

2010 -- H 7526

LC01682

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO ELECTIONS - ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE
VICTIMS

Introduced By: Representatives E Coderre, Naughton, Giannini, and Shallcross Smith

Date Introduced: February 23, 2010

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-28-2 and 17-28-3 of the General Laws in Chapter 17-28 entitled
2 "Address Confidentiality for Victims of Domestic Violence" are hereby amended to read as
3 follows:

4 **17-28-2. Definitions. --** Unless the context clearly requires otherwise, the definitions in
5 this section apply throughout this chapter.

6 (a) "Address" means a residential street address, of an individual, as specified on the
7 individual's application to be a program participant under this chapter.

8 (b) "Program participant" means a person certified as a program participant under section
9 17-28-3.

10 (c) "Victim of domestic violence" means an individual who has a restraining order issued
11 by the family, superior, or district court pursuant to sections 15-15-1, 15-15-9, or 8-8.1-3 or a
12 domestic violence no contact order issued by the superior or district court pursuant to section 12-
13 29-4 or a restraining order or no contact order issued by a court in another state for their
14 protection and any individual living within the same household as the recipient of the restraining
15 order [or no contact order](#).

16 **17-28-3. Address confidentiality program -- Application -- Certification. --** (a) An
17 adult person who is a victim of domestic violence and any member of his/her household may
18 apply to the secretary of state to have an address designated by the secretary of state serve as the

1 person's address. The secretary of state shall approve an application if it is filed in the manner and
2 on the form prescribed by the secretary of state and if it contains:

3 (1) A sworn statement by the applicant:

4 (i) That the applicant is a victim of domestic violence, as defined in section 17-28-2(c) of
5 this chapter;

6 (ii) That the applicant fears for his or her safety or his or her children's safety, or;

7 (iii) That the applicant resides in the same household as a victim of domestic violence, as
8 defined in subsection 17-28-2(c); and

9 (iv) That the individual who committed the domestic violence has knowledge that the
10 applicant lives in the same household as the victim of domestic violence, as defined in subsection
11 17-28-2(c).

12 (2) The mailing address where the applicant can be contacted by the secretary of state,
13 and the phone number or numbers where the applicant can be called by the secretary of state;

14 (3) The new address or addresses that the applicant requests not be disclosed for the
15 reason that disclosure will increase the risk of domestic violence;

16 (4) The signature of the applicant, and of any individual or representative of any office
17 designated in writing under section 17-28-6 who assisted in the preparation of the application,
18 and the date on which the applicant signed the application.

19 (b) Applications shall be filed with the office of the secretary of state.

20 (c) Upon filing a properly completed application, the secretary of state shall certify the
21 applicant as a program participant. Applicants shall be certified for four (4) years following the
22 date of filing unless the certification is withdrawn or invalidated before that date. The secretary of
23 state shall establish by rule a renewal procedure.

24 (d) A person who falsely attests in an application that disclosure of the applicant's
25 address would endanger the applicant's safety or the safety of the applicant's children, or who
26 knowingly provides false or incorrect information upon making an application, shall be punished
27 by a fine of not more than five hundred dollars (\$500).

28 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 include victims of domestic violence who have secured "no contact
- 2 orders" in the address confidentiality law.
- 3 This act would take effect upon passage.

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