

2011 -- S 0397

LC01496

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 Pichardo, and DiPalma

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-20-6.1 of the General Laws in Chapter 17-20 entitled "Mail
2 Ballots" is hereby amended to read as follows:

3 **17-20-6.1. Alternative methods of voting by citizens covered by the Uniformed and**
4 **Overseas Citizens Absentee Voting Act (UOCAVA) and other citizens residing outside the**
5 **United States.** -- (a) It is the intent and purpose that the provisions set forth in this section are
6 designed to facilitate the federal mandate of the Uniformed and Overseas Citizens Absentee
7 Voting Act (UOCAVA), 42 U.S.C. section 1973ff et seq.

8 (b) The Federal Post Card Application (FPCA) may be used as a request for an absentee
9 ballot by:

10 (1) A member of the armed forces who is absent from the state by reason of being in
11 active service;

12 (2) Any person absent from the state in performance of "services intimately connected
13 with military operations" as defined in section 17-20-3(d);

14 (3) Any person who is employed outside of the United States as defined in section 17-
15 20-3(c); and

16 (4) Any person who does not qualify under subparagraph (1), (2), or (3) above, but who
17 is a citizen of the United States and absent from the state and residing outside the United States as
18 described in chapter 21.1 of title 17.

19 (c) The single FPCA card shall permit the person to request an absentee ballot for each

1 primary and election for the time period specified by federal law ~~through the next two (2)~~
2 ~~regularly scheduled general elections for federal office~~ in which the voter is eligible to vote.

3 (d) The FPCA card must be received by the local board of canvassers where the person
4 last maintains his/her residence for voting purposes within the time frame for applying for
5 absentee ballots as set forth in this title.

6 (e) If the FPCA, when used in accordance with this section, is sent by the voter through
7 electronic transmission, it must be sent to the secretary of state and it must be received by the
8 secretary of state by the deadline for applying for absentee ballots as set forth in this title. The
9 secretary of state shall then forward the FPCA to the appropriate local authority who shall
10 immediately certify and return the FPCA to the secretary of state with the notation that the
11 corresponding ballots shall be sent by mail and electronic transmission. The secretary of state
12 shall transmit ballots only to the facsimile number provided by the Federal Voter Assistance
13 Program. The ballots sent by electronic transmission shall be returned to the state board by
14 electronic transmission. These ballots will be counted at the state board in accordance with rules
15 and regulations promulgated by the state board.

16 (f) The voter's signature on the FPCA does not need to be witnessed or notarized, when
17 the FPCA is submitted as provided in this section.

18 (g) If a voter is casting a mail ballot received through the use of the FPCA card as
19 provided in this section, the voter's signature does not need to be witnessed or notarized on the
20 certifying envelope used for the return of the voted mail ballot.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would change the time period in which a person could request an absentee ballot
2 to the time period specified by federal law, provided he or she is a member of the armed forces
3 providing services connected with military operations or residing or employed outside the United
4 States.

5 This act would take effect upon passage.

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