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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Senators E Morgan, and Rogers

Date Introduced: February 13, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-20-2.1 and 17-20-2.2 of the General Laws in Chapter 17-20
2 entitled "Mail Ballots" are hereby amended to read as follows:

3 **17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.**

4 (a)(1) Any legally qualified elector of this state whose name appears upon the official
5 voting list of the city, town, or district of the city or town where the elector is qualified, and who
6 desires to avail himself or herself of the right granted to him or her by the Constitution and declared
7 in this chapter, may obtain from the local board in the city or town a form prepared by the secretary
8 of state as prescribed in this section, setting forth the elector's application for a mail ballot or may
9 apply online in accordance with § 17-20-2.3.

10 (2) The application shall include proof of the voter's date of birth and a Rhode Island
11 driver's license number or state identification number.

12 (b) Whenever any person is unable to sign their name because of blindness, disability, or
13 inability to read or write, the voter or their assistant shall mark a box to indicate the voter cannot
14 sign due to blindness, disability, or inability to read or write and include the full name, residence
15 address, signature, and optionally the telephone number and e-mail address, of the person who
16 provided assistance to the voter on a form provided by the secretary of state. The representation
17 relating to the voter's inability to sign shall be made under the pains and penalties of perjury.

18 (c) To receive a ballot in the mail, an elector must submit an application in person or by
19 mail, so that it is received by the local board, or received electronically through the portal

1 established by § 17-20-2.3, not later than four o'clock (4:00) p.m. on the twenty-first (21st) day
2 before the day of any election referred to in § 17-20-1. In those cases where an application to receive
3 a mail ballot is postmarked by the twenty-first (21st) day before the date of an election and received
4 not later than eighteen (18) days before the date of an election, the application shall be considered
5 received on or prior to the last day to apply for a mail ballot.

6 (d) In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in
7 order to be valid, must have been cast in conformance with the following procedures:

8 (1) All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the
9 Rhode Island address provided by the elector on the application. In order to be valid, the voter must
10 affix their signature on all certifying envelopes containing a voted ballot.

11 (2) All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the
12 name and location of the hospital, convalescent home, nursing home, or similar institution where
13 the elector is confined. All mail ballots issued pursuant to § 17-20-2(2) shall be delivered to the
14 elector at the hospital, convalescent home, nursing home, or similar institution where the elector is
15 confined.

16 (3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed to the address provided
17 by the elector on the application or sent to the board of canvassers in the city or town where the
18 elector maintains their voting residence. In order to be valid, the voter must affix their signature on
19 the certifying envelope containing voted ballots. Any voter qualified to receive a mail ballot
20 pursuant to § 17-20-2(3) shall also be entitled to cast a ballot pursuant to the provisions of United
21 States Public Law 99-410, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

22 (4) All mail ballots issued pursuant to § 17-20-2(4) may be mailed to the elector at the
23 address within the United States provided by the elector on the application or sent to the board of
24 canvassers in the city or town where the elector maintains their voting residence. In order to be
25 valid, the voter must affix their signature on all certifying envelopes containing a voted ballot. In
26 order to be valid, all ballots sent to the elector at the board of canvassers, must be voted in
27 conformance with the provisions of § 17-20-14.2.

28 (e) Any person knowingly and willfully making a false application or certification, or
29 knowingly and willfully aiding and abetting in the making of a false application or certification,
30 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

31 (f) In no way shall a mail ballot application be disqualified if the voter's circumstances
32 change between the time of making the application and voting their mail ballot as long as the voter
33 remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board of
34 canvassers shall provide the state board of elections with written notification of any change in

1 circumstances to a mail ballot voter.

2 **17-20-2.2. Requirements for validity of emergency mail ballots.**

3 (a)(1) Any legally qualified elector of this state whose name appears upon the official
4 voting list of the town or district of the city or town where the elector is so qualified is eligible to
5 vote by emergency mail ballot according to this chapter. Within twenty (20) days or less prior to
6 any election, the elector may obtain from the local board an application for an emergency mail
7 ballot or may complete an emergency in-person mail ballot application on an electronic poll pad at
8 the board of canvassers where the elector maintains his or her residence.

9 (2) The application shall include proof of the voter's date of birth and a Rhode Island
10 driver's license number or state identification number.

11 (b) The emergency mail ballot application, when duly executed, shall be delivered in
12 person or by mail so that it shall be received by the local board, or received electronically through
13 the portal established by § 17-20-2.3, not later than four o'clock (4:00) p.m. on the last day
14 preceding the date of the election.

15 (c) The elector shall execute the emergency mail ballot application in accordance with the
16 requirements of this chapter.

17 (d) In addition to those requirements set forth elsewhere in this chapter, an emergency mail
18 ballot, except those emergency mail ballots being cast pursuant to subsection (g) of this section, in
19 order to be valid, must have been cast in conformance with the following procedures:

20 (1) All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the
21 state of Rhode Island address provided on the application by the office of the secretary of state, or
22 delivered by the local board to a person presenting written authorization from the elector to receive
23 the ballots, or cast in private at the local board of canvassers. In order to be valid, the voter must
24 affix his or her signature on the certifying envelope containing a voted ballot. In order to be valid,
25 all ballots sent to the elector at the board of canvassers must be voted in conformance with the
26 provisions of § 17-20-14.2.

27 (2) All applications for emergency mail ballots pursuant to § 17-20-2(2) must state under
28 oath the name and location of the hospital, convalescent home, nursing home, or similar institution
29 where the elector is confined. All mail ballots issued pursuant to this subdivision shall be delivered
30 to the elector by the bipartisan pair of supervisors, appointed in conformance with this chapter, and
31 shall be voted in conformance with the provisions of § 17-20-14.

32 (3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed by the office of the
33 secretary of state to the elector at an address provided by the elector on the application, or cast at
34 the board of canvassers in the city or town where the elector maintains his or her voting residence.

1 Any voter qualified to receive a mail ballot pursuant to § 17-20-2(3) shall also be entitled to cast a
2 ballot pursuant to the provisions of United States Public Law 99-410, the Uniformed and Overseas
3 Citizens Absentee Voting Act (UOCAVA).

4 (4) All mail ballots issued pursuant to § 17-20-2(4) shall be cast at the board of canvassers
5 in the city or town where the elector maintains his or her voting residence or mailed by the office
6 of the secretary of state to the elector at the address within the United States provided by the elector
7 on the application, or delivered to the voter by a person presenting written authorization by the
8 voter to pick up the ballot. In order to be valid, the voter must affix his or her signature on all
9 certifying envelopes containing a voted ballot. In order to be valid, all ballots sent to the elector at
10 the board of canvassers must be voted in conformance with the provisions of § 17-20-14.2.

11 (e) The secretary of state shall provide each of the several boards of canvassers with a
12 sufficient number of mail ballots for their voting districts so that the local boards may provide the
13 appropriate ballot or ballots to the applicants. It shall be the duty of each board of canvassers to
14 process each emergency ballot application in accordance with this chapter, and it shall be the duty
15 of each board to return to the secretary of state any ballots not issued immediately after each
16 election.

17 (f) Any person knowingly and willfully making a false application or certification, or
18 knowingly and willfully aiding and abetting in the making of a false application or certification,
19 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

20 (g) An emergency mail ballot application may be completed in person using an electronic
21 poll pad provided by the board of canvassers upon presentation by the voter of valid proof of
22 identity pursuant to § 17-19-24.2. Upon completion of the poll pad application, the voter shall be
23 provided with a ballot issued by the secretary of state and upon completion of the ballot by the
24 voter, the voter shall place the ballot into the state-approved electronic voting device, provided by
25 the board of elections and secured in accordance with a policy adopted by the board of elections.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
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- 1 This act would require verification of an applicant's date of birth and either a Rhode Island
- 2 driver's license number or state identification number on all applications seeking mail ballots and
- 3 emergency mail ballots.
- 4 This act would take effect upon passage.

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