of elections at least eighteen (18) days before the date of any election.
(e) The state board may adopt rules and regulations for the procedure for the manual reproduction of voted ballots, when necessary, and the tabulation of Braille and tactile mail ballots.
(f) The office of the secretary of state shall be responsible for the preparation and distribution of special Braille and tactile mail ballots. Whenever possible, the secretary of state shall prepare the Braille or tactile mail ballot so that the voted ballot can be read by the tabulation equipment, rather than being manually reproduced by election officials onto a machine readable ballot.
(g) The office of the secretary of state may adopt rules and regulations setting forth the procedure for the preparations and distribution of the Braille and tactile mail ballots.
(h) The office of the secretary of state shall prepare and publish a guide describing the types of ballots available and the manner in which each ballot can be voted. This guide shall be revised whenever the types of ballots available are updated. This guide shall be available in print, Braille, audio, or other accessible formats.
(i) The office of the secretary of state shall establish a special Braille and tactile ballot program for voters who are blind or visually impaired. The office of the secretary of state shall expand the special ballot service to other voters with disabilities, as feasible, as determined by the secretary of state, and incorporate other accessible formats as technology and resources allow.
(j) In accordance with the Help America Vote Act of 2003, the voting system at each polling place shall be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation as for other voters.

17-20-1, 17-20-26, 17-20-29, 17-20-30, 17-20-33 and 17-20-34 of the General Laws in Chapter
17-20 entitled "Mail Ballots" are hereby amended to read as follows:

17-20-1. Voting by mail ballot.

The electors voters of this state who, for any of the reasons set forth in § 17-20-2, being
otherwise qualified to vote, are unable to vote in person, shall have the right to vote, a ballot by
mail, with a reasonable guarantee of ballot secrecy, privacy, and independence, in the manner and
time provided by this chapter, in all general and special elections and primaries, including
presidential primaries in this state for electors of president and vice-president of the United States,
United States senators in congress, representatives in congress, general officers of the state,
senators and representatives in the general assembly for the respective districts in which the elector
is duly qualified to vote, and for any other officers whose names appear on the state ballot and for
any city, town, ward, or district officers whose names appear on the respective city or town ballots
in the ward or district of the city or town in which the elector is duly qualified to vote, and also to
approve or reject any proposition of amendment to the Constitution or other propositions appearing
on the state, city, or town ballot.

17-20-1.1. Declaration of policy.

Those electors who are unable to vote in person at the polls for the reasons set forth in §
17-20-2 Voters are entitled to vote by mail in a manner which reasonably guarantees the secrecy
of their ballots. The procedures set forth in this chapter are designed to promote the effective
exercise of their rights while safeguarding those voters who utilize the mail ballot process from
harassment, intimidation, and invasion of privacy. The procedures are intended to prevent misuse
of the electoral system by persons who are not eligible to vote by mail ballot. The provisions of this
chapter shall be interpreted to effectuate the policies set forth in this section.

17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.

(a) Any legally qualified elector of this state whose name appears upon the official voting
list of the city, town, or district of the city or town where the elector is qualified, and who desires
to avail himself or herself of the right granted to him or her by the Constitution and declared in this
chapter, may obtain from the local board in the city or town, or electronically from the secretary of
state, an affidavit form prepared by the secretary of state as prescribed in this section, setting forth
the elector's application for a mail ballot.

(b) Whenever any person is unable to sign his or her name because of physical incapacity
or otherwise, that person shall make his or her mark "X".

(c) The application, when duly executed, shall be delivered To receive a ballot in the mail,
a voter must submit an application in person, or by mail, or electronically so that it is received by
the local board not later than four o’clock (4:00) p.m. on the twenty-first (21st) day before the day
of any election referred to in § 17-20-1. Beginning twenty (20) days before election day and no
later than four o’clock (4:00) p.m. on the day before the day of any election, referred to in § 17-20-
1, a voter may appear in person at the office of the local board to request and pick up a mail ballot.

(d) In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in
order to be valid, must have been cast in conformance with the following procedures:

(1) All mail ballots issued pursuant to subdivision 17-20-2(1) shall be mailed to the elector
at the Rhode Island address provided by the elector on the application. In order to be valid, the
signature on all certifying envelopes containing a voted ballot must be made before a notary public
or before two (2) witnesses who shall set forth their addresses on the form.

(2) All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the
name and location of the hospital, convalescent home, nursing home, or similar institution where
the elector is confined. All mail ballots issued pursuant to subdivision 17-20-2(2) shall be delivered
to the elector at the hospital, convalescent home, nursing home, or similar institution where the
elector is confined, and the ballots shall be voted and witnessed in conformance with the provisions
of § 17-20-14.

(3) All mail ballots issued pursuant to subdivision 17-20-2(3) shall be mailed to the address
provided by the elector on the application or sent to the board of canvassers in the city or town
where the elector maintains his or her voting residence. In order to be valid, the signature of the
elector on the certifying envelope containing voted ballots does not need to be notarized or
witnessed. Any voter qualified to receive a mail ballot pursuant to subdivision 17-20-2(3) shall also
be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410
(“UOCAVA Act”).

(4) All mail ballots issued pursuant to subdivision 17-20-2(4) may be mailed to the elector
at the address within the United States provided by the elector on the application or sent to the
board of canvassers in the city or town where the elector maintains his or her voting residence. In
order to be valid, the signature on all certifying envelopes containing a voted ballot must be made
before a notary public, or other person authorized by law to administer oaths where signed, or where
the elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In
order to be valid, all ballots sent to the elector at the board of canvassers must be voted in
conformance with the provisions of § 17-20-14.2.

(e) Any person knowingly and willfully making a false application or certification, or
knowingly and willfully aiding and abetting in the making of a false application or certification,
shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.
(f) In no way shall a mail ballot application be disqualified if the voter’s circumstances change between the time of making the application and voting his or her mail ballot as long as voter remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board of canvassers shall provide the state board of elections with written notification of any change in circumstances to a mail ballot voter.

17-20-2.2. Requirements for validity of emergency mail ballots.

(a) Any legally qualified elector of this state whose name appears upon the official voting list of the town or district of the city or town where the elector is so qualified, who on account of circumstances manifested twenty (20) days or less prior to any election becomes eligible to vote by mail ballot according to this chapter falls within one of the categories of electors described in subsection (d) of this section, may obtain from the local board an application for an emergency mail ballot or may complete an emergency in-person mail ballot application on an electronic poll pad at the board of canvassers where the elector maintains his or her residence.

(b) The emergency mail ballot application, when duly executed, shall be delivered in person, electronically, or by mail so that it shall be received by the local board not later than four o’clock (4:00) p.m. on the last day preceding the date of the election.

(c) The elector shall execute the emergency mail ballot application in accordance with the requirements of this chapter, which application shall contain a certificate setting forth the facts relating to the circumstances necessitating the application.

(d) In addition to those requirements set forth elsewhere in this chapter, an emergency mail ballot, except those emergency mail ballots being cast pursuant to subsection (g) of this section, in order to be valid, must have been cast in conformance with the following procedures:

(1) All mail ballots issued pursuant to § 17-20-2(1) to voters within the state of Rhode Island, who are incapacitated, to the extent that it would be an undue hardship to vote at the polls because of illness, or mental or physical disability, blindness, or serious impairment of mobility shall be mailed to the elector at the state of Rhode Island address provided on the application by the office of the secretary of state, or delivered by the local board to a person presenting written authorization from the elector to receive the ballots, or cast in private at the local board of canvassers. In order to be valid, the signature of the voter on the certifying envelope containing a voted ballot must be made before a notary public, or other person authorized by law to administer oaths where signed, or where the elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In order to be valid, all ballots sent to the elector at the board of canvassers must be voted in conformance with the provisions of § 17-20-14.2.

(2) All applications for emergency mail ballots pursuant to § 17-20-2(2) by electors who
are confined in any hospital, convalescent home, nursing home, rest home, or similar institution, public or private, within the state of Rhode Island, must state under oath the name and location of the hospital, convalescent home, nursing home, or similar institution where the elector is confined.

All mail ballots issued pursuant to this subdivision shall be delivered to the elector by the bipartisan pair of supervisors, appointed in conformance with this chapter, and shall be voted and witnessed in conformance with the provisions of § 17-20-14.

(3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed by the office of the secretary of state to the elector at an address provided by the elector on the application, or cast at the board of canvassers in the city or town where the elector maintains his or her voting residence. The signature of the elector on the certifying envelope containing the voted ballots issued pursuant to the subdivision does not need to be notarized or witnessed. Any voter qualified to receive a mail ballot pursuant to § 17-20-2(3) shall also be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410 ("UOCAVA Act").

(4) All mail ballots issued pursuant to § 17-20-2(4) shall be cast at the board of canvassers in the city or town where the elector maintains his or her voting residence or mailed by the office of the secretary of state to the elector at an address within the United States provided by the elector on the application, or delivered to the voter by a person presenting written authorization by the voter to pick up the ballot. In order to be valid, the signature of the voter on all certifying envelopes containing a voted ballot must be made before a notary public, or other person authorized by law to administer oaths where signed, or where the elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In order to be valid, all ballots sent to the elector at the board of canvassers must be voted in conformance with the provisions of § 17-20-14.2.

(e) The secretary of state shall provide each of the several boards of canvassers with a sufficient number of mail ballots for their voting districts so that the local boards may provide the appropriate ballot or ballots to the applicants. It shall be the duty of each board of canvassers to process each emergency ballot application in accordance with this chapter, and it shall be the duty of each board to return to the secretary of state any ballots not issued immediately after each election.

(f) Any person knowingly and willfully making a false application or certification, or knowingly and willfully aiding and abetting in the making of a false application or certification, shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

(g) An emergency mail ballot application may be completed in person using an electronic poll pad provided by the board of canvassers upon presentation by the voter of valid proof of identity pursuant to § 17-19-24.2. Upon completion of the poll pad application, the voter shall be
provided with a ballot issued by the secretary of state and upon completion of the ballot by the voter, the voter shall place the ballot into the state-approved electronic voting device, provided by the board of elections and secured in accordance with a policy adopted by the board of elections.

17-20.3, Definitions.

(a) Wherever used in this chapter, every word importing only the masculine gender is construed to extend to, and include, females as well as males.

(b) Whenever used in this chapter, "bipartisan pairs of supervisors" for primaries means a supervisor representing the endorsed candidates and a supervisor representing a majority of unendorsed candidates, and for nonpartisan elections and primaries means non-partisan pairs of supervisors.

(c) Wherever used in this chapter, "employed outside of the United States" includes any person who is:

(1) Employed by any agency, department or division of the United States government and who, by reason of that employment, resides outside of the continental United States;

(2) Employed outside the territorial limits of the United States; or

(3) A spouse or dependent residing with persons so employed.

(d) Wherever used in this chapter "services intimately connected with military operations" includes members of religious groups or welfare agencies assisting members of the armed forces who are officially attached to and serving with the armed forces and their spouses and dependents, and the spouses and dependents of members of the armed forces and of the merchant marine; provided, that the spouses and dependents are residing outside of the state with the members of the armed forces, merchant marine, or members of the religious or welfare agencies.

(e) Whenever a signature is required by a voter in this chapter, "signature" also means the voter's mark "X" if the person is unable to sign his or her name because of physical incapacity or otherwise.

(f) Whenever used in this chapter, "bipartisan" means not of the same recognized political party.

(g) Whenever used in this chapter, "voter" and "elector" shall have the same meaning except that "electors of president and vice-president of the United States" means the persons designated to elect the president and vice-president of the United States, in accordance with Article II, Section 1 of the United States Constitution.

(h) Whenever used in this chapter, "drop box" means the secure container described in §17-20.4, whereby mail ballots may be returned to the board of elections.

(i) Whenever used in this chapter, "mail ballot" means a ballot issued to a voter in
accordance with this chapter.

(j) Whenever used in this chapter, “secrecy sleeve” means the envelope or sleeve issued along with a mail ballot, that is designed to conceal and maintain the secrecy of the voter’s vote until the counting of votes for that particular election.

(k) Whenever used in this chapter, “return envelope” means the envelope issued, along with a mail ballot, that is designed to contain a completed mail ballot and secrecy sleeve when sealed and able to be sent through the mail.

17-20.7. Duplication of votes -- Methods preferred.

(a) In no event shall more than one vote be cast by any individual for any one office or proposition.

(b) In the event that any person votes in person and also attempts to vote by mail ballot or by an official state blank ballot or an official federal absentee ballot, as the case may be, the mail and the official state blank ballot and the official federal absentee ballot, as the case may be, shall be destroyed and not be counted and shall be retained for three (3) years.

(c) In the event that any person casts a mail ballot and an official federal absentee ballot and/or official state blank ballot, the mail ballot shall be counted, but the official federal absentee and/or the official state blank ballot shall be destroyed and not be counted and shall be retained for three (3) years.

(d) In the event that any person casts more than one mail ballot, the mail ballot received last shall be counted, but any other mail ballots shall not be counted and shall be retained for three (3) years.


(a) Whenever any person is unable to sign his or her name because of physical incapacity or otherwise, that person shall make his or her mark "X".

(b) Notwithstanding any other provision of this chapter as to time and manner thereof, it shall be the duty of the applicant to cause the mail ballot application or the emergency mail ballot application, as the case may be, to be processed by the local board so that the applicant may receive the ballot, cast it, and cause delivery thereof to be made to the state board not later than eight o’clock (8:00) p.m. on the date of election.

(c) The local board shall maintain a separate list of names and addresses of all applicants and their subscribing witnesses and a copy of the list shall be made available for inspection to any person upon request.

(d) Any voter may apply to receive an absentee ballot, in accordance with § 17-20-2.1, in one of the following ways:
(1) By indicating that the voter wants to receive a ballot for the next upcoming general election.

(2) By indicating that the voter wants to receive a ballot for the next upcoming primary and general elections.

(3) By indicating that the voter wants to be a permanent mail voter and receive a ballot for all elections covered under § 17-20-1 in perpetuity, until the voter indicates otherwise by application or through the state’s online voter registration portal.

(e) The secretary of state must maintain a list within the CVRS of all voters who are eligible to remain on the permanent mail voter list, as described in subsection (d)(3) of this section.

(f) Any person knowingly and willfully making a false application or certification or knowingly and willfully aiding and abetting in the making of a false application or certification shall be guilty of a felony.

17-20-10. Certification of applications -- Issuance of ballots -- Marking of lists --

Mailing address.

(a) Upon receipt of the application, the local board shall immediately examine it and determine whether it complies with each of the requirements set forth by this chapter and compare the signature on the ballot application with the signature contained on the original registration card, except as may be otherwise provided by law, to satisfy itself that the applicant is a qualified voter. Upon determining that it does meet each requirement of this chapter and that the signature appears to be the same, the local board shall mark the application "accepted" and record in the space provided on the ballot application the senatorial, representative, and voting district in which the applicant should vote.

(b) The local board shall also record the city or town code and district information in the mailing label section of the mail ballot application. The local board shall also print or type the name of the elector and the complete mailing address in that section. If the local board does not accept the application, the local board shall return the application to the elector, together with a form prescribed by the secretary of state, specifying the reason or reasons for the return of the application.

(c) Not later than 4:00 p.m. on the eighteenth (18th) day before the day of any election referred to in this chapter or within seven (7) days of receipt by the local board, whichever occurs first, the local board shall certify the applications to the secretary of state through the CVRS system as this procedure is prescribed by the secretary of state. Upon the certification of a mail ballot application to the secretary of state, the local board shall enter on the voting list the fact that a mail ballot application for the voter has been certified and shall cause the delivery of the certified mail ballot applications together with the signed certified listing thereof in sealed packages to the state...
board of elections.

(d)(1) Upon the ballots becoming available, but not sooner than thirty (30) days before a primary election, the secretary of state shall immediately issue and mail, by first-class mail, postage prepaid, a mail ballot to each eligible voter who has been certified or who appears on the list of permanent mail voters. With respect to voters who have applied for these mail ballots under the provisions of § 17-20-2(1), the secretary of state shall include with the mail ballots a stamped, return envelope addressed to the board of elections.

(2) The secretary of state shall include on the mail ballot envelope a numerical or alphabetical code designating the city or town where the voter resides. The secretary of state shall immediately thereafter indicate on the voter's record that the secretary of state has sent mail ballots; provided that this mark shall serve solely to indicate that a mail ballot has been issued and shall not be construed as voting in the election.

(e) Prior to each election, the secretary of state shall also furnish to the chairperson of the state committee of each political party a list of the names and residence addresses of all persons to whom mail ballots have been issued. The secretary of state shall also furnish to a candidate for political office, upon request, a list of the names and residence addresses of all persons to whom mail ballots have been issued within his or her district.

(f) If a ballot is returned to the secretary of state by the postal service as undeliverable, the secretary of state shall consult with the appropriate local board to determine the accuracy of the mailing address, and the secretary of state shall be required to remail the ballot to the voter using the corrected address provided by the local board. If the local board is unable to provide a different address than that to which the ballot was originally mailed, the ballot shall be reissued by the secretary of state to the board of canvassers in the city or town where the voter resides utilizing the numerical or alphabetical code established in subsection (d) of this section. The board shall then attempt to notify the voter at his or her place of residence that the ballot has been returned as undeliverable. The ballot must be voted and witnessed in accordance with the provisions of this chapter.

(g) The acceptance of a mail ballot application by the board of canvassers and the issuance of a mail ballot by the secretary of state shall not create any presumption as to the accuracy of the information provided by the applicant or as to the applicant's compliance with the provisions of this chapter. Any inaccuracy in the provided information or irregularity in the application may be raised as a challenge to the ballot before the board of elections at the time of certification. If the challenge raised at that time is meritorious, the ballot shall be voided.

(h) Within two (2) business days of receipt by the local board, the board shall certify
emergency mail ballot applications and shall cause the delivery of the emergency mail ballot applications, and certification sheet in sealed packages to the state board of elections.

17-20-12. Secretary of state to furnish forms and supplies.

All mail ballots, application forms, certified envelopes for enclosing ballots, secrecy sleeves, any other envelopes that may be necessary, and instructions as to voting and use of ballots, and affidavits shall be furnished and supplied by the secretary of state for use in mailing application forms, ballots, and other supplies or materials to mail voters to carry out the provisions of this chapter, but each local board shall print or stamp upon the application form and upon the return envelope the address of the local board. The secretary of state is authorized to interpret and apply the provisions of this chapter in a manner that effects the legislative intention set forth in this chapter.

17-20-13.1. Form of emergency mail ballot application.

The emergency mail ballot application to be subscribed by the voters before receiving a mail ballot shall, in addition to any directions that may be printed, stamped, or written on the application by authority of the secretary of state, be in substantially the following form:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

EMERGENCY APPLICATION OF VOTER FOR BALLOT FOR ELECTION ON_______

(COMPLETE HIGHLIGHTED SECTIONS)

NOTE -- THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF CANVASSEES OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON_______

BOX A (PRINT OR TYPE)

NAME ________________________________________________________________

VOTING ADDRESS ______________________________________________________

CITY/TOWN_________STATE RI ZIP CODE______________________________

DATE OF BIRTH_________________PHONE#_______________________________

BOX B (PRINT OR TYPE)

NAME OF INSTITUTION (IF APPLICABLE) __________________________________

ADDRESS ___________________________________________________________

ADDRESS ___________________________________________________________

CITY/TOWN_________STATE_______ZIP CODE__________________________

I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING BASIS: (CHECK ONE ONLY)

( ) 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the polls because of illness, mental or physical disability, blindness or a serious impairment of
mobility. If not voting ballot at local board, ballot Ballot will be mailed to the address in BOX A above or to the Rhode Island address provided in BOX B above. If the ballot is to be delivered by the local board of canvassers to a person presenting written authorization to pick up the ballot, complete BOX A above and fill in the person's name below.

I hereby authorize _______________________________ to pick up my ballot at my local board of canvassers.

( ) 2. I am confined in a hospital, convalescent home, nursing home, rest home, or similar institution within the State of Rhode Island. Provide the name and address of the facility where you are residing in BOX B above.

( ) 3. I am employed or in service intimately connected with military operations or because I am a spouse or dependent of such person, or I am a United States citizen who will be outside the United States. If not voting ballot at local board, provide address in BOX B above.

( ) 4. I may not be able to vote at the polling place in my city or town on the day of the election. If the ballot is not being mailed to your voter registration address (BOX A above) please provide the address within the United States where you are temporarily residing in BOX B above. If you request that your ballot be sent to your local board of canvassers please indicate so in BOX B above.

I hereby authorize _______________________________ to pick up my ballot at my local board of canvassers.

Under the pains and penalty of perjury, I certify that on account of the following circumstances manifested twenty (20) days or less prior to the election for which I make this application. I will be unable to vote at the polls.

BOX D OATH OF VOTER

I declare that all of the information I have provided on this form is true and correct to the best of my knowledge. I further state that I am not a qualified voter of any other city or town or state and have not claimed and do not intend to claim the right to vote in any other city or town or state. If unable to sign name because of physical incapacity or otherwise, applicant shall make his or her mark "X".

SIGNATURE IN FULL _______________________________

Please note: A Power of Attorney signature is not valid in Rhode Island.

17-20-14. Voting from hospitals, convalescent homes, nursing homes, rest homes or similar institutions public or private within the State of Rhode Island -- Penalty for interference.

(a) The state board of elections shall appoint as many bipartisan pairs of supervisors as are
necessary whose duty it shall be to attend each hospital, rest home, nursing home and convalescent
home, or similar types of personal care facility in the state within twenty (20) days prior to the
election. They shall supervise the casting of votes by persons using mail ballots at a place that
preserves their secrecy and shall take acknowledgments or serve as witnesses, and jointly provide
assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every
mail ballot cast by a patient in a hospital or convalescent home within this state must be witnessed
by the state supervisors. It shall be the duty of the person or persons in charge of hospitals, rest
homes, nursing homes and convalescent homes, or similar types of personal care facility to allow
the state supervisors to perform their duties as set forth in this section at all reasonable times. Every
person who willfully hinders the state supervisors in performing their duties as set forth in this
section shall be guilty of a misdemeanor.

(b) It shall be the responsibility of the state board of elections to provide all bipartisan pairs
of supervisors with an official identification card. All bipartisan pairs of supervisors will be
required to have in their possession their identification card when conducting official business.

(c) Any person who deliberately misrepresents themselves as an official of the board of
elections, or who deceives, coerces, or interferes with a voter casting a ballot, shall be subject to
prosecution under § 17-20-30.

17-20-16. Time of casting vote.

Mail ballots may be cast in the manner provided by law on or before election day; provided,
that no mail ballot shall be counted unless it is received by the state board not later than the time
prescribed by § 17-18-11 for the closing of polling places on election day, except ballots cast under
the provisions of § 17-20-6.1 returned through the United States Postal Service, which shall be
counted if received by the state board by four o'clock p.m. (4:00) on the third day following a
primary election or four o'clock p.m. (4:00) on the seventh day following an state election other
than a primary election, and the return envelope for any such ballot contains a postmark date, no
later than the day of the election. Mail ballots returned through the United States Postal Service
that do not contain a postmark date on their return envelope, shall not be counted unless received
by the state board, not later than the day following a state election.

17-20-19. Envelopes for return of ballots. Return envelopes -- Tracking return
envelopes -- Ballot cure.

(a) Envelopes for the enclosure and return of mail ballots and their enclosing certified
envelope shall have the printed or written address: 'Board of Elections, 2000
Plainfield Pike, Cranston, Rhode Island 02921’; or a post office box established and maintained by
the board; and shall be forwarded by the secretary of state to each mail voter whose application for
the mail ballot has been received and accepted.

(b) Every return envelope shall contain a unique identifier, associated with the voter, to whom that return envelope and accompanying mail ballot is issued. The secretary of state and board of elections shall create and maintain a secure system, using such unique identifiers to track and record, when return envelopes and accompanying mail ballots are received from voters, when return envelopes and accompanying mail ballots are processed and certified in accordance with § 17-20-26, when voters have voted in person, and anything else necessary to implement this chapter. In addition to any other purposes required to implement this chapter, the secretary of state shall use this system to prevent the duplication of votes, as described in § 17-20-7.

(c) The secretary of state and board of elections shall maintain a system that enables voters to track the status of their ballots.

(d) The board of elections shall maintain a protocol to notify voters if their return envelope has been challenged or has been found defective or deficient by the designated election officials, and provide voters with an opportunity to correct any defects or deficiencies. The board shall notify a voter, not less than one business day after finding any defect or deficiency of the envelope by mail and by other means, including phone call, text message, electronic mail, or other form of electronic notification, if available and the voter has designated a preference for such form of notification through a form or protocol created by the board. The notification shall explain the nature of the defect or deficiency, what steps the voter may take to remedy it, and the deadline to do so. The ballot of any voter, who successfully complies with this protocol, shall be counted if otherwise valid. Such protocol shall allow voters to correct any defects or deficiencies until five o’clock (5:00) p.m. on the seventh day after the election. The board shall promulgate the protocol and any other rules necessary to operate the notification and cure process, in accordance with the rulemaking provisions of § 42-35-1, et seq.

17-20-21. Certifying envelopes  Certifying return envelopes -- Secrecy sleeve --

Instructions.

The secretary of state shall cause to be prepared and printed and shall furnish with each mail ballot an a return envelope described in § 17-20-19 for sealing up and certifying the ballot when returned. The envelope shall be printed in substantially the following form:

"After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to statement hereon. Enclose in envelope addressed to board of elections, which must receive the envelope not later than the time prescribed by § 17-18-11 for the closing of polling places on the day of election."

Date of Election________________ City/Town of___________________
Certificate of Voter

Print Name of Voter

I swear or affirm, under penalty of perjury, that I am:

1. I am a United States citizen; and
2. I am a resident and qualified voter of the State of Rhode Island;
3. I am eligible to cast a mail ballot under the provisions of § 17-20-2; and
4. I am not qualified to vote elsewhere.

Voter must sign full name here: ________________________________

(If unable to sign name because of physical incapacity or otherwise, voter shall make his or her mark "(X)").

I hereby attest under penalty of perjury that the enclosed voted ballot was cast, and the signature or mark on this certifying envelope was made by the voter whose name appears on the label above.

Before me the _________ day of _________ 20____, at _________ (city or town), county of _________, state of _________, personally appeared the above named voter, to me known and known by me to be the person who affixed his or her signature to this ballot envelope.

_________________________________________ Notary Public

Notary must also print his or her name

Witness:

_________________________________________ __________________________
(Signature)(Print Name) (Address) (Signature)(Print Name) (Address)

Note: Mail ballots must either be sworn to before a notary public or before two (2) witnesses who must sign their names and addresses.

(b) The return envelope shall be designed, such that the voter’s signature and identifying information described in subsection (a) of this section, are concealed by the envelope’s flap, when the envelope is sealed.

(c) In addition to the return envelope, the secretary of state shall cause to be prepared and printed and shall furnish with each mail ballot, a secrecy sleeve, which can fit within a sealed return envelope and is designed to conceal and maintain the confidentiality of the voter’s vote until the counting of votes for that particular election.

(d) The secretary of state shall promulgate rules in accordance with the rulemaking
provisions of § 42-35-1, et seq., setting forth specific and easily understandable voter instructions that include all necessary information about marking the ballot, preparing it for return, certifying the return envelope, and properly and timely returning it to the board of elections.

17-20-23. Marking and certification of ballot.

(a) A voter may vote for the candidates of the voter's choice by making a mark in the space provided opposite their respective names.

(b) In case a voter desires to vote upon a question submitted to the vote of the electors of the state, the voter shall mark in the appropriate space associated with the answer that the voter desires to give.

(c) Voters receiving a mail ballot pursuant to § 17-20-2(1), (2), and (4) shall mark the ballot in the presence of two (2) witnesses or some officer authorized by the law of the place where marked to administer oaths. Voters receiving a mail ballot pursuant to § 17-20-2(3) do not need to have their ballot witnessed or notarized. Except as otherwise provided for by this chapter, the voter shall not allow the official or witnesses to see how he or she marks the ballot and the official or witnesses shall hold no communication with the voter, nor the voter with the official or witnesses, as to how the voter is to vote. Thereafter, the voter shall enclose and seal the ballot in the envelope provided for it. The voter shall then execute before the official or witnesses the certificaton on the envelope. The voter shall then enclose and seal the certified envelope with the ballot in the envelope addressed to the state board and cause the envelope to be delivered to the state board on or before election day.

(d) These ballots shall be counted only if received within the time limited by this chapter.

(e) There shall be a space provided on the general election ballot to allow the voter to write in the names of persons not in nomination by any party as provided for in §§ 17-19-31 and 17-20-24.


(a) No ballot transmitted under the provisions of this chapter shall be rejected for any immaterial addition, omission, or irregularity in the preparation or execution of the computer ballot, nor for failure of the voter to affix sufficient postage. No ballot shall be invalid by reason of mistake or omission in writing in the name of any candidate where the candidate intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the candidates for other offices. No ballot shall be invalid by reason of the voter writing upon the inner envelope secrecy sleeve the name of a community within a town in place of the name of the town or by reason of the voter failing to cover the ballot with the secrecy sleeve or failing to return the secrecy sleeve, along with the ballot.
in the return envelope. No defect in the marking of the appropriate space associated with casting a vote shall invalidate any ballot or a vote for any candidate, where the intention of the voter is clearly indicated.

(b) No ballot shall be rejected if the intention of the voter is clear unless it contains clear evidence of the identity of the voter.

17-20-24.1. Irregularities in obtaining and casting mail ballots.

The requirements set forth by this chapter controlling mail ballot eligibility and the procedure by which mail ballots are obtained and cast shall be strictly applied to assure the integrity of the electoral system. No mail ballot which was not obtained and/or cast in material conformance with the provisions of this title shall be certified by the board of elections. Notwithstanding the provisions of § 34-12-3 to the contrary, any mail ballot application or mail ballot certification notarized by a person who is not in fact a notary public or other officer authorized to administer oaths and take acknowledgements shall be void. Nothing in this chapter shall be construed to require the disqualification of a ballot merely because the elector did not sign the elector's full name as it is listed on the voter registration list, but omitted or included a middle initial or name, abbreviated a first and/or middle name, or made a similar omission or inclusion, as long as the board of elections can reasonably determine the identity of the voter.


(a)(1) Beginning prior to and continuing on election day the state board, upon receipt of mail ballots, shall keep the ballots in a safe and secure place that shall be separate and apart from the general public area and shall:

(i) Open the outer envelope and attach the matching ballot application to the inner certifying envelope;

(ii) Beginning fourteen (14), beginning twenty (20) days prior to and continuing on election day, proceed to certify the mail ballots.

(2) Notice of these sessions shall be given to the public on the state board of elections' website, the secretary of state's website, and announcements in newspapers of general circulation published at least twenty-four (24) hours before the commencing of any session. All candidates for state and federal office, as well as all state party chairpersons, shall be given notice by telephone or otherwise of the day on which ballots affecting that candidate's district will be certified; provided, that failure to effect the notice shall in no way invalidate the ballots.

(b) This processing shall be done within a railed space in the room in which it takes place, and the board shall admit within the railed space, in accordance with those rules that the board shall adopt, to witness the processing and certification of the ballots, the interested voter or the voter's
representative, the candidates, or at least one representative of each candidate for whom votes are
at the time being processed, and an equal number of representatives of each political party. These
representatives shall be authorized in writing by the voter, the candidate, or the chairperson of the
state committee of the political party, respectively, as the case may be. The board shall also, in
accordance with these rules, admit representatives of the press and newscasting agencies and any
other persons that it deems proper.

(c) At these sessions, and before certifying any ballot, the state board shall:
(1) Determine the city or town in which the voter cast his or her ballot and classify
accordingly; and
(2) Compare the name, residence, and signature of the voter with the name, residence, and
signature on the ballot application for mail ballots file in the central voter registration system and
satisfy itself that both signatures are identical.

(d) [Deleted by P.L. 2015, ch. 259, § 1].
(e)(1) If, upon initial review, a voter’s signature on a return envelope does not appear to
match that voter’s signature on file with the central voter registration system, a pair of election
supervisors, who are not affiliated with the same political party, shall compare the signatures. If
both election supervisors agree that the signatures do not match, the return envelope and its contents
shall be set aside to undergo the notification and correction process established by § 17-20-19(d),
otherwise the return envelope and ballot it contains, shall continue through the counting process
established in this section.
(2) The initial review of signatures described in subsection (e)(1) of this section, may be
performed by an election official or by a signature verification device used in accordance with rules
established by the board of elections. All rules shall be promulgated in accordance with the
rulemaking provisions of § 42-35-1, et seq.
(3) The board of elections, in consultation with any appropriate experts and state agencies,
shall establish and make publicly available, statewide standards for signature verification. All
personnel assigned to verify signatures shall receive training on statewide standards for signature
verification.
(4) Before using a signature verification device, the board of elections shall promulgate
rules, in accordance with the rulemaking provisions of § 42-35-1, et seq., establishing an audit
process to ensure that the signature verification device is operating properly during signature
review, and establishing contingency procedures in the event that an audit fails.
(f) The board shall establish guidelines setting forth the grounds for challenging the
certification of mail ballots. These guidelines shall recognize that if a ballot can be reasonably
identified to be that of the voter it purports to be, and if it can reasonably be determined that the voter was eligible to vote by mail ballot and if the requirements of § 17-20-2.1 were complied with, it should not be subject to frivolous or technical challenge. The burden of proof in challenging a mail ballot as not obtained and/or cast in conformance with this chapter is on the person challenging the ballot. Once the irregularity is shown, the burden of proof shall shift to the person defending the ballot to demonstrate that it is the ballot of the voter it purports to be, that the voter was eligible to vote by mail ballot, and that all of the applicable requirements of § 17-20-2.1 were complied with. The guidelines shall be adopted at a public meeting of the board and shall be made available prior to the start of the certification process for mail ballots. The guidelines shall be promulgated in accordance with the rulemaking provisions of § 42-35-1, et seq.

(g) After processing and certification of the mail ballots, they shall be separated in packages in accordance with their respective cities and towns, in the presence of the board and all other interested parties. Thereupon, in each instance the board shall open the enclosing envelope, and without looking at the votes cast on the enclosed ballot, shall remove the ballot from the envelope. The state board shall proceed to tabulate the ballots through the use of a central count optical-scan unit with the same effect as if the ballots had been cast by the electors in open town or district meetings.

(h) When a local election is held at a time other than in conjunction with a statewide election, the state board, after the processing and certification of the mail ballots cast in the local election, shall package the local ballots to be promptly delivered in sealed packages, bearing upon the seals the signatures of the members of the board, to the appropriate local board which shall [a] thereupon proceed to count the ballots in the same manner and with the same effect as state mail ballots are counted by the state board.

(i) When a local election is held in New Shoreham at a time other than in conjunction with a statewide election, the state board, after the processing and certification of the mail ballots cast in the local election, shall have the authority to count the ballots in the same manner and with the same effect as state mail ballots are counted by the state board in a statewide election. Once the ballots are counted, the results shall be sent via facsimile to the local board in New Shoreham.

17-20-29. Mail applicant not permitted to vote at polls.

(a) No person, or one claiming to be that person, whose name has been marked upon any voting list, provided for official use at any election, with the mark as provided by § 17-20-10, Any person who has been issued a mail ballot shall be permitted to vote in person at the election or during the in-person early voting period; provided, that the person may re-establish his or her right to vote in person by presenting himself or herself at that person’s local board on or before election.
day and surrendering

surrenders his or her mail ballot at the polling place for his or her assigned
ing voting district. Upon that surrender the person's name shall be restored to the voting list. Any person
whose name has been marked on the voting list may also be permitted to vote in person if that
person executes and delivers to the local board an affidavit stating that the person did not receive
the mail ballot, or that the mail ballot was lost or destroyed.

(b) A voter who has been issued a mail ballot, but does not have the ballot available
for
surrender, may vote in person at the polling place for his or her assigned voting district at the
election or during the in-person early voting period by provisional ballot.

(c) Each local board shall, immediately after the close of the polls, certify and deliver to
the state board the names and addresses of all persons restored to the voting list who were issued
mail ballots but votes in-person, together with the affidavits provisional and surrendered ballots
received pursuant to this section.

17-20-30. Penalty for violations.

(a) Any person who knowingly makes or causes to be made any material false statement in
connection with his or her application to vote as a mail voter, or who votes or attempts to vote
under the provisions of this chapter, by fraudulently signing the name of another upon any envelope
provided for in this chapter, or who, not being a qualified voter and having knowledge or being
chargeable with knowledge of the fact, attempts to vote under this chapter, or who votes the ballot
of another voter, or who deliberately prevents or causes to prevent the mail ballot to be received by
the voter or to be returned to the board of elections, or who fraudulently notarizes or witnesses the voter
signature on the ballot application or mail ballot, or who deceives, coerces, or interferes with the
voter casting his or her ballot, and any person who does or attempts to do, or aid in doing or
attempting to do, a fraudulent act in connection with any vote cast or to be cast under the provisions
of this chapter, shall be guilty of a felony.

(b) Any person who, having received a mail voter's ballot and having voted or not voted
the mail ballot, votes or fraudulently attempts to vote at any elective meeting within the state held
on the day for which the ballot was issued shall be guilty of a felony.

(c) Any officer or other person who intentionally opens a mail voter's certified envelope or
examines the contents before the envelope is opened by the board of elections, as provided in this
chapter, shall be guilty of a felony.

(d) The offenses in this section shall be punishable by imprisonment of not more than ten
(10) years and/or by a fine of not less than five hundred dollars ($500) nor more than five thousand
dollars ($5000).

17-20-33. Disqualification of ballot by board of elections.
The board of elections shall, on its own motion, disqualify any mail ballot which it
determines, based upon a preponderance of the evidence, was not voted by the elector who
purportedly cast it, or was voted by an elector who was not eligible to vote by mail ballot, or was
not obtained and voted in the manner prescribed by this chapter. The board of elections may take
this action even in the absence of a challenge to the ballot and may take this action at any time prior
to the separation of the ballot from its application and certifying return envelope.

17-20-34. Liberal construction.

This chapter shall be construed liberally to effect the purposes of maintaining the integrity
and the secrecy of the mail ballot by ensuring that voters are able to vote by mail
assuring that only electors eligible to vote by mail ballot are allowed to utilize that method of voting,
by assuring that the procedures set forth in this chapter controlling the application and balloting processes are
strictly enforced, and by safeguarding the mail ballot voter from harassment, intimidation, and
invasion of privacy.

SECTION 7. Chapter 17-9.1 of the General Laws entitled "Registration of Voters" is
hereby amended by adding thereto the following section:

17-9.1-27. Periodic updating of voter registration records. [Effective until July 1,
2022.]

(a) The secretary of state shall promulgate rules in accordance with the rulemaking
provisions of § 42-35-1, et seq., specifying a regular schedule and process updating voters' registrations based on a change of address search, using the United States Postal Service National Change of Address (NCOA) Program, for all voters whose names appear in the CVRS. At
minimum, the schedule established by the secretary of state shall require a search not less than four
(4) times within a calendar year. In addition, the secretary of state’s rules shall require local boards
to update the address in the voter registration record for each voter who, according to the NCOA
search, has moved within the state or changed their permanent mailing address within the state; and
inactivate the record of any voter who, according to the NCOA search, has moved outside of the state. The secretary of state’s rules must require local boards to send notice to each voter, in accordance with the requirements of the federal "National Voter Registration Act of 1993", 52 U.S.C. § 20501 et seq., as amended, of any change to the voter’s record. The office of the secretary
of state shall be responsible for obtaining the NCOA data and providing each local board of
canvassers with their data; provided, that the updating shall be performed by each local board in
accordance with the rules promulgated under this section.

(b) Each local board of canvassers in each city or town shall send annually, a notice
prescribed by the secretary of state and marked "Do Not Forward -- Return if Undeliverable", to
every active registered voter who has not voted in the past five (5) calendar years and has not
otherwise communicated with the board during that period of time, advising them of their current
polling place and voting eligibility, and informing them that mail that is returned as undeliverable
will initiate the confirmation process described in § 17-9.1-26; provided, however, that the local
boards shall not be obligated to send such notice if the state or federal government fails to
appropriate the necessary funds. The mailing shall take place in all municipalities and be performed
in a uniform manner, in accordance with standards adopted by the secretary of state and the list
maintenance procedures provided by the National Voting Rights Act, 42 U.S.C. § 1973gg.

(c) Beginning thirty (30) days before any state election and through certification of that
election, local boards shall cease all list maintenance procedures under this section.

SECTION 8. Chapter 17-19 of the General Laws entitled "Conduct of Election and Voting
Equipment, and Supplies" is hereby amended by adding thereto the following section:


(a) In-person early voting shall be made available to any registered voter and eligible voter
of this state whose name appears upon the official voting list of the city or town where the voter is
so qualified to vote for all elections.

(b) The in-person early voting period shall begin on the twentieth day before a state
election, or the nineteenth day before a state election, if the twentieth day before is a state or federal
holiday, and extend through four o’clock (4:00) p.m. on the day before the state election.

(c) During the in-person early voting period, as set forth in subsection (b) of this section,
in-person early voting shall take place at locations to be determined by each local board and
approved by the state board, with at least one location for each town or city. The provisions of §
17-19-3.2 shall apply to the placement of all early voting polling places. Prior to the beginning of
the in-person early voting period, a notice shall be published by the secretary of state in a newspaper
or newspapers having general circulation throughout the state, at least three (3) days prior to the
beginning of the in-person early voting period. Adequate notice of at least seven (7) days shall be
posted at each local board’s office and on the city's or town’s website, if any, and in some
newspaper having a general circulation in the city or town, informing the public of the locations
where in-person early voting is being conducted. Notice of the in-person early voting period for
each city or town shall also be posted on the secretary of state's website and the board of elections’
website.

Effective January 1, 2022, in-person early voting shall take place during normal business
hours in each city or town, on Monday, Tuesday, Wednesday, Thursday and Friday during the in-
person early voting period. In-person early voting shall take place on the two (2) Saturdays
immediately preceding a general election day during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m. and on the two (2) Sundays immediately preceding a general election day during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m. during the in-person early voting period. In-person early voting shall take place on the Saturday immediately preceding all state election days, other than general elections, during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m. and on the Sunday immediately preceding all state election days other than general elections during the hours of twelve o'clock (12:00) p.m. to four o'clock (4:00) p.m. during the in-person early voting period. Nothing contained herein shall be construed to prohibit a municipality from including additional days and times where early voting is available during the in-person early voting period.

(d) Prior to the in-person early voting period, the state board shall provide the local boards with the ballots, ballot on-demand printers, ballot applications, tabulation equipment, ballot storage boxes, voting booths, electronic poll books, instructions as to voting, and other supplies necessary to effectuate the provisions of this section. During the in-person early voting period, the state board shall provide technical support as needed at in-person early voting sites. The provisions of §§ 17-19-3 and 17-19-8.2 shall apply to early voting.

(e) The secretary shall make available, no later than the next business day, the updated list of those persons that have cast their ballot during the in-person early voting period.

(f) At the conclusion of the early voting period, the local board shall note on the appropriate electronic or paper-based voter roll, that the voter has cast an early vote so as to prevent the voter from casting an additional vote at the polls on election day.

(g) The procedure for voting during the in-person early voting period shall be established through rules promulgated by the state board, in accordance with the rulemaking provisions of § 42-35-1, et seq.

(h) The secretary of state and state board shall convene an in-person early voting advisory committee to assist in the drafting of rules for the in-person early voting period. The advisory committee shall be comprised of the following:

(1) Secretary of state, or designee;

(2) Three (3) representatives of the board of elections;

(3) Three (3) representatives of the Rhode Island town and city clerk's association elections committee appointed by the president of the Rhode Island town and city clerk's association;

(4) Three (3) members of the public, with one member each appointed by the secretary of state, the board of elections, and the president of the Rhode Island town and city clerk's association.

(i) The advisory committee shall advise the state board on issues including, but not limited
(1) Staffing of in-person early voting locations;
(2) Suitable in-person early voting locations;
(3) Accessibility criteria to be considered for in-person early voting locations.

(i) The provisions of subsections (h) and (i) of this section creating an in-person early voting advisory committee shall sunset and be repealed effective December 31, 2022.

SECTION 9. Chapter 17-20 of the General Laws entitled "Mail Ballots" is hereby amended by adding thereto the following sections:

17-20-2.3. Return of mail ballots.

(a) Mail ballots may be returned to the board of elections by any of the following methods:

(1) By mail, through the United States Postal Service or through a private delivery or courier service;

(2) By drop box;

(3) Dropped off at any polling place during that polling place’s hours of operation;

(4) Dropped off at any local board of canvassers during its hours of operation; or

(5) Dropped off at any other secure and supervised location designated by the board of elections during the hours designated by the board of elections.

(b) All mail ballots returned in accordance with subsection (a) of this section shall be delivered to the board of elections for certification, processing, and counting, regardless of the method by which they are returned.

17-20-2.4. Drop boxes.

(a) “Drop box” means the locked and secure container established and maintained by the board of elections, in accordance with this section, that shall serve as a receptacle for the receipt of mail and emergency ballots cast by voters. Every drop box established by the board of elections shall be deemed to be the property of the board of elections and shall be available to the public, beginning thirty (30) days prior to the date of a state election (hereinafter “election day”) and twenty four (24) hours per day and seven (7) days per week throughout this period, if established outside a municipal building, and during the normal business hours of the facility if established inside a municipal building. All drop boxes must be accessible on election day, from the time polls open until the time they close, in accordance with §§ 17-18-10 and 17-18-11. Any ballot that is cast by a voter, as either a mail ballot, or emergency ballot and is deposited into a drop box on or before the close of polls on election day, shall be deemed to be received by and in the possession of the board of elections. At the close of polls on election day, upon the last ballot deposited by any person in line at that time, a designated agent of the board of elections shall ensure that no other ballots...
are deposited in the drop box.

(b) Drop boxes must be labeled “Official Ballot Drop Box,” and include language about tampering, voter hotlines, postage and other information, and display the official seal of the board of elections. Drop boxes must be constructed to withstand weather and vandalism, with a clearly identified ballot insertion slot and a unique identifying number. Drop boxes must be accessible by persons with disabilities. If feasible, drop boxes should be monitored by a video surveillance system.

(c) For any election, there must be a minimum number of drop boxes where mail ballots may be deposited, equal to at least one drop box for each twenty thousand (20,000) registered voters in the town or city. No town or city shall have fewer than one drop box. A drop box may be established inside a municipal building, only if the building remains open and accessible to the public, up throughout the prescribed time period prior to election day and until the close of the polls, in accordance with §17-18-10. Drop boxes must be placed in locations that are accessible to persons with disabilities and equitably distributed, so as to provide maximally convenient options for all voters.

(d) In addition to the requirements of subsection (c) of this section, the board of elections shall establish a drop box on each campus of a public institution of higher education that, has five hundred (500) or more enrolled students, as determined in accordance with this section.

(e) The board of elections shall promulgate rules to implement this section, including rules for the location of drop boxes and the receipt, storage, security, regular collection, and transportation of mail ballots returned, in accordance with this section. Rules concerning the location of drop boxes shall consider population, geographic areas, voter convenience, proximity to public transportation and parking, security, and available funding. All rules promulgated under this section shall be done in accordance with the rulemaking provisions of §42-35-1, et seq.

(f) Each local board of canvassers shall determine the location of every drop box located within the area over which that local board has authority, in accordance with the rules promulgated by the board of elections, subject to the approval of the board of elections. The drop boxes shall be arrayed throughout the town or city in a manner that provides the greatest convenience to electors.

(g) Each drop box shall begin accepting the deposit of mail ballots no later than thirty (30) days before the day of the election and shall not accept the deposit of mail ballots after the last person in line to deposit a ballot in that drop box at the time the polls close, on the day of the election, has deposited their ballot.

(h) Local boards of canvassers shall inform the board of elections of the drop box locations at least thirty (30) days prior to the election. Each local board shall make the location of every drop
box within the area over which it has authority publicly available at its office and on its website, no later than thirty-three (33) days before the day of the election. The board of elections shall make the location of all drop boxes located within the state, publicly available at its office and on its website, no later than thirty-three (33) days before the day of the election.

(i) The board of elections shall designate one or more staff members of each local board of canvassers, as the official agents of the board of elections, for purposes of retrieving ballots deposited in drop boxes and, by regulations promulgated in accordance with the rulemaking provisions of § 42-35-1, et seq., establish a schedule and process by which drop boxes are regularly emptied and any ballots they contain are securely and promptly transported to the board of elections.

17-20-15.1. Publication of election data and voter intent guidelines -- Privacy of voter information.

(a) The board of elections shall collect and publish data concerning the number and disposition of provisional ballots, mail ballots and mail ballot applications, ballot rejections and the reasons for such rejections, mail ballots flagged as a mismatch by a signature verification device, if any, mail ballot applications cured, mail ballots cured, mail ballots remade, and mail ballots received after the deadline in § 17-20-16 for each state election.

(b) The board of elections shall issue rules for determining voter intent and publish all guidelines, rules for determining voter intent, in accordance with § 42-35-1, et seq.

(c) Other than any information required by law to be made public, The board of elections and secretary of state shall ensure the privacy and security of any personal information in their possession, including phone numbers, email addresses, and any identification numbers provided for identification purposes. All rules promulgated by the board of elections and secretary of state relating to the privacy and security of such personal information, shall be promulgated in accordance with the rulemaking provisions of § 42-35-1, et seq.

17-20-36. Voter access study commission.

(a) The voter access study commission is hereby established for the purpose of reviewing the implementation and making recommendations on the improvement of:

(1) In-person early voting;

(2) Mail voting;

(3) Voter registration;

(4) Voting access and voter education for people with disabilities;

(5) Voting access and voter education for people whose primary language is not English;

(6) Voting access, voter education and measures to protect the identity and safety of victims
of domestic violence;

(7) Voting access and voter education for people experiencing homelessness and housing insecurity; and

(8) Any other issues that affect equitable access to and participation in the electoral process for all Rhode Island voters.

(b) The voter access study commission shall consist of fifteen (15) members selected as follows:

(1) Five (5) members to be appointed by the speaker of the house, no more than three (3) of whom shall be from the same political party;

(2) Five (5) members to be appointed by the president of the senate, no more than three (3) of whom shall be from the same political party;

(3) Five (5) members to be appointed by the governor, no more than three (3) of whom shall be from the same political party.

(c) All members of the study commission shall be registered voters of this state at the time of their selection and at all times while they remain on said study group. When making appointments, the speaker of the house, president of the senate, and governor shall select members who represent the diversity of Rhode Island and make appointments on the basis of knowledge of and experience with such issues as voting access and voting rights, elections and election administration, civil rights and racial justice, language access, disability rights and access for persons with disabilities, homelessness and housing insecurity, domestic violence, or any other area relevant to the issues and communities referenced in subsection (a) of this section.

(d) Members of the voter access study commission shall be appointed no later than July 1, 2022.

(e) The voter access study commission shall present a report on its work and findings, and recommend any statutory, regulatory, and constitutional changes necessary to implement its recommendations, to the general assembly, the governor, the board of elections, and the secretary of state no later than November 1, 2023. The report shall be made available to the public.

(f) The director of the legislative council shall provide staff assistance to the voter access study commission. The secretary of state, board of elections, all local boards of canvassers, and all other state agencies shall provide the voter access study commission with any information, data, or other documents or materials relevant to the commission’s work at the commission’s request.

(g) The members of the voter access study commission shall serve without compensation, except that the members shall be reimbursed for necessary expenses incurred in the performance of their duties.
(h) This section shall sunset and be repealed on December 31, 2023.

SECTION 10. Sections 17-20-2, 17-20-14.2 and 17-20-32 of the General Laws in Chapter 17-20 entitled "Mail Ballots" are hereby repealed.

17-20-2. Eligibility for mail ballots.
Any otherwise qualified elector may vote by mail ballot in the following circumstances:
(1) An elector, within the State of Rhode Island who is incapacitated to the extent that it would be an undue hardship to vote at the polls—because of illness, or mental or physical disability, blindness, or serious impairment of mobility;
(2) An elector who is confined in any hospital, convalescent home, nursing home, rest home, or similar institution, public or private, within the State of Rhode Island;
(3) An elector who will be temporarily absent from the state because of employment or service intimately connected with military operations or who is a spouse or legal dependent residing with that person or a United States citizen that will be outside of the United States;
(4) An elector who may not be able to vote at his or her polling place in his or her city or town on the day of the election.

17-20-14.2. Voting from board of canvassers.
The local board of canvassers shall appoint as many supervisors as are necessary whose duty it shall be to supervise the casting of votes by persons using mail ballots at a place that preserves their secrecy and to take acknowledgments or serve as witnesses, and jointly, provide assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every certifying envelope containing a mail ballot cast at a board of canvassers must have the signature of the elector notarized by an appointed person authorized by law to administer oaths or before two appointed witnesses who shall set forth their signature on the form. The certifying envelope of any mail ballot voted at the local board of canvassers shall be stamped by the local board to indicate it was voted in conformance with the law. Every person who willfully hinders the local supervisors in performing their duties as set forth in this section shall be guilty of a misdemeanor. The local board shall transmit a list to the state board of elections containing the names and signatures of people authorized to witness mail ballots.

17-20-32. Inquiry by board of elections.
Upon the request of any candidate for public office and upon a showing of good cause for it or upon its own motion, the board of elections shall inquire into any notary public or witness who witnesses the voter signatures on more than fifty (50) mail ballot envelopes in any one election and any notary public or witness who the board has reason to believe has not complied with the provisions of this chapter. The inquiry shall attempt to determine whether the notary public or
witness was actually present when the documents were signed by the voters and whether all other
applicable requirements set forth in this chapter were complied with. Any criminal violation of this
chapter uncovered by the board of elections shall be referred to the state police for further
investigation.

SECTION 11. This act shall take effect upon passage.
This act would make very comprehensive changes to the election laws concerning voter registration, voter rights, mail ballots, early day voting, and improvements of the voting process.

This act would take effect upon passage.