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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 - ELECTIVE MEETINGS

Introduced By: Senators Lynch, Nesselbush, Miller, Goldin, and Cool Rumsey

Date Introduced: February 28, 2013

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 17-18 of the General Laws entitled "Elective Meetings" is hereby
2 amended by adding thereto the following section:

3 **17-18-10.1. In-person early voting. -- (a) In-person early voting shall be made available**
4 **to any registered and eligible elector for all elections, except that in-person early voting shall not**
5 **be made available for special elections.**

6 **(b) In-person early voting shall begin on the twenty-first (21st) day before a general**
7 **election and end on, and include, the Saturday before a scheduled general election. In-person**
8 **early voting shall begin on the thirteenth (13th) day before a primary election and end on, and**
9 **include, the Saturday before a scheduled primary election.**

10 **(c) During the in-person early voting period as set forth in subsection (b) above, in-**
11 **person early voting shall take place at locations to be determined by each local board and**
12 **approved by the state board. Adequate notice shall be posted at each local board's office**
13 **informing the public of the locations where in-person early voting is being conducted. Said notice**
14 **shall be posted at least seven (7) days prior to the beginning of the in-person early voting period**
15 **and shall be filed electronically with the secretary of state in accordance with subsection 42-46-**
16 **6(f). In-person early voting shall take place during the hours of 9:00 a.m. to 4:30 p.m. on any**
17 **Saturday, Sunday, Monday, Tuesday or Wednesday of in-person early voting and shall take place**
18 **during the hours of 12:00 p.m. to 8:00 pm on any Thursday or Friday of in-person early voting.**

19 **At the end of each day of the in-person early voting period, the voting equipment and**

1 supplies shall be stored at each location in a safe and secure place. Each in-person early voting
2 location shall be situated in a building that can be entered and exited by persons who are disabled
3 or elderly. Additionally, each in-person early voting location shall have adequate parking.

4 (d) Prior to the in-person early voting period, the state board shall provide the local
5 boards with the ballots, ballot applications, tabulation equipment, ballot storage boxes, voting
6 booths, instructions as to voting, and other supplies necessary to effectuate the provisions of this
7 section. During the in-person early voting period, the state board shall provide technical support
8 as needed at in-person early voting sites.

9 (e) The local board shall provide a ballot and ballot envelope to any early voter in
10 accordance with the provisions of section 17-19-24. The early voter shall be provided with a
11 voting booth identical to the voting booths used on the regularly scheduled election days. Once
12 the early voter has completed the ballot, the early voter shall place the ballot in the ballot
13 envelope and seal the envelope. An official of the local board shall mark the envelope with the
14 appropriate voting precinct designation and return the envelope to the early voter. The early voter
15 shall place the envelope in the ballot box.

16 (f) The ballot boxes shall be locked and sealed and the keys shall remain in the
17 possession of a designated official of the state board. An official of the state board shall collect
18 the contents of the ballot boxes periodically after in-person early voting ends on each day, and in
19 no event later than midnight on the day before the election, and shall transfer the ballots to the
20 office of the state board for counting and tabulating purposes in the same manner as mail ballots,
21 pursuant to section 17-20-26.

22 (g) Except as herein provided for otherwise, all other provisions of title 17 ("Elections")
23 shall be in and remain in effect.

24 SECTION 2. Section 17-1-3 of the General Laws in Chapter 17-1 entitled "General
25 Provisions" is hereby amended to read as follows:

26 **17-1-3. Eligibility to vote. --** Every citizen of the United States who is at least eighteen
27 (18) years of age, whose residence as defined in § 17-1-3.1 has been in this state for at least thirty
28 (30) days, and in the town or city and voting district in which that person desires to cast his or her
29 vote at least thirty (30) days next preceding the election, and who is registered in that city or town
30 and voting district at least thirty (30) days next preceding any election, shall be entitled to vote in
31 the election; provided, a person may vote in a primary election only if that person is eligible
32 under the provisions of this title. A person who has not registered to vote, or whose registration
33 has been canceled pursuant to § 17-10-1, may cast a vote for president and vice-president on
34 election day at his or her city or town hall or at an alternate location designated by the local board

1 of canvassers, and approved by the board of elections, where such location is deemed necessary
2 to better accommodate such voters; [provided, however, that persons so entitled may not register](#)
3 [and cast a vote for president and vice-president during the in-person early voting period.](#) The
4 casting of that vote shall commence the process of voter registration and subject the person voting
5 to the requirements and penalties of this chapter.

6 SECTION 3. Section 17-19-19 of the General Laws in Chapter 17-19 entitled "Conduct
7 of Election and Voting Equipment, and Supplies" is hereby amended to read as follows:

8 **17-19-19. Custody of machines during voting.** -- During the time that the polls are
9 open, and until the optical scan precinct count unit and voted computer ballots are finally locked
10 and sealed and the removable keys thereof sealed up for transmission to the state board as
11 provided in this chapter, the optical scan precinct count units, memory cartridges, and voted
12 computer ballots shall remain in the care and custody of the warden, who shall see that the voting
13 equipment is not defaced or injured by any voter or any other person. During the entire time in
14 which the polls are open for voting, the ballot compartments shall be kept closed and locked;
15 provided, that the emergency bin compartment slot shall be opened as provided in § 17-19-20.
16 The vote totals are not to be printed under any circumstances during the time the polls are open
17 for voting. [Vote totals from the in-person early voting precincts are not to be printed under any](#)
18 [circumstances prior to the scheduled closing of the polls of the regularly scheduled election day,](#)
19 [in accordance with state law.](#)

20 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would create a process for in-person early voting before the actual election day.
- 2 This act would take effect upon passage.

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