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ARTICLE 9

RELATING TO ECONOMIC DEVELOPMENT

SECTION 1. Section 21-27-1 of the Rhode Island General Laws in Chapter 21-27 entitled "Sanitation in Food Establishments" is hereby amended to read as follows:

21-27-1. Definitions.

Unless otherwise specifically provided in this chapter, the following definitions apply to this chapter:

(1) "Approved" means approved by the director.

(2) "Commissary" means ~~a central processing establishment where food is prepared for sale or service off the premises or by mobile vendor~~ an operating base location to which a mobile food establishment or transportation vehicle returns regularly for such things as food preparation, food storage, vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins.

(3) "Cottage food manufacture" means the production in accordance with the requirements of § 21-27-6.2 of allowable foods for retail sale directly to the consumer in a residential kitchen or a rented commercial kitchen licensed by the department.

(4) "Cultural heritage education facility" means a facility for up to ten (10) individuals who, for a fee, participate in the preparation and consumption of food, limited to an owner-occupied site documented to be at least one hundred and fifty (150) years old and whose drinking water shall be obtained from an approved source which meets all of the requirements of chapter 46-13.

~~(5)~~ (5) "Department" means the department of health.

~~(6)~~ (6) "Director" means the director of health or the director's duly appointed agents.

~~(7)~~ (7) "Farmers market" means a market where two (2) or more farmers are selling produce exclusively grown on their own farms on a retail basis to consumers. Excluded from this term is any market where farmers or others are selling produce at wholesale and/or any market in which any individual is selling produce not grown on his or her own farm.

~~(8)~~ (8) "Farm home food manufacture" means the production in accordance with the requirements of § 21-27-6.1 of food for retail sale in a residential kitchen on a farm which produces agricultural products for human consumption and the operator of which is eligible for exemption from the sales and use tax in accordance with § 44-18-30(32).

1 ~~(7)~~ (9) "Food" means: (i) articles used for food or drink for people or other animals, (ii)
2 chewing gum, and (iii) articles used for components of any food or drink article.

3 ~~(8)~~ (10) "Food business" means and includes any establishment or place, whether fixed or
4 mobile, where food or ice is held, processed, manufactured, packaged, prepared, displayed, served,
5 transported, or sold.

6 ~~(9)~~ (11) "Food service establishment" means any fixed or mobile restaurant, coffee shop,
7 cafeteria, short-order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern; bar,
8 cocktail lounge, night club, roadside stand, industrial feeding establishment, cultural heritage
9 education facility, private, public or nonprofit organization or institution routinely serving food,
10 catering kitchen, commissary or similar place in which food or drink is prepared for sale or for
11 service on the premises or elsewhere, and any other eating or drinking establishment or operation
12 where food is served or provided for the public with or without charge.

13 ~~(10)~~ (12) "Mobile food service unit" means a unit that prepares and/or sells food products
14 for direct consumption.

15 (13) "Operator" in relation to food vending machines means any person who by contract,
16 agreement, lease, rental, or ownership sells food from vending machines.

17 ~~(11)~~ (14) "Person" means any individual, firm, co-partnership, association, or private or
18 municipal corporation.

19 ~~(12)~~ (15) "Processor" means one who combines, handles, manufactures or prepares,
20 packages, and stores food products.

21 ~~(13) "Operator" in relation to food vending machines means any person who by contract,~~
22 ~~agreement, lease, rental, or ownership sells food from vending machines.~~

23 ~~(14)~~ (16) "Retail" means when eighty percent (80%) or more of sales are made directly to
24 consumers.

25 ~~(15)~~ (17) "Retail peddler" means a food business which sells meat, seafood, and dairy
26 products directly to the consumer, house to house or in a neighborhood.

27 ~~(16)~~ (18) "Roadside farmstand" means a stand or location adjacent to a farm where produce
28 grown only on that farm is sold at the time of harvest.

29 ~~(17)~~ (19) "Vending machine site or location" means the room, enclosure, space, or area
30 where one or more vending machines are installed and/or operated.

31 ~~(18)~~ (20) "Warehouse" means a place for the storage of dried, fresh, or frozen food or food
32 products, not including those areas associated within or directly part of a food service establishment
33 or retail market.

34 ~~(19)~~ (21) "Wholesale" means when eighty percent (80%) or more of the business is for

1 resale purposes.

2 ~~(20) "Cultural heritage education facility" means a facility for up to ten (10) individuals~~
3 ~~who, for a fee, participate in the preparation and consumption of food, limited to an owner-occupied~~
4 ~~site documented to be at least one hundred fifty (150) years old and whose drinking water shall be~~
5 ~~obtained from an approved source which meets all of the requirements of chapter 46-13.~~

6 SECTION 2. Chapter 21-27 of the Rhode Island General Laws entitled "Sanitation in Food
7 Establishments" is hereby amended by adding thereto the following section:

8 **21-27-6.2. Cottage food manufacture.**

9 Notwithstanding the other provisions of this chapter, the department of health shall register
10 cottage food manufacture and the sale of the products of cottage food manufacture direct to
11 consumers whether by pickup or delivery within the state, provided that the requirements of this
12 section are met.

13 (1) The cottage food products shall be produced in a kitchen that is on the premises of a
14 home and meets the standards for kitchens as provided for in minimum housing standards, adopted
15 pursuant to chapter 24.2 of title 45 and the Housing Maintenance and Occupancy Code, adopted
16 pursuant to chapter 24.3 of title 45, and in addition the kitchen shall:

17 (i) Be equipped at minimum with either a two (2) compartment sink or a dishwasher that
18 reaches one hundred fifty (150) degrees Fahrenheit after the final rinse and drying cycle and a one
19 compartment sink;

20 (ii) Have sufficient area or facilities, such as portable dish tubs and drain boards, for the
21 proper handling of soiled utensils prior to washing and of cleaned utensils after washing so as not
22 to interfere with safe food handling; equipment, utensils, and tableware shall be air dried;

23 (iii) Have drain boards and food preparation surfaces that shall be of a nonabsorbent,
24 corrosion resistant material such as stainless steel, formica or other chip resistant, nonpitted surface;

25 (iv) Have self-closing doors for bathrooms that open directly into the kitchen;

26 (v) If the home is on private water supply, the water supply must be tested once per year;

27 (vi) Notwithstanding this subsection, the cottage food products may also be produced in a
28 commercial kitchen licensed by the department and is leased or rented by the cottage food registrant
29 provided that a record be maintained as to the dates the commercial kitchen was used and that
30 ingredients used in the production of cottage foods are transported according to applicable food
31 safety standards and regulations promulgated by the department.

32 (2) The cottage food products are prepared and produced ready for sale under the following
33 conditions:

34 (i) Pets are kept out of food preparation and food storage areas at all times;

1 (ii) Cooking facilities shall not be used for domestic food purposes while cottage food
2 products are being prepared;

3 (iii) Garbage is placed and stored in impervious covered receptacles before it is removed
4 from the kitchen, which removal shall be at least once each day that the kitchen is used for cottage
5 food manufacture;

6 (iv) Any laundry facilities which may be in the kitchen shall not be used during cottage
7 food manufacture;

8 (v) Recipe(s) for each cottage food product with all the ingredients and quantities listed,
9 and processing times and procedures, are maintained in the kitchen for review and inspection;

10 (vi) An affixed label that contains:

11 (A) Name, address, and telephone number;

12 (B) The ingredients of the cottage food product, in descending order of predominance by
13 weight or volume;

14 (C) Allergen information, as specified by federal and state labeling requirements, such as
15 milk, eggs, tree nuts, peanuts, wheat, and soybeans; and

16 (D) The following statement printed in at least ten-point type in a clear and conspicuous
17 manner that provides contrast to the background label: "Made by a Cottage Food Business
18 Registrant that is not Subject to Routine Government Food Safety Inspection," unless products have
19 been prepared in a commercial kitchen licensed by the department.

20 (3) Cottage food manufacture shall be limited to the production of baked goods that do not
21 require refrigeration or time/temperature control for safety, including but not limited to:

22 (i) Double crust pies;

23 (ii) Yeast breads;

24 (iii) Biscuits, brownies, cookies, muffins; and

25 (iv) Cakes that do not require refrigeration or temperature-controlled environment; and

26 (v) Other goods as defined by the department.

27 (4) Each cottage food manufacturer shall be registered with the department of health and
28 shall require a notarized affidavit of compliance, in any form that the department may require, from
29 the applicant that the requirements of this section have been met and the operation of the kitchen
30 shall be in conformity with the requirements of this section. Prior to the initial registration, each
31 cottage food manufacturer is required to successfully complete a Food Safety Manager Course, any
32 American Standards Institute approved food handler course, or any other course approved by the
33 department. A certificate of registration shall be issued by the department upon the payment of a
34 fee as set forth in § 23-1-54 and the submission of an affidavit of compliance. The certificate of

1 registration shall be valid for one year after the date of issuance; provided, however, that the
 2 certificate may be revoked by the director at any time for noncompliance with the requirements of
 3 the section. The certificate of registration, with a copy of the affidavit of compliance, shall be kept
 4 in the kitchen where the cottage food manufacture takes place. The director of health shall have the
 5 authority to develop and issue a standard form for the affidavit of compliance to be used by persons
 6 applying for a certificate of registration; the form shall impose no requirements or certifications
 7 beyond those set forth in this section and § 21-27-1(6). No certificates of registration shall be issued
 8 by the department prior to November 1, 2022.

9 (5) No such operation shall engage in consignment or wholesale sales. The following
 10 additional locational sales by any such cottage food operation shall be prohibited: (1) Grocery
 11 stores; (2) restaurants; (3) long-term care facilities; (4) group homes; (5) day care facilities; and (6)
 12 schools. Advertising and sales by Internet, mail and phone are permissible, provided the cottage
 13 food licensee or their designee shall deliver, in person, to the customer within the state.

14 (6) Total annual gross sales for a cottage food operation shall not exceed fifty thousand
 15 dollars (\$50,000) per calendar year. If annual gross sales exceed the maximum annual gross sales
 16 amount allowed, the cottage food registrant shall either obtain food processor license or cease
 17 operations. The director of health shall request documentation to verify the annual gross sales figure
 18 of any cottage food operation.

19 (7) Sales on all cottage foods are subject to applicable sales tax pursuant to § 44-18-7.

20 (8) The director of health or designee may inspect a cottage food operation at any time to
 21 ensure compliance with the provisions of this section. Nothing in this section shall be construed to
 22 prohibit the director of health or designee of the director from investigating the registered area of a
 23 cottage food operation in response to a foodborne illness outbreak, consumer complaint or other
 24 public health emergency.

25 SECTION 3. Section 23-1-54 of the Rhode Island General Laws in Chapter 23-1 entitled
 26 "Health and Safety" is hereby amended to read as follows:

27 **23-1-54. Fees payable to the department of health.**

28 Fees payable to the department shall be as follows:

PROFESSION	RIGL Section	Description of Fee	FEE
Barbers/hairdressers	5-10-10(a)	Renewal application	\$25.00
Barbers/hairdressers	5-10-10(a)	Renewal application:	
Manicuring		Instructors and manicurists	\$25.00
Barbers/hairdressers	5-10-10(b)	Minimum late renewal fee	\$25.00
Barbers/hairdressers	5-10-10(b)	Maximum late renewal fee	\$100.00

1	Barbers/hairdressers	5-10-11[c]	Application fee	\$25.00
2	Barbers/hairdressers	5-10-11[c]	Application fee: manicuring	
3			Instructors and manicurists	\$25.00
4	Barbers/hairdressers	5-10-13	Demonstrator's permit	\$90.00
5	Barbers/hairdressers	5-10-15	Shop license: initial	\$170.00
6	Barbers/hairdressers	5-10-15	Shop license: renewal	\$170.00
7	Veterinarians	5-25-10	Application fee	\$40.00
8	Veterinarians	5-25-11	Examination fee	\$540.00
9	Veterinarians	5-25-12(a)	Renewal fee	\$580.00
10	Veterinarians	5-25-12[c]	Late renewal fee	\$120.00
11	Podiatrists	5-29-7	Application fee	\$240.00
12	Podiatrists	5-29-11	Renewal fee: minimum	\$240.00
13	Podiatrists	5-29-11	Renewal fee: maximum	\$540.00
14	Podiatrists	5-29-13	Limited registration	\$65.00
15	Podiatrists	5-29-14	Limited registration:	
16			Academic faculty	\$240.00
17	Podiatrists	5-29-14	Application fee:	
18			Renewal minimum	\$240.00
19	Podiatrists	5-29-14	Application fee:	
20			Renewal maximum	\$440.00
21	Chiropractors	5-30-6	Examination fee:	\$210.00
22	Chiropractors	5-30-7	Examination exemption fee:	\$210.00
23	Chiropractors	5-30-8(b)	Exam Physiotherapy	\$210.00
24	Chiropractors	5-30-8(b)	Exam chiro and physiotherapy	\$210.00
25	Chiropractors	5-30-12	Renewal fee	\$210.00
26	Dentists/dental hygienists	5-31.1-6(d)	Dentist: application fee	\$965.00
27	Dentists/dental hygienists	5-31.1-6(d)	Dental hygienist: application fee	\$65.00
28	Dentists/dental hygienists	5-31.1-6(d)	Reexamination: dentist	\$965.00
29	Dentists/dental hygienists	5-31.1-6(d)	Reexamination: hygienist	\$65.00
30	Dentists/dental hygienists	5-31.1-21(b)	Reinstatement fee dentist	\$90.00
31	Dentists/dental hygienists	5-31.1-21(b)	Reinstatement fee hygienist	\$90.00
32	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: dentist	\$220.00
33	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: hygienist	\$40.00
34	Dentists/dental hygienists	5-31.1-22	Limited registration	\$65.00

1	Dentists/dental hygienists	5-31.1-23[c]	Limited reg:	
2			Academic faculty	\$965.00
3	Dentists/dental hygienists	5-31.1-23[c]	Limited reg:	
4			Academic faculty renewal	\$500.00
5	Electrolysis	5-32-3	Application fee	\$25.00
6	Electrolysis	5-32-6(b)	Renewal fee	\$25.00
7	Electrolysis	5-32-7	Reciprocal license fee	\$25.00
8	Electrolysis	5-32-17	Teaching license	\$25.00
9	Funeral directors/embalmers	5-33.2-12	Funeral establishment license	\$120.00
10	Funeral services establishments			
11	Funeral directors/embalmers	5-33.2-15	Renewal: funeral/director	\$90.00
12	Funeral services establishments embalmer			\$30.00
13	Funeral directors/embalmers	5-33.2-12	Funeral branch ofc license	\$90.00
14	Funeral directors/embalmers	5-33.2-13.1	Crematories: application fee	\$120.00
15	Funeral services establishments			
16	Funeral directors/embalmers	5-33.2-15	Renewal: funeral/director	\$120.00
17	Funeral Svcs establishments establishment			
18	Funeral directors/embalmers	5-33.2-15	Additional branch office	
19	Funeral services Establishments licenses			\$120.00
20	Funeral directors/embalmers	5-33.2-15	Crematory renewal fee	
21	Funeral svcs establishments			\$120.00
22	Funeral directors/embalmers	5-33.2-15	Late renewal fee	
23	Funeral svcs establishments (All license types)			\$25.00
24	Funeral directors/embalmers	5-33.2-16(a)	Intern registration fee	
25	Funeral Services establishments			\$25.00.
26	Nurses	5-34-12	RN Application fee	\$135.00
27	Nurses	5-34-16	LPN Application fee	\$45.00
28	Nurses	5-34-19	Renewal fee: RN	\$135.00
29	Nurses	5-34-19	Renewal fee: LPN	\$45.00
30	Nurses	5-34-37	RNP application fee	\$80.00
31	Nurses	5-34-37	RNP renewal fee	\$80.00
32	Nurses	5-34-37	RNP prescriptive privileges	\$65.00
33	Nurses	5-34-40.3	Clin nurse spec application	\$80.00
34	Nurses	5-34-40.3	Clin nurse spec renewal	\$80.00

1	Nurses	5-34-40.3	Clin nurse spec Rx privilege	\$65.00
2	Nurse anesthetists	5-34.2-4(a)	CRNA application fee	\$80.00
3	Nurse anesthetists	5-34.2-4(b)	CRNA renewal fee	\$80.00
4	Optometrists	5-35.1-4	Application fee	\$280.00
5	Optometrists	5-35.1-7	Renewal fee	\$280.00
6	Optometrists	5-35.1-7	Late fee	\$90.00
7	Optometrists	5-35.1-7	Reactivation of license fee	\$65.00
8	Optometrists	5-35.1-19(b)	Violations of section	\$650.00
9	Optometrists	5-35.1-20	Violations of chapter	\$260.00
10	Opticians	5-35.2-3	Application fee	\$30.00
11	Physicians	5-37-2	Application fee	\$1,090.00
12	Physicians	5-37-2	Re-examination fee	\$1,090.00
13	Physicians	5-37-10(b)	Late renewal fee	\$170.00
14	Physicians	5-37-16	Limited registration fee	\$65.00
15	Physicians	5-37-16.1	Ltd reg: academic faculty	\$600.00
16	Physicians	5-37-16.1	Ltd reg: academic Faculty renewal	\$170.00
17	Acupuncture	5-37.2-10	Application fee	\$310.00
18	Acupuncture	5-37.2-13(4)	Acupuncture assistant	\$310.00
19			Licensure fee	\$170.00
20	Social workers	5-39.1-9	Application fee	\$70.00
21	Social workers	5-39.1-9	Renewal fee	\$70.00
22	Physical therapists	5-40-8	Application fee	\$155.00
23	Physical therapists	5-40-8.1	Application: physical therapy	
24			assistants	\$50.00
25	Physical therapists	5-40-10(a)	Renewal fee: Physical therapists	\$155.00
26	Physical therapists	5-40-10(a)	Renewal fee: Physical therapy	
27			assistants	\$50.00
28	Physical therapists	5-40-10[c]	Late renewals	\$50.00
29	Occupational therapists	5-40.1-12(2)	Renewal fee	\$140.00
30	Occupational therapists	5-40.1-12(5)	Late renewal fee	\$50.00
31	Occupational therapists	5-40.1-12(b)	Reactivation fee	\$140.00
32	Occupational therapists	5-40.1-13	Application fee	\$140.00
33	Psychologists	5-44-12	Application fee	\$230.00
34	Psychologists	5-44-13	Temporary permit	\$120.00

1	Psychologists	5-44-15[c]	Renewal fee	\$230.00
2	Psychologists	5-44-15(e)	Late renewal fee	\$50.00
3	Nursing home administrators	5-45-10	Renewal fee	\$160.00
4	Speech pathologist/audiologists	5-48-1(14)	Speech lang support personnel:	
5			late filing	\$90.00
6	Speech pathologist/audiologists	5-48-9(a)	Application fee: Audiologist	\$65.00
7	Speech pathologist/audiologists	5-48-9(a)	Application fee:	
8			Speech Pathologist	\$145.00
9	Speech pathologist/audiologists	5-48-9(a)	Renewal fee: Audiologist	\$65.00
10	Speech pathologist/audiologists	5-48-9(a)	Renewal fee: Speech Pathologist	\$145.00
11	Speech pathologist/audiologists	5-48-9(a)	Provisional license: renewal fee	\$65.00
12	Speech pathologist/audiologists	5-48-9(b)	Late renewal fee	\$50.00
13	Speech pathologist/audiologists	5-48-9(d)(1)	Reinstatement fee: audiologist	\$65.00
14	Speech pathologist/audiologists	5-48-9(d)(1)	Reinstatement fee: audiologist	\$65.00
15			speech pathologists	\$145.00
16			personnel: late filing	\$65.00
17	Hearing aid dealers/fitters	5-49-6(a)	License endorsement Examination fee	\$25.00
18	Hearing aid dealers/fitters	5-49-8(b)	Temporary permit fee	\$25.00
19	Hearing aid dealers/fitters	5-49-8(d)	Temporary permit renewal fee	\$35.00
20	Hearing aid dealers/fitters	5-49-11(a)(1)	License fee	\$25.00
21	Hearing aid dealers/fitters	5-49-11(b)	License renewal fee	\$25.00
22	Hearing aid dealers/fitters	5-49-11[c]	License renewal late fee	\$25.00
23	Physician assistants	5-54-9(4)	Application fee	\$110.00
24	Physician assistants	5-54-11(b)	Renewal fee	\$110.00
25	Orthotics/prosthetic practice	5-59.1-5	Application fee	\$120.00
26	Orthotics/prosthetic practice	5-59.1-12	Renewal fee	\$120.00
27	Athletic trainers	5-60-11	Application fee	\$60.00
28	Athletic trainers	5-60-11	Renewal fee	\$60.00
29	Athletic trainers	5-60-11	Late renewal fee	\$25.00
30	Mental health counselors	5-63.2-16	Application fee: Marriage	
31	Marriage and family therapists		Family therapist	\$130.00
32	Mental health counselors	5-63.2-16	Application fee: Mental	
33	Marriage and family therapists		Health counselors	\$70.00
34	Mental health counselors	5-63.2-16	Reexamination fee:	

1	Marriage and family therapists		Marriage/family therapist	\$130.00
2	Mental health counselors	5-63.2-16	Reexamination fee:	
3	Marriage and family therapists		Mental health counselors	\$70.00
4	Mental health counselors	5-63.2-17(a)	Renewal fee: Marriage	
5	Marriage and Family therapists		Family therapist	\$130.00
6	Mental health counselors	5-63.2-17(a)	Renewal fee:	
7	Marriage and Family therapist		Mental health counselor	\$50.00
8	Mental health counselors	5-63.2-17(b)	Late renewal fee	
9	Marriage and Family therapist		Marriage and family therapist	\$90.00
10	Dieticians	5-64-6(b)	Application fee	\$75.00
11	Dieticians	5-64-7	Graduate status: Application fee:	\$75.00
12	Dieticians	5-64-8	Renewal fee	\$75.00
13	Dieticians	5-64-8	Reinstatement fee	\$75.00
14	Radiologic technologists	5-68.1-10	Application fee maximum	\$190.00
15	Licensed chemical dependency	5-69-9	Application fee	\$75.00
16	professionals			
17	Licensed chemical dependency	5-69-9	Renewal fee	\$75.00
18	professionals			
19	Licensed chemical	5-69-9	Application fee	\$75.00
20	Licensed chemical dependency	5-69-9	Application fee	\$75.00
21	clinical supervisor			
22	Licensed chemical dependency	5-69-9	Renewal fee	\$75.00
23	clinical supervisor			
24	Deaf interpreters	5-71-8(a)(3)	License fee maximum	\$25.00
25	Deaf interpreters	5-71-8(a)(3)	License renewal fee	\$25.00
26	Milk producers	21-2-7(g)(1)	In-state milk processor	\$160.00
27	Milk producers	21-2-7(g)(2)	Out-of-state milk processor	\$160.00
28	Milk producers	21-2-7(g)(3)	Milk distributors	\$160.00
29	Frozen desserts	21-9-3(1)	In-state wholesale	\$550.00
30	Frozen desserts	21-9-3(2)	Out-of-state wholesale	\$160.00
31	Frozen desserts	21-9-3(3)	Retail frozen dess processors	\$160.00
32	Meats	21-11-4	Wholesale	\$160.00
33	Meats	21-11-4	Retail	\$40.00
34	Shellfish packing houses	21-14-2	License fee: Shipper/reshipper	\$320.00

1	Shellfish packing houses	21-14-2	License fee: Shucker packer/repacker	\$390.00
2	Non-alcoholic bottled beverages,			
3	drinks & juices	21-23-2	Bottler permit	\$550.00
4	Non-alcoholic bottled beverages,			
5	drinks and juices	21-23-2	Bottle apple cider fee	\$60.00
6	Farm home food manufacturers	21-27-6.1(4)	Registration fee	\$65.00
7	Cottage Food Manufacturers	21-27-6.2(4)	Registration fee	\$65.00
8	Food businesses	21-27-10(e)(1)	Food processors wholesale	\$300.00
9	Food businesses	21-27-10(e)(2)	Food processors retail	\$120.00
10	Food businesses	21-27-10(e)(3)	Food service establishments	
11			50 seats or less	\$160.00
12	Food businesses	21-27-10(e)(3)	Food service establishments	
13			more than 50 seats	\$240.00
14	Food businesses	21-27-10(e)(3)	Mobile food service units	\$100.00
15	Food businesses	21-27-10(e)(3)	Industrial caterer or food vending	
16			Machine commissary	\$280.00
17	Food businesses	21-27-10(e)(3)	Cultural heritage educational Facility	\$80.00
18	Food businesses	21-27-10(e)(4)	Vending Machine Location	
19			3 units or less	\$50.00
20	Food businesses	21-27-10(e)(4)	Vending Machine Location	
21			4-10 units	\$100.00
22	Food businesses	21-27-10(e)(4)	Vending Machine Location =	
23			11 units	\$120.00
24	Food businesses	21-27-10(e)(5)	Retail Mkt 1-2 cash registers	\$120.00
25	Food businesses	21-27-10(e)(5)	Retail Market 3-5 cash registers	\$240.00
26	Food businesses	21-27-10(e)(5)	Retail Market = 6 Cash registers	\$510.00
27	Food businesses	21-27-10(e)(6)	Retail food peddler	\$100.00
28	Food businesses	21-27-10(e)(7)	Food warehouses	\$190.00
29	Food businesses	21-27-11.2	Certified food safety mgr	\$50.00
30	License verification fee	23-1-16.1	All license types	\$50.00
31	Tattoo and body piercing	23-1-39	Annual registration fee: Person	\$90.00
32	Tattoo and body piercing	23-1-39	Annual registration fee: establishment	\$90.00
33	Vital records	23-3-25(a)(1)	Certificate of birth, fetal death,	
34			death, marriage, birth, or	

1			Certification that such record	
2			Cannot be found	\$20.00
3	Vital records	23-3-25(a)(1)	Each duplicate of certificate of	
4			birth, fetal death, death,	
5			marriage, birth, or certification	
6			that such record cannot be found	\$15.00
7	Vital records	23-3-25(a)(2)	Each additional calendar year	
8			Search, if within 3 months of	
9			original search and if receipt of	
10			original search presented	\$2.00
11	Vital records	23-3-25(a)(3)	Expedited service	\$7.00
12	Vital records	23-3-25(a)(4)	Adoptions, legitimations, or	
13			Paternity determinations	\$15.00
14	Vital records	23-3-25(a)(5)	Authorized corrections,	
15			Alterations, and additions	\$10.00
16	Vital records	23-3-25(a)(6)	Filing of delayed record and	
17			Examination of documentary Proof	\$20.00
18	Vital records	23-3-25(a)(6)	Issuance of certified copy of a	
19			delayed record	\$20.00
20	Medical Examiner	23-4-13	Autopsy reports	\$40.00
21	Medical Examiner	23-4-13	Cremation certificates and statistics	\$30.00
22	Medical Examiner	23-4-13	Testimony in civil suits:	
23			Minimum/day	\$650.00
24	Medical Examiner	23-4-13	Testimony in civil suits:	
25			Maximum/day	\$3,250.00
26	Emergency medical technicians	23-4.1-10[c]	Annual fee: ambulance	
27			service maximum	\$540.00
28	Emergency medical technicians	23-4.1-10[c]	Annual fee: vehicle license	
29			maximum	\$275.00
30	Emergency medical technicians	23-4.1-10[c]	Triennial fee: EMT license	
31			maximum	\$120.00
32	Emergency medical technicians	23-4.1-10(c)(2)	Exam fee maximum: EMT	\$120.00
33	Emergency medical technicians	23-4.1-10(c)(2)	Vehicle inspection maximum	\$190.00
34	Clinical laboratories	23-16.2-4(a)	Clinical laboratory license per	

1			specialty	\$650.00
2	Clinical laboratories	23-16.2-4(a)	Laboratory station license	\$650.00
3	Clinical laboratories	23-16.2-4(b)	Permit fee	\$70.00
4	Health care facilities	23-17-38	Hospital: base fee annual	\$16,900.00
5	Health care facilities	23-17-38	Hospital: annual per bed fee	\$120.00
6	Health care facilities	23-17-38	ESRD: annual fee	\$3,900.00
7	Health care facilities	23-17-38	Home nursing care/home	
8			Care providers	\$650.00
9	Health care facilities	23-17-38	OACF: annual fee	\$650.00
10	Assisted living residences/ administrators			
11		23-17.4-15.2(d)	License application fee:	\$220.00
12	Assisted living residences/ administrators			
13		23-17.4-15.2(d)	License renewal fee:	\$220.00
14	Assisted living residences	23-17.4-31	Annual facility fee: base	\$330.00
15	Assisted living residences	23-17.4-31	Annual facility per bed	\$70.00
16	Nursing assistant registration	23-17.9-3	Application: competency	
17			evaluation training program	
18			maximum	\$325.00
19	Nursing assistant registration	23-17.9-5	Application fee	\$35.00
20	Nursing assistant registration	23-17.9-5	Exam fee: skills proficiency	\$170.00
21	Nursing assistant registration	23-17.9-6	Registration fee	\$35.00
22	Nursing assistant registration	23-17.9-7	Renewal fee	\$35.00
23	Sanitarians	23-19.3-5(a)	Registration fee	\$25.00
24	Sanitarians	23-19.3-5(b)	Registration renewal	\$25.00
25	Massage therapy	23-20.8-3(e)	Massage therapist appl fee	\$65.00
26	Massage therapy	23-20.8-3(e)	Massage therapist renewal fee	\$65.00
27	Recreational facilities	23-21-2	Application fee	\$160.00
28	Swimming pools	23-22-6	Application license: first pool	\$250.00
29	Swimming pools	23-22-6	Additional pool fee at same location	\$75.00
30	Swimming pools	23-22-6	Seasonal application license:	
31			first pool	\$150.00
32	Swimming pools	23-22-6	Seasonal additional pool fee at	
33			same location	\$75.00
34	Swimming pools	23-22-6	Year-round license for non-profit	\$25.00

1	Swimming pools	23-22-10	Duplicate license	\$2.00
2	Swimming pools	23-22-12	Penalty for violations	\$50.00
3	Respiratory care practitioners	23-39-11	Application fee	\$60.00
4	Respiratory care practitioners	23-39-11	Renewal fee	\$60.00

5 SECTION 4. Section 42-64.20-10 of the General Laws in Chapter 42-64.20 entitled
6 "Rebuild Rhode Island Tax Credit" is hereby amended to read as follows:

7 **42-64.20-10. Sunset.**

8 No credits shall be authorized to be reserved pursuant to this chapter after December 31,
9 ~~2022~~ [2023](#).

10 SECTION 5. Section 42-64.21-9 of the General Laws in Chapter 42-64.21 entitled "Rhode
11 Island Tax Increment Financing" is hereby amended to read as follows:

12 **42-64.21-9. Sunset.**

13 The commerce corporation shall enter into no agreement under this chapter after December
14 31, ~~2022~~ [2023](#).

15 SECTION 6. Section 42-64.22-15 of the General Laws in Chapter 42-64.22 entitled "Tax
16 Stabilization Incentive" is hereby amended to read as follows:

17 **42-64.22-15. Sunset.**

18 The commerce corporation shall enter into no agreement under this chapter after December
19 31, ~~2022~~ [2023](#).

20 SECTION 7. Section 42-64.23-8 of the General Laws in Chapter 42-64.23 entitled "First
21 Wave Closing Fund Act" is hereby amended to read as follows:

22 **42-64.23-8. Sunset.**

23 No financing shall be authorized to be reserved pursuant to this chapter after December 31,
24 ~~2022~~ [2023](#).

25 SECTION 8. Section 42-64.24-8 of the General Laws in Chapter 42-64.24 entitled "I-195
26 Redevelopment Project Fund Act" is hereby amended as follows:

27 **42-64.24-8. Sunset.**

28 No funding, credits, or incentives shall be authorized or authorized to be reserved pursuant
29 to this chapter after December 31, ~~2022~~ [2023](#).

30 SECTION 9. Section 42-64.25-14 of the General Laws in Chapter 42-64.25 entitled "Small
31 Business Assistance Program Act" is hereby amended as follows:

32 **42-64.25-14. Sunset.**

33 No grants, funding, or incentives shall be authorized pursuant to this chapter after
34 December 31, ~~2022~~ [2023](#).

1 SECTION 10. Sections 42-64.26-3, 42-64.26-4, 42-64.26-5 and 42-64.26-12 of the
2 General Laws in Chapter 42-64.26 entitled "Stay Invested in RI Wavemaker Fellowship" are hereby
3 amended to read as follows:

4 **42-64.26-3. Definitions.**

5 As used in this chapter:

6 (1) "Eligible graduate" means an individual who meets the eligibility requirements under
7 this chapter.

8 (2) "Applicant" means an eligible graduate who applies for a tax credit for education loan
9 repayment expenses under this chapter.

10 (3) "Award" means a tax credit awarded by the commerce corporation to an applicant as
11 provided under this chapter.

12 (4) "Taxpayer" means an applicant who receives a tax credit under this chapter.

13 (5) "Commerce corporation" means the Rhode Island commerce corporation established
14 pursuant to chapter 64 of title 42.

15 (6) "Eligible expenses" or "education loan repayment expenses" means annual higher
16 education loan repayment expenses, including, without limitation, principal, interest and fees, as
17 may be applicable, incurred by an eligible graduate and which the eligible graduate is obligated to
18 repay for attendance at a postsecondary institution of higher learning.

19 (7) "Eligibility period" means a term of up to four (4) consecutive service periods beginning
20 with the date that an eligible graduate receives initial notice of award under this chapter and
21 expiring at the conclusion of the fourth service period after such date specified.

22 (8) "Eligibility requirements" means the following qualifications or criteria required for an
23 applicant to claim an award under this chapter:

24 (i) That the applicant shall have graduated from an accredited two (2) year, four (4) year
25 or graduate postsecondary institution of higher learning with an associate's, bachelor's, graduate, or
26 post-graduate degree and at which the applicant incurred education loan repayment expenses;

27 (ii) That the applicant shall be a full-time employee with a Rhode Island-based employer
28 located in this state throughout the eligibility period, whose employment is for work in one or more
29 of the following covered fields: life, natural or environmental sciences; computer, information or
30 software technology; advanced mathematics or finance; engineering; industrial design or other
31 commercially related design field; or medicine or medical device technology.

32 (9) "Full-time employee" means a person who is employed by a business for consideration
33 for a minimum of at least thirty-five (35) hours per week, or who renders any other standard of
34 service generally accepted by custom or practice as full-time employment, or who is employed by

1 a professional employer organization pursuant to an employee leasing agreement between the
2 business and the professional employer organization for a minimum of thirty-five (35) hours per
3 week, or who renders any other standard of service generally accepted by custom or practice as
4 full-time employment, and whose wages are subject to withholding.

5 (10) "Healthcare applicant" means any applicant that meets the eligibility requirements and
6 works as a full-time employee as a high-demand healthcare practitioner or mental health
7 professional, including, but not limited to, clinical social workers and mental health counselors
8 licensed by the department of health, and as defined in regulations to be promulgated by the
9 commerce corporation, in consultation with the executive office of health and human services,
10 pursuant to chapter 35 of this title.

11 ~~(1011)~~ "Service period" means a twelve (12) month period beginning on the date that an
12 eligible graduate receives initial notice of award under this chapter.

13 ~~(1112)~~ "Student loan" means a loan to an individual by a public authority or private lender
14 to assist the individual to pay for tuition, books, and living expenses in order to attend a
15 postsecondary institution of higher learning.

16 ~~(1213)~~ "Rhode Island-based employer" means (i) an employer having a principal place of
17 business or at least fifty-one percent (51%) of its employees located in this state; or (ii) an employer
18 registered to conduct business in this state that reported Rhode Island tax liability in the previous
19 tax year.

20 ~~(1314)~~ "STEM/design Fund fund" refers to the "Stay Invested in RI Wavemaker Fellowship
21 Fund" established pursuant to § 42-64.26-4(a).

22 (15) "Healthcare fund" refers to the "Healthcare Stay Invested in RI Wavemaker
23 Fellowship Fund" established pursuant to § 42-64.26-4(b).

24 **42-64.26-4. Establishment of fund -- Purposes -- Composition.**

25 (a) There is hereby established the "Stay Invested in RI Wavemaker Fellowship Fund" ~~(the~~
26 ~~"fund")~~ to be administered by the commerce corporation as set forth in this chapter.

27 (b) There is hereby established the "Healthcare Stay Invested in RI Wavemaker Fellowship
28 Fund" to be administered by the commerce corporation as set forth in this chapter.

29 ~~(b)c)~~ The purpose of the ~~fund~~ STEM/design fund and healthcare fund is to expand
30 employment opportunities in the state and to retain talented individuals in the state by providing
31 tax credits in relation to education loan repayment expenses to applicants who meet the eligibility
32 requirements under this chapter.

33 ~~(e)d)~~ The ~~fund~~ STEM/design fund and healthcare fund shall consist of:

34 (1) Money appropriated in the state budget to the fund;

1 (2) Money made available to the fund through federal programs or private contributions;
2 and

3 (3) Any other money made available to the fund.

4 (de) The ~~fund~~ STEM/design fund shall be used to pay for the redemption of tax credits or
5 reimbursement to the state for tax credits applied against ~~a taxpayer's~~ the tax liability of any non-
6 healthcare applicant that received an award. The healthcare fund shall be used to pay for the
7 redemption of tax credits or reimbursement to the state for tax credits applied against the tax
8 liability of any healthcare applicant that received an award on or after July 1, 2022. The ~~fund~~ funds
9 shall be exempt from attachment, levy or any other process at law or in equity. The director of the
10 department of revenue shall make a requisition to the commerce corporation for funding during
11 any fiscal year as may be necessary to pay for the redemption of tax credits presented for
12 redemption or to reimburse the state for tax credits applied against a taxpayer's tax liability. The
13 commerce corporation shall pay from the funds s such amounts as requested by the director of the
14 department of revenue necessary for redemption or reimbursement in relation to tax credits granted
15 under this chapter.

16 **42-64.26-5. Administration.**

17 (a) *Application.* An eligible graduate claiming an award under this chapter shall submit to
18 the commerce corporation an application in the manner that the commerce corporation shall
19 prescribe.

20 (b) Upon receipt of a proper application from an applicant who meets all of the eligibility
21 requirements, the commerce corporation shall select applicants on a competitive basis to receive
22 credits for up to a maximum amount for each service period of one thousand dollars (\$1,000) for
23 an associate's degree holder, four thousand dollars (\$4,000) for a bachelor's degree holder, and six
24 thousand dollars (\$6,000) for a graduate or post-graduate degree holder, but not to exceed the
25 education loan repayment expenses incurred by such taxpayer during each service period
26 completed, for up to four (4) consecutive service periods provided that the taxpayer continues to
27 meet the eligibility requirements throughout the eligibility period. The commerce corporation shall
28 delegate the selection of the applicants that are to receive awards to a fellowship committee to be
29 convened by the commerce corporation and promulgate the selection procedures the fellowship
30 committee will use, which procedures shall require that the committee's consideration of
31 applications be conducted on a name-blind and employer-blind basis and that the applications and
32 other supporting documents received or reviewed by the fellowship committee shall be redacted of
33 the applicant's name, street address, and other personally-identifying information as well as the
34 applicant's employer's name, street address, and other employer-identifying information. The

1 commerce corporation shall determine the composition of the fellowship committee and the
2 selection procedures it will use in consultation with the state's chambers of commerce.
3 Notwithstanding the foregoing, the commerce corporation shall create and establish a committee
4 to evaluate any healthcare applicant for an award in the same manner as prescribed in this
5 paragraph. The executive office of health and human services ("EOHHS") shall be represented on
6 the committee and provide consultation to the commerce corporation on selection procedures.
7 Notwithstanding EOHHS's consultation and representation in the selection of healthcare applicants,
8 the commerce corporation shall administer all other aspects of a healthcare applicant's application,
9 award, and certification.

10 (c) The credits awarded under this chapter shall not exceed one hundred percent (100%) of
11 the education loan repayment expenses incurred by such taxpayer during each service period
12 completed for up to four (4) consecutive service periods. Tax credits shall be issued annually to the
13 taxpayer upon proof that (i) the taxpayer has actually incurred and paid such education loan
14 repayment expenses; (ii) the taxpayer continues to meet the eligibility requirements throughout the
15 service period; (iii) The award shall not exceed the original loan amount plus any capitalized
16 interest less award previously claimed under this section; and (iv) that the taxpayer claiming an
17 award is current on his or her student loan repayment obligations.

18 (d) The commerce corporation shall not commit to overall STEM/design awards in excess
19 of the amount contained in the ~~commerce~~ STEM/design fund or to overall healthcare awards in
20 excess of the amount contained in the healthcare fund.

21 (e) The commerce corporation shall reserve seventy percent (70%) of the awards issued in
22 a calendar year to applicants who are permanent residents of the state of Rhode Island or who
23 attended an institution of higher education located in Rhode Island when they incurred the
24 education loan expenses to be repaid.

25 (f) In administering award, the commerce corporation shall:

26 (1) Require suitable proof that an applicant meets the eligibility requirements for award
27 under this chapter;

28 (2) Determine the contents of applications and other materials to be submitted in support
29 of an application for award under this chapter; and

30 (3) Collect reports and other information during the eligibility period for each award to
31 verify that a taxpayer continues to meet the eligibility requirements for an award.

32 **42-64.26-12. Sunset.**

33 No incentives or credits shall be authorized pursuant to this chapter after December 31,
34 ~~2022~~ 2023.

1 SECTION 11. Section 42-64.27-6 of the General Laws in Chapter 42-64.27 entitled "Main
2 Street Rhode Island Streetscape Improvement Fund" is hereby amended as follows:

3 **42-64.27-6. Sunset.**

4 No incentives shall be authorized pursuant to this chapter after December 31, ~~2022~~ [2023](#).

5 SECTION 12. Section 42-64.28-10 of the General Laws in Chapter 42-64.28 entitled
6 "Innovation Initiative" is hereby amended as follows:

7 **42-64.28-10. Sunset.**

8 No vouchers, grants, or incentives shall be authorized pursuant to this chapter after
9 December 31, ~~2022~~ [2023](#).

10 SECTION 13. Section 42-64.31-4 of the General Laws in Chapter 42-64.31 entitled "High
11 School, College, and Employer Partnerships" is hereby amended as follows:

12 **42-64.31-4. Sunset.**

13 No grants shall be authorized pursuant to this chapter after December 31, ~~2022~~ [2023](#).

14 SECTION 14. Section 42-64.32-6 of the General Laws in Chapter 42-64.32 entitled "Air
15 Service Development Fund" is hereby amended as follows:

16 **42-64.32-6. Sunset.**

17 No grants, credits, or incentives shall be authorized or authorized to be reserved pursuant
18 to this chapter after December 31, ~~2022~~ [2023](#).

19 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND
20 GOVERNMENT" is hereby amended by adding thereto the following chapter:

21 **CHAPTER 162**

22 **THE RHODE ISLAND BROADBAND DEVELOPMENT PROGRAM**

23 The Rhode Island Broadband Development Program shall provide oversight and
24 coordination of all broadband and digital equity initiatives in the state of Rhode Island, including,
25 but not limited to, the following:

26 (i) Creating a statewide broadband strategic plan which shall include goals and strategies
27 related to increasing the access and use of broadband internet in the state. Such a plan shall include
28 high-capacity transmission technique using a wide range of frequencies to deliver high-speed
29 internet including both wireline and wireless technologies and shall include, but not be limited to:
30 goals for broadband elements such as speed, latency, affordability, reliability, access, sustainability,
31 and digital equity. The plan shall be submitted to the governor, the speaker of the house of
32 representatives, and the president of the senate on or before December 31, 2022 and shall be
33 updated every five (5) years thereafter;

34 **42-162-1. Definitions.**

1 As used in this chapter, the following words shall have the following meanings:

2 (1) "Broadband advisory council" or "council" means the broadband advisory council
3 established pursuant to the provisions of § 42-162-4.

4 (2) "Broadband director" or "director" means the broadband coordinator designated
5 pursuant to the provisions of § 42-162-2.

6 (3) "Broadband " means "a high-capacity transmission technique using a wide range of
7 frequencies to deliver high-speed internet including both wireline and wireless technologies" and
8 shall include, but not be limited to: goals for broadband elements such as speed, latency,
9 affordability, access, sustainability, and digital equity.

10 (4) "Digital literacy" means the ability to use information and communication technologies
11 to find, evaluate, create and communicate information, requiring both cognitive and technical skills;

12 (5) "Unserved" means a geographic location of the state in which there is no provider of
13 broadband Internet service that offers dedicated Internet access for transmission at consistent
14 speeds with the ability to scale upload speeds over time consistent with technology trends.

15 (6) "Underserved" means a geographic location of the state in which there is no broadband
16 Internet service available at consistent speeds with the ability to scale upload speeds over time
17 consistent with technology trends.

18 **42-162-2. Broadband director.**

19 An employee of the commerce corporation shall be designated by the secretary of
20 commerce as the broadband director. The broadband director shall be responsible for connecting
21 and communicating with the National Telecommunications and Information Administration
22 (NTIA) and other federal agencies, as appropriate, to access federal funds for broadband
23 infrastructure deployment pursuant to federal grants, facilitating broadband service adoption,
24 expanding digital literacy for residents experiencing economic hardship, and for future economic
25 development. The broadband director shall perform such other duties as assigned by the secretary
26 of commerce.

27 **42-162.3 Duties and Powers of the Broadband Director.**

28 (a) Creating or otherwise administering grants, programs, projects, initiatives, or mapping
29 efforts to further the investment in and development of broadband and digital equity in the State.
30 Pending availability of funding, these may include: developing a mapping process to review and
31 verify transmission speeds and broadband availability throughout the State; providing information,
32 advice, and technical assistance to municipalities, regions, and others to increase broadband
33 adoption and digital equity; and proposing legislation that supports increased digital equity and
34 sustainable adoption of broadband.

1 (b) The executive office of commerce may seek the advice from the broadband advisory
2 committee in the review of proposals for adoption of technologies required to deploy broadband to
3 residents, businesses, and municipalities. The executive office of commerce or any state agency or
4 quasi-public state agency charged with administering such grant and other programs is authorized
5 to promulgate rules and regulations that set forth the programs' goals, investment criteria,
6 principles, and parameters.

7 (c) The executive office of commerce or any state agency or quasi-public state agency
8 charged with administering such grant and other programs shall follow applicable federal and state
9 reporting and transparency requirements for any program established, including the allocation and
10 utilization of federal dollars.

11 (d) In consultation with the governor's workforce board, develop a statewide curriculum
12 for advanced digital skills training to establish a talent pipeline matching job seekers and
13 historically underrepresented populations and Rhode Island employers.

14 (e) The office shall include the office of regulatory reform and other administration
15 functions that promote, enhance, or regulate various service and functions in order to promote the
16 reform and improvement of the regulatory function of the state.

17 **42-162-4. Broadband advisory council established.**

18 (a) There is hereby established a broadband advisory council for the purpose of performing
19 the duties enunciated in § 42-162-5.

20 (b) The council shall consist of the following nine (9) members:

21 (1) The broadband director from Commerce Rhode Island, who shall serve as the chair;

22 (2) Rhode Island emergency management agency director, or designee;

23 (3) Rhode Island League of Cities and Towns executive director, or designee;

24 (4) Boys and Girls Club president, or designee appointed by the senate president;

25 (5) Rhode Island infrastructure bank executive director, or designee;

26 (6) A Rhode Island Chamber of Commerce, appointed by the speaker of the house;

27 (7) A telecommunications expert, appointed by the senate president;

28 (8) A member of the underserved or unserved community appointed by the governor; and

29 (9) A broadband or technology expert appointed by the speaker of the house.

30 (c) Members of the council shall serve without compensation.

31 (d) Vacancies shall be appointed in the same manner as the original appointment.

32 **34 42-162-5. Duties and powers of broadband advisory council.**

33 The broadband advisory council shall advise the executive office of commerce on
34 broadband implementation efforts undertaken by the agency including but not limited to the

1 development of a state strategic plan and broadband-related investment strategies. The broadband
2 advisory committee shall additionally invite telecommunications/IT experts and broadband
3 stakeholders to inform the committee. The broadband advisory committee shall provide written
4 report to the speaker of the house and senate president one month after the close of each quarter
5 with the status of Rhode Island broadband efforts and the level and type of funding obligation and
6 expenditure by awardee through any grant program as well as recommendations for accessing
7 further federal or other funding opportunities for as long as federal or state funding is available for
8 this work.

9 **32 42-162-6. Administrative support to broadband advisory council.**

10 The commerce corporation shall be responsible for providing administrative and other
11 support services to the council.

12 **42-162-7. Meetings and reporting.**

13 The council shall meet at least quarterly and shall report at least annually on or before
14 December 31 of each year to the general assembly on its findings and recommendations to include,
15 but not limited to, recommendations for proposed legislation to further the purposes of this chapter.

16 SECTION 16. Section 44-31.2-5 of the General Laws in Chapter 44-31.2 entitled "Motion
17 Picture Production Tax Credits" is hereby amended to read as follows:

18 **44-31.2-5. Motion picture production company tax credit.**

19 (a) A motion picture production company shall be allowed a credit to be computed as
20 provided in this chapter against a tax imposed by chapters 11, 14, 17, and 30 of this title. The
21 amount of the credit shall be thirty percent (30%) of the state-certified production costs incurred
22 directly attributable to activity within the state, provided:

23 (1) That the primary locations are within the state of Rhode Island and the total production
24 budget as defined herein is a minimum of one hundred thousand dollars (\$100,000); or

25 (2) The motion picture production incurs and pays a minimum of ten million dollars
26 (\$10,000,000) in state-certified production costs within a twelve-month (12) period.

27 The credit shall be earned in the taxable year in which production in Rhode Island is
28 completed, as determined by the film office in final certification pursuant to § 44-31.2-6(c).

29 (b) For the purposes of this section: "total production budget" means and includes the
30 motion picture production company's pre-production, production, and post-production costs
31 incurred for the production activities of the motion picture production company in Rhode Island in
32 connection with the production of a state-certified production. The budget shall not include costs
33 associated with the promotion or marketing of the film, video, or television product.

34 (c) Notwithstanding subsection (a) of this section, the credit shall not exceed seven million

1 dollars (\$7,000,000) and shall be allowed against the tax for the taxable period in which the credit
2 is earned and can be carried forward for not more than three (3) succeeding tax years. Pursuant to
3 rules promulgated by the tax administrator, the administrator may issue a waiver of the seven
4 million dollars (\$7,000,000) tax credit cap for any feature-length film or television series up to the
5 remaining funds available pursuant to section (e) of this section.

6 (d) Credits allowed to a motion picture production company, which is a subchapter S
7 corporation, partnership, or a limited-liability company that is taxed as a partnership, shall be
8 passed through respectively to persons designated as partners, members, or owners on a pro rata
9 basis or pursuant to an executed agreement among such persons designated as subchapter S
10 corporation shareholders, partners, or members documenting an alternate distribution method
11 without regard to their sharing of other tax or economic attributes of such entity.

12 (e) No more than fifteen million dollars (\$15,000,000) in total may be issued for any tax
13 year beginning after December 31, 2007, for motion picture tax credits pursuant to this chapter
14 and/or musical and theatrical production tax credits pursuant to chapter 31.3 of this title. After
15 December 31, 2019, no more than twenty million dollars (\$20,000,000) in total may be issued for
16 any tax year for motion picture tax credits pursuant to this chapter and/or musical and theater
17 production tax credits pursuant to chapter 31.3 of this title. Said credits shall be equally available
18 to motion picture productions and musical and theatrical productions. No specific amount shall be
19 set aside for either type of production.

20 (f) Exclusively for tax year 2022, the total amount of motion picture tax credits issued
21 pursuant to this section and/or musical and theatrical production tax credits pursuant to chapter 31.3
22 of this title shall not exceed thirty million dollars (\$30,000,000).

23 [\(g\) Exclusively for tax year 2023 and tax year 2024, the total amount of motion picture tax](#)
24 [credits issued pursuant to this section and/or musical and theatrical production tax credits pursuant](#)
25 [to chapter 31.3 of this title shall not exceed forty million dollars \(\\$40,000,000\).](#)

26 SECTION 17. Section 44-31.3-2 of the General Laws in Chapter 44-31.3 entitled "Musical
27 and Theatrical Production Tax Credits" is hereby amended to read as follows:

28 **44-31.3-2. Musical and theatrical production tax credits.**

29 (a) Definitions. As used in this chapter:

30 (1) "Accredited theater production" means a for-profit live stage presentation in a qualified
31 production facility, as defined in this chapter that is either: (i) A pre-Broadway production, or (ii)
32 A post-Broadway production.

33 (2) "Accredited theater production certificate" means a certificate issued by the film office
34 certifying that the production is an accredited theater production that meets the guidelines of this

1 chapter.

2 (3) "Advertising and public relations expenditure" means costs incurred within the state by
3 the accredited theater productions for goods or services related to the national marketing, public
4 relations, creation and placement of print, electronic, television, billboards and other forms of
5 advertising to promote the accredited theater production.

6 (4) "Payroll" means all salaries, wages, fees, and other compensation including related
7 benefits for services performed and costs incurred within Rhode Island.

8 (5) "Pre-Broadway production" means a live stage production that, in its original or
9 adaptive version, is performed in a qualified production facility having a presentation scheduled
10 for Broadway's theater district in New York City within ~~(42)~~ thirty-six (36) months after its Rhode
11 Island presentation.

12 (6) "Post-Broadway production" means a live stage production that, in its original or
13 adaptive version, is performed in a qualified production facility and opens its U.S. tour in Rhode
14 Island after a presentation scheduled for Broadway's theater district in New York City.

15 (7) "Production and performance expenditures" means a contemporaneous exchange of
16 cash or cash equivalent for goods or services related to development, production, performance, or
17 operating expenditures incurred in this state for a qualified theater production including, but not
18 limited to, expenditures for design, construction and operation, including sets, special and visual
19 effects, costumes, wardrobes, make-up, accessories; costs associated with sound, lighting, staging,
20 payroll, transportation expenditures, advertising and public relations expenditures, facility
21 expenses, rentals, per diems, accommodations and other related costs.

22 (8) "Qualified production facility" means a facility located in the state of Rhode Island in
23 which live theatrical productions are, or are intended to be, exclusively presented that contains at
24 least one stage, a seating capacity of one thousand (1,000) or more seats, and dressing rooms,
25 storage areas, and other ancillary amenities necessary for the accredited theater production.

26 (9) "Resident" or "Rhode Island resident" means, for the purpose of determination of
27 eligibility for the tax incentives provided by this chapter, an individual who is domiciled in the state
28 of Rhode Island or who is not domiciled in this state but maintains a permanent place of abode in
29 this state and is in this state for an aggregate of more than one hundred eighty-three (183) days of
30 the taxable year, unless the individual is in the armed forces of the United States.

31 (10) "Rhode Island film and television office" means the office within the department of
32 administration that has been established in order to promote and encourage the locating of film and
33 television productions within the state of Rhode Island. The office is also referred to as the "film
34 office."

1 (11)(i) "Transportation expenditures" means expenditures for the packaging, crating, and
2 transportation both to the state for use in a qualified theater production of sets, costumes, or other
3 tangible property constructed or manufactured out of state, and/or from the state after use in a
4 qualified theater production of sets, costumes, or other tangible property constructed or
5 manufactured in this state and the transportation of the cast and crew to and from the state. Such
6 term shall include the packaging, crating, and transporting of property and equipment used for
7 special and visual effects, sound, lighting and staging, costumes, wardrobes, make-up, and related
8 accessories and materials, as well as any other performance or production-related property and
9 equipment.

10 (ii) Transportation expenditures shall not include any costs to transport property and
11 equipment to be used only for filming and not in a qualified theater production, any indirect costs,
12 and expenditures that are later reimbursed by a third party; or any amounts that are paid to persons
13 or entities as a result of their participation in profits from the exploitation of the production.

14 (b) Tax credit.

15 (1) Any person, firm, partnership, trust, estate, or other entity that receives an accredited
16 theater production certificate shall be allowed a tax credit equal to thirty percent (30%) of the total
17 production and performance expenditures and transportation expenditures for the accredited theater
18 production and to be computed as provided in this chapter against a tax imposed by chapters 11,
19 12, 13, 14, 17, and 30 of this title. Said credit shall not exceed five million dollars (\$5,000,000) and
20 shall be limited to certified production costs directly attributable to activities in the state and
21 transportation expenditures defined above. The total production budget shall be a minimum of one
22 hundred thousand dollars (\$100,000).

23 (2) No more than fifteen million dollars (\$15,000,000) in total may be issued for any tax
24 year for motion picture tax credits pursuant to chapter 31.2 of this title and/or musical and theatrical
25 production tax credits pursuant to this chapter. Said credits shall be equally available to motion
26 picture productions and musical and theatrical productions. No specific amount shall be set aside
27 for either type of production.

28 (3) The tax credit shall be allowed against the tax for the taxable period in which the credit
29 is earned and can be carried forward for not more than three (3) succeeding tax years.

30 (4) Credits allowed to a company that is a subchapter S corporation, partnership, or a
31 limited-liability company that is taxed as a partnership, shall be passed through respectively to
32 persons designated as partners, members, or owners on a pro rata basis or pursuant to an executed
33 agreement among such persons designated as subchapter S corporation shareholders, partners, or
34 members documenting an alternate distribution method without regard to their sharing of other tax

1 or economic attributes of such entity.

2 (5) If the company has not claimed the tax credits in whole or part, taxpayers eligible for
3 the tax credits may assign, transfer, or convey the tax credits, in whole or in part, by sale or
4 otherwise, to any individual or entity and the assignee of the tax credits that has not claimed the tax
5 credits in whole or part may assign, transfer, or convey the tax credits, in whole or in part, by sale
6 or otherwise, to any individual or entity. The assignee of the tax credits may use acquired credits
7 to offset up to one hundred percent (100%) of the tax liabilities otherwise imposed pursuant to
8 chapter 11, 12, 13 (other than the tax imposed under § 44-13-13), 14, 17, or 30 of this title. The
9 assignee may apply the tax credit against taxes imposed on the assignee for not more than three (3)
10 succeeding tax years. The assignor shall perfect the transfer by notifying the state of Rhode Island
11 division of taxation, in writing, within thirty (30) calendar days following the effective date of the
12 transfer and shall provide any information as may be required by the division of taxation to
13 administer and carry out the provisions of this section.

14 (6) For purposes of this chapter, any assignment or sales proceeds received by the assignor
15 for its assignment or sale of the tax credits allowed pursuant to this section shall be exempt from
16 this title.

17 (7) In the case of a corporation, this credit is only allowed against the tax of a corporation
18 included in a consolidated return that qualifies for the credit and not against the tax of other
19 corporations that may join in the filing of a consolidated tax return.

20 (c) Certification and administration.

21 (1) The applicant shall properly prepare, sign, and submit to the film office an application
22 for initial certification of the theater production. The application shall include the information and
23 data as the film office deems reasonably necessary for the proper evaluation and administration of
24 the application, including, but not limited to, any information about the theater production company
25 and a specific Rhode Island live theater or musical production. The film office shall review the
26 completed application and determine whether it meets the requisite criteria and qualifications for
27 the initial certification for the production. If the initial certification is granted, the film office shall
28 issue a notice of initial certification of the accredited theater production to the theater production
29 company and to the tax administrator. The notice shall state that, after appropriate review, the initial
30 application meets the appropriate criteria for conditional eligibility. The notice of initial
31 certification will provide a unique identification number for the production and is only a statement
32 of conditional eligibility for the production and, as such, does not grant or convey any Rhode Island
33 tax benefits.

34 (2) Upon completion of an accredited theater production, the applicant shall properly

1 prepare, sign, and submit to the film office an application for final certification of the accredited
2 theater production. The final application shall also contain a cost report and an "accountant's
3 certification." The film office and tax administrator may rely without independent investigation,
4 upon the accountant's certification, in the form of an opinion, confirming the accuracy of the
5 information included in the cost report. Upon review of a duly completed and filed application and
6 upon no later than thirty (30) days of submission thereof, the division of taxation will make a
7 determination pertaining to the final certification of the accredited theater production and the
8 resultant tax credits.

9 (3) Upon determination that the company qualifies for final certification and the resultant
10 tax credits, the tax administrator of the division of taxation shall issue to the company: (i) An
11 accredited theater production certificate; and (ii) A tax credit certificate in an amount in accordance
12 with subsection (b) of this section. A musical and theatrical production company is prohibited from
13 using state funds, state loans, or state guaranteed loans to qualify for the motion picture tax credit.
14 All documents that are issued by the film office pursuant to this section shall reference the
15 identification number that was issued to the production as part of its initial certification.

16 (4) The director of the department of administration, in consultation as needed with the tax
17 administrator, shall promulgate rules and regulations as are necessary to carry out the intent and
18 purposes of this chapter in accordance with the general guidelines provided herein for the
19 certification of the production and the resultant production credit.

20 (5) If information comes to the attention of the film office that is materially inconsistent
21 with representations made in an application, the film office may deny the requested certification.
22 In the event that tax credits or a portion of tax credits are subject to recapture for ineligible costs
23 and the tax credits have been transferred, assigned, and/or allocated, the state will pursue its
24 recapture remedies and rights against the applicant of the theater production tax credits. No redress
25 shall be sought against assignees, sellers, transferees, or allocates of the credits.

26 (d) Information requests.

27 (1) The director of the film office, and his or her agents, for the purpose of ascertaining the
28 correctness of any credit claimed under the provisions of this chapter, may examine any books,
29 paper, records, or memoranda bearing upon the matters required to be included in the return, report,
30 or other statement, and may require the attendance of the person executing the return, report, or
31 other statement, or of any officer or employee of any taxpayer, or the attendance of any other
32 person, and may examine the person under oath respecting any matter that the director, or his or
33 her agent, deems pertinent or material in administration and application of this chapter and where
34 not inconsistent with other legal provisions, the director may request information from the tax

1 administrator.

2 (2) The tax administrator, and his or her agents, for the purpose of ascertaining the
3 correctness of any credit claimed under the provisions of this chapter, may examine any books,
4 paper, records, or memoranda bearing upon the matters required to be included in the return, report,
5 or other statement, and may require the attendance of the person executing the return, report, or
6 other statement, or of any officer or employee of any taxpayer, or the attendance of any other
7 person, and may examine the person under oath respecting any matter the tax administrator or his
8 or her agent deems pertinent or material in determining the eligibility for credits claimed and may
9 request information from the film office, and the film office shall provide the information in all
10 cases to the tax administrator.

11 (e) The film office shall comply with the impact analysis and periodic reporting provisions
12 of § 44-31.2-6.1.

13 SECTION 18. Section 44-33.6-11 of the General Laws in Chapter 44-33.6 entitled
14 "Historic Preservation Tax Credits 2013" is hereby amended to read as follows:

15 **44-33.6-11. Sunset.**

16 No credits shall be authorized to be reserved pursuant to this chapter on or after June 30,
17 ~~2022~~ 2023, or upon the exhaustion of the maximum aggregate credits, whichever comes first.

18 SECTION 19. Section 44-48.3-14 of the General Laws in Chapter 44-48.3 entitled "Rhode
19 Island Qualified Jobs Incentive Act of 2015" is hereby amended as follows:

20 **44-48.3-14. Sunset.**

21 No credits shall be authorized to be reserved pursuant to this chapter after December 31,
22 ~~2022~~ 2023.

23 SECTION 20. This Article shall take effect upon passage.