

2011 -- S 0392

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Senators Doyle, Tassoni, Gallo, Ruggerio, and Ciccone

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-20-2, 17-20-2.1, 17-20-2.2, 17-20-10, 17-20-10.2, 17-20-13,
2 17-20-13.1, 17-20-14, 17-20-14.2, 17-20-21, 17-20-22 and 17-20-23 of the General Laws in
3 Chapter 17-20 entitled "Mail Ballots" are hereby amended to read as follows:

4 **17-20-2. Eligibility for mail ballots.** -- Any otherwise qualified elector may vote by mail
5 ballot in the following circumstances:

6 ~~(1) An elector who will be absent from the state on the day of election during the entire~~
7 ~~period of time when the polls are to be open;~~

8 ~~(2) An elector who will be absent from the city or town of his or her voting residence on~~
9 ~~the day of election during the entire period of time when the polls are to be open due to the~~
10 ~~elector's status as a student or the spouse of a student at an institution of higher learning located~~
11 ~~within this state;~~

12 ~~(3)~~(1) An elector, within the State of Rhode Island who is incapacitated to the extent that
13 it would be an undue hardship to vote at the polls because of illness, or mental or physical
14 disability, blindness, or serious impairment of mobility;

15 ~~(4) An elector who is forbidden by the tenets of his or her religious faith from engaging~~
16 ~~in secular activity, including voting, on the day of election;~~

17 ~~(5)~~(2) An elector who is confined in any hospital, convalescent home, nursing home, rest
18 home, or similar institution, public or private, within the State of Rhode Island;

19 ~~(6) An elector who is being detained while awaiting trial or is being imprisoned for any~~

1 ~~cause, other than final conviction of a felony, and by reason of that detention or imprisonment is~~
2 ~~unable to vote at the polls;~~

3 ~~(7)~~(3) An elector who will be temporarily absent from the state because of employment
4 or service intimately connected with military operations or who is a spouse or legal dependent
5 residing with that person, or a United States citizen currently outside of the United States;

6 ~~(8) An elector who is employed by the state board of elections, elections division of the~~
7 ~~secretary of state, a member of the staff of a local canvassing authority, or a poll worker assigned~~
8 ~~to work on Election Day outside of their voting district.~~

9 (4) An elector who may not be able to vote at his or her polling place in his or her city or
10 town on the day of the election during the entire period of time the polls are open.

11 ~~**17-20-2.1. Requirements for validity of mail ballots**~~ **Requirements for validity of**
12 **mail ballot and mail ballot applications. --**

13 (a) Any legally qualified elector of this state whose
14 name appears upon the official voting list of the city, town, or district of the city or town where
15 the elector is qualified, and who desires to avail himself or herself of the right granted to him or
16 her by the Constitution and declared in this chapter, may obtain from the local board in the city or
17 town an affidavit form prepared by the secretary of state as prescribed in this section, setting forth
18 the elector's application for a mail ballot.

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

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

24 (d) In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in
25 order to be valid, must have been cast in conformance with the following procedures:

26 ~~(1) All applications for mail ballots pursuant to section 17-20-2(1) must state under oath~~
27 ~~that the elector will be absent from the state on the day of election during the entire period of time~~
28 ~~the polls are to be open. All applications for mail ballot made pursuant to said subdivision must~~
29 ~~be notarized or witnessed by two (2) persons who shall sign their names and affix their addresses.~~
30 ~~All mail ballots issued pursuant to section 17-20-2(1) shall be mailed to the elector at an address~~
31 ~~outside the state of Rhode Island to be provided by the elector on the application or sent to the~~
32 ~~board of canvassers in the city or town where the elector maintains his or her voting residence. In~~
33 ~~order to be valid, all ballots mailed to the elector outside of the state must be voted outside of the~~
34 ~~state of Rhode Island and the signature of the elector notarized by a person authorized by law to~~
~~administer oaths in the state or country where signed or where the elector voted, or before two (2)~~

1 ~~witnesses who shall set forth their addresses on the form, and must be mailed from outside of the~~
2 ~~state of Rhode Island. In order to be valid, all ballots sent to the elector at the board of canvassers~~
3 ~~must be voted in private at the board and the signature of the elector witnessed by a pair of~~
4 ~~supervisors, appointed in conformance with this chapter, who shall return the completed ballot to~~
5 ~~the board of elections for certification. Provided, however, that any elector qualifying under~~
6 ~~section 17-20-2(1) or 17-20-2(7) who is outside the continental United States, shall additionally~~
7 ~~be entitled to apply for a mail ballot and to vote such ballot through facsimile, upon request made~~
8 ~~to the secretary of state in writing containing the elector's facsimile number, and the application~~
9 ~~to be used shall be that prescribed by section 17-20-13. The secretary of state shall establish~~
10 ~~procedures to protect the anonymity of any votes submitted by facsimile in the same manner as~~
11 ~~ballots submitted through the mail.~~

12 ~~(2) All applications for mail ballots pursuant to section 17-20-2(2) must state, under oath,~~
13 ~~the institution of higher learning at which the elector or spouse of the elector is a student. All~~
14 ~~applications for mail ballot made pursuant to said subdivision must be notarized or witnessed by~~
15 ~~two (2) persons who shall sign their names and affix their addresses. All mail ballots issued~~
16 ~~pursuant to said subdivision shall be sent to the elector at the address of the institution of higher~~
17 ~~learning provided by the elector on the application or to the elector at his or her voting residence.~~
18 ~~The signature of the elector on ballots being sent to the elector at their institution of higher~~
19 ~~learning must be notarized or witnessed by two (2) persons who shall sign their names and affix~~
20 ~~their addresses.~~

21 ~~(3)(1) All applications for mail ballots pursuant to section 17-20-2(3) must be notarized~~
22 ~~or witnessed by two (2) persons who shall sign their names and affix their addresses. All mail~~
23 ~~ballots issued pursuant to subdivision 17-20-2(1) said subdivision shall be mailed to the elector at~~
24 ~~his or her voting residence the Rhode Island address provided by the elector on the application. In~~
25 ~~order to be valid, the signature on all certifying envelopes containing a voted ballot must be made~~
26 ~~before a notary public or before two (2) witnesses who shall set forth their addresses on the form.~~
27 ~~The signature of the elector on ballots being sent to the elector pursuant to this subdivision does~~
28 ~~not need to be notarized or witnessed.~~

29 ~~(4) All applications for mail ballots pursuant to section 17-20-2(4) must be notarized or~~
30 ~~witnessed by two (2) persons who shall sign their names and affix their addresses. All mail~~
31 ~~ballots issued pursuant to said subdivision shall be sent to the elector at his or her voting~~
32 ~~residence. The signature of the elector on the ballots being sent to the elector must be notarized or~~
33 ~~witnessed by two (2) persons who shall sign their names and affix their addresses.~~

34 ~~(5)(2) All applications for mail ballots pursuant to section 17-20-2(5) 17-20-2(2) must~~

1 state under oath the name and location of the hospital, convalescent home, nursing home, or
2 similar institution where the elector is confined. ~~All applications for mail ballots pursuant to said~~
3 ~~subdivision must be notarized or witnessed by two (2) persons who shall sign their names and~~
4 ~~affix their addresses.~~ All mail ballots issued pursuant to ~~said~~ subdivision [17-20-2\(2\)](#) shall be
5 delivered to the elector at the hospital, convalescent home, nursing home, or similar institution
6 where the elector is confined; and the ballots shall be voted and witnessed in conformance with
7 the provisions of section 17-20-14.

8 ~~(6) All applications for mail ballots pursuant to section 17-20-2(6) must be notarized or~~
9 ~~witnessed by two (2) persons who shall sign their names and affix their addresses. All mail~~
10 ~~ballots issued pursuant to said subdivision shall be mailed to the elector at the elector's place of~~
11 ~~confinement. The signature of the elector on ballots being sent to the elector must be notarized or~~
12 ~~witnessed by two (2) persons who shall sign their names and affix their addresses.~~

13 ~~(7)~~[\(3\)](#) ~~All applications for mail ballots made pursuant to section 17-20-2(7) do not need~~
14 ~~to be witnessed or notarized.~~ All mail ballots issued pursuant to ~~said~~ subdivision [section 17-20-](#)
15 [2\(3\)](#) shall be mailed to the ~~elector at an address outside the state of Rhode Island to be provided~~
16 ~~by the elector on the application, or sent to the board of canvassers in the city or town where the~~
17 ~~elector maintains his or her voting residence~~ [address provided by the elector on the application or](#)
18 [sent to the board of canvassers in the city or town where the elector maintains his or her voting](#)
19 [residence.](#) ~~In order to be valid, the~~ ~~The~~ signature of the elector on [the certifying envelope](#)
20 [containing voted](#) ballots ~~being sent to the elector pursuant to this subdivision~~ does not need to be
21 notarized or witnessed. [Any voter qualified to receive a mail ballot pursuant to subdivision 17-20-](#)
22 [2\(3\) shall also be entitled to cast a ballot pursuant to the provisions of United States Public Law](#)
23 [99-410 \("UOCAVA Act"\).](#)

24 ~~(8) All applications for mail ballots pursuant to section 17-20-2(8) must be notarized or~~
25 ~~witnessed by two (2) persons who shall sign their names and affix their addresses. All mail~~
26 ~~ballots issued pursuant to said subdivision to an elector who is employed by the state board of~~
27 ~~elections shall be mailed or delivered to the elector at the state board of elections. All mail ballots~~
28 ~~issued pursuant to said subdivision to a member of the staff of the elections division of the office~~
29 ~~of the secretary of state shall be mailed or delivered to the elector at the state board of elections.~~
30 ~~All mail ballots issued pursuant to said subdivision to a member of the staff of a local canvassing~~
31 ~~authority shall be mailed or delivered to the elector at his or her local board of canvassers. All~~
32 ~~mail ballots issued pursuant to said subdivision to a poll worker assigned to work election day~~
33 ~~outside of their voting district shall be mailed or delivered to the elector at his or her local board~~
34 ~~of canvassers. All ballots being sent to the elector pursuant to this subdivision must be voted in~~

1 ~~private at the state board or the local board, as the case may be, and the signature of the elector~~
2 ~~witnessed by a pair of supervisors, appointed in conformance with this chapter.~~

3 (4) All mail ballots issued pursuant to subdivision 17-20-2(4) may be mailed to the
4 elector at the address within the United States provided by the elector on the application or sent to
5 the board of canvassers in the city or town where the elector maintains his or her voting
6 residence. In order to be valid, the signature on all certifying envelopes containing a voted ballot
7 must be made before a notary public, or other person authorized by law to administer oaths where
8 signed, or where the elector voted, or before two (2) witnesses who shall set forth their addresses
9 on the form. In order to be valid, all ballots sent to the elector at the board of canvassers must be
10 voted in conformance with the provisions of section 17-20-14.2.

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

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

19 **17-20-2.2. Requirements for validity of emergency mail ballots** **Requirements for**
20 **validity of emergency mail ballots and emergency mail ballots.** -- (a) Any legally qualified
21 elector of this state whose name appears upon the official voting list of the town or district of the
22 city or town where the elector is so qualified, who on account of circumstances manifested twenty
23 (20) days or less prior to any election becomes eligible to vote by mail ballot according to this
24 chapter, may obtain from the local board an application for an emergency mail ballot.

25 (b) The emergency mail ballot application, when duly executed, shall be delivered in
26 person or by mail so that it shall be received by the local board not later than four o'clock (4:00)
27 p.m. on the last day preceding the date of the election.

28 (c) The elector shall execute the emergency mail ballot application in accordance with
29 the requirements of this chapter, which application shall contain a certificate setting forth the
30 facts relating to the circumstances necessitating the application.

31 (d) In addition to those requirements set forth elsewhere in this chapter, an emergency
32 mail ballot, in order to be valid, must have been cast in conformance with the following
33 procedures:

34 ~~(1) All applications for emergency mail ballots pursuant to section 17-20-2(1) must be~~

1 ~~notarized or witnessed by two (2) persons who shall sign their names and affix their addresses.~~
2 ~~All mail ballots issued pursuant to section 17-20-2(1) shall be cast at the board of canvassers in~~
3 ~~the city or town where the elector maintains his or her voting residence or mailed by the office of~~
4 ~~the secretary of state to the elector at an address outside the state of Rhode Island to be provided~~
5 ~~by the elector on the application. In order to be valid, all ballots mailed to the elector out of state~~
6 ~~must be voted outside the state of Rhode Island and the signature of the elector notarized by a~~
7 ~~person authorized by law to administer oaths in the state or country where signed or where the~~
8 ~~elector voted, or before two (2) witnesses who shall set forth their addresses on the form, and~~
9 ~~must be mailed from outside the state of Rhode Island. In order to be valid, all ballots cast by the~~
10 ~~elector at the board of canvassers must be voted in private at the board and the signature of the~~
11 ~~elector witnessed by a pair of supervisors, appointed in conformance with this chapter, who shall~~
12 ~~return the completed ballot to the board of elections for certification.~~

13 (2) ~~All applications for emergency mail ballots pursuant to section 17-20-2(2) must state~~
14 ~~under oath the institution of higher learning at which the elector or spouse of the elector is a~~
15 ~~student. All applications for mail ballot made pursuant to this subdivision must be notarized or~~
16 ~~witnessed by two (2) persons who shall sign their names and affix their addresses. All mail~~
17 ~~ballots issued pursuant to this subdivision shall be cast at the board of canvassers in the city or~~
18 ~~town where the elector maintains his or her voting residence, or mailed by the office of the~~
19 ~~secretary of state to the elector at the address of the institution of higher learning provided by the~~
20 ~~elector on the application. Ballots being cast at the local board of canvassers must be voted in~~
21 ~~private and the signature of the elector witnessed by a pair of supervisors, appointed in~~
22 ~~conformance with this chapter, who shall return the completed ballot to the board of elections for~~
23 ~~certification. The signature of the elector on ballots being sent to the elector at their institution of~~
24 ~~higher learning must be notarized or witnessed by two (2) persons who shall sign their names and~~
25 ~~affix their addresses.~~

26 (3)(1) ~~All applications for emergency mail ballots pursuant to section 17-20-2(3) must be~~
27 ~~notarized or witnessed by two (2) persons who shall sign their names and affix their addresses~~
28 ~~and must be accompanied by a certificate from a licensed physician or a Christian Science~~
29 ~~practitioner setting forth the location of his or her medical offices or the Christian Science~~
30 ~~practitioner's office, the date when that physician last examined the elector, or in the case of a~~
31 ~~Christian Science practitioner, when the practitioner last treated the elector, and attesting that the~~
32 ~~illness, disability, blindness or serious impairment of mobility did not manifest itself until twenty~~
33 ~~(20) days or less prior to the date of the election and as a result it would be an undue hardship for~~
34 ~~the elector to vote at the polls based upon a physical examination performed by that physician or~~

1 ~~an observation by that Christian Science practitioner. The state board of elections shall prepare~~
2 ~~forms for physicians and practitioners to use in making the certification required in this~~
3 ~~subdivision and shall distribute the forms prior to each general election to those physicians~~
4 ~~licensed to practice medicine in this state and, upon request, to any other persons and at any other~~
5 ~~times as necessary. The forms shall also be made available at each board of canvassers. It shall~~
6 ~~not be required that a physician or practitioner use the form in certifying the illness, disability,~~
7 ~~blindness or serious impairment of mobility of a voter as long as the certification provided~~
8 ~~contains all of the required information. Any physician knowingly and willfully making a false~~
9 ~~certification, and any person knowingly and willfully aiding and abetting in the making of a false~~
10 ~~certification, shall be guilty of a felony.~~ All mail ballots issued pursuant to section ~~17-20-2(3)~~ 17-
11 20-2(1) shall be mailed to the elector at ~~his or her voting residence~~ the State of Rhode Island
12 address provided on the application by the office of the secretary of state, or delivered by the
13 local board to a person presenting written authorization from the elector to receive the ballots, or
14 cast in private at the local board of canvassers. ~~The signature of the elector on ballots being cast~~
15 ~~pursuant to this subdivision does not need to be notarized or witnessed.~~ In order to be valid, the
16 signature of the voter on the certifying envelope containing a voted ballot must be made before a
17 notary public, or other person authorized by law to administer oaths where signed, or where the
18 elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In order
19 to be valid, all ballots sent to the elector at the board of canvassers must be voted in conformance
20 with the provisions of section 17-20-14.2.

21 ~~(4) All applications for emergency mail ballots pursuant to section 17-20-2(4) must be~~
22 ~~notarized or witnessed by two (2) persons who shall sign their names and affix their addresses.~~
23 ~~All mail ballots issued pursuant to this subdivision shall be mailed to the elector at his or her~~
24 ~~voting residence by the office of the secretary of state, or cast by the elector at the board of~~
25 ~~canvassers in the city or town where he or she resides. Ballots being cast at the local board of~~
26 ~~canvassers must be voted in private at the board and the signature of the elector witnessed by a~~
27 ~~pair of supervisors, appointed in conformance with this chapter, who shall return the completed~~
28 ~~ballot to the board of elections for certification. The signature of the elector on ballots being sent~~
29 ~~to the elector at his or her voting residence must be notarized or witnessed by two (2) persons~~
30 ~~who shall sign their names and affix their signatures.~~

31 ~~(5)~~(2) All applications for emergency mail ballots pursuant to section ~~17-20-2(5)~~ 17-20-
32 2(2) must state under oath the name and location of the hospital, convalescent home, nursing
33 home, or similar institution where the elector is confined. ~~All applications for mail ballots~~
34 ~~pursuant to this subdivision must be notarized or witnessed by two (2) persons who shall sign~~

1 ~~their names and affix their addresses.~~ All mail ballots issued pursuant to this subdivision shall be
2 delivered to the elector by the bi-partisan pair of supervisors, appointed in conformance with this
3 chapter, and shall be voted and witnessed in conformance with the provisions of section 17-20-
4 14.

5 ~~(6) All applications for emergency mail ballots pursuant to section 17-20-2(6) must be~~
6 ~~notarized or witnessed by two (2) persons who shall sign their names and affix their addresses.~~
7 ~~All mail ballots issued pursuant to this subdivision shall be mailed by the office of the secretary~~
8 ~~of state to the elector at the elector's place of confinement, or delivered to a person presenting~~
9 ~~written authorization from the elector to receive the ballot. The signature of the elector on ballots~~
10 ~~being sent to the elector must be notarized or witnessed by two (2) persons who shall sign their~~
11 ~~names and affix their addresses.~~

12 ~~(7)(3) All applications for emergency mail ballots made pursuant to section 17-20-2(7)~~
13 ~~do not need to be witnessed or notarized.~~ All mail ballots issued pursuant to ~~this~~ subdivision 17-
14 20-2(3) shall be mailed by the office of the secretary of state to the elector at an address ~~outside~~
15 ~~the state of Rhode Island to be~~ provided by the elector on the application, or cast at the board of
16 canvassers in the city or town where the elector maintains his or her voting residence. The
17 signature of the elector on the certifying envelope containing the voted ballots ~~being sent to the~~
18 ~~elector pursuant to this~~ issued pursuant to the subdivision does not need to be notarized or
19 witnessed. Any voter qualified to receive a mail ballot pursuant to subdivision 17-20-2(3) shall
20 also be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410
21 ("UOCAVA Act").

22 ~~(8) All applications for emergency mail ballots pursuant to section 17-20-2(8) must be~~
23 ~~notarized or witnessed by two (2) persons who shall sign their names and affix their addresses.~~
24 ~~All mail ballots issued pursuant to this subdivision to an elector who is employed by the state~~
25 ~~board of elections shall be mailed or delivered by the office of the secretary of state to the elector~~
26 ~~at the state board of elections. All mail ballots issued pursuant to this subdivision to a member of~~
27 ~~the staff of the elections division of the office of the secretary of state shall be mailed or delivered~~
28 ~~to the elector at the state board of elections. All mail ballots issued pursuant to this subdivision to~~
29 ~~a member of the staff of a local canvassing authority shall be cast by the elector at his or her local~~
30 ~~board of canvassers. All mail ballots issued pursuant to this subdivision to a poll worker assigned~~
31 ~~to work election day outside of their voting district shall be cast by the elector at his or her local~~
32 ~~board of canvassers. All ballots being sent to the elector pursuant to this subdivision must be~~
33 ~~voted in private at the state board or the local board, as the case may be, and the signature of the~~
34 ~~elector witnessed by a pair of supervisors, appointed in conformance with this chapter.~~

1 (4) All mail ballots issued pursuant to subdivision 17-20-2(4) shall be cast at the board of
2 canvassers in the city or town where the elector maintains his or her voting residence or mailed
3 by the office of the secretary of state to the elector at the address within the United States
4 provided by the elector on the application, or delivered to the voter by a person presenting written
5 authorization by the voter to pick up the ballot. In order to be valid, the signature of the voter on
6 all certifying envelopes containing a voted ballot must be made before a notary public, or other
7 person authorized by law to administer oaths where signed, or where the elector voted, or before
8 two (2) witnesses who shall set forth their addresses on the form. In order to be valid, all ballots
9 sent to the elector at the board of canvassers must be voted in conformance with the provisions of
10 section 17-20-14.2.

11 (e) The secretary of state shall provide each of the several boards of canvassers with a
12 sufficient number of mail ballots for their voting districts so that the local boards may provide the
13 appropriate ballot or ballots to the applicants. It shall be the duty of each board of canvassers to
14 process each emergency ballot application in accordance with this chapter, and it shall be the duty
15 of each board to return to the secretary of state any ballots not issued immediately after each
16 election.

17 (f) 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 section 17-26-1.

20 **17-20-10. Certification of applications -- Issuance of ballots -- Marking of lists --**

21 **Mailing address.** -- (a) Upon receipt of the application, the local board shall immediately
22 examine it and determine whether it complies with each of the requirements set forth by this
23 chapter and compare the signature on the ballot application with the signature contained on the
24 original registration card, except as may be otherwise provided by law, to satisfy itself that the
25 applicant is a qualified voter. Upon determining that it does meet each requirement of this chapter
26 and that the signature appears to be the same, the local board shall mark the application
27 "accepted" and record in the space provided on the ballot application the senatorial,
28 representative, and voting district in which the applicant should vote.

29 (b) The local board shall also record the city or town code and district information in the
30 mailing label section of the mail ballot application. The local board shall also print or type the
31 name of the elector and the complete mailing address in that section. If the local board does not
32 accept the application, the local board shall return the application to the elector, together with a
33 form prescribed by the secretary of state, specifying the reason or reasons for the return of the
34 application.

1 (c) Not later than 4:00 p.m. on the eighteenth (18th) day before the day of any election
2 referred to in this chapter or within seven (7) days of receipt by the local board, whichever occurs
3 first, the local board shall certify the applications to the secretary of state through the CVRS
4 system as this procedure is prescribed by the secretary of state. Upon the certification of a mail
5 ballot application to the secretary of state, the local board shall enter on the voting list the fact
6 that a mail ballot application for the voter has been certified and shall cause the delivery of the
7 certified mail ballot applications together with the signed certified listing thereof in sealed
8 packages to the state board of elections.

9 (d) (1) Upon the ballots becoming available, the secretary of state shall immediately,
10 issue and mail, by first class mail, postage prepaid, a mail ballot to each eligible voter who has
11 been certified. With respect to voters who have applied for these mail ballots under the provisions
12 of section 17-20-2(3), the secretary of state shall include with the mail ballots a stamped return
13 envelope addressed: "Board of Elections, 50 Branch Avenue, Providence, Rhode Island 02904-
14 2790".

15 (2) The secretary of state shall include on the mail ballot envelope a numerical or
16 alphabetical code designating the city or town where the voter resides. The secretary of state shall
17 immediately thereafter indicate on the voter's record that the secretary of state has sent mail
18 ballots provided, that this mark shall serve solely to indicate that a mail ballot has been issued and
19 shall not be construed as voting in the election.

20 (e) Prior to each election, the secretary of state shall also furnish to the chairperson of the
21 state committee of each political party a list of the names and residence addresses of all persons
22 to whom mail ballots have been issued. The secretary of state shall also furnish to a candidate for
23 political office upon request a list of the names and residence addresses of all persons to whom
24 mail ballots have been issued within his or her district.

25 (f) [Deleted by P.L. 2005, ch. 167, section 2.]

26 (g) If a ballot is returned to the secretary of state by the postal service as undeliverable,
27 the secretary of state shall consult with the appropriate local board to determine the accuracy of
28 the mailing address, and the secretary of state shall be required to re-mail the ballot to the voter
29 using the corrected address provided by the local board. If the local board is unable to provide a
30 different address than that to which the ballot was originally mailed, the ballot shall be reissued
31 by the secretary of state to the board of canvassers in the city or town where the voter resides
32 utilizing the numerical or alphabetical code established in subsection (d) of this section. The
33 board shall then attempt to notify the voter at his or her place of residence that the ballot has been
34 returned as undeliverable. The ballot must be voted and witnessed in accordance with the

1 provisions of this chapter.

2 (h) The acceptance of a mail ballot application by the board of canvassers and the
3 issuance of a mail ballot by the secretary of state shall not create any presumption as to the
4 accuracy of the information provided by the applicant or as to the applicant's compliance with the
5 provisions of this chapter. Any inaccuracy in the provided information or irregularity in the
6 application may be raised as a challenge to the ballot before the board of elections at the time of
7 certification. If the challenge raised at that time is meritorious, the ballot shall be voided.

8 ~~(i) Upon the request of any candidate for public office and upon a showing of good cause
9 or upon its own motion, the board of elections shall make inquiry into the legitimacy of the
10 certifications issued pursuant to section 17-20-2.2(3) by any physician or practitioner who issues
11 more than fifty (50) certifications in any one election or by any physician or practitioner who the
12 board has reason to believe has made a false certification. The inquiry shall include a
13 determination as to whether the physician or practitioner conducted an examination of the
14 electors he or she certified as ill or disabled to determine whether it would be an undue hardship
15 on them to go to the polls. The provisions of chapter 37.3 of title 5 shall not apply to any
16 proceeding before the state board of elections conducted pursuant to this title. The boards of
17 canvassers shall immediately notify the board of elections of any physician who has issued more
18 than twenty five (25) certifications in their city or town in the same election.~~

19 ~~(j)~~(i) Within two (2) business days of receipt by the local board, the board shall certify
20 emergency mail ballot applications and shall cause the delivery of the emergency mail ballot
21 applications, and certification sheet in sealed packages to the state board of elections.

22 **17-20-10.2. Official state blank ballots.** -- In the event the official ballot is not available
23 for issuance and mailing forty-five (45) days before a general, primary, or special election,
24 persons applying for a mail ballot under section ~~17-20-2(7)~~ 17-20-2(3) and persons applying for a
25 mail ballot through the use of the Federal Post Card Application (FPCA) shall be issued an
26 official state blank ballot forty-five (45) days before the election. Additionally, the voter shall be
27 sent the official ballot immediately upon the ballots becoming available. The office of secretary
28 of state shall be responsible for the arrangement, preparation, printing and distribution of the
29 official state blank ballots. The secretary of state shall also be responsible for all accompanying
30 candidate listings to the extent that information is available, instruction sheets, and envelopes.

31 **17-20-13. Form of application.** -- The application to be subscribed by the voters before
32 receiving a mail ballot shall, in addition to those directions that may be printed, stamped, or
33 written on it by authority of the secretary of state, be in substantially the following form:

34 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS APPLICATION

1 OF VOTER FOR BALLOT FOR ELECTION ON _____

2 (COMPLETE HIGHLIGHTED SECTIONS)

3 NOTE - THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF CANVASSERS

4 OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON _____

5 BOX A (PRINT OR TYPE)

6 NAME _____

7 VOTING ADDRESS _____

8 CITY/TOWN _____ STATE RI ZIP CODE _____

9 DATE OF BIRTH _____ PHONE # _____

10 BOX B (PRINT OR TYPE)

11 NAME OF INSTITUTION (IF APPLICABLE) _____

12 ADDRESS _____

13 ADDRESS _____

14 CITY/TOWN _____ STATE _____ ZIP CODE _____

15 FACSIMILE NUMBER (if applicable) _____

16 I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING BASIS;

17 (CHECK ONE ONLY)

18 ~~(-) 1. I will be absent from the state on the date of the election during the entire period of time~~
19 ~~when the polls are to be open. Provide an out of state mailing address in BOX B above or the~~
20 ~~ballot will be mailed to the local board of canvassers.~~

21 ~~(-) 2. I will be absent from the city or town of my voting residence during the entire period of time~~
22 ~~when the polls are to be open because of my status as a student, or spouse of a student, at an~~
23 ~~institution of higher learning within the state of Rhode Island.~~

24 ~~Complete BOX B above with your entire address or the ballot will be mailed to the address in~~
25 ~~BOX A.~~

26 ~~Indicate name of institution _____~~

27 () 3 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the polls
28 because of illness, mental or physical disability, blindness or a serious impairment of mobility.

29 ~~Ballot will be mailed to address in BOX A.~~ If the ballot is not being mailed to your voter
30 registration address (BOX A above) please provide the Rhode Island address where you are
31 temporarily residing in BOX B above.

32 ~~(-) 4. I belong to a religion whose tenets forbid secular activity, including voting, on the day of~~
33 ~~election. Ballot will be mailed to address in BOX A.~~

34 () 5 2. I am confined in a hospital, convalescent home, nursing home, rest home, or similar

1 institution within the State of Rhode Island. ~~Complete~~ Provide the name and address of the
2 facility where you are residing in BOX B above.

3 ~~(-) 6. I am detained while awaiting trial or imprisoned for a cause other than final conviction of a~~
4 ~~felony. Complete BOX B above.~~

5 () 7 3. I am employed or in service intimately connected with military operations or because I am
6 a spouse or dependent of such person, or I am a United States citizen currently outside the United
7 States. Complete BOX B above or the ballot will be mailed to the local board of canvassers.

8 ~~(-) 8. I am employed by the (a)(-) state board of elections, (b)(-) elections division of the secretary~~
9 ~~of state, (c)(-) a member of the staff of a local canvassing authority, (d)(-) or a poll worker~~
10 ~~assigned to work election day outside of their voting district.~~

11 () 4. I may not be able to vote at the polling place in my city or town on the day of the election
12 during the entire time period that the polls are open. If the ballot is being mailed to your voter
13 registration address (BOX A above) please provide the address within the United States where
14 you are temporarily residing in BOX B above. If you request that your ballot be sent to your local
15 board of canvassers please indicate so in BOX B above.

16 BOX D OATH OF VOTER

17 I declare that all of the information I have provided on this form is true and correct to the best of
18 my knowledge. I further state that I am not a qualified voter of any other city or town or state and
19 have not claimed and do not intend to claim the right to vote in any other city or town or state. If
20 unable to sign name because of physical incapacity or otherwise, applicant shall make his or her
21 mark "X".

22 SIGNATURE IN FULL _____

23 Please note: A Power of Attorney signature is not valid in Rhode Island.

24 ~~This application must either be sworn to before a notary public OR before two (2) witnesses who~~
25 ~~must sign their names and affix their addresses. No witness or notary is necessary if checking~~
26 ~~category No. 7.~~

27 ~~WITNESSES:~~

28 ~~Name _____~~

29 ~~Address _____~~

30 ~~Name _____~~

31 ~~Address _____~~

32 ~~OR~~

33 ~~NOTARY:~~

34 ~~(If executed outside of RI by a notary public, attest in manner authorized by law of places where~~

1 ~~taken.)~~

2 Sworn to (or affirmed) before me, this _____ day of _____, 20_____.

3 ~~Notary Public~~

4 ~~My Commission Expires: _____~~

5 **17-20-13.1. Form of Emergency Mail Ballot Application.** -- The emergency mail
6 ballot application to be subscribed by the voters before receiving a mail ballot shall, in addition to
7 any directions that may be printed, stamped, or written on the application by authority of the
8 secretary of state, be in substantially the following form:

9 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS EMERGENCY

10 APPLICATION OF VOTER FOR BALLOT FOR ELECTION ON _____

11 (COMPLETE HIGHLIGHTED SECTIONS)

12 NOTE - THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF CANVASSERS
13 OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON _____

14 BOX A (PRINT OR TYPE)

15 NAME _____

16 VOTING ADDRESS _____

17 CITY/TOWN _____ STATE RI ZIP CODE _____

18 DATE OF BIRTH _____ PHONE# _____

19 BOX B (PRINT OR TYPE)

20 NAME OF INSTITUTION (IF APPLICABLE) _____

21 ADDRESS _____

22 ADDRESS _____

23 CITY/TOWN _____ STATE _____ ZIP CODE _____

24 I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING BASIS:
25 (CHECK ONE ONLY)

26 ~~() 1. I will be absent from the state on the day of the election during the entire period of time
27 when the polls are to be open. If not voting ballot at local board, provide an out of state mailing
28 address in BOX B above.~~

29 ~~() 2. I will be absent from the city or town of my voting residence during the entire period of time
30 when the polls are to be open because of my status as a student, or spouse of a student, at an
31 institution of higher learning within the state of Rhode Island. If not voting ballot at local board,
32 provide address in BOX B above. Indicate name of institution.~~

33 () 3 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the polls
34 because of illness, mental or physical disability, blindness or a serious impairment of mobility.

1 ~~Medical form R-50 must be completed.~~ If not voting ballot at local board, ballot will be ~~delivered~~
2 mailed to the address in BOX A above or to the Rhode Island address provided in BOX B above.

3 If the ballot is delivered to the local board of canvassers to a person presenting written
4 authorization to pick up the ballot, complete BOX A above and fill in the person's name below.

5 I hereby authorize _____ to pick up my ballot at my local
6 board of canvassers.

7 ~~(-) 4. I belong to a religion whose tenets forbid secular activity, including voting, on the day of~~
8 ~~election. If not voting ballot at local board, ballot will be delivered to address in BOX A above.~~

9 () 5 2. I am confined in a hospital, convalescent home, nursing home, rest home, or similar
10 institution within the State of Rhode Island. ~~Complete~~ Provide the name and address of the
11 facility where you are residing in BOX B above.

12 ~~(-) 6. I am detained while awaiting trial or imprisoned for a cause other than final conviction of a~~
13 ~~felony. Complete BOX B above.~~

14 () 7 3. I am employed or in service intimately connected with military operations or because I am
15 a spouse or dependent of such person, or I am a United States citizen currently outside the United
16 States. If not voting ballot at local board, provide address in BOX B above.

17 ~~(-) 8. I am employed by the state board of elections, elections division of the secretary of state, a~~
18 ~~member of the staff of a local canvassing authority, or a poll worker assigned to work Election~~
19 ~~Day outside of their voting district.~~

20 () 4. I may not be able to vote at the polling place in my city or town on the day of the election
21 during the entire time period that the polls are open. If the ballot is being mailed to your voter
22 registration address (BOX A above) please provide the address within the United States where
23 you are temporarily residing in BOX B above. If you request that your ballot be sent to your local
24 board of canvassers please indicate so in BOX B above.

25 I hereby authorize _____ to pick up my ballot at my local
26 board of canvassers.

27 Under the pains and penalty of perjury, I certify that on account of the following circumstances
28 manifested twenty (20) days or less prior to the election for which I make this application. I will
29 be unable to vote at the polls.

30 Circumstances necessitating mail ballot: (Please describe below if checking category ~~1, 2, 4, 5, 6,~~
31 ~~7 or 8~~ 3 or 4)

32 BOX D OATH OF VOTER

33 I declare that all of the information I have provided on this form is true and correct to the best of
34 my knowledge. I further state that I am not a qualified voter of any other city or town or state and

1 have not claimed and do not intend to claim the right to vote in any other city or town or state. If
2 unable to sign name because of physical incapacity or otherwise, applicant shall make his or her
3 mark "X".

4 SIGNATURE IN FULL _____

5 [Please note: A Power of Attorney signature is not valid in Rhode Island.](#)

6 ~~This application must either be sworn to before a notary public OR before two (2) witnesses who~~
7 ~~must sign their names and affix their addresses. No witness or notary is necessary if checking~~
8 ~~category #7.~~

9 **WITNESSES:**

10 ~~Name _____~~

11 ~~Address _____~~

12 ~~Name _____~~

13 ~~Address _____~~

14 **OR**

15 **NOTARY:**

16 ~~(If executed outside of RI by a notary public, attest in manner authorized by law of places where~~
17 ~~taken.)~~

18 ~~Sworn to (or affirmed) before me, this _____ day of _____, 20____.~~

19 ~~Notary Public~~

20 ~~My Commission Expires: _____~~

21 ~~MAIL TO: BOARD OF CANVASSERS;~~

22 ~~Address _____~~

23 ~~City/Town _____ RI Zip Code _____~~

24 ~~TO BE COMPLETED BY THE LOCAL BOARD OF CANVASSERS~~

25 ~~CITY/TOWN CODE _____~~

26 ~~CONG DIST _____~~

27 ~~SEN DIST _____~~

28 ~~REP DIST _____~~

29 ~~VOTE DIST _____~~

30 ~~WARD _____~~

31 ~~DIST _____~~

32 ~~ACCEPTED _____~~

33 ~~DATE _____~~

34 ~~Pursuant to section 17-20-8 of the election laws of the State of Rhode Island, "Any~~

1 ~~person knowingly and willfully making a false application or certification or knowingly and~~
2 ~~willfully aiding and abetting in the making of a false application or certification shall be guilty of~~
3 ~~a felony." Pursuant to section 17-26-1 of the election laws of the State of Rhode Island, "Felonies~~
4 ~~—Every person who shall be convicted of any offense under this title which has been classified~~
5 ~~by the general assembly as a felony, shall be imprisoned for a term of not more than ten (10)~~
6 ~~years, or be fined not less than one thousand dollars (\$1,000) nor more than five thousand dollars~~
7 ~~(\$5,000), or both, for each offense."~~

8 ~~**17-20-14. Voting from hospitals and convalescent homes -- Penalty for interference**~~

9 **Voting from hospitals, convalescent homes, nursing homes, rest homes or similar**
10 **institutions public or private within the State of Rhode Island -- Penalty for interference. --**

11 (a) The state board of elections shall appoint as many bipartisan pairs of supervisors as are
12 necessary whose duty it shall be to attend each hospital, rest home, nursing home and
13 convalescent home, or similar types of personal care facility in the state within twenty (20) days
14 prior to the election. They shall supervise the casting of votes by persons using mail ballots at a
15 place that preserves their secrecy and shall take acknowledgments or serve as witnesses, and
16 jointly provide assistance, if requested, to assure proper marking, sealing, and mailing of ballots
17 as voted. Every mail ballot cast by a patient in a hospital or convalescent home within this state
18 must be witnessed by the state supervisors. It shall be the duty of the person or persons in charge
19 of hospitals, rest homes, nursing homes and convalescent homes, or similar types of personal care
20 facility to allow the state supervisors to perform their duties as set forth in this section at all
21 reasonable times. Every person who willfully hinders the state supervisors in performing their
22 duties as set forth in this section shall be guilty of a misdemeanor.

23 (b) It shall be the responsibility of the state board of elections to provide all bipartisan
24 pairs of supervisors with an official identification card. All bipartisan pairs of supervisors will be
25 required to have in their possession their identification card when conducting official business.

26 (c) Any person who deliberately misrepresents themselves as an official of the board of
27 elections, or who deceives, coerces, or interferes with a voter casting a ballot, shall be subject to
28 prosecution under section 17-20-30.

29 **17-20-14.2. Voting from board of canvassers. --** The ~~state board of elections~~ local
30 board of canvassers shall appoint as many ~~pairs of~~ supervisors as are necessary whose duty it
31 shall be ~~to attend each board of canvassers in the state on each of the six (6) business days prior to~~
32 ~~the election, on election day, and on any additional days that the state board shall direct~~ to
33 supervise the casting of votes by persons using mail ballots at a place that preserves their secrecy
34 and to take acknowledgments or serve as witnesses, and jointly provide assistance, if requested,

1 to assure proper marking, sealing, and mailing of ballots as voted. ~~The pairs appointed by the~~
2 ~~board of elections shall be "bipartisan", as defined in this title, unless the persons are members or~~
3 ~~employees of the boards of canvassers of the cities and towns. The state board of elections may,~~
4 ~~in its discretion, appoint members and employees of the boards of canvassers of the cities and~~
5 ~~towns to the pairs of supervisors provided for in this section.~~ Every certifying envelope
6 containing a mail ballot cast at a board of canvassers ~~must be witnessed~~ must have the signature
7 of the elector notarized by an appointed person authorized by law to administer oaths or before
8 two (2) appointed witnesses who shall set forth their signature on the form ~~by the state~~
9 ~~supervisors.~~ The certifying envelope of any mail ballot voted at the local board of canvassers
10 shall be stamped by the local board to indicate it was voted on in conformance with the law.
11 Every person who willfully hinders the ~~state~~ local supervisors in performing their duties as set
12 forth in this section shall be guilty of a misdemeanor. The local board shall transmit a list to the
13 state board of elections containing the names and signatures of people authorized to witness mail
14 ballots.

15 **17-20-21. Certifying envelopes. –** The secretary of state shall cause to be prepared and
16 printed and shall furnish with each mail ballot an envelope for sealing up and certifying the ballot
17 when returned. The envelope shall be printed in substantially the following form:

18 "After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to
19 statement hereon. Enclose in envelope addressed to board of elections, which must receive the
20 envelope not later than ~~nine o'clock (9:00)~~ eight o'clock (8:00) p.m. the day of election."

21 Date of Election: _____ City/Town of: _____

22 Certificate of Voter

23 ~~I _____ certify under penalty of perjury~~

24 Print Name of Voter

25 I swear or affirm, under penalty of perjury, that I am:

26 ~~that I am a resident of the state of Rhode Island and a qualified voter of the state residing at~~

27 _____

28 (Street and number, if any)

29 ~~in the city or town of _____ and that I am eligible to cast a mail~~
30 ~~ballot for the reason set forth in my application and that I have not qualified to vote elsewhere~~
31 ~~than as set forth on this envelope, nor do I intend to vote for any of the candidates, amendments~~
32 ~~or propositions named in the enclosed ballot elsewhere or in any other manner.~~

33 • I am a United States citizen;

34 • I am a resident and qualified voter of the State of Rhode Island;

- 1 [• I am eligible to cast a mail ballot under the provisions of section 17-20-2; and](#)
- 2 [• I am not qualified to vote elsewhere.](#)

3 Voter must sign full name here: _____

4 (If unable to sign name because of physical incapacity or otherwise, voter shall make his or her
5 mark "(X)").

6 [I hereby attest under penalty of perjury that the enclosed voted ballot was cast, and the signature](#)
7 [or mark on this certifying envelope was made by the voter whose name appears on the label](#)
8 [above.](#)

9 Before me the _____ day of _____ 20_____, at _____
10 (city or town), county of _____, state of _____, personally
11 appeared the above named voter, to me known and known by me to be the person who affixed his
12 or her signature to this ballot envelope. _____

13 Notary Public

14 Notary must also print his or her name

15 Witness: _____

16 (Signature)

(Residence)

17 Note: Mail ballots must either be sworn to before a notary public or before two (2) witnesses who
18 must sign their names and addresses. ~~If the voter is incapacitated because of illness, mental or~~
19 ~~physical disability, blindness or a serious mobility impairment and checked subdivision (3) on the~~
20 ~~mail ballot application, no notarization or witnesses are necessary.~~

21 **17-20-22. Certification envelopes for mail ballots of persons intimately connected**
22 **with military service and persons employed outside of the United States. --** The distinctively
23 colored certification envelope for persons intimately connected with military service and persons
24 employed outside of the United States shall be printed in substantially the following form:

25 After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to
26 statement hereon. Enclose in envelope addressed to board of elections, which must receive the
27 envelope not later than nine o'clock (9:00) p.m. the day of election.

28 Date of Election _____ City/Town of _____

29 Oath of Elector Casting the Enclosed Ballot or Ballots

30 [Print Name](#)

31 I do hereby affirm, [under penalty of perjury](#) that:

- 32 ~~(1) I am a citizen of the United States;~~
- 33 ~~(2) The date of my birth was _____;~~
- 34 ~~(3) I am (check appropriate item):~~

1 ~~(a) In the armed forces of the United States (-);~~

2 ~~(b) In the merchant marine of the United States (-);~~

3 ~~(c) A member of _____~~

4 ~~(Insert name of group or agency)~~

5 ~~-which is a religious group or welfare agency assisting members of the armed forces of the United~~
6 ~~States, and am officially attached to and serving with the armed forces (-)~~

7 ~~(d) Employed outside of the United States and have applied for a mail ballot through the use of~~
8 ~~the FPCA (Federal Post Card Application) (-):~~

9 ~~(e) The spouse (-) or dependent (-) (check one) of, and residing outside of the state of Rhode~~
10 ~~Island with, _____ who is:~~

11 ~~(Insert name)~~

12 ~~(check appropriate item)~~

13 ~~(i) In the armed forces of the United States (-);~~

14 ~~(ii) In the merchant marine of the United States (-);~~

15 ~~(iii) A member of _____~~

16 ~~(Insert name of group or agency which is a religious group or welfare agency~~
17 ~~assisting members of the armed forces of the United States, and who is officially~~
18 ~~attached to and serving with the armed forces (-).~~

19 ~~(iv) Employed outside of the United States and has applied for a mail ballot through the use of the~~
20 ~~FPCA (Federal Post Card Application) (-)~~

- 21 • I am a United States citizen;
- 22 • I am a resident and qualified voter of the State of Rhode Island;
- 23 • I am eligible to cast a mail ballot, because I am one of the following:
 - 24 ° A member of the Uniformed Services or merchant marine on active duty or an
 - 25 eligible spouse or dependent.
 - 26 ° A U.S. citizen currently outside the United States
- 27 • I am not qualified to vote elsewhere.

28 _____
29 (Signature of voter)

30 **17-20-23. Marking and certification of ballot.** -- (a) A voter desiring to vote for all
31 candidates of one political party for national and state, or city or town, offices, shall fill in the
32 appropriate space next to the designation of that party upon the appropriate ballot. A voter casting
33 a straight party vote may also individually vote for candidates and, in doing so, the straight party
34 vote will not be counted for that office and the individual vote, or votes in the case where more

1 than one candidate will be elected for an office, will override the straight party vote for that
2 office.

3 (b) A voter may omit to mark as provided in subsection (a) of this section and may vote
4 for the candidates of the voter's choice by making a mark in the space provided opposite their
5 respective names.

6 (c) In case a voter desires to vote upon a question submitted to the vote of the electors of
7 the state, the voter shall mark in the appropriate space associated with the answer that the voter
8 desires to give.

9 (d) ~~The voter~~ Voters receiving a mail ballot pursuant to subdivisions 17-20-2(1), (2), (3)
10 and (4) shall mark the ballot in the presence of two (2) witnesses or some officer authorized by
11 the law of the place where marked to administer oaths; ~~provided, that electors casting their ballot~~
12 ~~pursuant to section 17-20-2(3) or (7) do not need to have their ballot witnessed or notarized.~~
13 Voters receiving a mail ballot pursuant to subdivision 17-20-2(3) do not need to have their ballot
14 witnessed or notarized. Except as otherwise provided for by this chapter, the voter shall not allow
15 the official or witnesses to see how he or she marks the ballot and the official or witnesses shall
16 hold no communication with the voter, nor the voter with the official or witnesses, as to how the
17 voter is to vote. Thereafter, the voter shall enclose and seal the ballot in the envelope provided for
18 it. The voter shall then execute before the official or witnesses the certification on the envelope.
19 The voter shall then enclose and seal the certified envelope with the ballot in the envelope
20 addressed to the state board and cause the envelope to be delivered to the state board on or before
21 election day.

22 (e) These ballots shall be counted only if received within the time limited by this chapter.

23 (f) There shall be a space provided on the general election ballot to allow the voter to
24 write in the names of persons not in nomination by any party as provided for in sections 17-19-31
25 and 17-20-24.

26 SECTION 2. This act shall take effect upon passage.

=====
LC01425
=====

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

- 1 The act revises and amends the procedures for voting by mail ballot.
- 2 The act would take effect upon passage.

=====
LC01425
=====