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January 14, 2026

The Honorable Members of the House Committee on State Government and Elections
82 Smith St.
Providence, RI 02903

RE: Warwick Board of Canvassers Support for H-7049 (September Primary Labor Day Issue)

Dear Chairman Shanley and Hon. Members of the House State Government and Elections Committee:

The Warwick Board of Canvassers supports **H-7049**, an act introduced by Rep. Baginski on behalf of the RI Town and City Clerks' Association that moves the 2026 September primary by one day, to Wednesday, due to Labor Day and related logistical, cost, and legal concerns. Moving the primary to Wednesday, when it occurs during the week of Labor Day, has historically been supported by the entire Rhode Island elections stakeholder community in past legislative sessions, including by the RI Board of Elections, RI League of Cities and Towns, and Secretary of State Gregg M. Amore. Among the concerns held by numerous municipalities:

A survey of all 39 cities and towns in 2019 found that statewide costs to conduct early voting and polling place set-ups on Labor Day exceed \$150,000 – which **will likely exceed \$200,000**, adjusted for 2026 labor and other inflationary costs. These costs are borne exclusively by the municipalities, which includes significant staff overtime and added fees from polling locations.

There are serious logistical concerns about being able to access and set up potentially over 400 Primary Day polling locations on a major federal holiday, beyond just simple added expenses. Set-ups are a 12-to-18-hour process in many cities and towns, requiring the efficient coordination of dozens of personnel, and requiring physical access to hundreds of both public and private facilities – nearly all of which are closed, and typically unstaffed, on Labor Day. Failure to properly set up polling locations can compromise the good conduct of the Primary, and cause polls to open late.

Most municipalities hold early voting in their city or town hall, or off-site, but also need that same space – and those same poll workers – for separate, unrelated polls that are open on Primary Day. If the law does not change, these cities and towns will have to hire *additional* poll worker personnel to staff early voting for Primary Day, and open separate voting sites in the same, often small, spaces.

The state Board of Elections may be stressed in its equipment inventory and support capabilities by having to maintain finite quantities of voting equipment and field technicians for both early voting and Primary Day operations, simultaneously. This may harm response times to pressing issues that cities and towns depend on their support for, due to the added 39 early voting sites that will be open.

This scenario has never happened before. Few towns held primaries at all in September 2020, and in those that did, many people voted by mail due to the pandemic. In the September 2023 Congressional District 1 Special Primary, turnout was exceptionally low, and half the state was not at all affected by that election. **Therefore, this is the first major, statewide contested primary with early voting laws in effect** where this Labor Day issue is

expected to have a statewide, widespread impact. A 2019 change to state law that moved up the primary date meant that, prior to 2020, primaries in Rhode Island could not generally have been held the same week as the Labor Day holiday. So, this is the first normal, non-Covid, non-special primary election where this circumstance has occurred – meaning some of the consequences and challenges may be unpredictable or difficult to mitigate.

Voters will be confused by having the unusual option of voting at either an early voting site from 8:30 a.m. to 4 p.m., or at their normal Primary Day polling place from 7 a.m. to 8 p.m. Local election officials reported significant confusion from voters in the low-turnout, day-after-Labor Day primaries of 2020 and 2023. There are also security and election integrity concerns that, in specific circumstances, could defeat safeguards intended to prevent attempted double voting, as our elections laws were not written to properly accommodate simultaneous early voting and Primary Day voting.

Emergency mail ballot requests will also continue on Primary Day itself, until 4 p.m. that day, instead of ending at 4 p.m. the day before, which is in direct conflict with state law's clear intent to cut off requests for emergency mail ballots at 4 p.m. the day before an election.

Massachusetts' legislature – at the request of their local clerks and SOS – recently responded to this same issue by passing a bill moving their Primary up one week, to the week before Labor Day (to be held on Sept. 1, 2026). Massachusetts election clerks have long expressed the same logistical concerns about holding a major primary the day after Labor Day.

Rhode Island successfully conducted a statewide, major primary on a Wednesday most recently in September 2018, due to Rosh Hashanah. Rhode Island law **already** provides for primaries to be held on Wednesday, if Tuesday is a religious holiday, so doing so during Labor Day week is in keeping with existing law and long-established best practices.

46 other states avoid this issue entirely by holding their primary elections before September, either in the spring or summer, in part due to federal law, which requires overseas military mail ballots to be sent out at least 45 days prior to the November election – a deadline Rhode Island barely meets. We also support legislation introduced by Secretary of State Amore that will, starting in 2028, move up the Primary by one full week, however, it is imperative to also address this issue now to avoid difficulties for voters and election administrators in the conduct of the 2026 Statewide Primary Election.

We appreciate your consideration and support for this legislation.

Respectfully yours,



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