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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Senator F. Lombardi

Date Introduced: March 29, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-22.1 of the General Laws in Chapter 17-20 entitled "Mail
2 Ballots" is hereby amended to read as follows:

3 **17-20-22.1. Mail ballot drop boxes.**

4 (a) "Drop box" means the locked and secure container established and maintained by the
5 board of elections, in accordance with this section, that shall serve as a receptacle for the receipt of
6 mail and emergency ballots cast by voters. Every drop box established by the board of elections
7 shall be deemed to be the property of the board of elections and shall be accessible to the public,
8 beginning ~~twenty (20)~~ at least thirty-five (35) days prior to the date of a state election and twenty-
9 four (24) hours per day and seven (7) days per week throughout this period, if established outside
10 a municipal building, and during the normal business hours of the facility if established inside a
11 municipal building. All drop boxes must be accessible on election day, from the time polls open
12 until the time they close, in accordance with §§ 17-18-10 and 17-18-11. Any ballot that is cast by
13 a voter, as either a mail ballot or emergency ballot, and is deposited into a drop box on or before
14 the close of polls on election day, shall be deemed to be received by and in the possession of the
15 board of elections. At the close of polls on election day, upon the last ballot deposited by any person
16 in line at that time, a designated agent of the board of elections shall ensure that no other ballots
17 are deposited in the drop box.

18 (b) Drop boxes must be labeled "State of Rhode Island Official Ballot Drop Box for Mail
19 Ballots," and include language about postage and display the official seal of the board of elections.

1 Drop boxes must be accessible by persons with disabilities. Drop boxes shall be monitored by a
2 video surveillance system.

3 (c) No town or city shall have fewer than one drop box. A drop box may be established
4 inside a municipal building, only if the building remains open and accessible to the public
5 throughout the prescribed time period prior to election day and until the close of the polls, in
6 accordance with § 17-18-10. A drop box shall also be placed outside the office of the board of
7 elections and the election division of the office of the secretary of state. Drop boxes must be placed
8 in locations that are accessible to persons with disabilities.

9 (d) Each local board of canvassers shall determine the location of every drop box located
10 within the geographic area over which that local board has authority, in accordance with the
11 regulations promulgated by the board of elections.

12 (e) Each drop box shall not accept the deposit of mail ballots after the last person in line to
13 deposit a ballot in that drop box at the time the polls close, on the day of the election, has deposited
14 their ballot.

15 (f) Each local board shall make the location of every drop box within the area over which
16 it has authority publicly available on its website, to the extent feasible. The board of elections shall
17 make the location of all drop boxes located within the state publicly available at its office and on
18 its website.

19 (g) The board of elections shall designate one or more staff members of each local board
20 of canvassers as the official agents of the board of elections, for purposes of retrieving ballots
21 deposited in drop boxes and establish a schedule and process by which drop boxes are regularly
22 emptied and any ballots they contain are securely and promptly transported to the board of
23 elections.

24 (h) The board of elections shall promulgate regulations consistent with this section,
25 including regulations for the location of drop boxes and the receipt, storage, security, regular
26 collection, and transportation of the mail ballots returned.

27 (i) The board of elections may promulgate regulations for the use of drop boxes for
28 depositing mail ballot applications during the applicable timeframe for accepting mail ballot
29 applications.

30 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 allow mail ballot drop boxes to be opened at least thirty-five (35) days prior
2 to election day.

3 This act would take effect upon passage.

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