

2013 -- S 0444

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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: Senators McCaffrey, Lynch, and Lombardo

Date Introduced: February 28, 2013

Referred To: Senate Judiciary

(Board of Elections)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-24 of the General Laws in Chapter 17-20 entitled "Mail
2 Ballots" is hereby amended to read as follows:

3 **17-20-24. Irregularities not impairing validity of ballots.** -- (a) No ballot transmitted
4 under the provisions of this chapter shall be rejected for any immaterial addition, omission, or
5 irregularity in the preparation or execution of the computer ballot, nor for failure of the voter to
6 affix sufficient postage. No ballot shall be invalid by reason of mistake or omission in writing in
7 the name of any candidate where the candidate intended by the voter is plainly identifiable.
8 Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for
9 office, it shall remain valid as to the candidates for other offices. No ballot shall be invalid by
10 reason of the voter writing upon the inner envelope the name of a community within a town in
11 place of the name of the town. ~~No defect in the marking of the appropriate space associated with~~
12 ~~casting a vote shall invalidate any ballot or a vote for any candidate, where the intention of the~~
13 ~~voter is clearly indicated.~~

14 ~~(b) No ballot shall be rejected if the intention of the voter is clear unless it contains clear~~
15 ~~evidence of the identity of the voter.~~

16 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 eliminate a voter intention judgment when determining whether a defect
2 in the marking of the appropriate space associated with casting a vote invalidates any ballot or a
3 vote for any candidate.

4 This act would take effect upon passage.

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