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State of Rhode Island

Daniel J. McKee
Governor

EXECUTIVE ORDER

21-32

April 2, 2021

ONE HUNDRED AND THIRTY-FIFTH
SUPPLEMENTAL EMERGENCY DECLARATION --
MODIFYING PROCESSES FOR MAY 4, 2021, LOCAL ELECTIONS

WHEREAS, on March 9, 2020, a state of emergency was declared due to the dangers to health and life posed by COVID-19 and that declaration has been extended to remain in effect until at least April 14, 2021;

WHEREAS, despite the best efforts of public health officials, COVID-19 remains a serious public health threat in the country, in the region, and in Rhode Island; and a new, more contagious, strain of the virus has been identified within the region;

WHEREAS, minimizing contact between individuals, including those who would ordinarily vote at a polling place, will help to slow the spread of COVID-19;

WHEREAS, the Board of Elections (Board) convened meetings throughout the course of this pandemic to gather testimony and evidence from various sources, including Rhode Island department of health (RIDOH) and the Centers for Disease Control and Prevention, to determine the adverse impact upon the health and welfare of the public, including the threat of an increased rate in the transmission of COVID-19, if traditional in-person elections are conducted in the State during the pandemic; and

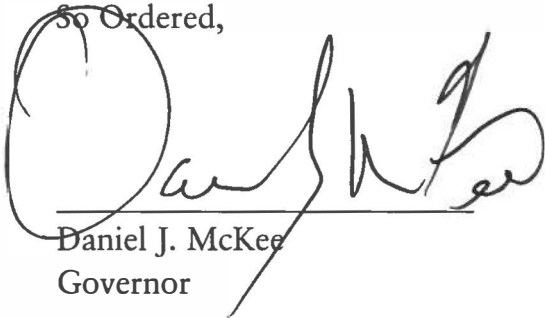
WHEREAS, the Board conducted a public meeting on April 2, 2021 to discuss and vote upon modifications to the elections process for upcoming local elections, including provisions of Chapter 20 of Title 17 of the General Laws in order to effectuate safe mail ballot elections.

NOW, THEREFORE, I, DANIEL J. MCKEE , by virtue of the authority vested in me as Governor of the State of Rhode Island, pursuant to Article IX of the Rhode Island Constitution and the Rhode Island General Laws, including but not limited to Title 30, Chapter 15 and Title 23, Chapter 8, do hereby order and direct the following:

1. The statutory requirements set forth under R. I. Gen. Laws § 17-20-26(a)(1)(i) are hereby suspended to the extent that the statute requires the Board to attach the mail ballot applications to the certification envelopes for the comparison of the voter's signature set forth on the application with the signature set forth on the certification envelope. Consistent with its vote taken on April 2, 2021, the Board will instead compare the voter's signature located on the certification envelope with the voter's signature retrieved from the Central Voter Registration System (CVRS) database maintained by the Secretary of State. Provided, that no signature set forth on the certification envelope shall be rejected until and unless the signature is also compared to the signature set forth on the voter's mail ballot application. Witness signatures and notarization requirements are suspended.
2. Pursuant to the intent of the General Assembly, as set forth under R.I. Gen. Laws § 17-20-26(e), and consistent with the Board's longstanding practice and procedure, no voter's signature shall be rejected if it appears to match the signature retrieved from either the CVRS or the mail ballot application, unless it is subject to a valid challenge. The burden of proof in challenging any mail ballot signature rests on the person asserting said challenge. Further, any voter whose mail ballot is rejected shall be notified and provided an opportunity to cure his or her ballot pursuant to the Board's protocol to cure any facial deficiency, omission or discrepancy pertaining to the voter's certification envelope, as promulgated under the Board's Rules and Regulations for Mail Ballot Certification Process, 410-RICR-20-00-23.

This Executive Order shall take effect immediately and remain in full force and effect until May 1, 2021 unless renewed, modified or terminated by subsequent Executive Order.

So Ordered,

A handwritten signature in black ink, appearing to read "Dan McKee", written over a horizontal line. The signature is stylized and cursive.

Daniel J. McKee
Governor