

West's Rhode Island Administrative Code

Title 23. Board of Elections

Division 1. General

Rule 26. Rules and Regulations for the Appeal of Late Filing Fines Adopted by the Rhode Island Board of Elections (Refs & Annos)

R.I. Admin. Code 23-1-26:4

23-1-26:4. **Waiver** of Late Filing Fines - For Good Cause Shown

Currentness

Filers seeking **waivers** of fines or fees imposed under R.I.G.L. § 17-25-11(g) or 17-25.2-5(d) may request a **waiver** by the Board of Elections for good cause shown within sixty (60) days of receipt of notice of the non-compliance or if the notice is not claimed, within seventy-five (75) days of the date on which the notice was sent. **Waivers** may only be considered if there are no reports past due. All **waiver** requests must be submitted either in writing or electronically and contain the Filer's name, address, a statement specifying the fines and fees to be waived, and cause for the late filing.

The Board of Elections hereby authorizes its Supervisory Staff to administratively review and act upon all requests, including setting conditions for any full or partial **waivers**, where the amount of fines and fees do not exceed five thousand dollars (\$5,000). **Waiver** requests where the amount of fines exceed five thousand dollars (\$5,000) will be submitted to the Board for public hearing, provided however, that the Board hereby authorizes its legal counsel to take whatever action is available under the law to collect any outstanding **penalties** and, with the consent of the Board's Supervisory Staff, to set conditions for any full or partial **waivers**.

Filers may appeal the Supervisory Staff's decision on any **waiver** request for a de novo public hearing to the Board of Elections within forty-five (45) days of the date of the notice, which shall contain a statement of the Filer's right of appeal. All requests for a hearing must be in writing and in compliance with the Rules of Practice and Procedure in Adjudicatory Hearings before the Rhode Island Board of Elections.

Nothing in this section shall prohibit the Board of Elections from acting on its own motion to waive any fines or fees imposed.

**Credits**

Adopted Aug. 8, 2010.

Current with amendments received through June 30, 2016.

R.I. Admin. Code 23-1-26:4, RI ADC 23-1-26:4