



State of Rhode Island

Department of State | Office of the Secretary of State

Gregg M. Amore, Secretary of State

To: Joseph F. Rodgers, III, General Counsel
Cc: The Honorable Dawn Euer & Robert Craven, Co-Chairs
Bi-partisan Preparatory Commission to Assemble Information on Constitutional Questions in Preparation for a Vote by the Qualified Electors on the Holding of a Constitutional Convention in Accordance with Article XIV Section 2 of the Rhode Island Constitution
From: Michelle Arias, Director of Intergovernmental Affairs
Date: August 14, 2024
Subject: Administration of a Statewide Special Election

MEMORANDUM

Per the Bi-Partisan Preparatory Commission’s request, the Department of State has prepared this memorandum with information relating to the anticipated cost to conduct a special election for the selection of delegates for the purpose of convening a Constitutional Convention in Rhode Island. The estimated cost is \$1,320,000 and includes anticipated expenditures by the Department of State’s Elections Division, the Board of Elections, and local Boards of Canvassers.

Pursuant to Article XIV, Section 2 of the Rhode Island Constitution, if voters approve to convene a Constitutional Convention this November, the General Assembly, in its next legislative session, is required to “provide by law for the election of delegates.” The Constitution also prescribes that “the number of delegates shall be equal to the number of members of the House of Representatives and shall be apportioned in the same manner as the members of the House of Representatives.” These Constitutional provisions provide clarity on some aspects of administering a special election of delegates – for example, that 75 members would be elected based on existing House districts. But without a legislative directive, the Department of State has made several assumptions about the conduct of the election to calculate our estimate.

The first is the assumption that Rhode Island would hold a statewide special election in fall 2025 for the selection of delegates, following the example of the 1985 selection of delegates for the 1986 Constitutional Convention. The Department of State’s Fiscal Year 1986 budget included a line item for expenses of a Constitutional Convention election for \$71,765 and another line item of \$214,709 for special and regular election expenses. In the 1980s, many cities and towns held their municipal elections off-cycle; therefore, both line items combined represent the Department of State’s expenditures to administer the Constitutional Convention special election, municipal elections, and any other special elections held in 1985.

Our next assumption is related to modern-day election administration expenses incurred by the Department of State’s Election Division. For these estimates, we relied on expenditures for the 2023 special election in the first Congressional District (CD-1), which were essentially doubled to reflect the cost of administering a statewide election. We estimate the Department’s expenditures to include ballot printing, postage, office supplies and equipment, BallotTrax, and election advertising. The estimate of the Department of State’s expenses to administer a statewide special election is \$430,000; individual line items are delineated as follows:

Line item	Description	Cost
Ballot printing	Mail ballots, early voting ballots, Primary/Election Day ballots	\$350,000
Postage	Mail ballots to/from voters	\$52,000
BallotTrax	Service that provides notification to voters when the ballot is mailed, received, and accepted.	\$3,000
Election advertising	Voter education re: deadlines and information on how to cast a ballot	\$25,000
TOTAL		\$430,000

Unlike the special election for CD-1 in 2023, expenses to administer a special election for delegates to a Constitutional Convention are not eligible for Help America Vote Act (HAVA) funds. The HAVA provides federal funds to states to upgrade their voting systems and aids in the administration of federal-driven elections. Therefore, if there is no candidate for federal office on a state’s ballot, then HAVA funds cannot be used to cover expenditures the state would incur in a special election for delegates to a Constitutional Convention.

Our final set of assumptions concerns the expenses of the State Board of Elections and local Boards of Canvassers. The State Board of Elections estimates their expenses to administer this special election to be approximately \$90,000, which includes costs associated with Election Systems & Software maintenance and updates, electronic poll book set-up, delivery of voting equipment, and hiring seasonal staff.

Each municipality has a Board of Canvassers that will also incur expenses to administer a statewide special election. We estimate the total expense to be approximately \$800,000, which includes expenses such as polling place rentals, printing costs, legal advertising, mailings to voters, early voting staff, local supplies, police details, and poll workers.

As the Bi-Partisan Preparatory Commission compiles information to share with voters on the estimated expenses of holding a Constitutional Convention, the Department of State suggests it include the expenditures required to conduct a statewide special election of delegates, which we estimate to cost \$1,320,000.

Thank you for your consideration. If you have any questions, please feel free to contact me at marias@sos.ri.gov.