U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

State Statute 17-19-24 (c)
Overvote: occurs if the voter connected the head and tail of the arrow beside too many candidates or choices in an office or question. Each office or question has instructions to "Vote for 1" or 'Vote for 2" etc. If more candidates or question choices are selected than allowed under the instructions for that office or question, the tabulator will reject the ballot as an overvoted ballot. The voter may request that the Clerk in the polling place void the ballot and issue them a new ballot to mark. Or the voter may instruct the Warden/Moderator to override the error message, however, the office or question in which the error occurred will not be counted since it was marked incorrectly.

2016 Response:

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

When a voter fails to connect the tail and the head of the arrow to cast a ballot for the maximum number of candidates in a race it is considered an under-vote.

2016 Response:

When a voter fails to fill-in the oval to cast a ballot for the maximum number of candidates in a race it is considered an under-vote.

c) Blank ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

State Statute 17-19-24 (c)
ballot: the voter did not connect any heads and tails of any arrows on the ballot, or did not mark the ballot correctly. The voter may request that the Clerk in the polling place void the ballot and issue a new ballot to mark. Or the voter may instruct the Warden/Moderator to override the error message and cast the ballot as it is, however, no offices or questions may be counted because the ballot was not marked, or was not marked correctly under

2016 Response:

Statute has not changed but voter must now fill-in an oval to cast a vote for a candidate or question on the ballot. Voter now overrides any error message on their own, and does not require assistance from the Warden/Moderator.

d) Void/Spoiled ballot

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

The optical scan precinct count unit shall be programmed to return a ballot to the voter if the voter has cast votes for more persons than which he or she is entitled to cast. The warden, by reading the message given on the optical scan precinct count unit, must advise the voter of the fact that the ballot has been over-voted. The voter will be instructed by the warden to remove his or her own ballot from the optical scan precinct count unit ballot slot. The warden will then ask the voter to surrender the ballot as void and receive a new ballot. If the voter agrees, the voter will make additional marks on the ballot so as not to identify the actual votes intended by the voter for the ballot. The ballot will be marked void by the warden and deposited in the receptacle for void ballots provided at the polling place. If the voter insists on casting the over-voted ballot, he or she will be advised that all races, other than the overvoted race, will be counted by the optical scan precinct count unit, and if he or she still insists, the warden will manually override the appropriate control on the unit and allow for the ballot to be entered and counted for all races other than the over-voted race.
(d) In the event a voter incorrectly marks a ballot by indicating his or her choices other than in the spaces provided for them, the ballot will be returned to the voter. The warden, by reading the message given on the optical scan precinct

2016 Response:

Statute has not changed but optical scan machines are no longer used. Digital scanners "DS-200" are now the precinct count units and are marked by completing ovals. Voter now overrides any error message on their own, and does not require assistance from the Warden/Moderator. All other parameters remain the same.

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Provisional Voting is a process to insure that all registered voters are allowed to participate in the election process. These qualified voters will be allowed to cast the same ballot as all others however, the disposition (full ballot, federal offices only, or disqualified) of that ballot will be determined by the voter's local board of canvassers. The voter may then determine the disposition of their ballot by clicking on the link below or by calling the Board of Elections at (401) 222-2345.

Who is allowed to vote a provisional ballot?
-A voter whose name is not on the precinct voting list or the master voting list for the Polling Place and the voter does not qualify for the "Affirmation" process
-The voter's identity has been challenged by an election official.
-The precinct voting list indicates the voter has applied for a mail or emergency ballot.
-IN A PRIMARY ONLY, the voter claims they are unaffiliated of affiliated with a different party than indicated on the precinct voter list.
-A voter who does not present a photo ID that complies with the requirements of 17- 19-24.2

2016 Response:

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

17-20-1 Voting by mail ballot. – The electors of this state who, for any of the reasons set forth in § 17-20-2, being otherwise qualified to vote, are unable to vote in person, shall have the right to vote, in the manner and time provided by this chapter, in all general and special elections and primaries, including presidential primaries in this state for electors of president and vice-president of the United States, United States senators in congress, representatives in congress, general officers of the state, senators and representatives in the general assembly for the respective districts in which the elector is duly qualified to vote, and for any other officers whose names appear on the state ballot and for any city, town, ward, or district officers whose names appear on the respective city or town ballots in the ward or district of the city or town in which the elector is duly qualified to vote, and also to approve or reject any proposition of amendment to the Constitution or other propositions appearing on the state, city, or town ballot.
§ 17-20-2 Eligibility for mail ballots. – Any otherwise qualified elector may vote by mail ballot in the following circumstances:

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If open mail ballot voting is considered early voting there has been a change, if is not considered early voting there is no change. RI recently enacted the following statute allowing any person who may not be able to vote on Election Day, the opportunity to vote by mail (see (4)):
§ 17-20-2 Eligibility for mail ballots. – Any otherwise qualified elector may vote by mail ballot in the following circumstances:
(1) An elector, within the State of Rhode Island who is incapacitated to the extent that it would be an undue hardship to vote at the polls because of illness, or mental or physical disability, blindness, or serious impairment of mobility;
(2) An elector who is confined in any hospital, convalescent home, nursing home, rest home, or similar institution, public or private, within the State of Rhode Island;
(3) An elector who will be temporarily absent from the state because of employment or service intimately connected with military operations or who is a spouse or legal dependent residing with that person, or a United States citizen that will be outside of the United States;
(4) An elector who may not be able to vote at his or her

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Anyone who has Is duly registered in the state's central voter registration system (CVRS) and whose is presumed to be registered from the address at which he/she resides.

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

(e) If a confirmation notice is mailed to a voter and returned as undeliverable, or if delivered and the voter has not responded within fourteen (14) days from the date of the mailing, the voter shall remain on or be placed on the inactive list and shall not be permitted to vote until the voter has signed an affirmation form at either the approved polling place or at the local board of canvassers as provided in this chapter. If the voter fails to vote by the second general election following the date of the confirmation mailing, then the voter shall be removed from the voting list. Notwithstanding the foregoing provisions, if the confirmation mailing was based upon the change of address information provided by or through the United States Postal Service National Change of Address Program, and the voter has failed to respond to the confirmation mailing, the voter shall remain on the active list of voters and shall not be required to sign the affirmation form. In these cases, the voter's residence address for voting purposes will be changed by the local board to the new address as indicated by the National Change of Address Program.

2016 Response:

j) Other terms (please specify) _____

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

§ 17-19-24.2 Voter identification. – (a) Beginning on January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity. For purposes of this section, proof of identity shall include:
(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation:
(i) Rhode Island driver's license;
(ii) Rhode Island voter identification card;
(iii) United States passport;
(iv) Identification card issued by a United States educational institution;
(v) United States military identification card;
(vi) Identification card issued by the United States or the State of Rhode Island;
(vii) Government issued medical card.
(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation:
(i) Birth certificate;
(ii) Social security card;
(iii) Government issued medical card.

2016 Response:

RI Driver Learning Permits and Identification Issued by a Federally-Recognized Tribe added by Board of Election as acceptable under (vi) Identification card issued by the United States or the State of Rhode Island;

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

§ 17-19-24.2 Voter identification. – (a) Beginning on January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity. For purposes of this section, proof of identity shall include:
(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation:
(i) Rhode Island driver's license;
(ii) Rhode Island voter identification card;
(iii) United States passport;
(iv) Identification card issued by a United States educational institution;
(v) United States military identification card;
(vi) Identification card issued by the United States or the State of Rhode Island;
(vii) Government issued medical card.
(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation:
(i) Birth certificate;
(ii) Social security card;
(iii) Government issued medical card.
(b) From and after January 1, 2014, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity listed in subdivisions (a)(1).
(c) No later than January 1, 2012, Rhode Island voter identification cards will be issued upon request, and at no expense to the voters, at locations and in accordance with procedures established by rules and regulations promulgated by the secretary of state. The purpose of this section is to provide voter identification cards to those voters who do not possess the identification listed in subdivision (a)(1).
(d) If the person claiming to be a registered and eligible voter is unable to provide proof of identity as required in subdivisions (1) and (2) above, the person claiming to be a registered voter shall be allowed to vote a provisional ballot pursuant to § 17-19-24.2 upon completing a provisional ballot voter's certificate and affirmation. The local board shall determine the validity of the provisional ballot pursuant to § 17-19-24.3.
§ 17-20-2 Eligibility for mail ballots. – Any otherwise qualified elector may vote by mail ballot in the following circumstances:

2016 Response:

RI Driver Learning Permits and Identification Issued by a Federally-Recognized Tribe added by Board of Election as acceptable under (vi) Identification card issued by the United States or the State of Rhode Island;

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Rhode Island Registration System remains the same since 2012, the response is modified as follows:
Hybrid system- The central platform is maintained by the state and the cities and towns input registrations daily

2016 Response:

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Pre-2012 to the present, cities and towns input voter registration daily into the central voter registration system maintained by the state.

2016 Response:

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If a confirmation notice is mailed to a voter and returned as undeliverable, or if delivered and the voter has not responded within fourteen (14) days from the date of the mailing, the voter shall remain on or be placed on the inactive list and shall not be permitted to vote until the voter has signed an affirmation form at either the approved polling place or at the local board of canvassers as provided in this chapter. If the voter fails to vote by the second general election following the date of the confirmation mailing, then the voter shall be removed from the voting list. Notwithstanding the foregoing provisions, if the confirmation mailing was based upon the change of address information provided by or through the United States Postal Service National Change of Address Program, and the voter has failed to respond to the confirmation mailing, the voter shall remain on the active list of voters and shall not be required to sign the affirmation form. In these cases, the voter's residence address for voting purposes will be changed by the local board to the new address as indicated by the National Change of Address

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If a confirmation notice is mailed to a voter and returned as undeliverable, or if delivered and the voter has not responded within fourteen (14) days from the date of the mailing, the voter shall remain on or be placed on the inactive list and shall not be permitted to vote until the voter has signed an affirmation form at either the approved polling place or at the local board of canvassers as provided in this chapter. If the voter fails to vote by the second general election following the date of the confirmation mailing, then the voter shall be removed from the voting list.
With respect to UOCAVA voters, all UOCAVA voters coming in to CVRS through an FPCA are notated accordingly. When the FPCA expires, they are notified. This process is automated in our CVRS and local boards are prompted when an FPCA expires and a notice needs to be generated. As indicated above, UOCAVA voters in RI are exempt from registration

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Central Voter Registrations System (CVRS) is linked to the Rhode Island DMV and voter registrations taken at DMV are electronically sent from the DMV to the CVRS

2016 Response:

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

NCOA requirements are fully integrated with the CVRS. In every odd-numbered year, the active voter file is passed through NCOA and possible address changes are processed through CVRS. In 2009, NCOA reviewed 692,565 active voters and returned possible address changes for 51,108 records. CVRS electronically sent those records to the appropriate city/town for their review and action. All steps in the process are automated and tracked. This return was typical with our usual returns of approximately 10% which has been categorized as average by the NCOA vendor.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Only persons who are incarcerated on a felony conviction are ineligible to vote, upon their release they may re-register.

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Voters may complete voter registration entirely online. Existing registrants can modify their voter registration record online if they possess a valid RI Driver's License or State Identification Card issued by the RI Department of Motor Vehicles. New voters may register online if they possess a RI Driver's License or State Identification Card issued by the RI Department of Motor Vehicles. New voters with no such credentials may print a voter registration form pre-filled with the information they entered into the Online Voter Registration (OVR) system, and mail or deliver it to their local Board of Canvassers or the State Board of Elections for processing.

Voters may also bypass the OVR and download a voter registration form from several web sites throughout the state, it must be completed, printed, signed and returned to the local board of canvassers or the State Board of Elections

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Centrally at the State Board of Elections

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Mail ballots are reported separately.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

They are counted centrally and reported as part of the mail ballot count.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See (4) below
§ 17-20-2 Eligibility for mail ballots. – Any otherwise qualified elector may vote by mail ballot in the following circumstances:
(1) An elector, within the State of Rhode Island who is incapacitated to the extent that it would be an undue hardship to vote at the polls because of illness, or mental or physical disability, blindness, or serious impairment of mobility;

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No

2016 Response:

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix A

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

If the voter is registered in a city or town in Rhode Island but votes in the wrong precinct, only federal offices are counted.

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None

2016 Response:

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All poll workers are required by law to attend a poll worker training session run by the State Board of Elections.

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Over-votes and under-votes are recorded on the tape printed by the optical scan voting machine, "Eagle", used by the State of Rhode Island.

2016 Response:

Over-votes and under-votes are recorded on the report printed by the ballot scanner, "DS-200" used by the State of Rhode Island.

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

When registering to vote by mail or third party they must provide a valid driver's license number or the last 4 digits of their social security number

2016 Response:

When registering to vote by mail or third party for the first time in the state they must provide a valid driver's license number or the last 4 digits of their social security number

b. casting an in-person ballot;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

§ 17-19-24.2 Voter identification. – (a) Beginning on January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity. For purposes of this section, proof of identity shall include:
(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation:
(i) Rhode Island driver's license;
(ii) Rhode Island voter identification card;
(iii) United States passport;
(iv) Identification card issued by a United States educational institution;
(v) United States military identification card;
(vi) Identification card issued by the United States or the State of Rhode Island;
(vii) Government issued medical card.
(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation:
(i) Birth certificate;
(ii) Social security card;
(iii) Government issued medical card

2016 Response:

RI Driver Learning Permits and Identification Issued by a Federally-Recognized Tribe added by Board of Election as acceptable under (vi) Identification card issued by the United States or the State of Rhode Island;

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None Unless they are “ID required” under HAVA

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

None

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☐ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No.

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Anyone is allowed to observe the process inside the polling place as long as they are not electioneering. They must not enter voting area.	

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Not since they have been implemented.

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

Appendix A – Rhode Island 2014 Responses

C5. § 17-19-24.2 Voter identification. – (a) Beginning on January 1, 2012, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity. For purposes of this section, proof of identity shall include:

(1) A valid and current document showing a photograph of the person to whom the document was issued, including without limitation:

(i) Rhode Island driver's license;

(ii) Rhode Island voter identification card;

(iii) United States passport;

(iv) Identification card issued by a United States educational institution;

(v) United States military identification card;

(vi) Identification card issued by the United States or the State of Rhode Island;

(vii) Government issued medical card.

(2) A valid and current document without a photograph of the person to whom the document was issued, including without limitation:

(i) Birth certificate;

(ii) Social security card;

(iii) Government issued medical card.

(b) From and after January 1, 2014, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election shall provide proof of identity listed in subdivisions (a)(1).

(c) No later than January 1, 2012, Rhode Island voter identification cards will be issued upon request, and at no expense to the voters, at locations and in accordance with procedures established by rules and regulations promulgated by the secretary of state. The purpose of this section is to provide voter identification cards to those voters who do not possess the identification listed in subdivision (a)(1).

(d) If the person claiming to be a registered and eligible voter is unable to provide proof of identity as required in subdivisions (1) and (2) above, the person claiming to be a registered voter shall be allowed to vote a provisional ballot pursuant to § 17-19-24.2 upon completing a provisional ballot voter's certificate and affirmation. The local board shall determine the validity of the provisional ballot pursuant to § 17-19-24.3.

§ 17-15-26. Challenge of identity as to right to vote

Whenever the identity of any person offering to vote is challenged at the polling place, that person shall be permitted to vote only by using a **provisional** ballot as defined in § 17-19-24.1.

§ 17-19-24.1. **Provisional** voting under the Help America Vote Act of 2002

(a) If an individual's name does not appear on the certified voting list as provided for in § 17-19-24(b) and the individual is eligible to vote in an election for federal office or an election official asserts that the individual is not eligible to vote in the district in which the individual desires to vote, then the individual shall be permitted to cast a **provisional** ballot as provided in Section 302 of the Help America Vote Act (P.L. 107-252) [42 U.S.C. § 15481].

§ 17-19-27. Challenge of identity as to right to vote

Whenever the identity of any person offering to vote is challenged at the polling place, that person shall be permitted to vote only using a **provisional** ballot as defined in § 17-19-24.1. The Board of Elections adopted provisional ballot rules and regulations to implement provisional balloting, a copy of the eligibility requirements are below:

An individual shall be eligible to cast a provisional ballot if:

1) The individual declares that he/she is a registered voter and eligible to vote in the precinct but is informed by an election official on election day that the individual's name does not appear on the official list of registered voters for the precinct or the that the individual's name is listed in another precinct of the city/town. Except voters who file voter affirmation forms under R.I.G.L 17-9.1-16.

2) The official list of registered voters indicates the voter has applied for a mail/emergency ballot; or

3) An election official asserts that the individual is not eligible to vote (including partisan and non-partisan primaries); or

4) The individual registered to vote by mail but is unable to provide the required identification prior to or at the time of voting.