

**410-RICR-20-00-4**

## **TITLE 410 - BOARD OF ELECTIONS**

### **CHAPTER 20 - ELECTIONS**

#### **SUBCHAPTER 00 - N/A**

##### **PART 4 - Ballot Applications and Certified Voting Lists at the Polling Place**

#### **4.1**

- A. The Rhode Island Board of Elections hereby establishes within rules and regulations relating to ballot applications and certified voting lists and their usage at the polling place, pursuant to and in accordance with R.I. Gen. Laws § [17-19-24](#) *et seq.*, as amended
- B. Said rules and regulations are proposed pursuant to the Administrative Procedures Act (R.I. Gen. Laws Chapter [42-35](#) *et seq.*) and are available for public inspection at the offices of the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island

#### **4.2 Purpose**

The within rules and regulations are hereby proposed for the purpose of establishing a procedure for the design of ballot applications and certified voting lists and their usage at the polling place in conjunction with the procedures set forth in R.I. Gen. Laws § [17-19-24](#).

#### **4.3 Definitions**

"Ballot application" means an application issued to a voter at the polling place on which a voter must certify their name and home address as their own, and before they are issued an official ballot.

"Board of Canvassers" or "Local Board" means the board of canvassers in a city or town.

"Board of Elections" or "State Board" means the Rhode Island Board of Elections.

"CVRS" means "Central Voter Registration System", which is a database maintained by the Office of the Secretary of State as a statewide voter registration and election history computer system.

"Certified voting list" means the official list of voters.

"Election" means any election, primary, or referendum.

## **4.4 Certified Precinct Voting List**

### **4.4.1 List Setup and Labels**

- A. The Board of Canvassers shall certify the list of qualified voters for each precinct in accordance with R.I. Gen. Laws § [17-19-24](#). Each certified list of qualified voters shall be generated by the Central Voter Registration System ("CVRS").
- B. The certified list shall consist of each voters name in alphabetical order listing the last name, first name and middle initial, address, date of birth, voter identification number with a corresponding bar code and in partisan primaries ONLY, the party affiliation. The list shall identify voters required to present identification, voters who have applied for or a mail ballot or voters listed as an inactive voter. The local board shall manually identify on the list the names any voter who has voted or applied for an emergency mail ballot.
- C. The certified list shall also contain a corresponding removable label with duplicate information for each voter that shall be removed and attached to the ballot application. Each individual label shall have dimensions measuring 1 x 3.25".

### **4.4.2 Format of the Certified Precinct Voting List**

- A. Any certified voting list used in a polling place shall conform to the following format:
  - 1. Alphabetical listing

The certified precinct voting list shall list voters in alphabetical order by last name, with a page break between each letter of the alphabet so that no two voters with last names beginning with different letters shall be listed on the same page.
  - 2. Volumes

The certified precinct voting list may be divided into separate volumes of the alphabet by the local board.
  - 3. Binding

Any certified voting list volume used in a polling place shall be bound along the left margin and contained within a binder or any other such device to protect the integrity of the list. Each binder shall display a cover

prominently indicating the precinct number, city/town, portion of the alphabet contained within the volume, and any other information required by law.

#### **4.5 Other Lists**

##### **A. Certified Master Voting List**

The local board shall deliver to each polling place a master list of all registered voters within the city/town eligible to vote in the election. The certified master voting list shall be bound by the local board to ensure that the integrity of the list is maintained. The list shall display a cover prominently indicating the term "Master Voting List," the city/town and any other information required by law.

##### **B. Street Directory**

The local board shall deliver to each polling place a bound list containing every street address range within the city/town and corresponding assigned precinct for each address range, that shall be used by the Clerk in administering the requirements of Fail-safe voting contained in R.I. Gen. Laws § 17-9.1-16.

#### **4.6 Procedure for Voting**

##### **A. Procedure**

1. The voter shall state his/her name and address to the bipartisan pair of Supervisors. The bipartisan pair of Supervisors shall locate the voter's name on the certified voting list for the precinct and repeat the voter's name and address in a loud, clear and distinct voice. Upon finding the voter's name on the certified voting list for the precinct, the Supervisor shall affix the voter's label from the certified voting list onto a pre-numbered ballot application issued in numerical order and the voter shall sign on the line adjacent to the label on the ballot application. IN PARTY PRIMARIES ONLY, after noting the voter's party affiliation, the bipartisan pair of Supervisors must affix the voter's label on the appropriate party ballot application.
2. After witnessing the voter's signature or mark, the bipartisan pair of Supervisors shall initial the ballot application.
3. A Supervisor shall place the ballot application on the spindle provided and the bipartisan pair of Supervisors shall then issue a ballot to the voter. IN PARTY PRIMARIES ONLY, the bipartisan pair of Supervisors must issue the voter a ballot corresponding to the party ballot application they completed.

4. If the bipartisan pair cannot locate the voter's name on the certified voting list for the precinct, the bipartisan pair of Supervisors shall direct the voter to the Clerk who shall review the master certified voting list and determine if the voter is registered to vote in the city or town and in which voting precinct they are eligible to vote. The Clerk shall provide voter affirmation forms or provisional ballots to voters as necessary.

#### B. Discrepancies

Any discrepancies by polling place election officials involving the certified voting list and ballot applications shall be noted in detail on the Board of Elections discrepancy report. The following discrepancies shall be processed as follows:

1. If the incorrect label from the certified voting list is inadvertently affixed to a ballot application, it shall be voided and set aside. If the voter whose label has been voided presents himself/herself, the bipartisan pair of Supervisors shall confirm the voter's label has been voided and that voter shall manually complete a ballot application by printing his/her name and address and signing his/her name.
2. If a voter's identifying label is affixed to a ballot application and the voter has signed the ballot application but does not complete the voting process by casting his or her ballot into the optical scan unit and instead surrenders his or her ballot to the Warden/Moderator, the ballot application shall be voided and set aside. If the voter returns, the bipartisan pair of Supervisors shall confirm the voter's label has been voided and that voter shall manually complete a ballot application by printing his/her name and address and signing his/her name.
3. If a voter's name is not listed on the certified precinct voting list, but is listed on the certified master voting list for the city/town and the master voting list indicates the voter is assigned to that precinct, the voter shall be allowed to manually complete a ballot application by printing his/her name and address and signing his/her name.

#### **4.7 Delivery of lists**

The local board shall deliver all certified voting lists to the polling place on Election Day before the polls open. The local board shall ensure the security of the voting list at all times.

#### **4.8 Voter History**

Except as otherwise directed by the state board, the local board shall update in the CVRS the voter history records of all voters who completed a ballot application and cast a ballot in the election within 21 days of the election.

## **4.9 Implementation**

- A. The Board of Elections may promulgate procedures and forms necessary to implement the within rules and regulations required under the Rhode Island General Laws.
- B. These rules and regulations are adopted this 7th day of February 2008 pursuant to the Administrative Procedures Act (R.I. Gen. Laws 42-35-1, *et seq.*). By Order of the Rhode Island Board of Elections
- C. Adopted at a meeting of the State Board of Elections held on this 7th day of February 2008.