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GOVERNOR'S COMMISSION ON DISABILITIES  
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## Legislative Impact Statement

To: Senator LaMountain, Chair Senate Judiciary Committee  
From: Elisabeth Hubbard, Executive Secretary  
Re: Senate 3143 AN ACT RELATING TO ELECTIONS -- RHODE ISLAND VOTING RIGHTS ACT

Tuesday, April 07, 2026

The Governor's Commission on Disabilities' Legislation Committee has developed a Legislative Impact Statement on the bill listed below. The Commission would be pleased to present testimony to the committee. Please contact me (462-01110) if testimony is desired or for additional information.

### **The Commission finds this bill beneficial if amended**

The Governor's Commission on Disabilities Supports the goals of this bill. The Commission has always actively worked to secure voting rights in Rhode Island for people with disabilities. Unfortunately, this bill leaves out crucial rights of voters with disabilities.

Where the bill addresses the rights of people with disabilities, it states that people with disabilities have the right to request assistance from the person of their choosing. (p. 11, Line 16-20) This right was established by the Voting Rights Act of 1965,. While this law was a small step in the right direction for people with disabilities, it did not grant them the equal right to vote a secret ballot as people without disabilities. It assumed that a person with a disability must rely on the assistance of another, at the sacrifice of their right to privacy. Subsequent civil rights laws protecting the rights of people with disabilities have established the right of people with disabilities to vote independently.

Section 504 of the Rehabilitation Act and The Americans with Disabilities Act prohibit federal, state and municipal governments from discriminating against people with disabilities. This has been interpreted by the Department of Justice as meaning that all polling places must be accessible to people with disabilities. The Department of Justice has issued substantial guidance as well as a checklist in 2016 regarding the accessibility of polling places.

<https://www.ada.gov/resources/polling-places-checklist/> To ensure that this guidance is followed and that polling places are accessible to voters with disabilities, the Governor's Commission on Disabilities coordinates with the Board of Elections in their surveys of polling places. This includes parking, entrances, width of paths of travel and accessible polling booths

and other possible barriers so that all voters are able to enter their local polling place and vote with their neighbors.

The Help America Vote Act (HAVA) removes further barriers for people with disabilities in voting by requiring accessible voting systems (the method with which people mark and cast their ballot) that allow voters with disabilities to vote privately and independently. Machines like the Automark or the ExpressVote can read the ballot out loud via headphones, enlarge text to be easier to read, and allow voters with limited dexterity to mark their ballot. This enables the voter to mark and cast their ballot independently and privately, without the assistance of another person. Under HAVA, every precinct must have at least one voting system that is accessible. Rhode Island has followed this directive for over 20 years thanks to the coordination of the Board of Elections, the Secretary of State, the Governor's Commission on Disabilities, and Disability Rights Rhode Island.

The Voting Rights Bill should reflect today's standard for disability rights, which is to empower people with disabilities to exercise their constitutional rights as independently as possible.

Consequently, the following language should be added:

All polling places selected by local boards of canvassers and approved by the Board of Elections shall be physically accessible to voters with disabilities in accordance with Section 504 of the Rehabilitation Act, The Americans with Disabilities Act as Amended, and the Rhode Island Civil Rights of Persons with Disabilities Law.

The voting system selected by the state shall—

(A) be accessible for individuals with disabilities, including but not limited to nonvisual accessibility for the blind and visually impaired, those with limited literacy and those with limited dexterity, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

B) satisfy the requirement of subparagraph (A) through the use of at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place.

We are happy to provide any technical assistance or answer any questions on this issue.