

2025 -- H 5311

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Representatives Shanley, Batista, Hull, and Biah

Date Introduced: February 05, 2025

Referred To: House State Government & Elections

(Board of Elections)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-26 of the General Laws in Chapter 17-20 entitled "Mail
2 Ballots" is hereby amended to read as follows:

3 **17-20-26. Opening and counting of ballots.**

4 (a)(1) Beginning prior to and continuing on election day the state board, upon receipt of
5 mail ballots, shall keep the ballots in a safe and secure place that shall be separate and apart from
6 the general public area and sufficiently monitored through security measures including security
7 cameras. The board shall, beginning twenty (20) days prior to and continuing on election day,
8 proceed to certify the mail ballots.

9 (2) Notice of these sessions shall be given to the public on the state board of elections'
10 website and the secretary of state's website posted at least twenty-four (24) hours before the
11 commencing of any session. All candidates for state and federal office, as well as all state party
12 chairpersons, shall be given notice by telephone, email or otherwise of the day on which ballots
13 will be certified; provided, that failure to effect the notice shall in no way invalidate the ballots.

14 (b) This processing shall be done within a railed space in the room in which it takes place,
15 and the board shall admit within the railed space, in accordance with those rules that the board shall
16 adopt, to witness the processing and certification of the ballots, the interested voter or the voter's
17 representative, the candidates, or at least one representative of each candidate for whom votes are
18 at the time being processed, and an equal number of representatives of each political party. These
19 representatives shall be authorized in writing by the voter, the candidate, or the chairperson of the

1 state committee of the political party, respectively, as the case may be. The board shall also, in
2 accordance with these rules, admit representatives of the press and newscasting agencies and any
3 other persons that it deems proper.

4 (c) At these sessions, and before certifying any ballot, the state board shall:

5 (1) Determine the city or town in which the voter cast his or her ballot; and

6 (2) Compare the name, residence, and signature of the voter with the name, residence, and
7 signature on the central voter registration system for mail ballots and satisfy itself that both
8 signatures are identical. The board shall designate two (2) persons, to review and compare each
9 voter's signature with the voter's signature found in the central voter registration system. If both
10 designees agree that the signatures match, the mail ballot shall proceed to be processed, certified,
11 and tabulated. In the event that one or both designees find a discrepancy with the voter's signature,
12 the certification envelope shall then be reviewed by a pair of supervising board staff members. If
13 the pair of supervising board staff members find that the signatures match, then the mail ballot shall
14 proceed to be processed, certified, and tabulated. In the event that one or both supervising board
15 staff members find a discrepancy in the voter's signature, the supervising board staff shall compare
16 the signature on the certification envelope to the voter's ballot application. If the pair of supervising
17 board staff members find that those signatures match, then the mail ballot shall proceed to be
18 processed, certified, and tabulated. In the event that one or both supervising board staff members
19 find a discrepancy in the voter's signature, the supervising board staff shall compare the signature
20 on the certification envelope to the voter's ballot application. If the pair of supervising board staff
21 members find that the signatures match, then the mail ballot shall proceed to be processed, certified,
22 and tabulated. In the event that one or both supervising board staff members find a discrepancy in
23 the voter's signature, the certification envelope shall be segregated, and the board will notify the
24 voter of the discrepancy, in accordance with regulations and procedures promulgated by the board.
25 Any segregated certification envelope that has not been cured or fully addressed by the voter, in
26 accordance with the board's promulgated regulations and procedures, shall be reviewed by the
27 board to make a final determination on the signature set forth on the certification envelope.

28 (d) [Deleted by P.L. 2015, ch. 259, § 1.]

29 (e) The board shall promulgate regulations that allow for challenges to the certification
30 process by the interested voter, the voter's representative, the candidates, and representatives of the
31 recognized political parties. Such challenges shall be made to the executive director of the board,
32 or the executive director's designee. The decision of the executive director or designee shall be
33 subject to review by the board.

34 (f) After processing and certification of the mail ballots, they shall be separated in packages

1 in accordance with their respective cities and towns, in the presence of all interested parties.
2 Thereupon, in each instance the board staff shall open the enclosing envelope, and without looking
3 at the votes cast on the enclosed ballot, shall remove the ballot from the envelope. The board staff
4 shall proceed to tabulate the ballots through the use of a central count optical-scan unit with the
5 same effect as if the ballots had been cast by the electors in open town or district meetings.

6 (g) When a local election is held at a time other than in conjunction with a statewide
7 election, the state board, after the processing and certification of the mail ballots cast in the local
8 election, shall ~~package the local ballots to be promptly delivered in sealed packages, bearing upon~~
9 ~~the seals the signatures of the members of the board, to the appropriate local board which shall~~
10 ~~thereupon proceed to count the ballots in the same manner and with the same effect as state mail~~
11 ~~ballots are counted by the state board~~ have the authority to count the ballots in the same manner
12 and with the same effect as state mail ballots are counted by the state board in a statewide election.
13 Once the ballots are counted, the results shall be transmitted to the local board.

14 (h) When a local election is held in New Shoreham at a time other than in conjunction with
15 a statewide election, the state board, after the processing and certification of the mail ballots cast
16 in the local election, shall have the authority to count the ballots in the same manner and with the
17 same effect as state mail ballots are counted by the state board in a statewide election. Once the
18 ballots are counted, the results shall be sent via facsimile to the local board in New Shoreham.

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 -- MAIL BALLOTS

- 1 This act would allow the board of elections to tabulate mail ballots in local special elections
- 2 in the same manner as it tabulates mail ballots in statewide elections.
- 3 This act would take effect upon passage.

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