2017 -- S 0346

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S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N   A C T

RELATING TO ELECTIONS - DECLARATIONS OF CANDIDACY

It is enacted by the General Assembly as follows:

1   SECTION 1. Section 17-14-1 of the General Laws in Chapter 17-14 entitled "Nomination

2 of Party and Independent Candidates" is hereby amended to read as follows:

3   **17-14-1. Declarations of candidacy.**

4   During the last consecutive Monday, Tuesday, and Wednesday in ~~June~~ April in the even

5 years and during the thirty-ninth (39th) and fortieth (40th) days preceding a primary election for a

6 special election, or for an election regularly scheduled for a time other than the biennial general

7 statewide election, each voter desiring to be a candidate at the upcoming primary or an

8 independent candidate on final nomination papers shall, on a form that shall be provided by the

9 secretary of state, file a declaration of his or her candidacy not later than four (4:00) p.m. of the

10 last day for the filing with the secretary of state for congressional and statewide general offices,

11 or with the local board of the place of the candidate's voting residence for general assembly, or

12 state committee or senatorial and representative district committee or with the appropriate local

13 board for local officers. The declaration shall be signed by the candidate as his or her name

14 appears on the voting list. The signature shall be accepted as valid if it can be reasonably

15 identified to be the name and signature of the voter it purports to be. A variation of the voter's

16 signature by the insertion or omission of identifying titles or by the substitution of initials for the

17 first or middle names of both shall not in itself be grounds for invalidation of the signature. The

18 declaration shall also include the following information:

19   (1) The candidate's name as it appears on the voting list, subject to the same provisions as

1   relate to the voter's signature on the declaration;

2   (2) The address as it appears on the voting list, provided that an address which is

3   substantially the same as the address on the voting list shall be valid;

4   (3) The party declaration if seeking to run in a party primary;

5   (4) The office sought;

6   (5) The place and date of birth;

7   (6) The length of residence in the state and in the town or city where he or she resides;

8   (7) A certification that he or she is neither serving a sentence, including probation or

9   parole, for which he or she was imprisoned upon final conviction of a felony imposed on any date

10   nor serving any sentence, whether incarcerated or suspended, on probation or parole, upon final

11   conviction of a felony committed after November 5, 1986;

12   (8) A certification that he or she has not been lawfully adjudicated to be non compos

13   mentis, of unsound mind;

14   (9) In the case of candidates for party nomination, a certification that he or she has not

15   been a member of a political party other than the declared party within ninety (90) days of the

16   filing date; and

17   (10) If a person is a candidate for a state or local office, a certification that the person has

18   not within the preceding three (3) years served any sentence, incarcerated or suspended, on

19   probation or parole, for a crime committed after November 5, 1986, upon a plea of nolo

20   contendere or guilty or upon a conviction of a felony or for a misdemeanor for which a sentence

21   of imprisonment for six (6) months or more, whether suspended or to be served as imposed.

22   SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO ELECTIONS - DECLARATIONS OF CANDIDACY

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1   This act would change the month in which candidates for public office are required to

2   declare their candidacy from June to April.

3   This act would take effect upon passage.

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