

2025 -- H 5516 SUBSTITUTE A

LC001144/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ELECTIONS -- CONDUCT OF ELECTION AND VOTING EQUIPMENT,
AND SUPPLIES

Introduced By: Representatives Baginski, Paplauskas, and Lima

Date Introduced: February 13, 2025

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-19-31 of the General Laws in Chapter 17-19 entitled "Conduct of
2 Election and Voting Equipment, and Supplies" is hereby amended to read as follows:
3 **17-19-31. Irregular ballots.**
4 Ballots voted for any person whose name does not appear on the ballot as a nominated
5 candidate for office are referred to in this section as "irregular ballots." In voting for presidential
6 electors, a voter may vote an irregular ticket made up of the names of persons in nomination by
7 different parties; or partly of names of persons in nomination and partly of names of persons not in
8 nomination; or wholly of names of persons not in nomination by any party. Scanned images of the
9 computer ballot containing the irregular ballot shall be stored digitally on physical electronic media
10 in the optical-scan precinct-count unit. With that exception, no irregular ballot shall be voted for
11 any person for any office whose name appears on the ballot as a nominated candidate for that office;
12 any irregular ballot so voted shall not be counted. An irregular ballot must be cast in its appropriate
13 place on the ballot, or it shall be void and not counted and no irregular ballots shall be counted at
14 primaries; provided, that at any presidential primary, irregular ballots shall be counted for those
15 persons whose names have been written in for the office of president. At the close of the polls,
16 irregular ballots shall be packaged according to § 17-19-33 and shall be immediately delivered to
17 the local board of canvassers. The local board shall receive the tape from the optical precinct-count
18 unit containing printed images of each written name on the irregular ballots, or the physical

1 electronic media containing images of the irregular ballots ~~and record~~ containing all write-in votes
2 cast for all federal, state, and local races listed on the tape. If the total write-in votes cast, may affect
3 the election outcome for a particular office, the local board shall adjudicate each individual write-
4 in vote cast for that office and report the total qualified write-in votes cast to the state board. The
5 state board shall notify the applicable local board(s) when the total write-in votes cast in any
6 contest, may affect the election outcome for any particular office. The local board shall notify the
7 state board of the results through a procedure promulgated by the state board. A write-in candidate,
8 who has filed required campaign finance reports with the state board, may request the write-in votes
9 cast in their contest be adjudicated, regardless of the total write-in votes cast in that contest, through
10 a procedure promulgated by rules and regulations of the state board.

11 SECTION 2. Section 17-22-7 of the General Laws in Chapter 17-22 entitled "Tabulation
12 and Certification of Returns by State Board" is hereby amended to read as follows:

13 **17-22-7. Books of record of votes — Contents.**

14 (a) The board shall keep separate books of record of the votes cast for the different classes
15 of officers which it is its duty to count, canvass, and tabulate, as follows:

16 (1) A book of record of votes cast for electors of president and vice-president;

17 (2) A book of record of votes cast for senators and representatives in congress;

18 (3) A book of record of votes cast for general officers; and

19 (4) A book of record of the votes cast for each class of officers that may by law
20 subsequently be required to be counted, canvassed, and tabulated by the board.

21 (b) Each of the respective books shall contain:

22 (1) A record of the number of votes cast in each voting district for each candidate according
23 to the counting, canvassing, and tabulating of the board;

24 (2) The number cast in each voting district for each candidate according to the certificates
25 of the moderators or wardens and clerks;

26 (3) The total number cast for each candidate in each town and city according to the counting
27 and to the certificates;

28 (4) The total number cast for each candidate in the state or congressional district, as the
29 case may be, according to the counting and the certificates;

30 (5) A statement of which candidates are elected; and

31 (6) Any other pertinent facts that the board deems proper.

32 (c) The board shall also keep a book of record of the votes cast for and against any
33 proposition of amendment of the Constitution and a book of record of the votes cast for and against
34 all questions submitted to the electors of the state, with like detail as provided in this section in

1 relation to votes cast for officers.

2 (d) Notwithstanding the above, the state board shall ~~report~~ publish on its website a complete
3 listing of all write-in votes cast for each particular office, regardless of candidate eligibility and
4 regardless of whether it may affect the outcome, and shall additionally report all write-in votes
5 adjudicated by the local board in accordance with § 17-19-31, ~~received by persons, not otherwise~~
6 ~~qualifying to appear on the ballot and receiving less than five (5) votes in a race, as a composite~~
7 ~~total of all write-in votes cast for said office~~ and shall publish the overall total number of write-in
8 votes cast for each particular office.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require all write-in votes, regardless of qualification, to be reported and
2 published by the state board of elections, on its website. It would also require the local board of
3 canvassers to adjudicate write-in votes in any contest, where the total number of write-in votes cast
4 may affect the outcome.

5 This act would take effect upon passage.

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