

2022 -- H 7585

LC004759

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO ELECTIONS -- PARTY COMMITTEES AND CONVENTIONS

Introduced By: Representative David J. Place

Date Introduced: February 18, 2022

Referred To: House State Government & Elections

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-12-1, 17-12-2, 17-12-7, 17-12-8, 17-12-9, 17-12-10, 17-12-11,  
2 17-12-12, 17-12-12.1 and 17-12-13 of the General Laws in Chapter 17-12 entitled "Party  
3 Committees and Conventions" are hereby amended to read as follows:

4 **17-12-1. Selection of state committees.**

5 Party state committees shall be selected in the manner provided by ~~statute or~~ party rule.  
6 Any party may, by a duly enacted party rule, elect to choose the members of its party state  
7 committee pursuant to ~~the provisions of chapter 15 of this title or by~~ any ~~other~~ method agreeable to  
8 the party state committee; ~~provided, that where the method of selecting party state committee now~~  
9 ~~in force is by caucus, selection shall subsequently be made at a primary election pursuant to the~~  
10 ~~provisions of chapter 15 of this title until another method of selection is adopted by the party state~~  
11 ~~committee.~~

12 **17-12-2. Composition and powers of state committees.**

13 The state committee of a political party shall be composed as determined by the party. It  
14 shall have:

15 (1) General oversight of all conventions ~~if any~~ of its party;

16 (2) Power to make rules not inconsistent with law for the guidance and control of all the  
17 political committees of its party;

18 (3) Power to make a final nomination for any state office ~~for which no primary nomination~~  
19 ~~has been made~~ and any local office ~~for which no nomination has been made by any authorized city,~~

1 ~~town, ward, or district committee or any duly authorized subcommittee; provided, that the state~~  
2 ~~committee shall not be permitted,~~ more than twenty-four (24) hours after the deadline for the filing  
3 of declarations of candidacy, to make a nomination for any office upon the failure of a candidate  
4 of that party to file for that public office. Nominations for such office shall be filed in the same  
5 location as the declaration of candidacy for such office pursuant to the requirements of § 17-14-1  
6 of the general laws. Individuals nominated under this section must have been eligible for the  
7 nomination on the dates as required by and pursuant to the requirements of §§ 17-14-1.1, 17-14-2  
8 and 17-14-2.1 of the general laws and must then meet the respective requirements for filing  
9 sufficient nomination papers set forth in chapter 14; and

10 (4) Power to fill vacancies in its own membership and as provided in chapter 15 of this  
11 title.

12 **17-12-7. Composition of city and district committees -- Appointment.**

13 The members of the several ward committees in each city of the same political party shall  
14 constitute the city committee of the political party for that city. For each of the political parties,  
15 there shall be a senatorial district committee for each senatorial district to consist of five (5)  
16 members where the senatorial district is contained within a single city or town, and to consist of  
17 seven (7) members where the senatorial district includes all or parts of two (2) or more cities or  
18 towns. As of January 1, 2023, the selection shall be made according to the political parties' rules  
19 and procedures. Senatorial district committee members shall, in the first instance, be appointed by  
20 the chairperson of the state committee of the party. There shall be a representative district  
21 committee for each representative district to consist of three (3) members where the representative  
22 district is contained within a single city or town, and to consist of five (5) members where the  
23 representative district includes all or parts of two (2) or more cities or towns. Representative district  
24 committee members shall, ~~in the first instance, be appointed by the chairperson of the state~~  
25 ~~committee of the party~~ be made according to the political parties' rules and procedures. The  
26 senatorial and representative district committee members shall be qualified electors of their  
27 respective districts and shall hold office ~~respectively from the date of their appointment and until~~  
28 ~~the next election of the committees, and thereafter until their successors have been elected,~~  
29 ~~qualified, and organized~~ pursuant to the parties' rules and procedures.

30 **17-12-8. Qualifications and terms of committee members.**

31 (a) No member of a ward, town, or district committee shall hold or continue to hold  
32 membership on the ward, town, or district committee, unless that member is a qualified elector of  
33 the ward, town, or district.

34 (b) Except as otherwise specifically provided in this chapter, ward, district, town, and city

1 committee members shall hold office, respectively, from the date of their ~~election~~ [selection](#) until  
2 the next ~~election~~ [reorganization](#) of the committees, and thereafter until their successors has been  
3 duly elected, qualified, and organized.

4 ~~(e) Candidates for ward, town, or district committee members shall file declarations of~~  
5 ~~candidacy biennially, in every even year, in accordance with § 17-14-1.~~

6 **17-12-9. Organization of city, town, and district committees -- Officers -- Lists of**  
7 **officers and members.**

8 (a) All city, town, and district committees shall organize biennially in the month of January  
9 in every odd year; ~~provided, that the city committee of the city of Providence shall organize~~  
10 ~~quadrennially.~~

11 (b) ~~Each city committee organized under this section may elect not exceeding three (3)~~  
12 ~~officers outside its membership from among the voters of the same political party in the city, and~~  
13 ~~the officers shall, by virtue of their election, become members of the city committee and shall hold~~  
14 ~~office until the next organization meeting of the committee.~~

15 (c) Each city committee, town committee, and district committee, within ten (10) days after  
16 its organization, shall file with the secretary of state and with the local board a list of its officers  
17 and members.

18 (d) ~~The chairperson of the city committee of each political party in the city of Providence~~  
19 ~~shall appoint the members of a ward committee for each of the several wards of the city of~~  
20 ~~Providence. These appointed ward committee members shall hold office until their successors shall~~  
21 ~~have been duly elected, qualified, and organized.~~

22 **17-12-10. Rules and management by city, town, and district committees.**

23 City, town, and district committees of each political party may make rules ~~not inconsistent~~  
24 ~~with the rules of the state committee,~~ [to make nominations to represent that party in the general](#)  
25 [election](#) and except as otherwise specifically provided in this chapter, the general management of  
26 the affairs of each political party in the respective cities, towns, and districts shall be vested in the  
27 city, town, or district committee, ~~respectively, subject to all state committee rules.~~

28 **17-12-11. Endorsement by local committees.**

29 (a)(1) Each town, ward, and city committee shall file with the appropriate local board the  
30 list of candidates in the town, ward, or city which have the endorsement of the committees.

31 (2) Endorsements by town, ward, and city committees shall be signed by three (3) officers  
32 of the committee.

33 (b)(1) Each district committee shall file with the board of canvassers of the city or town of  
34 residence of the senatorial or representative candidate endorsed, ~~except that if the candidate is a~~

1 ~~resident of Providence the endorsement shall be filed with the secretary of state, the list of~~  
2 ~~candidates in the district which have the endorsement of the committee.~~

3 (2) Endorsements by district committees shall be signed by a majority of those members  
4 presently on the committee.

5 (c) Endorsements shall be filed with the appropriate local board or the secretary of state, as  
6 the case may be, not later than four o'clock (4:00) p.m. of the day after the last day for filing  
7 declarations of candidacy.

8 **17-12-12. Vacancies in district committees.**

9 (a) In the event that the candidates elected to a district committee from a district do not  
10 equal the number of party committee members to which the district is entitled to be represented  
11 under provisions of § 17-12-7, a vacancy or vacancies exist to the extent of the difference between  
12 the number of elected members and the number of members by which the district is entitled to be  
13 represented. When the vacancy or vacancies exist, they shall be filled by the committee to which  
14 insufficient members were elected, in the manner provided for by the ~~in this section~~ [rules of the](#)  
15 [political party](#).

16 (b) In the event of the appointment or election to a committee of an ineligible person, or  
17 whenever any member of the committee dies, resigns, or becomes incapacitated to act, or removes  
18 from the jurisdiction of the committee, or ceases to be a member of the political party, a vacancy  
19 exists which shall be filled ~~by appointment by the committee in which the ineligibility or vacancy~~  
20 ~~occurs. The removal of residence by an elected or appointment member of a committee from the~~  
21 ~~district from which he or she has been elected or appointed a member of that committee shall~~  
22 ~~constitute his or her resignation from the committee~~ [in accordance with the rules of the political](#)  
23 [party](#).

24 (c) Any vacancy occurring in any of the officers and/or membership of the district  
25 committees shall be filled ~~by the remaining members of the committee. A statement of that action~~  
26 ~~by any committee shall be filed with the secretary of state and with the local board~~ [in accordance](#)  
27 [with the rules of the political party](#).

28 ~~(d) If any vacancy occurs with respect to the membership of a district committee, and the~~  
29 ~~vacancy is not filled within forty five (45) days of the date of notice of the vacancy to the remaining~~  
30 ~~members of the committee, the vacancy shall be filled by the state committee of the political party~~  
31 ~~involved, the executive committee of the state committee or any duly elected subcommittee of the~~  
32 ~~executive committee or by the state chairperson of the political party if so authorized. A statement~~  
33 ~~of that action shall be filed with the secretary of state and with the local board.~~

34 ~~(e) In the event a district committee shall not organize or reorganize pursuant to § 17-12-~~

1 ~~9, the incumbent senator or representative, or the state committee chairperson in the case of the~~  
2 ~~party not affiliated with the senator or representative, shall appoint a district committee which shall~~  
3 ~~be the lawful district committee.~~

4 **17-12-12.1. Vacancies in city or ward committees.**

5 (a) Any vacancy occurring in any of the offices and/or membership of city, town, or ward  
6 committees shall be filled ~~by the remaining members of the committee. A statement of that action~~  
7 ~~by any committee shall be filed as in the case of officers and members first chosen~~ in accordance  
8 with the rules of the political party.

9 (b) If any vacancy occurs either with respect to any office of a city or ward committee or  
10 with respect to the membership of any city or ward committee, ~~and the vacancy is not filled within~~  
11 ~~forty five (45) days of the date upon which the vacancy occurs pursuant to the provisions of § 17-~~  
12 ~~12-12,~~ the vacancy shall be filled by the city committee in accordance with the rules of the political  
13 party ~~involved or the executive committee of the city committee or any duly elected subcommittee~~  
14 ~~of the executive committee or by the city chairperson of the political party if so authorized. The~~  
15 ~~committee shall file a statement setting forth the appointment or appointments as in the case of~~  
16 ~~officers and members first chosen in accordance with § 17-12-11.~~

17 (c) A statement of that action by any committee shall be filed as in the case of officers and  
18 members first chosen in accordance with § 17-12-11.

19 (d) The removal of residence by an elected or appointment member of a ward committee  
20 from the ward from which he or she has been elected or appointed shall constitute his or her  
21 resignation from the city or ward committee.

22 **17-12-13. State conventions.**

23 There shall be held not later than October 14 of every even year a state convention for each  
24 political party. The nominees of a party for senator and for representatives in congress, for the five  
25 (5) general offices, and for membership in the general assembly shall be delegates to the state  
26 convention of that party. In presidential election years, ~~these conventions~~ the state's political party  
27 committee shall select the party nominees for presidential electors in accordance with their rules  
28 and their names shall be placed on the ballot for the forthcoming election.

29 SECTION 2. Sections 17-12-3, 17-12-4, 17-12-5, 17-12-6, 17-12-6.1, 17-12-9.1, 17-12-  
30 12.2, 17-12-14, 17-12-16 and 17-12-17 of the General Laws in Chapter 17-12 entitled "Party  
31 Committees and Conventions" are hereby repealed.

32 **17-12-3. Delegation of powers by state committee.**

33 ~~The state committee of a political party may delegate its authority, by rules or resolutions,~~  
34 ~~to its executive committee, or any duly selected subcommittee of the executive committee, to act~~

1 ~~when the entire committee is not in session.~~

2 **17-12-4. Endorsements by state committee.**

3 ~~The state committee or the executive committee or any duly selected subcommittee of the~~  
4 ~~executive committee acting under delegated authority may, when the town or district committee~~  
5 ~~has failed or neglected to do so, within twenty four (24) weekday hours of the failure, endorse and~~  
6 ~~notify the local board of endorsement, if any, of the local candidates to be voted on in the primary.~~  
7 ~~It shall also notify the secretary of state of the endorsement, if any, of any candidate to be voted for~~  
8 ~~by the state at large; provided, that the endorsement of any candidate for representative in congress~~  
9 ~~shall be by the members of the state committee who shall be from that particular congressional~~  
10 ~~district. It shall also notify the secretary of state of the endorsement, if any, of any candidate for~~  
11 ~~state senator or state representative. The endorsement shall be filed with the secretary of state not~~  
12 ~~later than four o'clock (4:00) p.m. on the second day after the final day for filing declarations of~~  
13 ~~candidacy. In the event the state committee, or the executive committee or any duly selected~~  
14 ~~subcommittee of the executive committee acting under delegated authority, fails or neglects to~~  
15 ~~endorse, then all party candidates shall be issued nomination papers without endorsement.~~

16 **17-12-5. Acting in other contingencies.**

17 ~~Any other contingency that arises pursuant to the provisions of the statutes with respect to~~  
18 ~~the election of candidates for state or town office at any general, primary, or special election shall~~  
19 ~~be met by the vote of the state committee, or the executive committee, or any duly selected~~  
20 ~~subcommittee of the executive committee, of a political party, or by the state chairperson of the~~  
21 ~~political party if so authorized. If any contingency arises under the provisions of the statutes with~~  
22 ~~respect to the election of candidates for city office at any general, primary, or special election, it~~  
23 ~~shall be met by vote of the city committee of a political party or the executive committee of the city~~  
24 ~~committee or any duly elected subcommittee of the executive committee, or by the city chairperson~~  
25 ~~of the political party if so authorized. For the purposes of this section, the term "contingency" means~~  
26 ~~and includes the nonexistence of any required party committee, the failure of any existing party~~  
27 ~~committee to act, an adjudication that a primary election is void, and the death, incapacity, or~~  
28 ~~moving from the jurisdiction of a party's nominee prior to a general or special election. This section~~  
29 ~~shall apply notwithstanding any provision of chapter 17 of this title to the contrary.~~

30 **17-12-6. Election of town and ward committees.**

31 ~~The party voters of each political party in each ward of each of the cities of the state shall,~~  
32 ~~biennially, in every even year, at the primary election held to nominate party candidates, elect a~~  
33 ~~ward committee for each ward; provided, that the ward committees in the city of Providence shall~~  
34 ~~be elected quadrennially, and the party voters of each political party in each of the towns of the~~

1 ~~state shall, biennially at the primary election, elect a town committee for the town.~~

2 **17-12-6.1. Composition of town committees in Johnston.**

3 ~~Notwithstanding the provisions of §§ 17-12-6 and 17-12-7, the town committees of the~~  
4 ~~town of Johnston shall consist of twenty-five (25) members; five (5) each to be elected from the~~  
5 ~~qualified electors of the five (5) council districts of the town comprising the respective candidates~~  
6 ~~from each district receiving the most votes in each district. The five (5) members elected from each~~  
7 ~~district shall constitute a council district committee, which shall organize and endorse the council~~  
8 ~~and school committee candidates from each district. The town committee shall elect a chairperson~~  
9 ~~and provide the endorsement for the party candidate for mayor.~~

10 **17-12-9.1. Members of ward committees for the city of East Providence.**

11 ~~The chairperson of the East Providence city committee for each political party shall appoint~~  
12 ~~the members of a ward committee for each of the several wards of the city of East Providence.~~  
13 ~~These appointed ward committee members shall hold office until their successors shall have been~~  
14 ~~duly elected, qualified, and organized.~~

15 **17-12-12.2. Failure of ward and city committees to endorse.**

16 ~~Notwithstanding the provisions of any general or special act to the contrary, in the event~~  
17 ~~that a ward committee or a city committee of a political party of a particular city has failed or~~  
18 ~~neglected to do so, the executive committee of the city committee of that city, any duly selected~~  
19 ~~subcommittee of the executive committee or the city chairperson of the political party involved, if~~  
20 ~~so authorized, within twenty-four (24) weekday hours of the failure, may endorse and notify the~~  
21 ~~local board of the endorsement, if any, of the candidates for city council, ward committee member,~~  
22 ~~and mayor, as the case may be, to be voted on in the primary.~~

23 **17-12-14. Election of delegates to national conventions.**

24 ~~The local boards of the several cities and towns of the state are authorized and directed to~~  
25 ~~furnish for the use of any political party in this state, upon written request of the chairperson of the~~  
26 ~~state central committee, acting under a resolution of the committee, voting places in which primary~~  
27 ~~meetings may be held to elect delegates to the national convention of the political party. The boards~~  
28 ~~shall have the voting places open on the date and during the hours requested by the chairperson of~~  
29 ~~the committee, so long as that election of delegates is scheduled on the first Tuesday next after the~~  
30 ~~first Monday of any month, and shall furnish to the officers appointed to act at the primary meetings~~  
31 ~~any paraphernalia, including check lists, that are generally required and used in elective meetings;~~  
32 ~~provided, that the political party first requesting the use of the voting places on and for a certain~~  
33 ~~date shall be entitled to the use of them on that date; and if the date is one requested by some other~~  
34 ~~political party, the other political party, through the chairperson of the committee, may request~~

1 ~~another date. In cities a voting place and paraphernalia for voting shall be furnished and provided~~  
2 ~~for each ward into which the cities may be divided; and in each of the towns of Burrillville,~~  
3 ~~Cumberland, and Lincoln, at least two (2) voting places and the paraphernalia for voting, and in~~  
4 ~~every other town at least one voting place and the paraphernalia for voting, shall be furnished and~~  
5 ~~provided. The local boards shall not be required to provide for the compensation for services of the~~  
6 ~~officers appointed to act at the primary meetings, nor shall anything contained in this section be~~  
7 ~~held to affect the method of holding elections already provided for by law.~~

8 ~~**17-12-16. Qualifying as a political party by petition -- Names of officers --**~~

9 ~~**Endorsements and other official communications:**~~

10 ~~Any political organization wishing to qualify as a political party by the submission of~~  
11 ~~petitions under § 17-1-2(9) shall, at the time of receiving the petition forms from the board of~~  
12 ~~elections, file with the board, on a form to be provided by the board, the name of the political~~  
13 ~~organization and the names and addresses of its chairperson and secretary. If the organization later~~  
14 ~~qualifies as a political party by the submission of the requisite number of valid signatures, and until~~  
15 ~~the appropriate party committees have been established, all endorsements and other official written~~  
16 ~~communications from the party to the board of elections, secretary of state, local boards of~~  
17 ~~cavassers and other state and municipal agencies shall be signed on behalf of the party by the~~  
18 ~~chairperson and secretary, whose names and addresses are on file with the board of elections as~~  
19 ~~required by this section.~~

20 ~~**17-12-17. Names of political parties:**~~

21 ~~No political party may use or adopt a name which is similar to the name of another political~~  
22 ~~party or which contains the name of another political party.~~

23 SECTION 3. Section 17-15-6 of the General Laws in Chapter 17-15 entitled "Primary  
24 Elections" is hereby repealed.

25 ~~**17-15-6. Conventions and caucuses replaced -- Parties holding primaries -- Forms.**~~

26 ~~The primary elections held pursuant to this chapter shall replace the party conventions and~~  
27 ~~caucuses for making the nominations provided for in this title, but party conventions shall be held~~  
28 ~~for the purposes that are authorized by § 17-12-13. Primaries shall be held only by political parties.~~  
29 ~~Except as otherwise provided in this title, any and all forms prescribed by this chapter shall be~~  
30 ~~prepared and provided by the secretary of state and shall be, wherever practicable, uniform~~  
31 ~~throughout the state.~~

32 SECTION 4. This act shall take effect on January 1, 2023.

=====  
LC004759  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- PARTY COMMITTEES AND CONVENTIONS

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1           This act would seek to eliminate all state requirements and involvement in internal political  
2 party operations and workings.

3           This act would take effect on January 1, 2023.

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