

2019 -- S 0587 SUBSTITUTE A

LC000032/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO ELECTIONS - DECLARATIONS OF CANDIDACY

Introduced By: Senator Leonidas P. Raptakis

Date Introduced: March 14, 2019

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-25-8 of the General Laws in Chapter 17-25 entitled "Rhode
2 Island Campaign Contributions and Expenditures Reporting" is hereby amended to read as
3 follows:

4 **17-25-8. Appointment of campaign treasurer by candidate -- Filings.**

5 (a) Each candidate in an election shall file a "notice of organization" with the board of
6 elections and appoint one campaign treasurer before receiving any contribution or expending any
7 money in furtherance or aid of the candidate's candidacy. The "notice of organization" shall
8 include the name and address of the candidate, the campaign treasurer and the committee being
9 established. [The candidate shall declare the office being sought and shall comply with the](#)
10 [financial statement requirement of § 36-14-16\(c\).](#)

11 (b) A candidate may appoint deputy campaign treasurers as required. The candidate shall
12 file the names and addresses of deputy campaign treasurers with the board of elections.

13 (c) A candidate may remove a campaign treasurer or deputy campaign treasurer. In the
14 case of the death, resignation, or removal of a campaign treasurer, the candidate shall appoint a
15 successor as soon as practicable and shall file his or her name and address with the board of
16 elections within ten (10) days. A candidate may serve as his or her own campaign treasurer, and
17 upon failure to designate a treasurer, the candidate shall be designated his or her own treasurer by
18 the board of elections.

19 SECTION 2. Section 36-14-16 of the General Laws in Chapter 36-14 entitled "Code of

1 Ethics" is hereby amended to read as follows:

2 **36-14-16. Financial statement to be filed.**

3 (a) On or before the last Friday in April of each year, the following officials and
4 employees subject to this code of ethics shall file with the commission a financial statement
5 complying with the requirements of this chapter.

6 (1) All state elected officials;

7 (2) All state appointed officials;

8 (3) All state appointed officials and employees who hold a major decision-making
9 position in a state agency;

10 (4) All municipal elected officials; and

11 (5) All municipal appointed officials whose official duties and responsibilities include
12 exercising decision-making authority over the expenditure of more than fifty thousand dollars
13 (\$50,000) in public funds in any fiscal or calendar year, and expressly including solicitors and
14 assistant solicitors, police chiefs, fire chiefs, superintendents of schools, principals,
15 superintendents and administrators of charter schools, board members of charter schools,
16 principals, superintendents and administrators of state schools, board members of state schools,
17 building inspectors, members of planning boards, zoning boards, licensing boards and tax appeal
18 boards. This subsection shall also include all municipal appointed officials whose official duties
19 and responsibilities include nominating, appointing or hiring any persons that will receive
20 compensation of more than fifty thousand dollars (\$50,000) in public funds in any fiscal or
21 calendar year.

22 (b) In the case of state and municipal appointed officials on and after January 1, 1988, the
23 appointee shall file the financial statement within thirty (30) days after the date of his or her
24 appointment or the date he or she qualifies for the office; provided, however, that in the case of
25 the appointment of officials that require senate confirmation, the appointee shall file the financial
26 statement with the appropriate senate committee prior to the institution of those confirmation
27 proceedings.

28 (c) Within thirty (30) days after the filing deadline, [or within thirty \(30\) days after filing a](#)
29 [notice of organization or compliance with § 17-25-8](#) every person who is a candidate for an office
30 as an elected officer, except those candidates for moderator and clerk of a voting district of the
31 cities and towns, shall file the financial statement as required by this chapter. Filings of
32 candidates for general office shall include information as required in subdivision 36-14-17(b)(2).
33 The commission shall grant an extension for good cause shown of not more than fifteen (15)
34 days, provided a request for the extension is received prior to the filing deadline for the financial

1 statement.

2 (d) Except as otherwise provided in this chapter, at least thirty (30) days before the
3 deadline date for the filing of a financial statement by each individual required to file, the
4 commission shall mail to the individual a copy of the financial statement form. In the case of
5 candidates other than those covered by subsection (f) of this section, the forms shall be mailed
6 within ten (10) days after the filing deadline date. In the case of appointed officers covered by this
7 section, the forms shall be mailed within seven (7) days after the date of the appointment.

8 (e) If a person has filed a financial statement as required by one subsection of this section
9 covering the preceding calendar year, he or she is not required to file a financial statement as
10 required by another subsection if, before the deadline for filing under the other subsection, he or
11 she notifies the commission in writing that he or she has already filed a financial statement under
12 the subsection specified.

13 (f) A person required to file a financial statement under subsection (a) of this section may
14 request the commission to grant an extension of time of not more than sixty (60) days for filing
15 the statement. The commission shall grant the extension of not more than sixty (60) days if the
16 request is received prior to the filing deadline or if a timely filing or request for extension is
17 prevented because of physical or mental incapacity. Not more than one extension may be given to
18 a person in one year except for good cause shown.

19 (g) The deadline for filing any statement required by this section is 5:00 P.M. of the last
20 day designated in the pertinent subsection of this section for filing the statement. When the last
21 day of filing falls on a Saturday or Sunday or an official state holiday, the deadline for filing is
22 extended to 5:00 P.M. of the next day which is not a Saturday or Sunday or holiday. Any
23 statement required by any provision of this section to be filed within a specified time period shall
24 be deemed to be timely filed if it is placed in the United States post office or in the hands of a
25 common or contract carrier properly addressed to the appropriate authority within the time limits
26 applicable to the statement. The postmark or receipt mark (if received by a common or contract
27 carrier) will be prima facie evidence of the date that the statement was deposited with the post
28 office or carrier. The person filing the statement may show by competent evidence that the actual
29 date of posting was to the contrary.

30 SECTION 3. 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 require all candidates for elected office to include, when they file their
- 2 "notice of organization", declaration of the office being sought and to file their code of ethics
- 3 financial statements within thirty (30) days thereafter.
- 4 This act would take effect upon passage.

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