

2023 -- H 5721

LC001076

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT  
CANDIDATES

Introduced By: Representatives Alzate, Kazarian, Cruz, Potter, Casimiro, Ajello, Giraldo,  
and Voas

Date Introduced: February 17, 2023

Referred To: House State Government & Elections

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-14-1 of the General Laws in Chapter 17-14 entitled "Nomination  
2 of Party and Independent Candidates" is hereby amended to read as follows:

3 **17-14-1. Declarations of candidacy.**

4 During the ~~last~~ second consecutive Monday, Tuesday, and Wednesday in June in the even  
5 years and during the thirty-ninth (39th) and fortieth (40th) days preceding a primary election for a  
6 special election, or for an election regularly scheduled for a time other than the biennial general  
7 statewide election, each voter desiring to be a candidate at the upcoming primary or an independent  
8 candidate on final nomination papers shall, on a form that shall be provided by the secretary of  
9 state, file a declaration of his or her candidacy not later than four (4:00) p.m. of the last day for the  
10 filing with the secretary of state for congressional and statewide general offices, or with the local  
11 board of the place of the candidate's voting residence for general assembly, or state committee or  
12 senatorial and representative district committee or with the appropriate local board for local  
13 officers. The declaration shall be signed by the candidate as his or her name appears on the voting  
14 list. The signature shall be accepted as valid if it can be reasonably identified to be the name and  
15 signature of the voter it purports to be. A variation of the voter's signature by the insertion or  
16 omission of identifying titles or by the substitution of initials for the first or middle names of both  
17 shall not in itself be grounds for invalidation of the signature. The declaration shall also include the  
18 following information:

1 (1) The candidate's name as it appears on the voting list, subject to the same provisions as  
2 relate to the voter's signature on the declaration;

3 (2) The address as it appears on the voting list, provided that an address which is  
4 substantially the same as the address on the voting list shall be valid;

5 (3) The party declaration if seeking to run in a party primary;

6 (4) The office sought;

7 (5) The place and date of birth;

8 (6) The length of residence in the state and in the town or city where he or she resides;

9 (7) A certification that he or she is neither serving a sentence, including probation or parole,  
10 for which he or she was imprisoned upon final conviction of a felony imposed on any date nor  
11 serving any sentence, whether incarcerated or suspended, on probation or parole, upon final  
12 conviction of a felony committed after November 5, 1986;

13 (8) A certification that he or she has not been lawfully adjudicated to be non compos  
14 mentis, of unsound mind;

15 (9) In the case of candidates for party nomination, a certification that he or she has not been  
16 a member of a political party other than the declared party within ninety (90) days of the filing date;  
17 and

18 (10) If a person is a candidate for a state or local office, a certification that the person has  
19 not within the preceding three (3) years served any sentence, incarcerated or suspended, on  
20 probation or parole, for a crime committed after November 5, 1986, upon a plea of nolo contendere  
21 or guilty or upon a conviction of a felony or for a misdemeanor for which a sentence of  
22 imprisonment for six (6) months or more, whether suspended or to be served as imposed.

23 SECTION 2. Section 17-15-1 of the General Laws in Chapter 17-15 entitled "Primary  
24 Elections" is hereby amended to read as follows:

25 **17-15-1. Date of primaries.**

26 A primary election for the nomination of candidates for each political party shall be held  
27 in each voting district in the manner provided in this chapter on the ~~eighth-Tuesday~~ last Tuesday in  
28 August preceding biennial state elections.

29 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT  
CANDIDATES

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1           This act would amend the period for declarations of candidacy from the last consecutive  
2 Monday, Tuesday and Wednesday of June to the second consecutive Monday, Tuesday, and  
3 Wednesday in June and would change the date of primary elections from the eighth Tuesday  
4 preceding biennial state elections to the last Tuesday in August preceding biennial elections.

5           This act would take effect upon passage.

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