

2023 -- H 5958

LC001251

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Representatives Vella-Wilkinson, Morales, and Casimiro

Date Introduced: March 01, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-10 of the General Laws in Chapter 17-20 entitled "Mail
2 Ballots" is hereby amended to read as follows:

3 **17-20-10. Certification of applications — Issuance of ballots — Marking of lists —**
4 **Mailing address.**

5 (a)(1) Upon receipt of the application, the local board shall immediately examine it and
6 determine whether it complies with each of the requirements set forth by this chapter and compare
7 the signature on the ballot application with the signature contained on the original registration card
8 or on the central voter registration system, except as may be otherwise provided by law, to satisfy
9 itself that the applicant is a qualified voter. Upon determining that it does meet each requirement
10 of this chapter and that the signature appears to be the same, the local board shall mark the
11 application "accepted" and record in the space provided on the ballot application the senatorial,
12 representative, and voting district in which the applicant should vote.

13 (2) Any application marked "accepted" pursuant to the provisions of subsection (a)(1) of
14 this section shall allow the voter to chose to vote by mail ballot for a period of up to two (2) years
15 for both the primary and general elections in the year in which they submit the absentee voting
16 application and in the year thereafter, if necessary. The secretary of state shall prescribe any forms
17 and instructions necessary to implement this subsection.

18 (b) The local board shall also record the city or town code and district information in the
19 mailing label section of the mail ballot application. The local board shall also print or type the name

1 of the elector and the complete mailing address in that section. If the local board does not accept
2 the application, the local board shall return the application to the elector, together with a form
3 prescribed by the secretary of state, specifying the reason or reasons for the return of the application.

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

12 (d)(1) Upon the ballots becoming available, the secretary of state shall immediately issue
13 and mail, by first-class mail, postage prepaid, a mail ballot to each eligible voter who has been
14 certified. With respect to voters who have applied for these mail ballots under the provisions of §
15 17-20-2(1), the secretary of state shall include with the mail ballots a stamped, return envelope
16 addressed to the board of elections.

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

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

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

1 undeliverable. The ballot must be voted in accordance with the provisions of this chapter.

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

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

11 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 -- MAIL BALLOTS

1 This act would allow voters to chose to vote by mail for a period of two (2) years for both
2 the primary and general elections in the year they submit their absentee voting application or the
3 year thereafter upon acceptance by their local boards of canvassers.

4 This act would take effect upon passage.

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