

2020 -- H 7940

LC004843

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO ELECTIONS

Introduced By: Representatives Barros, Shanley, Blazejewski, Tobon, and Alzate

Date Introduced: February 26, 2020

Referred To: House Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

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

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

4 Every citizen of the United States who is at least eighteen (18) years of age, whose  
5 residence as defined in § 17-1-3.1 has been in this state for at least thirty (30) days, and in the town  
6 or city and voting district in which that person desires to cast his or her vote at least thirty (30) days  
7 next preceding the election, and who is registered ~~in that city or town and voting district at least~~  
8 ~~thirty (30) days next preceding any election~~, shall be entitled to vote in the election; provided, a  
9 person may vote in a primary election only if that person is eligible under the provisions of this  
10 title. A person who has not registered to vote, or whose registration has been canceled pursuant to  
11 § 17-10-1, may cast a vote for president and vice-president on election day at his or her city or town  
12 hall or at an alternate location designated by the board of canvassers, and approved by the board of  
13 elections, where such location is deemed necessary to better accommodate such voters. The casting  
14 of that vote shall commence the process of voter registration and subject the person voting to the  
15 requirements and penalties of this chapter.

16 SECTION 2. Section 17-9.1-16 of the General Laws in Chapter 17-9.1 entitled  
17 "Registration of Voters" is hereby amended to read as follows:

18 **17-9.1-16. Procedure on change of address -- Fail safe voting provisions.**

19 (a) Change of address ~~within the same city or town.~~

1 ~~(1) A registered voter who has moved from a residence address within a voting district to~~  
2 ~~another residence address within the same voting district and who has not notified the local board~~  
3 ~~of the change of residence address thirty (30) days or more prior to the election shall be permitted~~  
4 ~~to vote at the polling place designated for the voting district or at the local board upon completion~~  
5 ~~of a written affirmation form which shall record the voter's change of address within the voting~~  
6 ~~district. The form may be completed by the voter at the polling place designated for the voting~~  
7 ~~district and thereafter transmitted, after the close of the polls, to the local board or may be completed~~  
8 ~~at the local board.~~

9 ~~(2)~~(1) Any registered voter who has moved ~~his or her residence~~ from one residence address  
10 to another residence address ~~within the same city or town~~ and who has not notified the local board  
11 of the change of residence address thirty (30) days or more prior to the election shall be permitted  
12 to vote as follows:

13 (i) A registered voter who has moved ~~from a~~ to another residence address in ~~one voting~~  
14 ~~district to a residence address in another voting district within the same city or town~~ Rhode Island  
15 thirty (30) days or more preceding an election shall be permitted to vote a full ballot at the polling  
16 place of the new residence address ~~or at the local board~~ upon completion of an affirmation form  
17 which shall record the voter's change of address. ~~If the form is completed at the polling place, the~~  
18 The affirmation form shall be forwarded to the local board after the close of the polls; or

19 (ii) Any registered voter who has moved to another residence address within Rhode Island  
20 less than thirty (30) days preceding an election ~~from one address to another address within a~~  
21 ~~different voting district within the same city or town~~ shall be permitted to vote at the polling place  
22 of the former address ~~or at the local board~~ and is entitled to vote the full ballot for the old polling  
23 place upon completion of an affirmation form which shall record the voter's change of address. The  
24 affirmation form shall be forwarded to the local board of the new residence address after the close  
25 of the polls to update the voter's address.

26 ~~(3) Any registered voter to whom a confirmation mailing was sent by either the state board~~  
27 ~~or a local board, based upon information other than change of address information received from~~  
28 ~~or through the postal service, shall be placed on the inactive list of voters if the recipient of the~~  
29 ~~confirmation mailing fails to return the related confirmation card. If the voter continues to reside~~  
30 ~~in the same city or town and at the residence address currently recorded on the voter's registration~~  
31 ~~card or at a residence address within the same voting district, the voter shall be permitted to vote at~~  
32 ~~the polling place for that residence address upon signing an affirmation form. If the voter has moved~~  
33 ~~to a new residence address within the same city or town but within a different voting district the~~  
34 ~~registered voter shall be permitted to vote a full ballot at the polling place of the new residence~~

1 ~~address or at the local board upon completion of an affirmation form which shall record the voter's~~  
2 ~~change of address.~~

3 ~~(4)~~(2) Any registered voter to whom a confirmation mailing was sent by either the state  
4 board or a local board, based upon change of address information provided by or through the postal  
5 service, shall not be placed on the inactive list even if the recipient of the confirmation mailing fails  
6 to return the related confirmation card. The registered voter shall be permitted to vote at the polling  
7 place of the new residence address or the local board without the requirement of signing an  
8 affirmation form. If the change of address information provided by or through the postal service  
9 was in error, the registered voter shall be permitted to vote at the polling place of his or her former  
10 address or at the local board upon signing the required affirmation form.

11 ~~(b) Change of address from one city or town to another city or town.~~

12 ~~(1) A voter who has moved his or her residence, as defined in § 17-1-3.1, from the address~~  
13 ~~at which the voter is registered to another within a different city or town shall be required to register~~  
14 ~~in the city or town to which the voter has moved; provided, that no person qualified to vote in any~~  
15 ~~city or town in this state shall lose his or her right to vote in that city or town by reason of his or~~  
16 ~~her removal to another city or town in this state during the thirty (30) days, less one day, next~~  
17 ~~preceding an election or primary in the former city or town.~~

18 ~~(2) That a voter who remains within the state, although he or she fails to register in the city~~  
19 ~~or town to which the voter has moved within time to vote in the city or town, shall be permitted to~~  
20 ~~vote by special paper ballot to be provided by the secretary of state upon application for it approved~~  
21 ~~by the board of canvassers of the voter's former city or town for federal and statewide elected~~  
22 ~~officials only during the six (6) months, less one day, next preceding an election or primary.~~

23 ~~(e)~~(b) Persons erroneously excluded from certified voting list. Any voter finding that his  
24 or her name is not on the certified voting list of his or her city or town being used at any election  
25 may cast a provisional ballot in accordance with § 17-19-24.1.

26 SECTION 3. This act shall take effect on July 1, 2020.

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

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1           This act would eliminate the requirement that to vote, a person must be registered in the  
2 city or town and voting district at least thirty (30) days next preceding any election. Further, this  
3 act would permit a registered voter who has moved from one residence address to another residence  
4 address to vote a full ballot at the polling place of the new residence address upon completion of  
5 an affirmation form.

6           This act would take effect on July 1, 2020.

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