

2025 -- H 5519

LC000476

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ELECTIONS -- AGREEMENT AMONG THE STATES TO ELECT THE  
PRESIDENT BY NATIONAL POPULAR VOTE

Introduced By: Representatives Newberry, Edwards, Chippendale, Azzinaro, Roberts,  
Paplauskas, Fascia, Corvese, J. Brien, and Casey

Date Introduced: February 13, 2025

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 17-4.2 of the General Laws entitled "Agreement Among the States  
2 to Elect the President by National Popular Vote" is hereby repealed in its entirety.

3 ~~CHAPTER 17-4.2~~

4 ~~Agreement Among the States to Elect the President by National Popular Vote~~

5 ~~17-4.2-1. Compact enacted.~~

6 ~~The interstate compact entitled the "Agreement Among the States to Elect the President by~~  
7 ~~National Popular Vote" is hereby enacted into law and entered into with all other jurisdictions~~  
8 ~~legally joining therein in the form substantially as follows:~~

9 ~~ARTICLE I. MEMBERSHIP.~~

10 ~~Any state of the United States and the District of Columbia may become a member of this~~  
11 ~~agreement by enacting this agreement.~~

12 ~~ARTICLE II. RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR~~  
13 ~~PRESIDENT AND VICE PRESIDENT.~~

14 ~~Each member state shall conduct a statewide popular election for president and vice~~  
15 ~~president of the United States.~~

16 ~~ARTICLE III. MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN~~  
17 ~~MEMBER STATES.~~

18 ~~Prior to the time set by law for the meeting and voting by the presidential electors, the chief~~

1 ~~election official of each member state shall determine the number of votes for each presidential~~  
2 ~~slate in each state of the United States and in the District of Columbia in which votes have been~~  
3 ~~cast in a statewide popular election and shall add such votes together to produce a “national popular~~  
4 ~~vote total” for each presidential slate.~~

5 ~~The chief election official of each member state shall designate the presidential slate with~~  
6 ~~the largest national popular vote total as the “national popular vote winner.”~~

7 ~~The presidential elector certifying official of each member state shall certify the~~  
8 ~~appointment in that official’s own state of the elector slate nominated in that state in association~~  
9 ~~with the national popular vote winner.~~

10 ~~At least six (6) days before the day fixed by law for the meeting and voting by the~~  
11 ~~presidential electors, each member state shall make a final determination of the number of popular~~  
12 ~~votes cast in the state for each presidential slate and shall communicate an official statement of~~  
13 ~~such determination within twenty four (24) hours to the chief election official of each other member~~  
14 ~~state.~~

15 ~~The chief election official of each member state shall treat as conclusive an official~~  
16 ~~statement containing the number of popular votes in a state for each presidential slate made by the~~  
17 ~~day established by federal law for making a state’s final determination conclusive as to the counting~~  
18 ~~of electoral votes by Congress.~~

19 ~~In event of a tie for the national popular vote winner, the presidential elector certifying~~  
20 ~~official of each member state shall certify the appointment of the elector slate nominated in~~  
21 ~~association with the presidential slate receiving the largest number of popular votes within that~~  
22 ~~official’s own state.~~

23 ~~If, for any reason, the number of presidential electors nominated in a member state in~~  
24 ~~association with the national popular vote winner is less than or greater than that state’s number of~~  
25 ~~electoral votes, the presidential candidate on the presidential slate that has been designated as the~~  
26 ~~national popular vote winner shall have the power to nominate the presidential electors for that~~  
27 ~~state and that state’s presidential elector certifying official shall certify the appointment of such~~  
28 ~~nominees.~~

29 ~~The chief election official of each member state shall immediately release to the public all~~  
30 ~~vote counts or statements of votes as they are determined or obtained.~~

31 ~~This article shall govern the appointment of presidential electors in each member state in~~  
32 ~~any year in which this agreement is, on July 20, in effect in states cumulatively possessing a~~  
33 ~~majority of the electoral votes.~~

34 ~~ARTICLE IV. OTHER PROVISIONS.~~

1           ~~This agreement shall take effect when states cumulatively possessing a majority of the~~  
2 ~~electoral votes have enacted this agreement in substantially the same form and the enactments by~~  
3 ~~such states have taken effect in each state.~~

4           ~~Any member state may withdraw from this agreement, except that a withdrawal occurring~~  
5 ~~six (6) months or less before the end of a president's term shall not become effective until a~~  
6 ~~president or vice president shall have been qualified to serve the next term.~~

7           ~~The chief executive of each member state shall promptly notify the chief executive of all~~  
8 ~~other states of when this agreement has been enacted and has taken effect in that official's state,~~  
9 ~~when the state has withdrawn from this agreement, and when this agreement takes effect generally.~~

10           ~~This agreement shall terminate if the electoral college is abolished.~~

11           ~~If any provision of this agreement is held invalid, the remaining provisions shall not be~~  
12 ~~affected.~~

13           ~~ARTICLE V. DEFINITIONS.~~

14           ~~For purposes of this agreement:~~

15           ~~(1) "Chief executive" shall mean the governor of a state of the United States or the mayor~~  
16 ~~of the District of Columbia;~~

17           ~~(2) "Elector slate" shall mean a slate of candidates who have been nominated in a state for~~  
18 ~~the position of presidential elector in association with a presidential slate;~~

19           ~~(3) "Chief election official" shall mean the state official or body that is authorized to certify~~  
20 ~~the total number of popular votes for each presidential slate;~~

21           ~~(4) "Presidential elector" shall mean an elector for president and vice president of the~~  
22 ~~United States;~~

23           ~~(5) "Presidential elector certifying official" shall mean the state official or body that is~~  
24 ~~authorized to certify the appointment of the state's presidential electors;~~

25           ~~(6) "Presidential slate" shall mean a slate of two (2) persons, the first of whom has been~~  
26 ~~nominated as a candidate for president of the United States and the second of whom has been~~  
27 ~~nominated as a candidate for vice president of the United States, or any legal successors to such~~  
28 ~~persons, regardless of whether both names appear on the ballot presented to the voter in a particular~~  
29 ~~state;~~

30           ~~(7) "State" shall mean a state of the United States and the District of Columbia; and~~

31           ~~(8) "Statewide popular election" shall mean a general election in which votes are cast for~~  
32 ~~presidential slates by individual voters and counted on a statewide basis.~~

1 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 repeal authorizing Rhode Island to join an interstate compact, which would  
2 allow Presidents and Vice Presidents to be elected by a national popular vote rather than the  
3 electoral college.

4           This act would take effect upon passage.

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