

2013 -- H 5781

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO ELECTIONS - MAIL BALLOTS

Introduced By: Representatives Blazejewski, Johnston, Keable, Nunes, and Silva

Date Introduced: February 28, 2013

Referred To: House Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-16, 17-20-21 and 17-20-22 of the General Laws in Chapter
2 17-20 entitled "Mail Ballots" are hereby amended to read as follows:

3 **17-20-16. Time of casting vote. --** Mail ballots may be cast in the manner provided by
4 law on or before election day; provided, that no mail ballot shall be counted unless it is received
5 by the state board not later than ~~nine o'clock (9:00) p.m. local time~~ [the time prescribed by section](#)
6 [17-18-11 for the closing of polling places](#) on election day.

7 **17-20-21. Certifying envelopes. --** The secretary of state shall cause to be prepared and
8 printed and shall furnish with each mail ballot an envelope for sealing up and certifying the ballot
9 when returned. The envelope shall be printed in substantially the following form:

10 "After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to
11 statement hereon. Enclose in envelope addressed to board of elections, which must receive the
12 envelope not later than nine o'clock (9:00) p.m. [the time prescribed by section 17-18-11 for the](#)
13 [closing of polling places on](#) the day of election."

14 Date of Election: _____ City/Town

15 of: _____

16 Certificate of Voter

17 Print Name of Voter

18 I swear or affirm, under penalty of perjury, that I am:

19 • I am a United States citizen;

- 1 • I am a resident and qualified voter of the State of Rhode Island;
- 2 • I am eligible to cast a mail ballot under the provisions of section 17-20-2; and
- 3 • I am not qualified to vote elsewhere.

4 Voter must sign full name here: _____

5 (If unable to sign name because of physical incapacity or otherwise, voter shall make his
6 or her mark "(X)").

7 I hereby attest under penalty of perjury that the enclosed voted ballot was cast, and the
8 signature or mark on this certifying envelope was made by the voter whose name appears on the
9 label above.

10 Before me the _____ day of _____ 20_____, at
11 _____ (city or town), county of _____, state of
12 _____, personally appeared the above named voter, to me known and known
13 by me to be the person who affixed his or her signature to this ballot envelope.

14 _____

15 Notary Public

16 Notary must also print his or her name

17 Witness:

18 _____

19 (Signature)

(Residence)

20 Note: Mail ballots must either be sworn to before a notary public or before two (2)
21 witnesses who must sign their names and addresses.

22 **17-20-22. Certification envelopes for mail ballots of persons intimately connected**
23 **with military service and persons employed outside of the United States. --** The distinctively
24 colored certification envelope for persons intimately connected with military service and persons
25 employed outside of the United States shall be printed in substantially the following form:

26 After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to
27 statement hereon. Enclose in envelope addressed to board of elections, which must receive the
28 envelope not later than ~~nine o'clock (9:00) p.m.~~ [the time prescribed by section 17-18-11 for the](#)
29 [closing of polling places on](#) the day of election.

30 Date of Election _____ City/Town of _____

31 Oath of Elector Casting the Enclosed

32 Ballot or Ballots

33 Print Name

34 I do hereby affirm, under penalty of perjury that:

- 1 • I am a United States citizen;
- 2 • I am a resident and qualified voter of the State of Rhode Island;
- 3 • I am eligible to cast a mail ballot, because I am one of the following:
- 4 • A member of the Uniformed Services or merchant marine on active duty or an eligible
- 5 spouse or dependent.
- 6 • A U.S. citizen who will be outside the United States.
- 7 • I am not qualified to vote elsewhere.

8 _____

9 (Signature of voter)

10 SECTION 2. 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 that mail ballots be returned to the state board of elections by the
- 2 closing time of the polls established by law on election day.
- 3 This act would take effect upon passage.

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