

## Testimony of Common Cause Rhode Island in Support of H 7664--An Act Relating to Elections--Nomination of Party and Independent Candidates

### Position: Support with amendment

Common Cause Rhode Island strongly supports H 7664, a bill that would make changes to the signature collection and review processes for nomination papers, and move the date of our statewide primary to the last Tuesday in August.

### *Signature Review*

In 2022 and 2023 local boards of canvassers encountered forged signatures on nomination papers for governor and congress. The 2022 forgeries resulted in multiple convictions, and the 2023 forgeries are still being investigated.

H 7664 makes two significant changes to the process for submitting and reviewing signatures on nomination papers. First, it adds time for local boards of canvassers and the state Board of Elections to review signatures. This is important because signature review is a labor intensive process. In 2023 the state Board of Elections was not able to conduct a thorough review of potentially fraudulent signatures before candidates needed to be certified for the primary ballot.

The second significant change is the requirement that local boards report suspected forgeries to the state board, and the state board notifies corresponding local boards, and if necessary, the Secretary of State. There has been confusion about the duty of local boards to notify the state board in recent years, and this clarifies the lines of communication.

Common Cause respectfully requests that the rules and regulations promulgated by the state board in consultation with the Elections Committee of the Town and City's Clerks Association be adopted under the Rhode Island Administrative Procedures Act, § 42-35-1 et seq.

### *Primary Election Date*

In 2022 Rhode Island had the latest primary in the United States, along with Delaware and New Hampshire.<sup>1</sup> Our extremely late primary creates many challenges for administering elections in Rhode Island, the most important of which is timing. Over the last 15 years our September primary has put us in jeopardy of violating the Military and Overseas Voter Empowerment Act (MOVE Act). That is a federal law that requires ballots for those populations be sent to voters 45 days before an election.

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<sup>1</sup> See: <https://www.ncsl.org/elections-and-campaigns/2022-state-primary-election-dates-and-filing-deadlines>

In the past Rhode Island has had to seek waivers from the United States Department of Justice to avoid possible violations of the MOVE Act, waivers the DOJ no longer grants. In 2020 the General Assembly had to move the primary earlier in the month to avoid infringing on the 45-day window.

When the General Assembly adopted risk-limiting audits in 2017 the legislation exempted the statewide primary because of the potential time crunch. We don't audit the election that is often the decisive one in our state because of this problem.

The House of Representative passed a bill last week closing public schools in Rhode Island for the Presidential Preference Primary. If we move our statewide primary to August it will be one less day schools will need to be closed, and right at the start of the new school year.

As Common Cause Rhode Island has advocated for this change in the past, we have been told that moving the primary to August would depress turnout. The evidence indicates that the *opposite* is true. According to an analysis by the Bipartisan Policy Center, July and August primaries actually have higher turnout.<sup>2</sup> It's worth noting that both Connecticut and Vermont hold their primaries in August.

Common Cause Rhode Island urges the committee to give consideration to H 7664.

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<sup>2</sup> See: <https://bipartisanpolicy.org/wp-content/uploads/2018/11/2018-Primary-Election-Turnout-and-Reforms.pdf>

