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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT  
CANDIDATES

Introduced By: Senator Dawn M. Euer

Date Introduced: May 07, 2024

Referred To: Senate Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 17-14-1, 17-14-11, 17-14-12, 17-14-13 and 17-14-14 of the General  
2 Laws in Chapter 17-14 entitled "Nomination of Party and Independent Candidates" are hereby  
3 amended to read as follows:

4           **17-14-1. Declarations of candidacy.**

5           During the ~~last consecutive Monday, Tuesday, and Wednesday in June~~ seventy-seventh  
6 (77<sup>th</sup>) and seventy-eighth (78<sup>th</sup>) day before the primary election in the even years and during the  
7 thirty-ninth (39<sup>th</sup>) and fortieth (40<sup>th</sup>) days preceding a primary election for a special election for  
8 state or local office, or for an election for state or local office regularly scheduled for a time other  
9 than the biennial general statewide election, or during the sixty-seventh (67<sup>th</sup>) and sixty-eighth  
10 (68<sup>th</sup>) days preceding a primary election for a special election for federal office, or for an election  
11 for federal office regularly scheduled for a time other than the biennial general statewide election,  
12 each voter desiring to be a candidate at the upcoming primary or an independent candidate on final  
13 nomination papers shall, on a form that shall be provided by the secretary of state, file a declaration  
14 of their candidacy not later than four o'clock (4:00) p.m. of the last day for the filing with the  
15 secretary of state for congressional and statewide general offices, or with the local board of the  
16 place of the candidate's voting residence for general assembly, or state committee or senatorial and  
17 representative district committee, or with the appropriate local board for local officers. The  
18 declaration shall be signed by the candidate as the candidate's name appears on the voting list. The

1 signature shall be accepted as valid if it can be reasonably identified to be the name and signature  
2 of the voter it purports to be. A variation of the voter's signature by the insertion or omission of  
3 identifying titles or by the substitution of initials for the first or middle names or both shall not in  
4 itself be grounds for invalidation of the signature. The declaration shall also include the following  
5 information:

6 (1) The candidate's name as it appears on the voting list, subject to the same provisions as  
7 relate to the voter's signature on the declaration;

8 (2) The address as it appears on the voting list, provided that an address that is substantially  
9 the same as the address on the voting list shall be valid;

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

11 (4) The office sought;

12 (5) The place and date of birth;

13 (6) The length of residence in the state and in the town or city where the candidate resides;

14 (7) A certification that the candidate is neither serving a sentence, including probation or  
15 parole, for which the candidate was imprisoned upon final conviction of a felony imposed on any  
16 date nor serving any sentence, whether incarcerated or suspended, on probation or parole, upon  
17 final conviction of a felony committed after November 5, 1986;

18 (8) A certification that the candidate has not been lawfully adjudicated to be non compos  
19 mentis, of unsound mind;

20 (9) In the case of candidates for party nomination, a certification that the candidate has not  
21 been a member of a political party other than the declared party within ninety (90) days of the filing  
22 date, except in the case of candidates for party nomination for a special election for federal office,  
23 or for an election for federal office regularly scheduled for a time other than the biennial general  
24 statewide election, that person shall not have been a member of a political party other than the  
25 declared political party within thirty (30) days of the filing of their declaration of candidacy; and

26 (10) If a person is a candidate for a state or local office, a certification that the person has  
27 not within the preceding three (3) years served any sentence, incarcerated or suspended, on  
28 probation or parole, for a crime committed after November 5, 1986, upon a plea of nolo contendere  
29 or guilty or upon a conviction of a felony or for a misdemeanor for which a sentence of  
30 imprisonment for six (6) months or more, whether suspended or to be served was imposed.

31 **17-14-11. Checking and certification of nomination papers — Challenge.**

32 Each nomination paper for party and independent candidates shall be submitted before four  
33 o'clock (4:00) p.m. on the ~~sixtieth (60th)~~ sixty-first (61<sup>st</sup>) day before the primary to the local board  
34 of the city or town where the signers appear to be voters or, in the case of special elections for state

1 and local office, on the twenty-eighth (28th) day before the primary, or in the case of special  
2 elections for federal office, on the fifty-third (53rd) day before the primary. Nomination papers for  
3 independent presidential candidates and presidential candidates of political parties, other than those  
4 defined in § 17-1-2(9), shall be filed not later than ~~sixty (60)~~ sixty-seven (67) days prior to the  
5 general election. Each local board shall immediately proceed to check signatures on each  
6 nomination paper filed with it against the voting list as last canvassed or published according to  
7 law. The local boards shall certify a sufficient number of names appearing on the nomination papers  
8 that are in conformity with the requirements of § 17-14-8 to qualify the candidate for a position on  
9 the ballot, and after considering any challenge under this section and, if necessary, certifying any  
10 additional valid names, shall immediately file nomination papers for statewide office, general  
11 assembly, and state and district committee candidates with the secretary of state; provided, that  
12 nomination papers for local candidates shall be retained by the local board. If any candidate or the  
13 chairperson of any party committee questions the validity or authenticity of any signature on the  
14 nomination paper, the local board shall immediately and summarily decide the question, and for  
15 this purpose, shall have the same powers as are conferred upon the board by the provisions of § 17-  
16 14-14. If any challenged signature is found to be invalid, for any reason in law, or forged, then the  
17 signature shall not be counted.

18 **17-14-12. Filing of nomination papers.**

19 All nomination papers for state offices or officers and all certified lists of candidates for  
20 local offices or officers shall be filed in the office of the secretary of state (the certified lists by the  
21 respective local boards), not later than fifty-four (54) days before the date of the primary held to  
22 nominate candidates for general election; but when there is a primary to nominate candidates for  
23 any office mentioned in § 17-15-7 to be voted upon at a special election for state and local office,  
24 all nomination papers and lists of local candidates shall be filed in the office on or before the twenty-  
25 sixth (26th) day preceding the day of the special primary election, or when there is a primary to  
26 nominate candidates for any office listed in § 17-15-7 to be voted upon at a special election for  
27 federal office, all nomination papers and lists of local candidates shall be filed in the office on or  
28 before the forty-ninth (49th) day preceding the day of the special primary election. Nomination  
29 papers for independent presidential candidates and presidential candidates of political parties other  
30 than those defined in § 17-1-2(9) shall be filed in the office of the secretary of state by the local  
31 boards of canvassers not later than ~~fifty-four (54)~~ sixty-one (61) days before the date of the election.

32 **17-14-13. Objections to eligibility of candidate or sufficiency of papers.**

33 When nomination papers have been duly filed and are in apparent conformity with § 17-  
34 14-11, they shall be conclusively presumed to be valid, unless written objections to them are made

1 as to the eligibility of the candidate or the sufficiency of the nomination papers or the signatures on  
2 them. [All objections for local candidates shall be filed at the local board by four o'clock \(4:00\) p.m.](#)  
3 [on the fifty-sixth \(56th\) day before the primary.](#) All objections [for federal and state candidates](#) shall  
4 be filed in the office of the secretary of state ~~or of the local board, as the case may be,~~ by four  
5 o'clock (4:00) p.m. on the ~~next business day after the last day fixed for filing nomination papers in~~  
6 ~~the appropriate office as provided in this chapter~~ [fifty-third \(53<sup>rd</sup>\) day before the primary.](#) Nothing  
7 in this section shall be construed to prevent the secretary of state or the local board, as the case may  
8 be, from disqualifying a candidate based on the determination of the secretary of state or the local  
9 board, acting on its own motion, that the candidate is ineligible or the nomination papers or the  
10 signatures on them are invalid or insufficient.

11 **17-14-14. Hearings on objections — Witnesses — Notice.**

12 (a) All objections to nomination papers which are required to be filed with the secretary of  
13 state shall be considered by the state board. The secretary of state shall, when requested by the state  
14 board, immediately deliver to the board the nomination papers to which objection has been filed.  
15 The state board may, at the hearing on the objections, summon witnesses, administer oaths, and  
16 require the production of books, papers, and documents. The witnesses shall be summoned in the  
17 same manner, be paid the same fees, and be subject to the same penalties for default as witnesses  
18 before the superior court. A summons may be sworn to and an oath may be administered by the  
19 board. When an objection has been filed, notice of the objection shall be immediately given by  
20 registered or certified mail or by personal service by the state board to the candidates, addressed to  
21 the residence of the candidate as given in the nomination papers, and to any party committee  
22 interested in the nomination to which objection is made.

23 (b) Additional notice may also be given by the state board if it sees fit to do so. The decision  
24 of the board shall be rendered within two (2) days, [for nomination papers for candidates](#)  
25 [participating in a primary election and thirty \(30\) days for nomination papers for candidates not](#)  
26 [participating in a primary election,](#) exclusive of Sundays and holidays, after filing of objections and  
27 shall immediately be certified by the state board to the secretary of state.

28 (c) All objections to nomination papers for other than state officers shall be considered by  
29 the local board in the same manner and with the same effect as provided in subsection (a) of this  
30 section for hearing of objections to nomination papers for state officers by the state board.

31 SECTION 2. Section 17-15-1 of the General Laws in Chapter 17-15 entitled "Primary  
32 Elections" is hereby amended to read as follows:

33 **17-15-1. Date of primaries.**

34 A primary election for the nomination of candidates for each political party shall be held

1 in each voting district in the manner provided in this chapter on the ~~eighth~~ ninth Tuesday preceding  
2 biennial state elections. Provided, however, that if the ninth Tuesday is the day after Labor Day,  
3 then the primary election shall be held on the very next day, the Wednesday.

4 SECTION 3. This act shall take effect on January 1, 2025.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT  
CANDIDATES

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- 1           This act would amend various sections of the law relating to declarations of candidacy and
- 2 nomination papers and would amend the date for primary elections.
- 3           This act would take effect on January 1, 2025.

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