

LC004115

**IN GENERAL ASSEMBLY**

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## RELATING TO ELECTIONS -- RHODE ISLAND FUSION VOTING ACT

Referred To: House State Government & Elections

(2) The candidate files a written acceptance of such nomination, as provided in this chapter.

1       (b) No political party shall be required to nominate the same candidate, as any other  
2 political party.

3       **17-31-4. Acceptance of multiple nominations.**

4       (a) A person who is nominated by more than one political party, for the same office shall,  
5 within ten (10) days after receiving written notice of each such nomination, file, in-person or  
6 electronically, with the appropriate authority, a certificate signed and acknowledged by the  
7 candidate, indicating acceptance or declination of each nomination.

8       (b) If a candidate fails to file an acceptance of a nomination from a political party other  
9 than the party in which the candidate is enrolled, the nomination shall be null and void.

10       (c) A person who has been nominated by one or more political parties may not seek  
11 nomination by the petition process as an independent candidate for the same office.

12       **17-31-5. Form and preparation of ballots.**

13       (a) The names of all candidates nominated by any party or independent body for an office  
14 shall appear in the row or column, containing generally the names of candidates nominated by such  
15 party or independent body for other offices.

16       (b) When the same person has been nominated for an office by more than one party, the  
17 person's name shall appear in each row or column containing generally the names of candidates for  
18 other offices nominated by any such party.

19       (c) When a candidate appears on the ballot, as the nominee of more than one political party,  
20 a voter may vote for that candidate on any one of the party lines on which the candidate's name  
21 appears. All votes cast for that candidate, regardless of which party line they appear on, shall be  
22 counted and combined as votes for that candidate.

23       (d) The ballot shall be designed to allow voters who vote for a candidate nominated by  
24 multiple parties, to vote for that candidate, under the party line of their choice.

25       (e) All ballots designed for fusion voting shall:

26       (1) Comply with the Help America Vote Act (HAVA) accessibility requirements;

27       (2) Include clear instructions for voters explaining fusion voting; and

28       (3) Be designed to ensure voters cannot inadvertently vote for the same candidate multiple  
29 times.

30       (f) The secretary of state, in consultation with the state board of elections, shall develop a  
31 uniform ballot design, that accommodates fusion voting while maintaining clarity and usability.

32       **17-31-6. Counting and canvassing of votes.**

33       (a) Votes cast for a candidate who has been nominated by more than one political party  
34 shall be counted separately by political party, as in the normal course of tallying election results.

1       **(b) After the separate tallying, the votes for such candidate shall be combined, and the**  
2 **combined total shall be the final vote count for that candidate.**

3       **(b) Both the separate party-line vote totals and the combined total shall be recorded and**  
4 **reported in the official election results.**

5       **(d) For purposes of determining whether a party qualifies as a "political party" as defined**  
6 **in § 17-1-2(9), votes cast on that party's line shall be counted toward that party's total, regardless**  
7 **of whether the candidate also appeared on other party lines.**

8       **(e) In the event of a recount, votes shall be recounted by party line, before being combined.**

9       **(f) Official certification of election results shall include both:**

10       **(1) The total votes received by each candidate; and**

11       **(2) A breakdown of votes received by each candidate on each party line.**

12       **17-31-7. Severability.**

13       **If any provision of this chapter or its application to any person or circumstance is held**  
14 **invalid, the remainder of the chapter or the application of the provision to other persons or**  
15 **circumstances shall not be affected.**

16       SECTION 2. Chapter 17-19 of the General Laws entitled "Conduct of Election and Voting  
17 Equipment, and Supplies" is hereby amended by adding thereto the following section:

18       **17-19-55. Fusion voting.**

19       **The voting equipment shall be programmed to allow a candidate's name to appear on the**  
20 **ballot multiple times as the nominee of more than one political party, for the same office when**  
21 **permitted by law. The voting equipment shall be programmed to:**

22       **(1) Display each candidate's name once for each party nominating that candidate;**

23       **(2) Allow voters to select a candidate on any party line;**

24       **(3) Prevent a voter from voting more than once for the same candidate; and**

25       **(4) Tally votes for each candidate by party line and in total.**

26       SECTION 3. Section 17-1-2 of the General Laws in Chapter 17-1 entitled "General  
27 Provisions" is hereby amended to read as follows:

28       **17-1-2. Definitions.**

29       For the purposes this title, except as may otherwise be required by the context:

30       (1) "Election" means the filling of any public office or the determination of any public  
31 question by vote of the electorate, and includes without limitation any state, town, or city office or  
32 question, and any political party primary election for the nomination of any candidate for public  
33 office; except that it shall not include a financial town meeting or a meeting to elect officers of a  
34 fire, water, or sewer district;

1           (2) “General election” means an election held on the first Tuesday next after the first  
2 Monday in November in even numbered years for the election of members of the general assembly  
3 and/or for the election of general officers, and/or for the election of presidential electors for  
4 president/vice-president of the United States;

5           (3) “General officer” means an officer designated as a general officer by chapter 2 of this  
6 title;

7           (4) “Independent candidate” means a candidate who has no affiliation with any political  
8 party;

9           (5) “Local board” means a town or city board of canvassers, board of canvassers and  
10 registration, canvassing authority, or any other local board, commission, or officer empowered by  
11 law to have custody of the permanent registration records;

12           (6) “Local election” means any election limited to the electorate of any city or town, or any  
13 part, at which any city, town, ward, or district officers are to be chosen, or any elective meeting at  
14 which a question is to be submitted to the voters of a city, town, or any subdivision of a city or  
15 town, but it shall not include a financial town meeting;

16           (7) “Party member” means any person who is a member of a designated political party  
17 pursuant to § 17-9.1-23;

18           (8) “Party voter” means any qualified voter who is eligible to vote at the primary election  
19 of a political party;

20           (9) “Political party” or “party” means: (i) any political organization which, at the next  
21 preceding general election for the election of general officers, nominated a candidate for governor,  
22 and whose candidate for governor at the election polled at least ~~five percent (5%)~~ one percent (1%)  
23 of the entire vote cast in the state for governor, or (ii) any political organization which at the next  
24 preceding general election for the election of a president of the United States nominated a candidate  
25 for president and whose candidate for president at the election polled at least ~~five percent (5%)~~ one  
26 percent (1%) of the entire vote cast in the state for president, or (iii) any political organization  
27 which, on petition forms provided to the chairperson of the organization by the state board of  
28 elections, obtains the signatures and addresses of that number of registered qualified voters equal  
29 to ~~five percent (5%)~~ one percent (1%) of the entire vote cast in the state for governor or president  
30 in the immediately preceding general election. All the signatures must be obtained no earlier than  
31 January 1 of the year in which the political organization desires to place a candidate or candidates  
32 on any ballot as a “party” candidate. If the political organization wishes to select its nominees in a  
33 primary election, the petitions, bearing the requisite number of valid signatures, shall be presented  
34 to the appropriate local boards of canvassers no later than June 1 of the same year. If the petitions

1 are validated by the local boards as containing the requisite number of valid signatures, the political  
2 organization shall be deemed to be a political party for all elections held during the year and may  
3 select its nominees in a primary election. If the political organization does not wish to select its  
4 nominees in a primary election, then the petitions need not be returned to local boards of canvassers  
5 until August 1 of the same year. An organization qualifying as a political party through the petition  
6 process shall qualify as a political party only during the year in which signatures are obtained unless  
7 the candidates for governor or president of the United States of the party at a general election held  
8 in the year, shall receive ~~five percent (5%)~~ one percent (1%) of the vote as provided in this  
9 subdivision for either governor or president of the United States. If the candidates do not receive  
10 ~~five percent (5%)~~ one percent (1%) of the vote, the organization shall no longer qualify as a political  
11 party unless and until it shall, in a subsequent year, once again qualify by the submission of  
12 petitions;

13 (10) "Polling place" means the room in which any election or elective meeting is  
14 conducted;

15 (11) "Primary election" means any election to select the candidates of a political party;

16 (12) "Proposition" or "public question" means any question put to a referendum of the  
17 electorate of the entire state or any part of it;

18 (13) "Qualified voter" means any person who is eligible to vote under the requirements of  
19 age, residence, and citizenship prescribed by the state constitution and who is duly registered to  
20 vote, or who is exempt from registration, pursuant to this title, and who is not otherwise disqualified  
21 as a voter pursuant to law;

22 (14) "Special election" means any election other than a local election or primary election  
23 which is not held on a general election day;

24 (15) "State board" means the state board of elections constituted pursuant to this title;

25 (16) "State election" means any election at which any presidential electors, senator or  
26 representatives in congress, general officers of the state, or members of the general assembly are to  
27 be chosen, or at which a public question or an amendment to the Constitution is submitted to the  
28 electors of the state;

29 (17) "State officer" means the governor, lieutenant governor, secretary of state, attorney  
30 general, general treasurer, state senator, and state representative;

31 (18) "Vacancy in office" means the condition resulting from any failure to elect or appoint  
32 an eligible and qualified person to public office, or the failure of any person duly elected or  
33 appointed to qualify, or from the death, resignation, or removal of an incumbent prior to the  
34 expiration of his or her term of office and where no fixed term is prescribed upon the death,

1 resignation, or removal;

2 (19) "Voting list" means the complete list of all voters prepared from the information  
3 contained in the original permanent registration records in the possession of the local board of  
4 canvassers;

5 (20) "Warden" includes "moderator" and vice versa;

6 (21) Words importing the masculine gender shall include the feminine gender.

7 SECTION 4. Section 17-14-1.1 of the General Laws in Chapter 17-14 entitled "Nomination  
8 of Party and Independent Candidates" is hereby amended to read as follows:

9 **17-14-1.1. Party affiliation.**

10 (a) Whenever any person seeks elective office, that person shall not have been a member  
11 of a political party other than the declared political party within ninety (90) days of the filing of  
12 their declaration of candidacy, except for a special election for federal office, or for an election for  
13 federal office regularly scheduled for a time other than the biennial general statewide election, that  
14 person shall not have been a member of a political party other than the declared political party  
15 within thirty (30) days of the filing of their declaration of candidacy.

16 (b) Any person who is a member of a party may seek to be a candidate for nomination for  
17 the same office by more than one party; provided that, the person:

18 (1) Is a registered voter in the appropriate district or municipality;

19 (2) Is affiliated with at least one of the parties from which nomination is sought; and

20 (3) Files a written acceptance of the additional party nomination(s), as provided in chapter  
21 30 of this title.

22 SECTION 5. Chapter 17-7 of the General Laws entitled "State Board of Elections" is  
23 hereby amended by adding thereto the following section:

24 **17-7-10. Implementation timeline for fusion voting.**

25 In order to implement fusion voting pursuant to chapter 31 of title 17, the state board of  
26 elections shall:

27 (1) In accordance with chapter 35 of title 42, develop and adopt rules and regulations  
28 implementing the provisions of chapter 31 of title 17, effective January 1, 2029;

29 (2) Provide regular training to local boards of canvassers on fusion voting procedures; and

30 (3) Conduct a public education campaign explaining fusion voting to voters beginning no  
31 later than November 1, 2028.

- 1           SECTION 6. Section 5 of this act shall take effect on passage.
- 2           Sections one through four (4) of this act shall take effect on January 1, 2029.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- RHODE ISLAND FUSION VOTING ACT

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- 1           This act would establish fusion voting in Rhode Island, allowing candidates to appear on  
2 ballots as nominees of multiple political parties, for the same office. The act would create  
3 comprehensive procedures for: (1) Cross-endorsement nominations and candidate acceptance; (2)  
4 Ballot design requirements with accessibility standards; (3) Vote tabulation that preserves separate  
5 party-line totals, while combining votes for final results; (4) Implementation requirements for  
6 voting equipment. The act also would reduce the threshold for political party qualification, from  
7 five percent (5%) to one percent (1%) of votes in statewide elections.
- 8           Sections 5 of this act would take effect on passage.
- 9           Section one through four (4) of this act would take effect on January 1, 2029.

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