

2009 -- S 0201

LC00868

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

A N A C T

RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

Introduced By: Senators Jabour, C Levesque, DeVall, Crowley, and Cote

Date Introduced: February 04, 2009

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Section 17-4-9 of the General Laws in Chapter 17-4 entitled "Federal Elective Officers" is hereby amended to read as follows:

~~17-4-9. Special election to fill senatorial vacancy --- Temporary appointment. ---~~  
**Special election to fill senatorial vacancy. --** Whenever a person elected a senator in congress, at any time between the day of that person's election and the beginning of his or her term of office, refuses to serve and so declares to the secretary of state, or dies, becomes insane, removes from the state, or is otherwise incapacitated, or whenever a vacancy happens in the representation of this state in the United States senate, the governor shall issue his or her writ of election directed to the several city and town clerks, or local boards as the case may be, ordering a new election of senator to fill the vacancy to be held in the state ~~at the next general election after the expiration of seventy (70) days from the date of the occurrence of the vacancy; provided, that pending the election, the governor shall appoint some person to fill the vacancy, and the person appointed shall serve until the election and qualification of the person elected to fill the vacancy.~~ at as early a date, to be stated in the writ, as will be in compliance with the provisions of law in relation to these elections, but no election provided for by this section shall be held exclusively on Saturday; provided, that whenever a vacancy occurs between the first day of July and the first day of October in any even numbered year, the governor shall, unless in his or her opinion the public good requires an earlier special election, issue his or her writ for a special election to fill the vacancy to be held with the general election on the Tuesday next after the first Monday in

1    [November of that year.](#)

2                SECTION 2. This act shall take effect upon passage.

=====  
LC00868  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

\*\*\*

- 1           This act would require a special election to fill all federal senatorial vacancies and take  
2 away from the governor the power to make temporary appointments to fill the vacancies.  
3           This act would take effect upon passage.

=====  
LC00868  
=====