

2021 -- H 5744

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT  
CANDIDATES

Introduced By: Representative Jose F. Batista

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

(Board of Elections)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 17-14-8, 17-14-10 and 17-14-11 of the General Laws in Chapter 17-  
2   14 entitled "Nomination of Party and Independent Candidates" are hereby amended to read as  
3   follows:

4           **17-14-8. Signing of nomination papers.**

5           Not all endorsers of a candidate need sign on the same nomination papers, but endorsers  
6   who are voters in different cities and towns shall not sign the same sheet. Every voter signing a  
7   nomination paper shall sign ~~in-person~~ with his or her name, place of residence, and street number,  
8   as it appears on the voting list. In addition to in-person signature collection, nomination papers may  
9   also be transmitted to the voter by the candidate for their endorsement signature, by mail or  
10   electronic transmission. Electronic transmission includes email or facsimile. If the exact copied  
11   image of the nomination paper is transmitted electronically, both the front and the back must be  
12   transmitted to the voter and then returned by the voter to the candidate. Endorsers may download  
13   and print a hard copy of the nomination papers and sign it by hand and write the voter's address on  
14   the spaces provided. Endorsers may deliver signed nomination papers to the candidate in-person,  
15   by mail or electronic transmission, with a scanned copy or photograph of the nomination paper,  
16   sent by email or facsimile. Voters may also return the nomination paper directly to the local board  
17   of canvassers by hand, mail, electronic transmission, or by depositing the nomination paper in a  
18   designated drop box. Thereafter and prior to submission to the local board of canvassers, the

1 respective candidates must reproduce the two (2) pages of the signed nomination paper to a single,  
2 double-sided sheet of paper and submit each such nomination paper sheet to the local board of  
3 canvassers in a double-sided, hard copy paper format. Single-sided sheets or two (2) sheets stapled  
4 or otherwise attached together are not acceptable. Nomination papers originally printed by the  
5 secretary of state or local boards of canvassers may be reduced to a letter-sized document, so long  
6 as the document is the exact copied image of the state or locally issued nomination paper and is  
7 printed double-sided. The signature shall be accepted as valid if it can be reasonably identified to  
8 be the signature of the voter it purports to be. A variation of the voter's signature by the insertion  
9 or omission of identifying titles or by the substitution of initials for the first or middle names, or  
10 both, shall not in itself be grounds for invalidation of the signature. Any voter who is unable to  
11 write may sign by making his or her mark "X" on the nomination paper in the presence of two (2)  
12 witnesses who shall subscribe their names on the paper as witnesses to the signing.

13 **17-14-10. Affidavit of person obtaining signatures.**

14 Every person who obtains signatures of voters upon nomination papers shall under oath  
15 sign the following statement:

16 "I, \_\_\_\_\_, ~~of \_\_\_\_\_,~~ of the city/town of \_\_\_\_\_  
17 ~~under oath, make affidavit and say~~ the pains and penalties of perjury, attest that the signers of the  
18 within nomination paper (or papers) did so sign the paper (or papers) in my presence or  
19 electronically transmitted the nomination(s) papers to me.

20 \_\_\_\_\_  
21 ~~State of Rhode Island~~  
22 \_\_\_\_\_, ~~Se.~~  
23 ~~Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D.~~  
24 ~~20\_\_\_\_\_.~~  
25 \_\_\_\_\_  
26 \_\_\_\_\_ ~~Notary Public"~~

27 **17-14-11. Checking and certification of nomination papers -- Challenge.**

28 Each nomination paper for party and independent candidates shall be submitted before four  
29 o'clock (4:00) p.m. on the sixtieth (60th) day before the primary to the local board of the city or  
30 town where the signers appear to be voters or, in the case of special elections, on the twenty-eighth  
31 (28th) day before the primary. All nomination papers must be submitted, in-person, by mail, or  
32 electronically, including by email or facsimile, to the local board of canvassers, by four o'clock  
33 (4:00) p.m. on the due date. In the event that the candidate returns the nomination papers  
34 electronically, the candidate must submit the nominations to the email address or fax number, set

1 [forth on the local board of canvassers website.](#) Nomination papers for independent presidential  
2 candidates and presidential candidates of political parties, other than those defined in § 17-1-2(9),  
3 shall be filed not later than sixty (60) days prior to the general election. Each local board shall  
4 immediately proceed to check signatures on each nomination paper filed with it against the voting  
5 list as last canvassed or published according to law. The local boards shall certify a sufficient  
6 number of names appearing on the nomination papers that are in conformity with the requirements  
7 of § 17-14-8 to qualify the candidate for a position on the ballot, and after considering any challenge  
8 under this section and, if necessary, certifying any additional valid names, shall immediately file  
9 nomination papers for statewide office, general assembly, and state and district committee  
10 candidates with the secretary of state; provided, that nomination papers for local candidates shall  
11 be retained by the local board. If any candidate or the chairperson of any party committee questions  
12 the validity or authenticity of any signature on the nomination paper, the local board shall  
13 immediately and summarily decide the question, and for this purpose, shall have the same powers  
14 as are conferred upon the board by the provisions of § 17-14-14. If any challenged signature is  
15 found to be invalid, for any reason in law, or forged, then the signature shall not be counted.

16 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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CANDIDATES

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1           This act would allow voters to endorse the nomination of candidacy documents by mail,  
2 email, or facsimile and deliver them to the candidate or board of canvassers in-person, via mail,  
3 email or facsimile. It would modify the affidavit language of persons obtaining nomination  
4 signatures, to include an attestation concerning the actual electronic collection of signatures.  
5 Finally, it would allow nomination papers to be delivered by candidates to board of canvassers in-  
6 person, mail, email or facsimile, by the deadline.

7           This act would take effect upon passage.

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