

2025 -- S 0283

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Senator E Morgan

Date Introduced: February 13, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-2.1 of the General Laws in Chapter 17-20 entitled "Mail  
2 Ballots" is hereby amended to read as follows:

3 **17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.**

4 (a) Any legally qualified elector of this state whose name appears upon the official voting  
5 list of the city, town, or district of the city or town where the elector is qualified, and who desires  
6 to avail himself or herself of the right granted to him or her by the Constitution and declared in this  
7 chapter, may obtain from the local board in the city or town a form prepared by the secretary of  
8 state as prescribed in this section, setting forth the elector's application for a mail ballot or may  
9 apply online in accordance with § 17-20-2.3.

10 (b) Whenever any person is unable to sign their name because of blindness, disability, or  
11 inability to read or write, the voter or their assistant shall mark a box to indicate the voter cannot  
12 sign due to blindness, disability, or inability to read or write and include the full name, residence  
13 address, signature, and optionally the telephone number and e-mail address, of the person who  
14 provided assistance to the voter on a form provided by the secretary of state. The representation  
15 relating to the voter's inability to sign shall be made under the pains and penalties of perjury.

16 (c) To receive a ballot in the mail, an elector must submit an application in person or by  
17 mail, so that it is received by the local board, or received electronically through the portal  
18 established by § 17-20-2.3, not later than four o'clock (4:00) p.m. on the twenty-first (21st) day  
19 before the day of any election referred to in § 17-20-1. In those cases where an application to receive

1 a mail ballot is postmarked by the twenty-first (21st) day before the date of an election and received  
2 not later than eighteen (18) days before the date of an election, the application shall be considered  
3 received on or prior to the last day to apply for a mail ballot.

4 (d) In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in  
5 order to be valid, must have been cast in conformance with the following procedures:

6 (1) All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the  
7 Rhode Island address provided by the elector on the application. In order to be valid, the voter must  
8 affix their signature on all certifying envelopes containing a voted ballot.

9 (2) All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the  
10 name and location of the hospital, convalescent home, nursing home, or similar institution where  
11 the elector is confined. All mail ballots issued pursuant to § 17-20-2(2) shall be delivered to the  
12 elector at the hospital, convalescent home, nursing home, or similar institution where the elector is  
13 confined.

14 (3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed to the address provided  
15 by the elector on the application or sent to the board of canvassers in the city or town where the  
16 elector maintains their voting residence. In order to be valid, the voter must affix their signature on  
17 the certifying envelope containing voted ballots. Any voter qualified to receive a mail ballot  
18 pursuant to § 17-20-2(3) shall also be entitled to cast a ballot pursuant to the provisions of United  
19 States Public Law 99-410, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

20 (4) All mail ballots issued pursuant to § 17-20-2(4) may be mailed to the elector at the  
21 address within the United States provided by the elector on the application or sent to the board of  
22 canvassers in the city or town where the elector maintains their voting residence. In order to be  
23 valid, the voter must affix their signature on all certifying envelopes containing a voted ballot. In  
24 order to be valid, all ballots sent to the elector at the board of canvassers, must be voted in  
25 conformance with the provisions of § 17-20-14.2.

26 (e) Any person knowingly and willfully making a false application or certification, or  
27 knowingly and willfully aiding and abetting in the making of a false application or certification,  
28 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

29 (f) Except as set forth in subsection (g) of this section, no person shall offer to mail or mail  
30 another person's mail ballot. This prohibition does not apply to the spouse, court-appointed  
31 guardian, cohabitant, or any adult person related by blood or marriage to the person voting by a  
32 mail ballot. Any person who violates the provisions of this subsection, shall be guilty of a  
33 misdemeanor and shall be subject to the penalties set forth in § 17-26-2.

34 ~~(f)~~(g) In no way shall a mail ballot application be disqualified if the voter's circumstances

1 change between the time of making the application and voting their mail ballot as long as the voter  
2 remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board of  
3 canvassers shall provide the state board of elections with written notification of any change in  
4 circumstances to a mail ballot voter.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
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1           This act would require that only the mail ballot voter, their spouse, court appointed  
2 guardian, cohabitant, or any adult person related to the voter by blood or marriage, be allowed to  
3 physically mail the voted mail ballot. A violation would be a misdemeanor punishable by  
4 imprisonment not to exceed one year or a fine not to exceed one thousand dollars (\$1,000), or both.

5           This act would take effect upon passage.

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