

2024 -- H 7766

=====  
LC005167  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————  
A N A C T

RELATING TO ELECTIONS -- GENERAL PROVISIONS

Introduced By: Representative David J. Place

Date Introduced: February 28, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

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

3 **17-1-2. Definitions.**

4 For the purposes this title, except as may otherwise be required by the context:

5 (1) "Election" means the filling of any public office or the determination of any public  
6 question by vote of the electorate, and includes without limitation any state, town, or city office or  
7 question, and any political party primary election for the nomination of any candidate for public  
8 office; except that it shall not include a financial town meeting or a meeting to elect officers of a  
9 fire, water, or sewer district;

10 (2) "General election" means an election held on the first Tuesday next after the first  
11 Monday in November in even numbered years for the election of members of the general assembly  
12 and/or for the election of general officers, and/or for the election of presidential electors for  
13 president/vice-president of the United States;

14 (3) "General officer" means an officer designated as a general officer by chapter 2 of this  
15 title;

16 (4) "Independent candidate" means a candidate who has no affiliation with any political  
17 party;

18 (5) "Local board" means a town or city board of canvassers, board of canvassers and  
19 registration, canvassing authority, or any other local board, commission, or officer empowered by

1 law to have custody of the permanent registration records;

2 (6) “Local election” means any election limited to the electorate of any city or town, or any  
3 part, at which any city, town, ward, or district officers are to be chosen, or any elective meeting at  
4 which a question is to be submitted to the voters of a city, town, or any subdivision of a city or  
5 town, but it shall not include a financial town meeting;

6 (7) “Party member” means any person who is a member of a designated political party  
7 pursuant to § 17-9.1-23;

8 (8) “Party voter” means any qualified voter who is eligible to vote at the primary election  
9 of a political party;

10 (9) “Political party” or major “party” means: ~~(i) any political organization which, at the~~  
11 ~~next preceding general election for the election of general officers, nominated a candidate for~~  
12 ~~governor, and whose candidate for governor at the election polled at least five percent (5%) of the~~  
13 ~~entire vote cast in the state for governor, or (ii) any political organization which at the next~~  
14 ~~preceding general election for the election of a president of the United States nominated a candidate~~  
15 ~~for president and whose candidate for president at the election polled at least five percent (5%) of~~  
16 ~~the entire vote cast in the state for president, or (iii) any political organization which, on petition~~  
17 ~~forms provided to the chairperson of the organization by the state board of elections, obtains the~~  
18 ~~signatures and addresses of that number of registered qualified voters equal to five percent (5%) of~~  
19 ~~the entire vote cast in the state for governor or president in the immediately preceding general~~  
20 ~~election. All the signatures must be obtained no earlier than January 1 of the year in which the~~  
21 ~~political organization desires to place a candidate or candidates on any ballot as a “party” candidate.~~  
22 ~~If the political organization wishes to select its nominees in a primary election, the petitions, bearing~~  
23 ~~the requisite number of valid signatures, shall be presented to the appropriate local boards of~~  
24 ~~canvassers no later than June 1 of the same year. If the petitions are validated by the local boards~~  
25 ~~as containing the requisite number of valid signatures, the political organization shall be deemed to~~  
26 ~~be a political party for all elections held during the year and may select its nominees in a primary~~  
27 ~~election. If the political organization does not wish to select its nominees in a primary election, then~~  
28 ~~the petitions need not be returned to local boards of canvassers until August 1 of the same year. An~~  
29 ~~organization qualifying as a political party through the petition process shall qualify as a political~~  
30 ~~party only during the year in which signatures are obtained unless the candidates for governor or~~  
31 ~~president of the United States of the party at a general election held in the year, shall receive five~~  
32 ~~percent (5%) of the vote as provided in this subdivision for either governor or president of the~~  
33 ~~United States. If the candidates do not receive five percent (5%) of the vote, the organization shall~~  
34 ~~no longer qualify as a political party unless and until it shall, in a subsequent year, once again~~

1 ~~qualify by the submission of petitions~~ at the last preceding general election, nominated a candidate  
2 for President, United States Senator, Representative of Congress, governor, lieutenant governor,  
3 attorney general, secretary of state, or state treasurer, who received at least two percent (2%) of the  
4 total votes cast in the state, or has one or more members serving in the general assembly, or at least  
5 five thousand (5,000) votes were enrolled in the party as of June 1 of a general election year;

6 "Minor parties" means: any political organization which has yet to reach five thousand  
7 (5,000) registered voters or whose candidate(s) received less than two percent (2%) of the total  
8 votes cast in the previous election;

9 (10) "Polling place" means the room in which any election or elective meeting is  
10 conducted;

11 (11) "Primary election" means any election to select the candidates of a political party;

12 (12) "Proposition" or "public question" means any question put to a referendum of the  
13 electorate of the entire state or any part of it;

14 (13) "Qualified voter" means any person who is eligible to vote under the requirements of  
15 age, residence, and citizenship prescribed by the state constitution and who is duly registered to  
16 vote, or who is exempt from registration, pursuant to this title, and who is not otherwise disqualified  
17 as a voter pursuant to law;

18 (14) "Special election" means any election other than a local election or primary election  
19 which is not held on a general election day;

20 (15) "State board" means the state board of elections constituted pursuant to this title;

21 (16) "State election" means any election at which any presidential electors, senator or  
22 representatives in congress, general officers of the state, or members of the general assembly are to  
23 be chosen, or at which a public question or an amendment to the Constitution is submitted to the  
24 electors of the state;

25 (17) "State officer" means the governor, lieutenant governor, secretary of state, attorney  
26 general, general treasurer, state senator, and state representative;

27 (18) "Vacancy in office" means the condition resulting from any failure to elect or appoint  
28 an eligible and qualified person to public office, or the failure of any person duly elected or  
29 appointed to qualify, or from the death, resignation, or removal of an incumbent prior to the  
30 expiration of his or her term of office and where no fixed term is prescribed upon the death,  
31 resignation, or removal;

32 (19) "Voting list" means the complete list of all voters prepared from the information  
33 contained in the original permanent registration records in the possession of the local board of  
34 canvassers;

- 1 (20) "Warden" includes "moderator" and vice versa;
- 2 (21) Words importing the masculine gender shall include the feminine gender.
- 3 SECTION 2. This act shall take effect upon passage.

=====  
LC005167  
=====

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

\*\*\*

1           This act would redefine "Political Party" and define and distinguish between "major  
2 parties" and "minor parties" based on the total number of votes a party's candidate received in the  
3 previous election.

4           This act would take effect upon passage.

=====  
LC005167  
=====