

2024 -- H 7664 SUBSTITUTE A

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LC004662/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

**RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT
CANDIDATES**

Introduced By: Representatives Speakman, Donovan, Alzate, Tanzi, Morales, McGaw,
Cortvriend, Fogarty, Ajello, and Handy

Date Introduced: February 15, 2024

Referred To: House State Government & Elections

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-14-4, 17-14-10, 17-14-11 and 17-14-14 of the General Laws in
2 Chapter 17-14 entitled "Nomination of Party and Independent Candidates" are hereby amended to
3 read as follows:

4 **17-14-4. Preparation of nomination papers for candidates — Combination of**
5 **endorsed candidates — Furnishing of nomination papers to candidates.**

6 (a) Upon receipt of the declarations referred to in § 17-14-1, within two (2) business days
7 of the final date for filing endorsements, the secretary of state for statewide candidates and the local
8 board for general assembly and local candidates shall prepare nomination papers for each person
9 who has filed a declaration of candidacy as provided in § 17-14-1. A minimum of three (3) sets of
10 nomination papers shall be prepared for each candidate whose name appears on nomination papers
11 containing the name of a candidate for general assembly and for local office. Nomination papers
12 for voters from the city of Providence for the offices enumerated in § 17-14-1 shall be furnished by
13 the secretary of state. Nomination papers shall be prepared with the name of the candidate as it
14 appears on the voting list, notwithstanding that the candidate may have signed his or her declaration
15 of candidacy other than as the candidate's name appears on the voting list. Candidates for
16 nomination for different offices endorsed by the appropriate committee on any party shall be
17 combined on the same nomination papers. The names of candidates for different offices not
18 endorsed by the appropriate committee of any party shall not be combined on the same nomination

1 papers. Nomination papers for candidates for general assembly shall be furnished by the local board
2 of the general assembly candidate. Nomination papers shall be furnished to the local boards by the
3 secretary of state and each shall bear the imprint of the state coat of arms and any additional
4 language required by law. Nomination papers shall be appropriately marked or color coded to
5 indicate the different political parties, the endorsed and unendorsed candidates of those parties, and
6 independent candidates.

7 (b) ~~General assembly and local candidates for nomination may, at their own expense, have~~
8 ~~nomination papers duplicated. The signatures obtained on the duplicated nomination papers shall~~
9 ~~be considered valid if, and only if, prior to any signatures being affixed, the duplicated nomination~~
10 ~~papers have been time stamped by the secretary of state or local board of canvassers which issued~~
11 ~~the original nomination papers~~ Candidates for nomination may, at their own expense, have
12 nomination papers duplicated in exact appearance and as prescribed in subsection (a) of this section.

13 (c) Nomination papers furnished by the secretary of state shall be personally issued to the
14 candidate, or in the case of combined nomination papers to one of the candidates, for whom they
15 were prepared, or to an individual presenting written authorization from the candidate, or one of
16 the candidates appearing on them, to receive the nomination papers.

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

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

20 “I, _____, of the city/town of
21 _____, under oath, make affidavit and say that the
22 signers of the within nomination paper ~~(or papers)~~ did so sign the paper ~~(or papers)~~ in my presence.

23 _____

24 State of Rhode Island County of

25 _____, ~~Se.~~

26 Subscribed and sworn to before me this _____ day of _____,

27 ~~A.D.~~ 20____.

28 _____

29 Signature of Notary Public

30 _____

31 Printed Name of Notary Public

32 _____

33 Notary Public ID Number

34 _____

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

(a) Each nomination paper for party and independent candidates shall be submitted before four o'clock (4:00) p.m. on the sixtieth (60th) day before the primary to the local board of the city or town where the signers appear to be voters or, in the case of special elections for state and local office, on the twenty-eighth (28th) day before the primary, or in the case of special elections for federal office, on the fifty-third (53rd) day before the primary. Nomination papers for independent presidential candidates and presidential candidates of political parties, other than those defined in § 17-1-2(9), shall be filed not later than sixty (60) days prior to the general election. Each local board shall immediately proceed to check signatures on each nomination paper filed with it against the voting list as last canvassed or published according to law.

(b) The local boards shall certify a sufficient number of names appearing on the nomination papers that are in conformity with the requirements of § 17-14-8 to qualify the candidate for a position on the ballot, and after considering any challenge under this section and, if necessary, certifying any additional valid names, shall immediately file nomination papers for statewide office, general assembly, and state and district committee candidates with the secretary of state; provided, that nomination papers for local candidates shall be retained by the local board.

(c) If any candidate [or an individual presenting written authorization from the candidate,](#) or the chairperson of any party committee questions the validity or authenticity of any signature on the nomination paper, the local board shall immediately and summarily decide the question, and for this purpose, shall have the same powers as are conferred upon the board by the provisions of § 17-14-14.

(d) If any challenged signature is found to be invalid, for any reason in law, or forged, then the signature shall not be counted.

[\(e\) The local canvassing clerk shall immediately notify the state board in writing and via electronic mail if the local canvassing clerk suspects a consistent pattern of forgery as prescribed by § 17-23-17 on the nomination papers of a local, state, or federal candidate.](#)

[\(1\) The state board, upon notification of allegations of any consistent pattern of suspected forged signatures on nomination papers of a local, state, or federal candidate, shall review the allegations and, if determined to be with reasonable cause, shall, as soon as feasible notify all corresponding local canvassing clerks of the allegations of suspected forgery.](#)

[\(2\) The state board, if it deems necessary, shall order a review of all nomination papers of a local, state, or federal candidate whose nomination papers include a consistent pattern of suspected forged signatures as prescribed in this subsection. The state board, in consultation with](#)

1 [the Elections Committee of the Rhode Island Town and City Clerk's Association, shall promulgate](#)
2 [rules and regulations on the process to review nomination papers of a local, state, or federal](#)
3 [candidate whose nomination papers include a consistent pattern of suspected forged signatures as](#)
4 [prescribed in this subsection.](#)

5 [\(3\) The state board shall explicitly determine and deliver, in writing and via electronic mail](#)
6 [to the secretary of state, the findings of the review of the local, state, or federal candidate whose](#)
7 [nomination papers include suspected forged signatures as prescribed in this subsection, and whether](#)
8 [the determination affects a candidate's qualification for a position on the ballot.](#)

9 **17-14-14. Hearings on objections — Witnesses — Notice.**

10 (a) All objections to nomination papers which are required to be filed with the secretary of
11 state shall be considered by the state board. The secretary of state shall, when requested by the state
12 board, immediately deliver to the board the nomination papers to which objection has been filed.
13 The state board may, at the hearing on the objections, summon witnesses, administer oaths, and
14 require the production of books, papers, and documents. The witnesses shall be summoned in the
15 same manner, be paid the same fees, and be subject to the same penalties for default as witnesses
16 before the superior court. A summons may be sworn to and an oath may be administered by the
17 board. When an objection has been filed, notice of the objection shall be immediately given by
18 registered or certified mail or by personal service by the state board to the candidates, addressed to
19 the residence of the candidate as given in the nomination papers, and to any party committee
20 interested in the nomination to which objection is made. [The state board shall promulgate rules and](#)
21 [regulations on challenges to nomination papers filed by any candidate, an individual presenting](#)
22 [written authorization from the candidate, or the chairperson of any party committee that questions](#)
23 [the validity or authenticity of any signature on the nomination paper of a candidate.](#)

24 (b) Additional notice may also be given by the state board if it sees fit to do so. The decision
25 of the board shall be rendered within two (2) days, exclusive of Sundays and holidays, after filing
26 of objections and shall immediately be certified by the state board to the secretary of state.

27 (c) All objections to nomination papers ~~for~~ other than state ~~officers~~ [and federal candidates](#)
28 shall be considered by the local board in the same manner and with the same effect as provided in
29 subsection (a) of this section for hearing of objections to nomination papers for state ~~officers~~ [and](#)
30 [federal candidates](#) by the state board.

31 SECTION 2. This act shall take effect on January 1, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT
CANDIDATES

1 This act would amend various sections of law relating to elections, nomination papers and
2 the process of obtaining signatures for nomination papers and would provide a notification
3 procedure for the reporting of consistent patterns of forgery on nomination papers.

4 This act would take effect on January 1, 2025.

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