

2023 -- H 6204

LC002648

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- PRIMARIES FOR ELECTION OF DELEGATES TO
NATIONAL CONVENTIONS AND FOR PRESIDENTIAL PREFERENCE

Introduced By: Representatives Perez, Hull, Corvese, Fenton-Fung, Cardillo, Batista,
Bennett, Fellela, Azzinaro, and Diaz

Date Introduced: March 24, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-12.1-3, 17-12.1-4 and 17-12.1-6 of the General Laws in Chapter
2 17-12.1 entitled "Primaries for Election of Delegates to National Conventions and for Presidential
3 Preference" are hereby amended to read as follows:

4 **17-12.1-3. Declaration of candidacy — Delegates.**

5 During the ~~sixty-first (61st)~~ seventieth (70th) and ~~sixty-second (62nd)~~ seventy-first (71st)
6 day preceding a primary for election of delegates to a national convention, each voter desiring to
7 be a delegate at the forthcoming convention shall, on the form that shall be provided by the secretary
8 of state, sign his or her name as it appears on the voting list and file, not later than four (4:00) p.m.
9 of the date of filing with the secretary of state, a declaration of candidacy which shall include the
10 following information:

11 (1) His or her name and address as they appear on the voting list, party designation, place
12 and date of birth, and length of residence in the state and in the town or city where he or she resides.

13 (2) A statement that, if elected, he or she would comply with all party rules of the national
14 committee of the party designated in subdivision (1) of this section relating to delegates to national
15 conventions and conducting of national conventions.

16 (3) At the same time as the declaration of candidacy is filed, the appropriate pledge of
17 support form provided to the secretary of state by the political parties must be filed by the candidate
18 for delegate.

1 (4) If any candidate for delegate does not thereafter wish his or her name to appear on the
2 ballot, the candidate shall, at least forty-nine (49) days prior to the date for the primary, file an
3 affidavit with the secretary of state stating his or her name may not be placed on the ballot and the
4 secretary of state shall not place that candidate's name on the ballot.

5 **17-12.1-4. Presidential candidates.**

6 (a) Any person seeking the endorsement of a national political party for which a primary
7 is being held shall, during the ninety-fourth (94th) through and including the ninety-sixth (96th)
8 day preceding the presidential preference primary being held, provide written notification to the
9 secretary of state of his or her intention to run in the presidential preference primary. When the
10 deadline falls on a Saturday, said written notification may be filed with the secretary of state on
11 that Saturday until noon (12:00) p.m. The notification shall include the candidate's name and
12 address and a statement affirming their eligibility, under the laws and Constitution of the United
13 States, to serve, if elected, in the office of President of the United States. The notification shall also
14 include the name and contact information of the designee authorized by the presidential candidate
15 to act in his/her stead in Rhode Island.

16 (b)(1) Upon receipt of the notification referred to in subsection (a) of this section, the
17 secretary of state shall, by six o'clock (6:00) p.m. on the same day, prepare petition papers for
18 candidates who are eligible to serve in the office of President of the United States, clearly marked
19 with the candidate's name, party designation, and the office the candidate seeks; provided,
20 however, that for notifications filed on a Saturday deadline by noon (12:00) p.m., petition papers
21 shall be prepared by two o'clock (2:00) p.m. on that Saturday.

22 (2) The petition papers of a candidate for president shall be signed, in the aggregate, by at
23 least ~~one thousand (1,000)~~ two hundred fifty (250) eligible voters and shall be submitted on or
24 before four o'clock (4:00) p.m. in the afternoon of the eighty-second (82nd) day before the
25 presidential preference primary to the local board of the city or town where the signers appear to
26 be voters, and the petition papers shall be checked, processed, and certified to the secretary of state
27 by the local boards before four o'clock (4:00) p.m. in the afternoon of the ~~sixty-ninth (69th)~~
28 seventy-fifth (75th) day before the presidential preference primary. When nomination papers have
29 been duly certified by the appropriate local boards of canvassers, they shall be conclusively
30 presumed to be valid, unless written objections to them are made as to the eligibility of the candidate
31 or the sufficiency of the nomination papers or the signatures on them. All objections shall be filed
32 with the state board of elections by four o'clock (4:00) p.m. on the next business day after the last
33 day fixed for local boards to file nomination papers with the secretary of state. Nothing in this
34 section shall be construed to prevent the secretary of state from disqualifying a candidate based on

1 the determination of the secretary of state that the nomination papers or the signatures on them are
2 invalid or insufficient.

3 (c) The decision of the state board shall be rendered not later than four o'clock (4:00) p.m.
4 on the sixty-third (63rd) day before the presidential preference primary and shall immediately be
5 certified by the state board to the secretary of state.

6 (d) If any candidate for presidential nomination does not qualify for ballot placement, the
7 names of delegates committed to this disqualified presidential candidate, who are otherwise
8 qualified, shall appear on the ballot in accordance with party rules.

9 (e) If any candidate whose name has been announced as a presidential nominee does not
10 thereafter wish his or her name to appear on the ballot, the candidate shall, at least sixty-three (63)
11 days prior to the date for the primary, file an affidavit with the secretary of state stating his or her
12 name may not be placed on the ballot and the secretary of state shall not place that candidate's
13 name on the ballot. Said affidavit must be signed by the presidential candidate or his or her designee
14 on file with the office of the secretary of state. Names of delegates committed to the withdrawn
15 candidate, who are otherwise qualified, shall appear on the ballot in accordance with party rules.

16 **17-12.1-6. Number of signers required.**

17 The nomination papers of a candidate for delegate to a national convention shall be signed,
18 in the aggregate, by at least ~~one hundred fifty (150)~~ twenty-five (25) eligible voters.

19 SECTION 2. 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 -- PRIMARIES FOR ELECTION OF DELEGATES TO
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1 This act would increase from four (4) days to fourteen (14) days the time presidential
2 delegates have to obtain nomination signatures. It would also decrease from one thousand (1,000)
3 to two hundred fifty (250) signatures the number of signatures necessary for a presidential
4 candidate to secure a place on the ballot. It would change the number of days local canvassers
5 boards have to certify nomination papers, from sixty-nine (69) days to seventy-five (75) days before
6 the presidential preference primary. Finally, it would reduce the number of voter signatures
7 necessary for a candidate to qualify to be a delegate to a national convention, from one hundred
8 fifty (150) to twenty-five (25).

9 This act would take effect upon passage.

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