

2022 -- H 7830

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Introduced By: Representatives P Morgan, Roberts, and Quattrocchi

Date Introduced: March 04, 2022

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-8-6 of the General Laws in Chapter 3-8 entitled "Regulation of
2 Sales" is hereby amended to read as follows:

3 **3-8-6. Unlawful drinking and misrepresentation by underage persons -- Identification**
4 **cards for persons twenty-one and older.**

5 (a) It is unlawful for:

6 (1) A person who has not reached his or her twenty-first (21st) birthday to enter any
7 premises licensed for the retail sale of alcoholic beverages for the purpose of purchasing or having
8 served or delivered to him or her alcoholic beverages; or

9 (2) A person who has not reached his or her twenty-first (21st) birthday to consume any
10 alcoholic beverage on premises licensed for the retail sale of alcoholic beverages or to purchase,
11 attempt to purchase, or have another purchase for him or her any alcoholic beverage; or

12 (3) A person to misrepresent or misstate his or her age, or the age of any other persons, or
13 to misrepresent his or her age through the presentation of any of the following documents:

14 (i) An armed service identification card, valid passport, the identification card license, or
15 any other documentation used for identification purposes that may belong to any other person who
16 is twenty-one (21) years or older;

17 (ii) A motor vehicle operator's license that bears the date of birth of the licensee and that is
18 issued by this state or any other state;

19 (iii) A Rhode Island identification card, as defined in subsection (b), for the purpose of

1 inducing any licensee, or any employee of any licensee, to sell, serve, or deliver any alcoholic
2 beverage to a minor.

3 (b)(1) The administrator of the division of motor vehicles shall issue to any person who
4 has reached his or her twenty-first (21st) birthday a Rhode Island identification card upon payment
5 of a fee of twenty-five dollars (\$25), and, upon presentation of a certified birth or baptismal
6 certificate, or U.S. or foreign passport, or U.S. naturalization certificate or a valid immigrant or
7 refugee document issued by the United States Citizenship and Immigration Services, including, but
8 not limited to, any one of the following: Form I-551, Form I-94, Form I-688A, Form I-688, and a
9 form evidencing that the applicant is a current or past recipient of a grant of deferred action under
10 the Deferred Action for Childhood Arrivals program, together with a document bearing the
11 applicant's signature.

12 (i) All Rhode Island identification cards issued to noncitizens shall contain a large "FN"
13 barcode across the face of the card. This required marking designates the holder as a foreign
14 national, who is ineligible to vote. The barcode on the identification card will be coded to prevent
15 its use for registering to vote or for voting.

16 (2) A person who has reached his or her fifty-ninth (59th) birthday is not required to pay
17 the fee.

18 (3) Each registration card shall be subject to renewal every five (5) years upon payment of
19 a fee of twenty-five dollars (\$25).

20 (4) No person who holds an operator's license issued by this state or any other state shall
21 be issued a Rhode Island identification card.

22 (5) The identification card shall be signed by the administrator of the division of motor
23 vehicles and by the applicant and his or her picture shall appear on the card along with the required
24 information and the card shall be encased in laminated plastic. The card shall be two inches (2") in
25 height and four inches (4") in length and shall be printed in the following form:

26 RHODE ISLAND IDENTIFICATION CARD

27 Date Issued No.....

28 First Name Middle Name Last Name

29

30 Address

31

32 BIRTH RECORD

33 Month.....Day.....Year.....

34 Secure Photo by Pasting here Color of hair Color of eyes Sex Ht Wt.

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Issued by
Administrator of the Division of Motor Vehicles
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.....
Administrator

(6) The identification cards shall be produced at the adult correctional institutions if they have facilities to do so; if the adult correctional institutions have no facilities to do so, then all cards shall be manufactured by the lowest responsible bidder following advertisement for the solicitation of bids.

(7) The identification cards shall be clearly distinguishable from those issued pursuant to § 3-8-6.1 and operators' and chauffeurs' licenses issued pursuant to title 31.

(8) Any person who has been designated as permanently and totally disabled by the social security administration or who upon certification by an optometrist, ophthalmologist, or physician that a holder of a valid and current motor vehicle operator's license is no longer able to operate a motor vehicle, the administrator of the division of motor vehicles shall issue to such person, upon request, a Rhode Island identification card for the unexpired term of the person's motor vehicle operator's license at no additional cost. Thereafter, a renewal of such card shall be subject to the standard renewal charge of twenty-five dollars (\$25) until the person shall reach his or her fifty-ninth (59th) birthday.

(9) The administrator of the division of motor vehicles shall, upon presentation of a United States Department of Defense (DD) FORM 214 or other acceptable documentation of military service and verification of an honorable discharge, issue an identification card to the presenter that is clearly marked "veteran," at no additional cost.

(c)(1) Every retail Class A, B, C, and D licensee shall cause to be kept a book or photographic reproduction equipment that provides the same information as required by the book. That licensee or the licensee's employee shall require any person who has shown a document as set forth in this section substantiating his or her age to sign that book or to permit the taking of his or her photograph and indicate what document was presented. Use of the photographic reproduction equipment is voluntary for every Class A, B, C and D licensee.

(2) The sign-in-as-minor book and photographic reproduction equipment shall be prescribed, published, and approved at the direction and control of the division. The book shall contain at least four hundred (400) pages; shall be uniform throughout the state; and shall be

1 distributed at a cost not to exceed seven dollars (\$7.00).

2 (3) If a person whose age is in question signs the sign-in-as-minor book or has a photograph
3 taken before he or she is sold any alcoholic beverage and it is later determined that the person had
4 not reached his or her twenty-first (21st) birthday at the time of sale, it is considered prima facie
5 evidence that the licensee and/or the licensee's agent or servant acted in good faith in selling any
6 alcoholic beverage to the person producing the document as set forth in this section misrepresenting
7 his or her age.

8 (4) Proof of good-faith reliance on any misrepresentation is a defense to the prosecution of
9 the licensee and/or the licensee's agent or servant for an alleged violation of this section.

10 (d)(1) Any person who violates this section shall be punished for the first offense by a
11 mandatory fine of not less than one hundred dollars (\$100) nor more than five hundred dollars
12 (\$500) and shall be further punished by thirty (30) hours of community service and shall be further
13 punished by a suspension of his or her motor vehicle operator's license or driving privileges for a
14 period of thirty (30) days; for the second offense by a mandatory fine of not less than five hundred
15 dollars (\$500) nor more than seven hundred fifty dollars (\$750) and shall be further punished by
16 forty (40) hours of community service and will be further punished by a suspension of his or her
17 motor vehicle operator's license or driving privileges for a period of three (3) months; and for the
18 third and subsequent offenses by a mandatory fine for each offense of not less than seven hundred
19 fifty dollars (\$750) nor more than one thousand dollars (\$1,000) and shall be further punished by
20 fifty (50) hours of community service and will be further punished by a suspension of his or her
21 motor vehicle operator's license or driving privileges for a period of one year.

22 (2) Any suspension of an operator's license or driving privilege pursuant to this section
23 shall not operate to affect the insurance rating of the offender and any operator's license or driving
24 privilege suspended pursuant to this section shall be reinstated without further expense upon
25 application.

26 (e) Within thirty (30) days after this incident the police chief of the city or town where the
27 incident took place is directed to inform, in writing, the department of business regulation whether
28 or not charges in accordance with this section have been preferred against a person who has not
29 reached his or her twenty-first (21st) birthday and has violated this section. If no charge is brought
30 against any person who has not reached his or her twenty-first (21st) birthday and has violated the
31 provisions of this section, then the police chief of the city or town where the incident took place
32 will state the reason for his or her failure to charge the person who has not reached his or her twenty-
33 first (21st) birthday.

34 (f) The Rhode Island identification card may be withdrawn at any time for just cause, at

1 the discretion of the administrator of the division of motor vehicles. The administrator of the
2 division of motor vehicles shall keep a record of the cards issued and each card shall contain an
3 identification number specifically assigned to the person to whom the card was issued.

4 (g) Issuance of a Rhode Island identification card under this section to a current or past
5 recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA)
6 program shall not confer the right to vote in the state of Rhode Island.

7 SECTION 2. Sections 17-20-2.1, 17-20-16 and 17-20-26 of the General Laws in Chapter
8 17-20 entitled "Mail Ballots" are hereby amended to read as follows:

9 **17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.**

10 (a) Any legally qualified elector of this state whose name appears upon the official voting
11 list of the city, town, or district of the city or town where the elector is qualified, and who desires
12 to avail himself or herself of the right granted to him or her by the Constitution and declared in this
13 chapter, may obtain, no earlier than thirty (30) days before the election, from the local board in the
14 city or town an affidavit form prepared by the secretary of state as prescribed in this section, setting
15 forth the elector's application for a mail ballot. The mail ballot shall also be available from the local
16 board of canvassers and the secretary of state's office.

17 (b) Whenever any person is unable to sign his or her name because of physical incapacity
18 or otherwise, that person shall make his or her mark "X".

19 (c) The application, when duly executed, shall be delivered in person or by mail so that it
20 is received by the local board not later than four o'clock (4:00) p.m. on the twenty-first (21st) day
21 before the day of any election referred to in § 17-20-1.

22 (d) In addition to those requirements set forth elsewhere in this chapter, the voter's mail
23 ballot application signature shall be verified before it may be sent to the voter and a mail ballot, in
24 order to be valid, must have been cast in conformance with the following procedures:

25 (1) All mail ballots issued pursuant to subdivision 17-20-2(1) shall be mailed to the elector
26 at the Rhode Island address provided by the elector on the application. In order to be valid, the
27 signature on all certifying envelopes containing a voted ballot must be made before a notary public
28 or before two (2) witnesses who shall set forth their addresses on the form.

29 (2) All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the
30 name and location of the hospital, convalescent home, nursing home, or similar institution where
31 the elector is confined. All mail ballots issued pursuant to subdivision 17-20-2(2) shall be delivered
32 to the elector at the hospital, convalescent home, nursing home, or similar institution where the
33 elector is confined; and the ballots shall be voted and witnessed in conformance with the provisions
34 of § 17-20-14.

1 (3) All mail ballots issued pursuant to subdivision 17-20-2(3) shall be mailed to the address
2 provided by the elector on the application or sent to the board of canvassers in the city or town
3 where the elector maintains his or her voting residence. In order to be valid, the signature of the
4 elector on the certifying envelope containing voted ballots does not need to be notarized or
5 witnessed. Any voter qualified to receive a mail ballot pursuant to subdivision 17-20-2(3) shall also
6 be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410
7 ("UOCAVA Act").

8 (4) All mail ballots issued pursuant to subdivision 17-20-2(4), may be mailed to the elector
9 no later than five (5) days after receipt of the application, at the address within the United States
10 provided by the elector on the application, or sent to the board of canvassers in the city or town
11 where the elector maintains his or her voting residence. In order to be valid, the signature on all
12 certifying envelopes containing a voted ballot must be made before a notary public, or other person
13 authorized by law to administer oaths where signed, or where the elector voted, or before two (2)
14 witnesses who shall set forth their addresses on the form. In order to be valid, all ballots sent to the
15 elector at the board of canvassers must be voted in conformance with the provisions of § 17-20-
16 14.2.

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

20 (f) In no way shall a mail ballot application be disqualified if the voter's circumstances
21 change between the time of making the application and voting his or her mail ballot as long as voter
22 remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board of
23 canvassers shall provide the state board of elections with written notification of any change in
24 circumstances to a mail ballot voter.

25 **17-20-16. ~~Time of casting vote~~ Return of voting mail ballots deadline.**

26 ~~Mail ballots may be cast in the manner provided by law on or before election day; provided,~~
27 ~~that no mail ballot shall be counted unless it is received by the state board not later than the time~~
28 ~~prescribed by § 17-18-11 for the closing of polling places on election day, except ballots cast under~~
29 ~~the provisions of § 17-20-6.1, which shall be counted if received by the state board by four o'clock~~
30 ~~p.m. (4:00) on the third day following a primary or four o'clock p.m. (4:00) on the seventh day~~
31 ~~following an election.~~

32 (a) All voted mail ballots must be received by eight (8:00) o'clock p.m. on the day of the
33 election. They may be mailed, dropped off at election day voting locations, at the board of
34 canvassers, or placed in an approved supervised ballot drop box.

1 [\(b\) Under no circumstances, shall any voted mail ballot be counted, that is not received by](#)
2 [closing time on election day.](#)

3 **17-20-26. Opening and counting of ballots.**

4 (a)(1) Beginning prior to and continuing on election day the state board, upon receipt of
5 mail ballots, shall keep the ballots in a safe and secure place that shall be separate and apart from
6 the general public area and shall:

7 (i) Open the outer envelope and attach the matching ballot application to the inner
8 certifying envelope;

9 (ii) Beginning fourteen (14) days prior to and continuing on election day, proceed to certify
10 the mail ballots.

11 (2) Notice of these sessions shall be given to the public on the state board of elections'
12 website, the secretary of state's website, and announcements in newspapers of general circulation
13 published at least twenty-four (24) hours before the commencing of any session. All candidates for
14 [local](#), state and federal office, as well as all state [and local](#) party chairpersons, shall be given
15 [reasonable](#) notice by telephone or otherwise of the day [and time](#) on which ballots affecting that
16 candidate's district will be certified; provided, that failure to effect the notice shall in no way
17 invalidate the ballots. [The board shall provide as much notice as is reasonably possible under the](#)
18 [circumstances.](#)

19 (b) This processing shall be done within a railed space in the room in which it takes place,
20 and the board shall admit within the railed space, in accordance with those rules that the board shall
21 adopt, to witness the processing and certification of the ballots, the interested voter or the voter's
22 representative, the candidates, or at least one representative of each candidate for whom votes are
23 at the time being processed, and an equal number of representatives of each political party. These
24 representatives shall be authorized in writing by the voter, the candidate, or the chairperson of the
25 state committee of the political party, respectively, as the case may be. The board shall also, in
26 accordance with these rules, admit representatives of the press and newscasting agencies and any
27 other persons that it deems proper.

28 (c) At these sessions, and before certifying any ballot, the state board shall:

29 (1) Determine the city or town in which the voter cast his or her ballot and classify
30 accordingly; and

31 (2) Compare the name, residence, and signature of the voter with the name, residence, and
32 signature on the ballot application for mail ballots and satisfy itself that both signatures are
33 identical.

34 (d) [Deleted by P.L. 2015, ch. 259, § 1.]

1 (e) The board shall establish guidelines setting forth the grounds for challenging the
2 certification of mail ballots. These guidelines shall recognize that if a ballot can be reasonably
3 identified to be that of the voter it purports to be, and if it can reasonably be determined that the
4 voter was eligible to vote by mail ballot and if the requirements of § 17-20-2.1 were complied with,
5 it should not be subject to frivolous or technical challenge. The burden of proof in challenging a
6 mail ballot as not obtained and/or cast in conformance with this chapter is on the person challenging
7 the ballot. Once the irregularity is shown, the burden of proof shall shift to the person defending
8 the ballot to demonstrate that it is the ballot of the voter it purports to be, that the voter was eligible
9 to vote by mail ballot, and that all of the applicable requirements of § 17-20-2.1 were complied
10 with. The guidelines shall be adopted at a public meeting of the board and shall be made available
11 prior to the start of the certification process for mail ballots.

12 (f) After processing and certification of the mail ballots, they shall be separated in packages
13 in accordance with their respective cities and towns, in the presence of the board and all other
14 interested parties. Thereupon, in each instance the board shall open the enclosing envelope, and
15 without looking at the votes cast on the enclosed ballot, shall remove the ballot from the envelope.
16 The state board shall proceed to tabulate the ballots through the use of a central count optical-scan
17 unit with the same effect as if the ballots had been cast by the electors in open town or district
18 meetings.

19 (g) When a local election is held at a time other than in conjunction with a statewide
20 election, the state board, after the processing and certification of the mail ballots cast in the local
21 election, shall package the local ballots to be promptly delivered in sealed packages, bearing upon
22 the seals the signatures of the members of the board, to the appropriate local board which shall [a]
23 thereupon proceed to count the ballots in the same manner and with the same effect as state mail
24 ballots are counted by the state board.

25 (h) When a local election is held in New Shoreham at a time other than in conjunction with
26 a statewide election, the state board, after the processing and certification of the mail ballots cast
27 in the local election, shall have the authority to count the ballots in the same manner and with the
28 same effect as state mail ballots are counted by the state board in a statewide election. Once the
29 ballots are counted, the results shall be sent via facsimile to the local board in New Shoreham.

30 SECTION 3. Chapter 17-10 of the General Laws entitled "Canvassing the Lists of
31 Qualified Electors" is hereby amended by adding thereto the following section:

32 **17-10-5.1. Voter list integrity.**

33 [\(a\) The Rhode Island department of health shall inform the Rhode Island board of elections](#)
34 [of the death of every Rhode Island resident, within twenty \(20\) days of their death. The secretary](#)

1 of state shall remove those dead voters, within five (5) days of the receipt of that notice of death.

2 (b) Upon the sale of residential property, the seller's realtor, if any, shall deliver to the local
3 board of canvassers, a form that confirms the sale of the house, containing the change of the identity
4 of its occupants to the new owners.

5 (c) Residential rental property managers shall quarterly submit, on January 10, April 10,
6 July 10, and October 10, a form to the local board of canvassers, listing the names of all of its
7 tenants who have vacated their rental property. Rental property managers shall be compensated by
8 the board of elections, in the sum of ten dollars (\$10.00), for each vacated unit reported.

9 SECTION 4. Section 17-9.1-6 of the General Laws in Chapter 17-9.1 entitled "Registration
10 of Voters" is hereby amended to read as follows:

11 **17-9.1-6. ~~Form of registration cards --- Confidentiality of place of registration~~ Voter**
12 **registration requirements -- Form of registration cards -- Confidentiality of place of**
13 **registration.**

14 (a) Notwithstanding any general laws or regulations to the contrary, all persons attempting
15 to register to vote will comply with the following requirements and procedures:

16 (1) All registering voters shall produce, as proof of identification, a valid driver's license,
17 state identification card with photograph, or a United States passport.

18 (2) All voters will be at least eighteen (18) years of age on or before election day.

19 (3) All voters shall be United States citizens.

20 (4) A valid address for their residence shall be provided.

21 (5) They have not been barred from voting, by reason of a disqualifying felony conviction.

22 (6) The registration form must be signed by the registrant, under of penalty of perjury.

23 (b) Any applicant who registers to vote online, pursuant to § 17-9.1-34, shall be mailed a
24 signature card to the provided residence address. That signature card, when completed, shall be
25 stored on the local board of canvasser's voter roll.

26 (c) Before the registration is officially accepted and approved, all the provided information
27 shall be verified by the registering entity.

28 (d) Any person who willfully violates these requirements, submits false documents or
29 information or unlawfully manipulates the voter registration process shall be subject to felony
30 criminal penalties.

31 ~~(a)~~(e) Registration forms shall consist of the number of sets of cards and of the size and
32 color that shall be determined by the state board of elections, one of which forms shall be designated
33 as the original and any others as duplicates. The forms shall be ruled with appropriate spaces and
34 headings to indicate the registrant's name, residence address, mailing address if different from

1 residence address, date of birth, and registrant's signature and date of affixation of signature, and
2 may include any other information, certifications, and declarations, including those made under the
3 penalty of perjury, that may be required by the state board in order to administer a single and unified
4 system of voter registration in accordance with applicable state and federal laws which shall enable
5 duly registered voters to vote in all elections in their respective voting districts, including elections
6 for federal officers.

7 ~~(b)~~(f) Notwithstanding that registration forms are public records, nothing contained in the
8 registration forms, nor any identifying characteristics of the forms such as size or color, shall
9 indicate the particular office of the division of motor vehicles at which the voter was registered,
10 nor shall there be any indication that the voter was registered at any other state, federal, or private
11 agency. Nothing contained in this section shall restrict the state board of elections from maintaining
12 confidential records showing the actual place of registration of all voters.

13 SECTION 5. Sections 17-1-3 and 17-1-3.1 of the General Laws in Chapter 17-1 entitled
14 "General Provisions" are hereby amended to read as follows:

15 **17-1-3. Eligibility to vote.**

16 Every citizen of the United States who is at least eighteen (18) years of age, whose
17 residence as defined in § 17-1-3.1 has been in this state for at least ~~thirty (30)~~ sixty (60) days, and
18 in the town or city and voting district in which that person desires to cast his or her vote at least
19 ~~thirty (30)~~ sixty (60) days next preceding the election, and who is registered in that city or town
20 and voting district at least ~~thirty (30)~~ sixty (60) days next preceding any election, shall be entitled
21 to vote in the election; provided, a person may vote in a primary election only if that person is
22 eligible under the provisions of this title. A person who has not registered to vote, or whose
23 registration has been canceled pursuant to § 17-10-1, may cast a vote for president and vice-
24 president on election day at his or her city or town hall or at an alternate location designated by the
25 board of canvassers, and approved by the board of elections, where such location is deemed
26 necessary to better accommodate such voters. The casting of that vote shall commence the process
27 of voter registration and subject the person voting to the requirements and penalties of this chapter.

28 **17-1-3.1. Residence for voting purposes.**

29 (a) A person's residence for voting purposes is his or her fixed full-time and established
30 domicile. The determinant of one's domicile is that person's factual physical presence in the voting
31 district on a regular basis incorporating an intention to reside for an indefinite period. This domicile
32 is the place to which, upon temporary absence, he or she has the intention of returning. Once
33 acquired, this domicile continues until another domicile is established. A person can have only one
34 domicile, and the domicile shall not be considered lost solely by reason of absence for any of the

1 following reasons:

2 (1) Employment or service outside of the state intimately connected with military
3 operations or with the federal government, including the spouse and dependents of an elector so
4 employed;

5 (2) Confinement in a correctional facility;

6 (3) Being a patient in a hospital, convalescent home, nursing home or rest home, or like
7 facility; or

8 (4) Attendance as a student at an academic institution, including the spouse and dependents
9 of an elector who is a student.

10 (b) The following shall be considered prima facie evidence of a person's residence for
11 voting purposes:

12 (1) The address furnished to the division of motor vehicles for the voter's operator's license;

13 (2) The address from which the voter's motor vehicle is registered;

14 (3) The address from which the voter filed his last federal income tax return;

15 (4) The address from which the voter filed his last state income tax return;

16 (5) The address furnished to the companies from which the voter has obtained retail credit
17 cards;

18 (6) The address furnished to the financial institutions where the voter maintains accounts;

19 (7) The address furnished to the tax collector and/or assessor in those communities where
20 the voter owns taxable real or personal property for the purpose of notification to him or her;

21 (8) The address furnished to the insurance companies with which the voter maintains
22 policies;

23 (9) The address furnished to the voter's employer;

24 (10) The address furnished by the voter to any business, professional, union, or fraternal
25 organizations of which he or she is a member;

26 (11) The address furnished to governmental agencies with which the voter has contact;

27 (12) The address of a hospital, convalescent home, nursing home or rest home, or like
28 facility at which the voter has been a patient or resident for the preceding thirty (30) days or longer;

29 (13) The address furnished to the United States postal service on a change of address form
30 as verified by the United States postal service.

31 (c) Notwithstanding the residency and domicile requirements and guidelines of subsection
32 (a) of this section, only persons who claim Rhode Island as their state income tax jurisdiction shall
33 be allowed to vote in this state.

34 SECTION 6. Chapter 17-19 of the General Laws entitled "Conduct of Election and Voting

1 Equipment, and Supplies" is hereby amended by adding thereto the following sections:

2 **17-19-55. Restriction of election electioneering donations/contributions from private**
3 **individuals or entities.**

4 No financial or in-kind support from any private individuals or third parties, may be
5 accepted or used to pay for official state or local government election function expenses, such as
6 "get out the vote" efforts, ballot dissemination or collection, ballot curing, purchase of election
7 equipment and/or the like.

8 **17-19-56. In-person early voting.**

9 (a) Effective January 1, 2023, in-person daily early voting shall take place in the location
10 designated by each local board of canvassers, including Saturdays and Sundays from seven (7:00)
11 o'clock a.m. to eight (8:00) o'clock p.m., for the fourteen (14) days prior to and including election
12 day.

13 (b) Each early in-person voting location shall be handicap accessible.

14 (c) Each designated voting location, in conjunction with the local board of canvassers, shall
15 produce a list of all voters who have cast their ballots the previous day, including returned mail-in
16 ballots that have been received. This list will be available to the public and to election personnel to
17 help prevent the casting of a duplicate ballot by the applicable, early in-person voter.

18 SECTION 7. Chapter 17-20 of the General Laws entitled "Mail Ballots" is hereby amended
19 by adding thereto the following sections:

20 **17-20-25.1. Ballot drop boxes.**

21 If mail ballot drop boxes are used, each ballot drop box shall be placed in the interior of a
22 local or state government building, such as a police or fire station or other government office, that
23 is subject to supervision, during its hours of public access. Ballot drop boxes shall be continuously
24 monitored by one or more individuals approved by the board of elections, when the drop box is
25 accessible for the deposit of ballots.

26 **17-20-28.1. Mail ballot harvesting.**

27 (a) Definitions. As used in this section, except as otherwise required by the context:

28 (1) "Ballot harvester" means any person who is:

29 (i) A candidate on the ballot;

30 (ii) Associated with a political campaign;

31 (iii) An immediate family member of a candidate on the ballot;

32 (iv) A person or representative of an organization that has been hired by a candidate or
33 campaign;

34 (v) A person or organization with a vested or financial interest in the outcome of a

1 campaign;

2 (vi) Any political party operative or third-party vendor involved in obtaining and/or
3 possessing ballots;

4 (vii) Any organization coordinating or planning ballot harvesting activities, including
5 collection and delivery of mail applications and ballots; and

6 (viii) Any organization that accepts payments tied to the collection of mail ballots.

7 (2) "Designee" means:

8 (i) A member of the mail ballot applicant's family, who is designated by the ballot applicant
9 and consents to that designation;

10 (ii) A medical designee independently chosen and affirmed, in writing, by a notary public,
11 who has no connection to any ballot harvesting.

12 (b) Ballot harvesting shall be a misdemeanor, punishable by a mandatory minimum prison
13 sentence of three (3) months, plus a fine of two hundred fifty dollars (\$250) per ballot.

14 (c) Mail ballot voters may designate another person to assist them in mailing or delivering
15 their completed mail ballot to their local board of canvassers, if they are unable to do so due to
16 illness, disability or infirmity. In all cases, the voter shall independently complete their ballot
17 personally, without intimidation, coercion, manipulation, or tabletop electioneering by any person.
18 No designee may obtain, possess, deliver, or offer to delivery more than three (3) mail ballots.

19 (d) The respective state chairperson of recognized political parties shall designate members
20 of a bipartisan team for each nursing home/congregate care facility to collect mail ballots of
21 incapacitated voters. This requirement shall not be waived or infringed upon by an executive order
22 or any official edict from the secretary of state's office.

23 SECTION 8. Section 31-10-26 of the General Laws in Chapter 31-10 entitled "Operators'
24 and Chauffeurs' Licenses" is hereby amended to read as follows:

25 **31-10-26. Issuance of license.**

26 (a) The division of motor vehicles shall, upon payment of the required fee, issue to every
27 qualifying applicant an operator's or chauffeur's license. The license shall be approximately two
28 and one-half inches (2 1/2") wide and three and one-half inches (3 1/2") long and shall bear on it a
29 distinguishing number assigned to the licensee; the full name; date of birth; residence address; brief
30 description of the licensee; a photograph of the licensee; whether the licensee has indicated a desire
31 to donate tissue or organs pursuant to the provisions of chapter 18.6.1 of title 23; and either a space
32 upon which the licensee shall write his or her usual signature with pen and ink or a facsimile of the
33 signature of the licensee. No license shall be valid until it has been so signed by the licensee
34 designated on it. A negative file of all photographs of licensees shall be maintained by the division

1 of motor vehicles for a period of five (5) years.

2 (b) The division of motor vehicles shall issue an operator's or chauffeur's license pursuant
3 to this chapter to every qualifying applicant, including, but not limited to, any current or past
4 recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA)
5 program, provided any applicant subject to the DACA program shall provide evidence of having
6 received the grant from the United States Citizenship and Immigration Services.

7 (1) All Rhode Island operator's or chauffeur's licenses issued to noncitizen residents shall
8 contain a large "FN" across the face of the license. This marking designates the holder as a foreign
9 national, who is not eligible to vote. The barcode on the driver's license will be coded to prevent its
10 use for registering to vote or for voting.

11 (c) The division of motor vehicles shall issue special licenses to those licensees who have
12 indicated that they desire to donate tissue or organs, which conform to the provisions of the Revised
13 Uniform Anatomical Gift Act, chapter 18.6.1 of title 23.

14 (d) Any person who is a law enforcement officer, meaning any permanently employed
15 member of the state, city, or town police departments, sheriffs and deputy sheriffs, members of the
16 marshal's unit, capitol police, and the state fire marshal and deputy fire marshals of the division of
17 building, design and fire professionals or a member of the department of attorney general, any
18 permanently employed federal law enforcement officer assigned in Rhode Island, or any member
19 of the United States Attorney's Office in Rhode Island or any employee of the R.I. department of
20 corrections, as recommended by the director of the department of corrections, upon request of the
21 applicant, shall be issued a license that contains the applicant's official business address in lieu of
22 a residence address as required under the general provisions of this section.

23 (e) The license issued to a person applying for the first time shall be designated as a "first
24 license." A first license shall be issued for a one-year period after which time a permanent driver's
25 license shall be issued according to this section.

26 (f) If an applicant has been adjudicated for committing one moving motor vehicle violation,
27 has been involved in one reportable motor vehicle accident, or both, he or she shall be summoned
28 for a hearing before a judge of the traffic tribunal at which time the driving record will be reviewed.
29 The traffic tribunal judge shall determine if the person should be granted an operator's license, be
30 reissued a first license, or be denied a license to operate a motor vehicle in the state of Rhode Island.

31 (g) Any person who is under the age of twenty-one (21) years shall, upon payment of the
32 required fee and upon meeting the qualifications for the receipt of an operator's or chauffeur's
33 license, be issued a license that shall be readily distinguishable in color from those licenses issued
34 to persons who are twenty-one (21) years of age or older. When a person under the age of twenty-

1 one (21) years to whom a license has been issued and whose license is in full force and effect,
2 attains his or her twenty-first birthday, he or she shall be entitled to receive a new license of the
3 type issued to persons who are older than the age of twenty-one (21) years from the administrator
4 of the division of motor vehicles upon demand at no expense. Every person shall supply to the
5 division of motor vehicles satisfactory proof of his or her date of birth.

6 (h) The division of motor vehicles shall issue special licenses upon the request of a licensee
7 that conform to the provisions of the Revised Uniform Anatomical Gift Act, chapter 18.6.1 of title
8 23.

9 (i) The division of motor vehicles shall note in an appropriate manner a restriction on any
10 person's license who is prohibited from operating a motor vehicle that is not equipped with an
11 ignition interlock system as provided in chapter 27 of this title.

12 (j) Any personal digitized information contained within an operator's or chauffeur's license
13 shall be limited to: (a) the licensee's name, age, date of birth, address, gender, physical description
14 such as weight, height, hair color and eye color, signature and organ donor status; and (b) the license
15 number, commercial endorsements, expiration date, issue date, restriction, and class.

16 (k) Except to the extent an entity is authorized to renew drivers' licenses, or except for
17 financial institutions engaged in the verification of information for financial transactions,
18 nongovernmental entities shall not have access to any digitized information contained in an
19 operator's or chauffeur's license other than the licensee's name, age, date of birth, signature, and
20 photographic image, and the license's expiration date; nor shall they store, record, or retain any
21 such information obtained through a digital reading device. Access to digitized information by
22 these entities shall be solely for the purpose of determining the age of an individual for a transaction,
23 right, or privilege available by law only to persons of a certain age.

24 (l) To the extent that nongovernmental entities shall have access to the digitized
25 information stored on an operator's or chauffeur's license, the entity shall be civilly liable for the
26 unauthorized access to, or retention or use of, the information by its agents or persons acting in the
27 name of the entity.

28 (m) The division of motor vehicles shall collect from applicants and licensees their social
29 security numbers and tax identification numbers only to the extent required by federal law. The
30 numbers shall not be included, either digitally or visually, on the operator's or chauffeur's license.

31 (n) Issuance of a Rhode Island operator's license under this chapter to a current or past
32 recipient of a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA)
33 program shall not confer the right to vote in the state of Rhode Island.

1 SECTION 9. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

1 This act would refine the requirements and procedures for registering to vote and for
2 applying for a mail ballot and would mandate that driver's licenses and motor vehicle identification
3 cards issued to non-drivers, have a marking on them, which identifies the holder as a foreign
4 national and would also expressly outlaw the practice of ballot harvesting with criminal penalties.

5 This act would take effect upon passage.

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