

2021 -- H 5022

=====
LC000170
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

J O I N T R E S O L U T I O N

**TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE STATE - FOUR YEAR TERMS AND
TERM LIMITS FOR REPRESENTATIVES AND SENATORS**

Introduced By: Representatives Lombardi, and Potter

Date Introduced: January 13, 2021

Referred To: House Judiciary

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to
3 the qualified electors of the state in accordance with the provisions of Article XIV of the
4 Constitution for their approval and that it take the place of Article IV, section 1, which is hereby
5 amended to read as follows:

ARTICLE IV

OF ELECTIONS AND CAMPAIGN FINANCE

8 **SECTION 1. Election and terms of governor, lieutenant governor, secretary of state,**
9 **attorney-general, general treasurer, and general assembly members.** -- The governor,
10 lieutenant governor, secretary of state, attorney-general, general treasurer shall be elected on the
11 Tuesday after the first Monday in November, quadrennially commencing A.D. 1994, and every
12 four (4) years thereafter, and shall severally hold their offices, subject to recall as provided herein,
13 for four (4) years from the first Tuesday of January next succeeding their election and until their
14 successors are elected and qualified. No person shall serve consecutively in the same general
15 office for more than two (2) full terms, excluding any partial term of less than two (2) years
16 previously served.

17 The senators and representatives in the general assembly shall be elected on the Tuesday
18 after the first Monday in November, biennially in even numbered years, and shall severally hold
19 their offices for two (2) years from the first Tuesday of January next succeeding their election and

1 until their successors are elected and qualified, until the elections held in 2024.

2 Quadrennially in even numbered years commencing in 2024, the representatives and
3 senators in the general assembly shall be elected on the Tuesday after the first Monday in
4 November, and shall severally hold their offices for four (4) years from the first Tuesday of
5 January next succeeding their election and until their successors are elected and qualified, and
6 shall serve consecutively for not more than three (3) full four (4) year terms.

7 Recall is authorized in the case of a general officer who has been indicted or informed
8 against for a felony, convicted of a misdemeanor, or against whom a finding of probable cause of
9 violation of the code of ethics has been made by the ethics commission. Recall shall not, however
10 be instituted at any time during the first six (6) months or the last year of an individual's term of
11 office. Such a recall may be instituted by filing with the state board of elections an application for
12 issuance of a recall petition against said general officer which is signed by duly qualified electors
13 equal to three percent (3%) of the total number of votes cast at the last preceding general election
14 for that office. If, upon verification, the application is determined to contain signatures of the
15 required number of electors, the state board of elections shall issue a recall petition for circulation
16 amongst the electors of the state. Within ninety (90) days of issuance, recall petitions containing
17 the signatures of duly qualified electors constituting fifteen percent (15%) of the total number of
18 votes cast in the last preceding general election for said office must be filed with the state board
19 of elections. The signatures to the application and to the recall petition need not all be on one (1)
20 sheet of paper, but each such application and petition must contain an identical statement naming
21 the person to be recalled, the general office held by said person, and the grounds for such recall
22 set forth in a statement of one hundred (100) words or less approved by the board of elections.
23 Each signatory must set forth his or her signature as it appears on the voting list, the date of
24 signing, and his or her place of residence. The person witnessing the signatures of each elector on
25 said petition must sign a statement under oath on said sheet attesting that the signatures thereon
26 are genuine and were signed in his or her presence. If the requisite number of signatures are not
27 obtained within said ninety (90) days period, the recall effort shall terminate. Upon verification of
28 the requisite number of signatures, a special election shall be scheduled at which the issue of
29 removing said office holder and the grounds therefor shall be placed before the electors of the
30 state. If a majority of those voting support removal of said office holder, the office shall be
31 immediately declared vacant and shall be filled in accordance with the constitution and laws of
32 the state. The person so removed shall not be eligible to fill the unexpired portion of the term of
33 office. The general assembly shall provide by statute for implementation of the recall process.

34 RESOLVED, That the said proposition of amendment shall be submitted to the electors

1 for their approval or rejection at the next statewide general election. The voting places in the
2 several cities and towns shall be kept open during the hours required by law for voting therein for
3 general officers of the state; and be it further

4 RESOLVED, That the secretary of state shall cause the said proposition of amendment to
5 be published as a part of this resolution in the newspapers of the state prior to the date of the said
6 meetings of the said electors; and said proposition shall be inserted in the warrants or notices to
7 be issued previous to said meetings of the electors for the purpose of warning the town, ward, or
8 district meetings, and said proposition shall be read by the town, city, ward, or district meetings to
9 be held as aforesaid; and be it further

10 RESOLVED, That the town, city, ward, and district meetings to be held aforesaid shall
11 be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
12 district meetings shall be conducted in the same manner as now provided by law for the town,
13 city, ward, and district meetings for the election of general officers of the state.

=====
LC000170
=====