

2023 -- H 6185

LC002565

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- GENERAL PROVISIONS

Introduced By: Representative Evan P. Shanley

Date Introduced: March 22, 2023

Referred To: House State Government & Elections

(Board of Elections)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-1-7 of the General Laws in Chapter 17-1 entitled "General  
2 Provisions" is hereby amended to read as follows:

3 **17-1-7. Uniform deadlines.**

4 Notwithstanding any other time specified for the filing of any paper or the doing of any act  
5 pursuant to this title, a uniform deadline of 4:00 p.m. is established; provided, that applications for  
6 emergency mail ballots must be received by 4:00 p.m. on the day prior to an election or primary. If  
7 any filing deadline falls on a Saturday, Sunday, or holiday, the deadline shall be construed to fall  
8 on the next subsequent business day; provided, that this does not apply to registration to vote thirty  
9 (30) days prior to an election or primary, or change of party designation thirty (30) days prior to an  
10 election or primary under the requirements of § 17-9.1-24.

11 SECTION 2. Sections 17-14-1, 17-14-1.1, 17-14-11 and 17-14-12 of the General Laws in  
12 Chapter 17-14 entitled "Nomination of Party and Independent Candidates" are hereby amended to  
13 read as follows:

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

15 During the last consecutive Monday, Tuesday, and Wednesday in June in the even years  
16 and during the thirty-ninth (39th) and fortieth (40th) days preceding a primary election for a special  
17 election for state or local office, or for an election for state or local office regularly scheduled for a  
18 time other than the biennial general statewide election, or during the sixty-seventh (67th) and sixty-  
19 eighth (68th) days preceding a primary election for a special election for federal office, or for an

1 [election for federal office regularly scheduled for a time other than the biennial general statewide](#)  
2 [election](#), each voter desiring to be a candidate at the upcoming primary or an independent candidate  
3 on final nomination papers shall, on a form that shall be provided by the secretary of state, file a  
4 declaration of his or her candidacy not later than four (4:00) p.m. of the last day for the filing with  
5 the secretary of state for congressional and statewide general offices, or with the local board of the  
6 place of the candidate's voting residence for general assembly, or state committee or senatorial and  
7 representative district committee or with the appropriate local board for local officers. The  
8 declaration shall be signed by the candidate as his or her name appears on the voting list. The  
9 signature shall be accepted as valid if it can be reasonably identified to be the name and signature  
10 of the voter it purports to be. A variation of the voter's signature by the insertion or omission of  
11 identifying titles or by the substitution of initials for the first or middle names of both shall not in  
12 itself be grounds for invalidation of the signature. The declaration shall also include the following  
13 information:

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

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

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

19 (4) The office sought;

20 (5) The place and date of birth;

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

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

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

28 (9) In the case of candidates for party nomination, a certification that he or she has not been  
29 a member of a political party other than the declared party within ninety (90) days of the filing date,  
30 [except in the case of candidates for party nomination for a special election for federal office, or for](#)  
31 [an election for federal office regularly scheduled for a time other than the biennial general](#)  
32 [statewide election, that person shall not have been a member of a political party other than the](#)  
33 [declared political party within thirty \(30\) days of the filing of his or her declaration of candidacy;](#)

34 and

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

6 **17-14-1.1. Party affiliation.**

7 Whenever any person seeks elective office, that person shall not have been a member of a  
8 political party other than the declared political party within ninety (90) days of the filing of his or  
9 her declaration of candidacy, except for a special election for federal office, or for an election for  
10 federal office regularly scheduled for a time other than the biennial general statewide election, that  
11 person shall not have been a member of a political party other than the declared political party  
12 within thirty (30) days of the filing of his or her declaration of candidacy.

13 **17-14-11. Checking and certification of nomination papers — Challenge.**

14 Each nomination paper for party and independent candidates shall be submitted before four  
15 o'clock (4:00) p.m. on the sixtieth (60th) day before the primary to the local board of the city or  
16 town where the signers appear to be voters or, in the case of special elections for state and local  
17 office, on the twenty-eighth (28th) day before the primary, or in the case of special elections for  
18 federal office, on the fifty-third (53rd) day before the primary. Nomination papers for independent  
19 presidential candidates and presidential candidates of political parties, other than those defined in  
20 § 17-1-2(9), shall be filed not later than sixty (60) days prior to the general election. Each local  
21 board shall immediately proceed to check signatures on each nomination paper filed with it against  
22 the voting list as last canvassed or published according to law. The local boards shall certify a  
23 sufficient number of names appearing on the nomination papers that are in conformity with the  
24 requirements of § 17-14-8 to qualify the candidate for a position on the ballot, and after considering  
25 any challenge under this section and, if necessary, certifying any additional valid names, shall  
26 immediately file nomination papers for statewide office, general assembly, and state and district  
27 committee candidates with the secretary of state; provided, that nomination papers for local  
28 candidates shall be retained by the local board. If any candidate or the chairperson of any party  
29 committee questions the validity or authenticity of any signature on the nomination paper, the local  
30 board shall immediately and summarily decide the question, and for this purpose, shall have the  
31 same powers as are conferred upon the board by the provisions of § 17-14-14. If any challenged  
32 signature is found to be invalid, for any reason in law, or forged, then the signature shall not be  
33 counted.

34 **17-14-12. Filing of nomination papers.**

1 All nomination papers for state offices or officers and all certified lists of candidates for  
2 local offices or officers shall be filed in the office of the secretary of state (the certified lists by the  
3 respective local boards), not later than fifty-four (54) days before the date of the primary held to  
4 nominate candidates for general election; but when there is a primary to nominate candidates for  
5 any office mentioned in § 17-15-7 to be voted upon at a special election for state and local office,  
6 all nomination papers and lists of local candidates shall be filed in the office on or before the twenty-  
7 sixth (26th) day preceding the day of the special primary election, or when there is a primary to  
8 nominate candidates for any office listed in § 17-15-7 to be voted upon at a special election for  
9 federal office, all nomination papers and lists of local candidates shall be filed in the office on or  
10 before the forty-ninth (49th) day preceding the day of the special primary election. Nomination  
11 papers for independent presidential candidates and presidential candidates of political parties other  
12 than those defined in § 17-1-2(9) shall be filed in the office of the secretary of state by the local  
13 boards of canvassers not later than fifty-four (54) days before the date of the election.

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

=====  
LC002565  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- GENERAL PROVISIONS

\*\*\*

1           This act would amend the election laws to change certain deadlines for declarations of  
2 candidacy for special federal elections, party disaffiliation for special federal elections, submission  
3 of nomination papers for special federal elections, and would change the deadline for board of  
4 canvassers to certify certain signatures.

5           This act would take effect upon passage.

=====  
LC002565  
=====