

**2022 -- H 7123 SUBSTITUTE A**

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LC004149/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2022**

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**A N A C T**

**MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL  
YEAR ENDING JUNE 30, 2023**

Introduced By: Representative Marvin L. Abney

Date Introduced: January 20, 2022

Referred To: House Finance

(Governor)

It is enacted by the General Assembly as follows:

- 1 ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2023
- 2 ARTICLE 2 RELATING TO STATE FUNDS
- 3 ARTICLE 3 RELATING TO GOVERNMENT REFORM AND REORGANIZATION
- 4 ARTICLE 4 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS
- 5 ARTICLE 5 RELATING TO CAPITAL DEVELOPMENT PROGRAM
- 6 ARTICLE 6 RELATING TO TAXES AND REVENUES
- 7 ARTICLE 7 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF
- 8 FY 2022
- 9 ARTICLE 8 RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND
- 10 OPERATING SPACE
- 11 ARTICLE 9 RELATING TO ECONOMIC DEVELOPMENT
- 12 ARTICLE 10 RELATING TO EDUCATION
- 13 ARTICLE 11 RELATING TO COURTS AND STATE HOSPITALS
- 14 ARTICLE 12 RELATING TO MEDICAL ASSISTANCE
- 15 ARTICLE 13 RELATING TO HUMAN SERVICES
- 16 ARTICLE 14 RELATING TO EFFECTIVE DATE

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# ARTICLE 1

## RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2023

SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2023. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

### **Administration**

#### *Central Management*

General Revenues	4,896,389
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Provided that \$2,000,000 shall be allocated to support a state workforce compensation and classification study, of which all unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately available for the same purposes.

Federal Funds	108,998,500
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#### Federal Funds - State Fiscal Recovery Fund

Nonprofit Assistance	20,000,000
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Public Health Response Warehouse Support	2,000,000
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Health Care Facilities	77,500,000
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Ongoing COVID-19 Response	73,000,000
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Total - Central Management	286,394,889
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#### *Legal Services*

General Revenues	2,374,193
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#### *Accounts and Control*

General Revenues	5,211,103
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Federal Funds	
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Federal Funds - Capital Projects Fund	
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1	CPF Administration	349,497
2	Federal Funds - State Fiscal Recovery Fund	
3	Pandemic Recovery Office	4,948,839
4	Restricted Receipts - OPEB Board Administration	137,905
5	Restricted Receipts - Grants Management Administration	2,130,371
6	Total - Accounts and Control	12,777,715
7	<i>Office of Management and Budget</i>	
8	General Revenues	8,354,324
9	Federal Funds	101,250
10	Restricted Receipts	300,000
11	Other Funds	1,228,111
12	Total - Office of Management and Budget	9,983,685
13	<i>Purchasing</i>	
14	General Revenues	3,830,668
15	Restricted Receipts	381,474
16	Other Funds	550,989
17	Total - Purchasing	4,763,131
18	<i>Human Resources</i>	
19	General Revenues	755,922
20	<i>Personnel Appeal Board</i>	
21	General Revenues	143,059
22	<i>Information Technology</i>	
23	General Revenues	721,340
24	Restricted Receipts	54,589,160
25	Provided that of the total available in the Information Technology Investment Fund as of	
26	July 1, 2022, \$22.4 million shall be made available for the development and implementation of an	
27	electronic medical records system for the state hospitals, \$19.4 million for the replacement and	
28	modernization of the legacy department of labor and training mainframe system, \$6.7 million for	
29	RIBridges Mobile and Childcare Tracking, \$2.5 million for Blockchain Digital Identity, \$2.2	
30	million to support implementation of the Enterprise Resource Planning System, \$5.8 million for	
31	the department of environmental management's online permit and licensing systems for fish and	
32	wildlife, commercial fishing, and boating registrations, \$3.3 million for Wi-Fi and Technology at	
33	the Adult Correctional Institutions, and \$2.3 million for the tax modernization system.	
34	Total - Information Technology	55,310,500

1	<i>Library and Information Services</i>	
2	General Revenues	1,796,514
3	Federal Funds	2,088,205
4	Restricted Receipts	6,990
5	Total - Library and Information Services	3,891,709
6	<i>Planning</i>	
7	General Revenues	840,855
8	Federal Funds	3,050
9	Other Funds	
10	Air Quality Modeling	24,000
11	Federal Highway - PL Systems Planning	3,813,016
12	State Transportation Planning Match	592,033
13	FTA - Metro Planning Grant	1,340,126
14	Total - Planning	6,613,080
15	<i>General</i>	
16	General Revenues	
17	Miscellaneous Grants/Payments	130,000
18	Provided that this amount be allocated to City Year for the Whole School Whole Child	
19	Program, which provides individualized support to at-risk students.	
20	Torts - Courts/Awards	675,000
21	Resource Sharing and State Library Aid	10,991,049
22	Library Construction Aid	1,859,673
23	Historic Tax Credits	28,000,000
24	RICAP Transfer	15,000,000
25	Federal Funds	
26	Federal Funds - State Fiscal Recovery Fund	
27	Aid to the Convention Center	5,000,000
28	Federal Funds - Capital Projects Fund	
29	Municipal and Higher Ed Matching Grant Program	23,360,095
30	RIC Student Services Center	5,000,000
31	Restricted Receipts	700,000
32	Other Funds	
33	Rhode Island Capital Plan Funds	
34	Security Measures State Buildings	500,000

1	Energy Efficiency Improvements	1,250,000
2	Cranston Street Armory	750,000
3	State House Renovations	2,083,000
4	Zambarano Buildings and Campus	6,070,000
5	Replacement of Fueling Tanks	680,000
6	Environmental Compliance	400,000
7	Big River Management Area	427,000
8	Shepard Building Upgrades	1,500,000
9	RI Convention Center Authority	7,350,000
10	Accessibility - Facility Renovations	1,000,000
11	DoIT Enterprise Operations Center	3,300,000
12	BHDDH MH & Community Facilities - Asset Protection	750,000
13	BHDDH DD & Community Homes - Fire Code	325,000
14	BHDDH DD Regional Facilities - Asset Protection	1,700,000
15	BHDDH Substance Abuse Asset Protection	500,000
16	BHDDH Group Homes	1,250,000
17	Statewide Facility Master Plan	1,700,000
18	Cannon Building	1,150,000
19	Old State House	100,000
20	State Office Building	100,000
21	State Office Reorganization & Relocation	250,000
22	William Powers Building	2,700,000
23	Pastore Center Non-Hospital Buildings Asset Protection	6,250,000
24	Washington County Government Center	500,000
25	Chapin Health Laboratory	500,000
26	560 Jefferson Blvd Asset Protection	150,000
27	Arrigan Center	825,000
28	Dunkin Donuts Center	8,150,000
29	Pastore Center Building Demolition	1,000,000
30	Veterans Auditorium	765,000
31	Pastore Center Hospital Buildings Asset Protection	500,000
32	Pastore Campus Infrastructure	11,050,000
33	Community Facilities Asset Protection	450,000
34	Zambarano LTAC Hospital	1,177,542

1	Medical Examiners New Facility	4,500,000
2	Total - General	162,368,359
3	<i>Debt Service Payments</i>	
4	General Revenues	153,991,095
5	Out of the general revenue appropriations for debt service, the General Treasurer is	
6	authorized to make payments for the I-195 Redevelopment District Commission loan up to the	
7	maximum debt service due in accordance with the loan agreement.	
8	Other Funds	
9	Transportation Debt Service	40,548,738
10	Investment Receipts - Bond Funds	100,000
11	Total - Debt Service Payments	194,639,833
12	<i>Energy Resources</i>	
13	Federal Funds	
14	Federal Funds	981,791
15	Federal Funds - State Fiscal Recovery Fund	
16	Electric Heat Pump Grant Program	5,000,000
17	Restricted Receipts	14,779,659
18	Total - Energy Resources	20,761,450
19	<i>Rhode Island Health Benefits Exchange</i>	
20	General Revenues	4,077,880
21	Federal Funds	
22	Federal Funds	12,392,493
23	Federal Funds - State Fiscal Recovery Fund	
24	Auto-Enrollment Program	1,288,710
25	Restricted Receipts	15,010,294
26	Total - Rhode Island Health Benefits Exchange	32,769,377
27	<i>Office of Diversity, Equity &amp; Opportunity</i>	
28	General Revenues	1,508,606
29	Other Funds	
30	Total - Office of Diversity, Equity & Opportunity	1,628,413
31	<i>Capital Asset Management and Maintenance</i>	
32	General Revenues	9,810,315
33	<i>Statewide Personnel and Operations</i>	
34	General Revenues	

1	FEMA Contingency Reserve	15,000,000
2	General Officer Transition Costs	350,000
3	Total - Statewide Personnel and Operations	15,350,000
4	Grand Total - Administration	820,335,630
5	<b>Business Regulation</b>	
6	<i>Central Management</i>	
7	General Revenues	3,801,190
8	<i>Banking Regulation</i>	
9	General Revenues	1,942,687
10	Restricted Receipts	63,000
11	Total - Banking Regulation	2,005,687
12	<i>Securities Regulation</i>	
13	General Revenues	863,630
14	Restricted Receipts	15,000
15	Total - Securities Regulation	878,630
16	<i>Insurance Regulation</i>	
17	General Revenues	4,419,316
18	Restricted Receipts	2,041,662
19	Total - Insurance Regulation	6,460,978
20	<i>Office of the Health Insurance Commissioner</i>	
21	General Revenues	3,777,735
22	Provided that \$1,500,000 is used to conduct a comprehensive analysis of all state licensed	
23	and contracted social and human service providers, to include review of rates, eligibility, utilization,	
24	and accountability standards pursuant to Rhode Island General Law, Section 42-14.5-3(t).	
25	Federal Funds	372,887
26	Restricted Receipts	532,817
27	Total - Office of the Health Insurance Commissioner	4,683,439
28	<i>Board of Accountancy</i>	
29	General Revenues	5,490
30	<i>Commercial Licensing and Gaming and Athletics Licensing</i>	
31	General Revenues	1,167,550
32	Restricted Receipts	914,932
33	Total - Commercial Licensing and Gaming and Athletics Licensing	2,082,482
34	<i>Building, Design and Fire Professionals</i>	

1	General Revenues	8,852,699
2	Federal Funds	318,300
3	Restricted Receipts	2,200,455
4	Other Funds	
5	Quonset Development Corporation	69,727
6	Rhode Island Capital Plan Funds	
7	Fire Academy Expansion	675,000
8	Total - Building, Design and Fire Professionals	12,116,181
9	<i>Office of Cannabis Regulation</i>	
10	General Revenues	1,440,464
11	Restricted Receipts	5,021,772
12	Total - Office of Cannabis Regulation	6,462,236
13	Grand Total - Business Regulation	38,496,313
14	<b>Executive Office of Commerce</b>	
15	<i>Central Management</i>	
16	General Revenues	2,356,175
17	<i>Housing and Community Development</i>	
18	General Revenues	1,522,293
19	Federal Funds	
20	Federal Funds	16,124,699
21	Federal Funds - State Fiscal Recovery Fund	
22	OHCD Predevelopment and Capacity Fund	500,000
23	Development of Affordable Housing	30,000,000
24	Homelessness Assistance Program	7,000,000
25	Site Acquisition	3,000,000
26	Down Payment Assistance	10,000,000
27	Workforce Housing	12,000,000
28	Affordable Housing Predevelopment Program	2,500,000
29	Home Repair and Community Revitalization	15,000,000
30	Statewide Housing Plan	2,000,000
31	Homelessness Infrastructure	15,000,000
32	Restricted Receipts	7,664,150
33	Total - Housing and Community Development	122,311,142
34	<i>Quasi-Public Appropriations</i>	



1	General Revenues	
2	Rhode Island Commerce Corporation	7,947,778
3	Airport Impact Aid	1,010,036
4	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be	
5	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the	
6	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)	
7	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2022	
8	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,	
9	T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation	
10	shall make an impact payment to the towns or cities in which the airport is located based on this	
11	calculation. Each community upon which any part of the above airports is located shall receive at	
12	least \$25,000.	
13	STAC Research Alliance	900,000
14	Innovative Matching Grants/Internships	1,000,000
15	I-195 Redevelopment District Commission	961,000
16	Polaris Manufacturing Grant	450,000
17	East Providence Waterfront Commission	50,000
18	Urban Ventures	140,000
19	Chafee Center at Bryant	476,200
20	Municipal Infrastructure Grant Program	2,500,000
21	OSCAR Program – Infrastructure Bank	4,000,000
22	Federal Funds - State Fiscal Recovery Fund	
23	Port of Davisville	6,000,000
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	I-195 Redevelopment District Commission	805,000
27	Total - Quasi-Public Appropriations	26,240,014
28	<i>Economic Development Initiatives Fund</i>	
29	General Revenues	
30	Innovation Initiative	1,000,000
31	Rebuild RI Tax Credit Fund	13,500,000
32	Small Business Promotion	300,000
33	Small Business Assistance	650,000
34	Federal Funds	

1	Federal Funds	20,000,000
2	Federal Funds - State Fiscal Recovery Fund	
3	Destination Marketing	1,500,000
4	Total - Economic Development Initiatives Fund	36,950,000
5	<i>Commerce Programs</i>	
6	General Revenues	
7	Wavemaker Fellowship	3,200,000
8	Air Service Development Fund	2,250,000
9	Main Streets Revitalization	5,000,000
10	Federal Funds - State Fiscal Recovery Fund	
11	Minority Business Accelerator	2,000,000
12	Blue Economy Investments	10,000,000
13	Bioscience Investments	5,000,000
14	South Quay Marine Terminal	12,000,000
15	Federal Funds - Capital Projects Fund	
16	Broadband	15,383,000
17	Total - Commerce Programs	54,833,000
18	Grand Total - Executive Office of Commerce	242,690,331
19	<b>Labor and Training</b>	
20	<i>Central Management</i>	
21	General Revenues	1,065,747
22	Restricted Receipts	379,215
23	Total - Central Management	1,444,962
24	<i>Workforce Development Services</i>	
25	General Revenues	1,103,105
26	Federal Funds	19,464,609
27	Other Funds	8,026
28	Total - Workforce Development Services	20,575,740
29	<i>Workforce Regulation and Safety</i>	
30	General Revenues	4,240,619
31	<i>Income Support</i>	
32	General Revenues	3,949,058
33	Federal Funds	
34	Federal Funds	57,711,996

1	Federal Funds - State Fiscal Recovery Fund	
2	Unemployment Insurance Trust Fund Contribution	100,000,000
3	Restricted Receipts	2,076,599
4	Other Funds	
5	Temporary Disability Insurance Fund	215,049,696
6	Employment Security Fund	177,075,000
7	Total - Income Support	555,862,349
8	<i>Injured Workers Services</i>	
9	Restricted Receipts	11,403,127
10	<i>Labor Relations Board</i>	
11	General Revenues	452,822
12	<i>Governor's Workforce Board</i>	
13	General Revenues	12,031,000
14	Provided that \$600,000 of these funds shall be used for enhanced training for direct care	
15	and support services staff to improve resident quality of care and address the changing health care	
16	needs of nursing facility residents due to higher acuity and increased cognitive impairments	
17	pursuant to Rhode Island General Laws, Section 23-17.5-36.	
18	Federal Funds - State Fiscal Recovery Fund	
19	Enhanced Real Jobs	10,000,000
20	Restricted Receipts	18,443,377
21	Total - Governor's Workforce Board	40,474,377
22	Grand Total - Labor and Training	634,453,996
23	<b>Department of Revenue</b>	
24	<i>Director of Revenue</i>	
25	General Revenues	2,257,475
26	<i>Office of Revenue Analysis</i>	
27	General Revenues	970,638
28	<i>Lottery Division</i>	
29	Other Funds	435,992,155
30	Rhode Island Capital Plan Funds	
31	Lottery Building Enhancements	850,000
32	Total - Lottery Division	436,842,155
33	<i>Municipal Finance</i>	
34	General Revenues	1,738,044

1	Federal Funds	131,957,594
2	Total - Municipal Finance	133,695,638
3	<i>Taxation</i>	
4	General Revenues	34,793,050
5	Restricted Receipts	2,156,890
6	Other Funds	
7	Motor Fuel Tax Evasion	155,000
8	Total - Taxation	37,104,940
9	<i>Registry of Motor Vehicles</i>	
10	General Revenues	39,062,598
11	Provided that all unexpended or unencumbered balances as of June 30, 2023 relating to	
12	license plate reissuance are hereby reappropriated to the following fiscal year.	
13	Federal Funds	220,000
14	Restricted Receipts	3,494,403
15	Total - Registry of Motor Vehicles	42,777,001
16	<i>State Aid</i>	
17	General Revenues	
18	Distressed Communities Relief Fund	12,384,458
19	Payment in Lieu of Tax Exempt Properties	48,433,591
20	Motor Vehicle Excise Tax Payments	230,508,157
21	Property Revaluation Program	414,947
22	Restricted Receipts	995,120
23	Total - State Aid	292,736,273
24	<i>Collections</i>	
25	General Revenues	887,668
26	Grand Total - Revenue	947,271,788
27	<b>Legislature</b>	
28	General Revenues	48,542,952
29	Restricted Receipts	1,919,241
30	Grand Total - Legislature	50,462,193
31	<b>Lieutenant Governor</b>	
32	General Revenues	1,353,568
33	<b>Secretary of State</b>	
34	<i>Administration</i>	

1	General Revenues	4,049,383
2	<i>Corporations</i>	
3	General Revenues	2,687,784
4	<i>State Archives</i>	
5	General Revenues	178,651
6	Restricted Receipts	520,197
7	Total - State Archives	698,848
8	<i>Elections and Civics</i>	
9	General Revenues	3,439,462
10	Federal Funds	1,621,565
11	Total - Elections and Civics	5,061,027
12	<i>State Library</i>	
13	General Revenues	825,475
14	Provided that \$125,000 be allocated to support the Rhode Island Historical Society	
15	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the	
16	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.	
17	<i>Office of Public Information</i>	
18	General Revenues	686,260
19	Receipted Receipts	25,000
20	Total - Office of Public Information	711,260
21	Grand Total - Secretary of State	14,033,777
22	<b>General Treasurer</b>	
23	<i>Treasury</i>	
24	General Revenues	2,709,016
25	Federal Funds	350,752
26	Other Funds	
27	Temporary Disability Insurance Fund	289,491
28	Tuition Savings Program - Administration	404,401
29	Total -Treasury	3,753,660
30	<i>State Retirement System</i>	
31	Restricted Receipts	
32	Admin Expenses - State Retirement System	12,382,831
33	Retirement - Treasury Investment Operations	2,000,963
34	Defined Contribution - Administration	314,124

1	Total - State Retirement System	14,697,918
2	<i>Unclaimed Property</i>	
3	Restricted Receipts	2,570,182
4	<i>Crime Victim Compensation Program</i>	
5	General Revenues	849,616
6	Federal Funds	422,493
7	Restricted Receipts	555,000
8	Total - Crime Victim Compensation Program	1,827,109
9	Grand Total - General Treasurer	22,848,869
10	<b>Board of Elections</b>	
11	General Revenues	6,249,463
12	<b>Rhode Island Ethics Commission</b>	
13	General Revenues	2,035,145
14	<b>Office of Governor</b>	
15	General Revenues	
16	General Revenues	7,002,280
17	Contingency Fund	150,000
18	Grand Total - Office of Governor	7,152,280
19	<b>Commission for Human Rights</b>	
20	General Revenues	1,744,334
21	Federal Funds	408,411
22	Grand Total - Commission for Human Rights	2,152,745
23	<b>Public Utilities Commission</b>	
24	Federal Funds	582,689
25	Restricted Receipts	12,987,076
26	Grand Total - Public Utilities Commission	13,569,765
27	<b>Office of Health and Human Services</b>	
28	<i>Central Management</i>	
29	General Revenues	49,502,266
30	Provided that \$250,000 shall be for the children’s cabinet, established under Rhode Island	
31	General Law, Chapter 42-72.5, to assist with the planning for an early childhood governance	
32	structure of and for the transition of established early childhood programs to such an office.	
33	Federal Funds	
34	Federal Funds	167,520,158

1	Federal Funds - State Fiscal Recovery Fund	
2	Butler Hospital Short Term Stay Unit	8,000,000
3	Pediatric Recovery	7,500,000
4	Early Intervention Recovery	5,500,000
5	Certified Community Behavioral Health Clinics	30,000,000
6	Restricted Receipts	56,342,012
7	Total - Central Management	324,364,436
8	<i>Medical Assistance</i>	
9	General Revenues	
10	Managed Care	407,937,888
11	Hospitals	86,155,276
12	Of the general revenue funding, \$2.5 million shall be provided for Graduate Medical	
13	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center,	
14	\$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care and \$0.5 million	
15	for the new residential training program at Landmark Hospital.	
16	Nursing Facilities	137,967,876
17	Home and Community Based Services	61,269,551
18	Other Services	145,656,911
19	Pharmacy	87,283,555
20	Rhody Health	221,107,421
21	Federal Funds	
22	Managed Care	552,907,484
23	Hospitals	128,123,193
24	Nursing Facilities	173,656,008
25	Home and Community Based Services	76,979,162
26	Other Services	863,680,790
27	Pharmacy	116,445
28	Rhody Health	275,845,422
29	Other Programs	44,798,580
30	Restricted Receipts	24,750,000
31	Total - Medical Assistance	3,288,235,562
32	Grand Total - Office of Health and Human Services	3,612,599,998
33	<b>Children, Youth and Families</b>	
34	<i>Central Management</i>	

1	General Revenues	14,033,990
2	The director of the department of children, youth and families shall provide to the speaker	
3	of the house and president of the senate at least every sixty (60) days beginning September 1, 2021,	
4	a report on its progress implementing the accreditation plan filed in accordance with Rhode Island	
5	General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The	
6	report shall, at minimum, provide data regarding recruitment and retention efforts including	
7	attaining and maintaining a diverse workforce, documentation of newly filled and vacated	
8	positions, and progress towards reducing worker caseloads.	
9	Federal Funds	
10	Federal Funds	5,222,426
11	Federal Funds - State Fiscal Recovery Fund	
12	Foster Home Lead Abatement & Fire Safety	1,500,000
13	Provider Workforce Stabilization	2,500,000
14	Other Funds	
15	Rhode Island Capital Plan Funds	
16	DCYF Headquarters	250,000
17	DCYF Transitional Housing	500,000
18	Total - Central Management	24,006,416
19	<i>Children's Behavioral Health Services</i>	
20	General Revenues	8,684,693
21	Federal Funds	
22	Federal Funds	9,445,069
23	Federal Funds - State Fiscal Recovery Fund	
24	Psychiatric Residential Treatment Facility	12,000,000
25	Total - Children's Behavioral Health Services	30,129,762
26	<i>Juvenile Correctional Services</i>	
27	General Revenues	22,098,188
28	Federal Funds	416,972
29	Restricted Receipts	317,386
30	Other Funds	
31	Rhode Island Capital Plan Funds	
32	Training School Asset Protection	250,000
33	Total - Juvenile Correctional Services	23,082,546
34	<i>Child Welfare</i>	



1	General Revenues	161,584,128
2	Federal Funds	74,035,823
3	Restricted Receipts	1,467,772
4	Total - Child Welfare	237,087,723
5	<i>Higher Education Incentive Grants</i>	
6	General Revenues	200,000
7	Grand Total - Children, Youth and Families	314,506,447
8	<b>Health</b>	
9	<i>Central Management</i>	
10	General Revenues	2,965,099
11	Federal Funds	4,322,005
12	Restricted Receipts	26,202,867
13	Provided that the disbursement of any indirect cost recoveries on federal grants budgeted	
14	in this line item that are derived from grants authorized under The Coronavirus Preparedness and	
15	Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus	
16	Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-	
17	136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the	
18	Consolidated Appropriations Act, 2021 (P.L. 116-260); and the American Rescue Plan Act of 2021	
19	(P.L. 117-2), are hereby subject to the review and prior approval of the Director of Management	
20	and Budget. No obligation or expenditure of these funds shall take place without such approval.	
21	Total - Central Management	33,489,971
22	<i>Community Health and Equity</i>	
23	General Revenues	1,588,431
24	Federal Funds	
25	Federal Funds	81,169,548
26	Federal Funds – State Fiscal Recovery Fund	
27	Public Health Clinics	4,000,000
28	Restricted Receipts	41,511,977
29	Total - Community Health and Equity	128,269,956
30	<i>Environmental Health</i>	
31	General Revenues	6,088,320
32	Federal Funds	8,549,060
33	Restricted Receipts	967,543
34	Total - Environmental Health	15,604,923

1	<i>Health Laboratories and Medical Examiner</i>	
2	General Revenues	10,980,589
3	Federal Funds	2,756,028
4	Other Funds	
5	Rhode Island Capital Plan Funds	
6	Health Laboratories & Medical Examiner Equipment	400,000
7	Total - Health Laboratories and Medical Examiner	14,136,617
8	<i>Customer Services</i>	
9	General Revenues	8,198,687
10	Federal Funds	6,369,584
11	Restricted Receipts	4,024,890
12	Total - Customer Services	18,593,161
13	<i>Policy, Information and Communications</i>	
14	General Revenues	958,580
15	Federal Funds	2,876,367
16	Restricted Receipts	1,266,247
17	Total - Policy, Information and Communications	5,101,194
18	<i>Preparedness, Response, Infectious Disease &amp; Emergency Services</i>	
19	General Revenues	2,092,672
20	Federal Funds	24,921,020
21	Total - Preparedness, Response, Infectious Disease & Emergency Services	27,013,692
22	<i>COVID-19</i>	
23	Federal Funds	131,144,016
24	Grand Total - Health	373,353,530
25	<b>Human Services</b>	
26	<i>Central Management</i>	
27	General Revenues	7,586,208
28	Of this amount, \$400,000 is to support the Domestic Violence Prevention Fund to provide	
29	direct services through the Coalition Against Domestic Violence, \$350,000 to support Project	
30	Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$267,000 is for outreach and	
31	supportive services through Day One, \$450,000 is for food collection and distribution through the	
32	Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads	
33	Rhode Island, \$600,000 for the Community Action Fund, \$250,000 is for the Institute for the Study	
34	and Practice of Nonviolence's Reduction Strategy, \$50,000 is to support services provided to the	

1 immigrant and refugee population through Higher Ground International, and \$50,000 is for services  
 2 provided to refugees through the Refugee Dream Center. An additional \$750,000 is for enhanced  
 3 support to the RI Alliance of Boys and Girls Clubs to assist students with academic, mental health,  
 4 and workforce readiness needs, and \$1,400,000 is for the Community Action Fund for support to  
 5 individuals and families affected by the pandemic.

6 The director of the department of human services shall provide to the speaker of the house,  
 7 president of the senate, and chairs of the house and senate finance committees at least every sixty  
 8 (60) days beginning August 1, 2022, a report on its progress in recruiting and retaining customer  
 9 serving staff. The report shall include: documentation of newly filled and vacated positions,  
 10 including lateral transfers, position titles, civil service information, including numbers of eligible  
 11 and available candidates, plans for future testing and numbers of eligible and available candidates  
 12 resulting from such testing, impacts on caseload backlogs and call center wait times, as well as  
 13 other pertinent information as determined by the director.

14 Federal Funds 5,425,851

15 Restricted Receipts 300,000

16 Total - Central Management 13,312,059

17 *Child Support Enforcement*

18 General Revenues 3,678,142

19 Federal Funds 8,773,784

20 Restricted Receipts 3,575,448

21 Total - Child Support Enforcement 16,027,374

22 *Individual and Family Support*

23 General Revenues 46,264,236

24 Federal Funds

25 Federal Funds 123,929,840

26 Federal Funds - State Fiscal Recovery Fund

27 Child Care Support 21,283,000

28 Restricted Receipts 250,255

29 Other Funds

30 Rhode Island Capital Plan Funds

31 Blind Vending Facilities 165,000

32 Total - Individual and Family Support 191,892,331

33 *Office of Veterans Services*

34 General Revenues 32,402,204

1	Of this amount, \$200,000 is to provide support services through Veterans' organizations.	
2	Federal Funds	12,647,664
3	Restricted Receipts	759,968
4	Other Funds	
5	Rhode Island Capital Plan Funds	
6	Veterans Home Asset Protection	400,000
7	Veterans Memorial Cemetery Asset Protection	200,000
8	Total - Office of Veterans Services	46,409,836
9	<i>Health Care Eligibility</i>	
10	General Revenues	9,969,089
11	Federal Funds	16,052,510
12	Total - Health Care Eligibility	26,021,599
13	<i>Supplemental Security Income Program</i>	
14	General Revenues	17,886,000
15	<i>Rhode Island Works</i>	
16	General Revenues	8,681,937
17	Federal Funds	94,526,638
18	Total - Rhode Island Works	103,208,575
19	<i>Other Programs</i>	
20	General Revenues	
21	General Revenues	1,347,120
22	Of this appropriation, \$90,000 shall be used for hardship contingency payments.	
23	Retail SNAP Incentives Pilot Program	11,500,000
24	Federal Funds	435,426,342
25	Restricted Receipts	8,000
26	Total - Other Programs	448,281,462
27	<i>Office of Healthy Aging</i>	
28	General Revenues	12,781,431
29	Of this amount, \$325,000 is to provide elder services, including respite, through the	
30	Diocese of Providence, \$40,000 is for ombudsman services provided by the Alliance for Long Term	
31	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 is for security for	
32	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, and	
33	\$1,000,000 is for Senior Services Support and \$580,000 is for elderly nutrition, of which \$530,000	
34	is for Meals on Wheels.	

1	Federal Funds	21,108,383
2	Restricted Receipts	61,000
3	Other Funds	
4	Intermodal Surface Transportation Fund	4,593,213
5	Total - Office of Healthy Aging	38,544,027
6	Grand Total - Human Services	901,583,263

7 **Behavioral Healthcare, Developmental Disabilities and Hospitals**

8 *Central Management*

9	General Revenues	4,900,015
10	Federal Funds	609,732
11	Total - Central Management	5,509,747

12 *Hospital and Community System Support*

13	General Revenues	2,791,946
14	Federal Funds	796,646
15	Restricted Receipts	261,029
16	Total - Hospital and Community System Support	3,849,621

17 *Services for the Developmentally Disabled*

18	General Revenues	173,368,833
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19       Provided that of this general revenue funding, \$15,170,870 shall be expended on certain  
20 community-based department of behavioral healthcare, developmental disabilities and hospitals  
21 (BHDDH) developmental disability private provider and self-directed consumer direct care service  
22 worker raises and associated payroll cost as authorized by BHDDH. Any increases for direct  
23 support staff and residential or other community-based setting must first receive the approval of  
24 BHDDH.

25       Provided further that of this general revenue funding, \$4,748,600 shall be expended on a  
26 Transformation Fund to be used for integrated day activities and supported employment services  
27 for individuals with intellectual and developmental disabilities, of which \$2,000,000 shall be  
28 expended specifically on those who self-direct for creation of regional service advisement models  
29 and pool of substitute staff. An additional \$458,100 shall be expended on technology acquisition  
30 for individuals within the developmental disabilities system. An additional \$42,100 shall be  
31 expended on technical assistance for the aforementioned technology acquisition. An additional  
32 \$450,000 shall be expended on creating a statewide workforce initiative focused on recruiting,  
33 creating pipelines, and credentialing. For these two designations of general revenue funding, all  
34 unexpended or unencumbered balances at the end of the fiscal year shall be reappropriated to the

1 ensuing fiscal year and made immediately available for the same purpose.

2 Federal Funds 208,693,092

3 Provided that of this federal funding, \$19,105,835 shall be expended on certain  
4 community-based department of behavioral healthcare, developmental disabilities and hospitals  
5 (BHDDH) developmental disability private provider and self-directed consumer direct care service  
6 worker raises and associated payroll cost as authorized by BHDDH. Any increases for direct  
7 support staff and residential or other community-based setting must first receive the approval of  
8 BHDDH.

9 Provided further that of this federal funding, \$4,748,600 shall be expended on a  
10 Transformation Fund to be used for integrated day activities and supported employment services  
11 for individuals with intellectual and developmental disabilities, of which \$2,000,000 shall be  
12 expended specifically on those who self-direct for creation of regional service advisement models  
13 and pool of substitute staff. An additional \$458,100 shall be expended on technology acquisition  
14 for individuals within the developmental disabilities system. An additional \$42,100 shall be  
15 expended on technical assistance for the aforementioned technology acquisition. An additional  
16 \$450,000 shall be expended on creating a statewide workforce initiative focused on recruiting,  
17 creating pipelines, and credentialing. For these two designations of federal funding, all unexpended  
18 or unencumbered balances at the end of the fiscal year shall be reappropriated to the ensuing fiscal  
19 year and made immediately available for the same purpose.

20 Restricted Receipts 1,275,700

21 Other Funds

22 Rhode Island Capital Plan Funds

23 DD Residential Support 100,000

24 Total - Services for the Developmentally Disabled 383,437,625

25 *Behavioral Healthcare Services*

26 General Revenues 2,969,495

27 Federal Funds 45,702,498

28 Provided that \$250,000 from Social Services Block Grant funds is awarded to The  
29 Providence Center to coordinate with Oasis Wellness and Recovery for its support and services  
30 program offered to individuals with behavioral health issues.

31 Federal Funds - State Fiscal Recovery Fund

32 Crisis Intervention Trainings 550,000

33 9-8-8 Hotline 1,875,000

34 Restricted Receipts 3,640,116



1	ensuing fiscal year, and made immediately available for the same purpose.	
2	Federal Funds	378,658
3	Restricted Receipts	84,235
4	Grand Total - Governor's Commission on Disabilities	2,215,494
5	<b>Office of the Mental Health Advocate</b>	
6	General Revenues	973,329
7	<b>Elementary and Secondary Education</b>	
8	<i>Administration of the Comprehensive Education Strategy</i>	
9	General Revenues	26,401,820
10	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's	
11	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to	
12	support child opportunity zones through agreements with the Department of Elementary and	
13	Secondary Education to strengthen education, health and social services for students and their	
14	families as a strategy to accelerate student achievement.	
15	Federal Funds	
16	Federal Funds	291,417,789
17	Provided that \$684,000 from the Department's administrative share of Individuals with	
18	Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to	
19	support the Rhode Island Vision Education and Services Program.	
20	Federal Funds - State Fiscal Recovery Fund	
21	Adult Education Investment	2,000,000
22	Restricted Receipts	
23	Restricted Receipts	2,271,670
24	HRIC Adult Education Grants	3,500,000
25	Total - Admin. of the Comprehensive Ed. Strategy	325,591,279
26	<i>Davies Career and Technical School</i>	
27	General Revenues	14,772,019
28	Federal Funds	1,872,920
29	Restricted Receipts	4,525,049
30	Other Funds	
31	Rhode Island Capital Plan Funds	
32	Davies School HVAC	1,150,000
33	Davies School Asset Protection	500,000
34	Davies School Healthcare Classroom Renovations	6,500,000



1	Total - Davies Career and Technical School	29,319,988
2	<i>RI School for the Deaf</i>	
3	General Revenues	7,940,337
4	Federal Funds	420,053
5	Restricted Receipts	605,166
6	Other Funds	
7	School for the Deaf Transformation Grants	59,000
8	Rhode Island Capital Plan Funds	
9	School for the Deaf Asset Protection	100,000
10	Total - RI School for the Deaf	9,124,556
11	<i>Metropolitan Career and Technical School</i>	
12	General Revenues	9,790,163
13	Federal Funds	4,125,711
14	Other Funds	
15	Rhode Island Capital Plan Funds	
16	MET School Asset Protection	800,000
17	Total - Metropolitan Career and Technical School	14,715,874
18	<i>Education Aid</i>	
19	General Revenues	1,062,739,374
20	Provided that the criteria for the allocation of early childhood funds shall prioritize	
21	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one	
22	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities	
23	with higher concentrations of low performing schools.	
24	Federal Funds	200,042,202
25	Restricted Receipts	36,719,278
26	Other Funds	
27	Permanent School Fund	300,000
28	Total - Education Aid	1,299,800,854
29	<i>Central Falls School District</i>	
30	General Revenues	48,961,338
31	Federal Funds	20,845,329
32	Total - Central Falls School District	69,806,667
33	<i>School Construction Aid</i>	
34	General Revenues	

1	General Revenues	
2	School Housing Aid	88,536,507
3	School Building Authority Capital Fund	50,000,000
4	Total - School Construction Aid	138,536,507
5	<i>Teachers' Retirement</i>	
6	General Revenues	130,855,471
7	Grand Total - Elementary and Secondary Education	2,017,751,196
8	<b>Public Higher Education</b>	
9	<i>Office of Postsecondary Commissioner</i>	
10	General Revenues	18,597,940
11	Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to	
12	the Rhode Island General Law, Section 16-70-5, \$75,000 shall be allocated to Best Buddies Rhode	
13	Island to support its programs for children with developmental and intellectual disabilities, and	
14	\$200,000 shall be allocated to the Rhode Island School for Progressive Education to support access	
15	to higher education opportunities for teachers of color. It is also provided that \$7,900,543 shall be	
16	allocated to the Rhode Island Promise Scholarship program and \$147,000 shall be used to support	
17	Rhode Island's membership in the New England Board of Higher Education.	
18	Federal Funds	
19	Federal Funds	3,604,422
20	Guaranty Agency Administration	400,000
21	Guaranty Agency Operating Fund - Scholarships & Grants	4,000,000
22	Restricted Receipts	4,045,406
23	Other Funds	
24	Tuition Savings Program - Dual Enrollment	2,300,000
25	Tuition Savings Program - Scholarships and Grants	5,595,000
26	Nursing Education Center - Operating	2,891,398
27	Rhode Island Capital Plan Funds	
28	Higher Education Centers	2,932,500
29	Provided that the state fund no more than 50.0 percent of the total project cost.	
30	Total - Office of Postsecondary Commissioner	44,366,666
31	<i>University of Rhode Island</i>	
32	General Revenues	
33	General Revenues	91,170,252
34	Provided that in order to leverage federal funding and support economic development,	

1 \$700,000 shall be allocated to the Small Business Development Center and that \$50,000 shall be  
 2 allocated to Special Olympics Rhode Island to support its mission of providing athletic  
 3 opportunities for individuals with intellectual and developmental disabilities.

4	Debt Service	29,049,378
5	RI State Forensics Laboratory	1,516,015
6	Other Funds	
7	University and College Funds	707,626,466
8	Debt - Dining Services	999,983
9	Debt - Education and General	5,402,219
10	Debt - Health Services	991,794
11	Debt - Housing Loan Funds	12,965,597
12	Debt - Memorial Union	2,053,787
13	Debt - Ryan Center	2,375,073
14	Debt - Parking Authority	1,294,923
15	URI Restricted Debt Service - Energy Conservation	546,271
16	URI Debt Service - Energy Conservation	2,071,504
17	Rhode Island Capital Plan Funds	
18	Asset Protection	11,350,000
19	Mechanical, Electric, and Plumbing Improvements	4,694,533
20	Fire Protection Academic Buildings	1,706,802
21	Bay Campus	6,000,000
22	Total - University of Rhode Island	881,814,597

23 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
 24 unencumbered balances as of June 30, 2023 relating to the University of Rhode Island are hereby  
 25 reappropriated to fiscal year 2024.

26 *Rhode Island College*

27 General Revenues

28	General Revenues	62,341,287
29	Debt Service	6,002,565
30	Other Funds	
31	University and College Funds	108,584,424
32	Debt - Education and General	879,474
33	Debt - Housing	371,105
34	Debt - Student Center and Dining	155,000

1	Debt - Student Union	208,800
2	Debt - G.O. Debt Service	1,640,931
3	Debt - Energy Conservation	699,575
4	Rhode Island Capital Plan Funds	
5	Asset Protection	9,618,000
6	Infrastructure Modernization	4,900,000
7	Total - Rhode Island College	195,401,161

8 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
9 unencumbered balances as of June 30, 2023 relating to Rhode Island College are hereby  
10 reappropriated to fiscal year 2024.

11 *Community College of Rhode Island*

12	General Revenues	
13	General Revenues	55,693,282
14	Debt Service	1,405,299
15	Federal Funds	1,818,835
16	Restricted Receipts	804,787
17	Other Funds	
18	University and College Funds	121,625,011
19	Rhode Island Capital Plan Funds	
20	Asset Protection	3,246,000
21	Knight Campus Renewal	2,896,182
22	Data, Cabling, and Power Infrastructure	1,803,000
23	Flanagan Campus Renovations	1,982,000
24	CCRI Renovation and Modernization Phase I	5,000,000
25	Total - Community College of RI	196,274,396

26 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
27 unencumbered balances as of June 30, 2023 relating to the Community College of Rhode Island  
28 are hereby reappropriated to fiscal year 2024.

29	Grand Total - Public Higher Education	1,317,856,820
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30 **RI State Council on the Arts**

31	General Revenues	
32	Operating Support	1,033,276
33	Grants	1,165,000

34 Provided that \$375,000 be provided to support the operational costs of WaterFire

1	Providence art installations.	
2	Federal Funds	1,331,719
3	Restricted Receipts	50,000
4	Other Funds	
5	Art for Public Facilities	585,000
6	Grand Total - RI State Council on the Arts	4,164,995
7	<b>RI Atomic Energy Commission</b>	
8	General Revenues	1,146,763
9	Restricted Receipts	25,036
10	Other Funds	
11	URI Sponsored Research	314,597
12	Rhode Island Capital Plan Funds	
13	Asset Protection	50,000
14	Grand Total - RI Atomic Energy Commission	1,536,396
15	<b>RI Historical Preservation and Heritage Commission</b>	
16	General Revenues	1,572,452
17	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration	
18	activities.	
19	Federal Funds	1,359,283
20	Restricted Receipts	424,100
21	Other Funds	
22	RIDOT Project Review	156,901
23	Grand Total - RI Historical Preservation and Heritage Comm.	3,512,736
24	<b>Attorney General</b>	
25	<i>Criminal</i>	
26	General Revenues	20,115,052
27	Federal Funds	2,884,123
28	Restricted Receipts	603,772
29	Total - Criminal	23,602,947
30	<i>Civil</i>	
31	General Revenues	6,778,199
32	Restricted Receipts	1,431,698
33	Total - Civil	8,209,897
34	<i>Bureau of Criminal Identification</i>	

1	General Revenues	2,042,239
2	Restricted Receipts	1,187,466
3	Total - Bureau of Criminal Identification	3,229,705
4	<i>General</i>	
5	General Revenues	4,570,478
6	Other Funds	
7	Rhode Island Capital Plan Funds	
8	Building Renovations and Repairs	1,890,000
9	Total - General	6,460,478
10	Grand Total - Attorney General	41,503,027
11	<b>Corrections</b>	
12	<i>Central Management</i>	
13	General Revenues	20,060,213
14	<i>Parole Board</i>	
15	General Revenues	1,438,337
16	<i>Custody and Security</i>	
17	General Revenues	141,448,395
18	Federal Funds	1,149,582
19	Total - Custody and Security	142,597,977
20	<i>Institutional Support</i>	
21	General Revenues	23,108,898
22	Other Funds	
23	Rhode Island Capital Plan Funds	
24	Asset Protection	5,125,000
25	Correctional Facilities - Renovations	250,000
26	Total - Institutional Support	28,483,898
27	<i>Institutional Based Rehab/Population Management</i>	
28	General Revenues	11,773,097
29	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender	
30	discharge planning.	
31	The director of the department of corrections shall provide to the speaker of the house and	
32	president of the senate at least every ninety (90) days beginning September 1, 2022, a report on	
33	efforts to modernize the correctional industries program. The report shall, at minimum, provide	
34	data on the past ninety (90) days regarding program participation, changes made in programming	

1 to more closely align with industry needs, new or terminated partnerships with employers,  
 2 nonprofits, and advocacy groups, current program expenses and revenues, and the employment  
 3 status of all persons on the day of discharge from department care who participated in the  
 4 correctional industries program.

5	Federal Funds	625,118
6	Restricted Receipts	64,600
7	Total - Institutional Based Rehab/Population Mgt.	12,462,815
8	<i>Healthcare Services</i>	
9	General Revenues	28,149,588
10	Restricted Receipts	2,868,614
11	Total - Healthcare Services	31,018,202
12	<i>Community Corrections</i>	
13	General Revenues	19,872,087
14	Federal Funds	369,417
15	Restricted Receipts	11,107
16	Total - Community Corrections	20,252,611
17	Grand Total - Corrections	256,314,053

18 **Judiciary**

19 *Supreme Court*

20 General Revenues

21	General Revenues	32,346,588
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22 Provided however, that no more than \$1,302,057 in combined total shall be offset to the  
 23 Public Defender's Office, the Attorney General's Office, the Department of Corrections, the  
 24 Department of Children, Youth and Families, and the Department of Public Safety for square-  
 25 footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to  
 26 the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy  
 27 project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to  
 28 Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.

29	Defense of Indigents	5,075,432
30	Federal Funds	338,402
31	Restricted Receipts	4,051,045
32	Other Funds	
33	Rhode Island Capital Plan Funds	
34	Garrahy Courtroom Restoration	750,000

1	Judicial Complexes - HVAC	1,000,000
2	Judicial Complexes Asset Protection	1,500,000
3	Judicial Complexes Fan Coil Unit Replacements	750,000
4	Licht Judicial Complex Restoration	750,000
5	McGrath Judicial Complex	225,000
6	Total - Supreme Court	46,786,467
7	<i>Judicial Tenure and Discipline</i>	
8	General Revenues	169,767
9	<i>Superior Court</i>	
10	General Revenues	26,708,059
11	Federal Funds	236,617
12	Restricted Receipts	665,000
13	Total - Superior Court	27,609,676
14	<i>Family Court</i>	
15	General Revenues	25,436,666
16	Federal Funds	3,984,190
17	Total - Family Court	29,420,856
18	<i>District Court</i>	
19	General Revenues	16,059,965
20	Federal Funds	586,167
21	Restricted Receipts	60,000
22	Total - District Court	16,706,132
23	<i>Traffic Tribunal</i>	
24	General Revenues	10,728,771
25	<i>Workers' Compensation Court</i>	
26	Restricted Receipts	10,020,945
27	Grand Total - Judiciary	141,442,614
28	<b>Military Staff</b>	
29	General Revenues	3,365,511
30	Federal Funds	34,311,530
31	Restricted Receipts	
32	RI Military Family Relief Fund	55,000
33	Other Funds	
34	Rhode Island Capital Plan Funds	



1	Aviation Readiness Center	138,272
2	AMC Roof	366,500
3	Asset Protection	1,290,000
4	Quonset Airport Runway Reconstruction	275,000
5	Sun Valley Armory	788,161
6	Grand Total - Military Staff	40,589,974
7	<b>Public Safety</b>	
8	<i>Central Management</i>	
9	General Revenues	16,437,445
10	Provided that \$15,000,000 shall be allocated as the state contribution for the Statewide	
11	Body-worn Camera Program, subject to all program and reporting rules, regulations, policies, and	
12	guidelines prescribed in the Rhode Island General Laws. No money appropriated shall be	
13	distributed for Rhode Island police department body-worn camera expenses prior to the	
14	promulgation of rules and regulations. Notwithstanding the provisions of section 35-3-15 of the	
15	general laws, all unexpended or unencumbered balances as of June 30, 2023, from this	
16	appropriation are hereby reappropriated to fiscal year 2024.	
17	Federal Funds	10,840,576
18	Federal Funds - State Fiscal Recovery Fund	
19	Support for Survivors of Domestic Violence	3,500,000
20	Restricted Receipts	186,121
21	Total - Central Management	30,964,142
22	<i>E-911 Emergency Telephone System</i>	
23	Restricted Receipts	8,468,710
24	<i>Security Services</i>	
25	General Revenues	29,858,676
26	<i>Municipal Police Training Academy</i>	
27	General Revenues	281,456
28	Federal Funds	608,963
29	Total - Municipal Police Training Academy	890,419
30	<i>State Police</i>	
31	General Revenues	89,727,365
32	Federal Funds	6,413,954
33	Restricted Receipts	935,739
34	Other Funds	

1	Airport Corporation Assistance	168,211
2	Road Construction Reimbursement	2,871,108
3	Weight and Measurement Reimbursement	437,860
4	Rhode Island Capital Plan Funds	
5	DPS Asset Protection	1,000,000
6	Portsmouth Barracks	1,650,000
7	Southern Barracks	13,000,000
8	Training Academy Upgrades	1,386,380
9	Statewide Communications System Network	230,929
10	Total - State Police	117,821,546
11	Grand Total - Public Safety	188,003,493
12	<b>Office of Public Defender</b>	
13	General Revenues	14,708,807
14	Federal Funds	65,665
15	Grand Total - Office of Public Defender	14,774,472
16	<b>Emergency Management Agency</b>	
17	General Revenues	4,308,154
18	Federal Funds	29,462,797
19	Restricted Receipts	457,420
20	Other Funds	
21	Rhode Island Capital Plan Funds	
22	RI Statewide Communications Network	1,494,400
23	State Emergency Ops Center	524,657
24	RI Statewide Communications Infrastructure	1,134,400
25	Grand Total - Emergency Management Agency	37,381,828
26	<b>Environmental Management</b>	
27	<i>Office of the Director</i>	
28	General Revenues	8,857,872
29	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts.	
30	Federal Funds	65,100
31	Restricted Receipts	4,126,794
32	Total - Office of the Director	13,049,766
33	<i>Natural Resources</i>	
34	General Revenues	29,057,514

1	Federal Funds	23,181,039
2	Restricted Receipts	5,699,215
3	Other Funds	
4	DOT Recreational Projects	762,000
5	Blackstone Bike Path Design	1,000,000
6	Rhode Island Capital Plan Funds	
7	Blackstone Park Improvements	244,191
8	Dam Repair	824,238
9	Fort Adams Rehabilitation	300,000
10	Port of Galilee	9,348,461
11	Recreation Facility Asset Protection	500,000
12	Recreational Facilities Improvement	3,400,000
13	Natural Resources Office and Visitor's Center	250,000
14	Fish & Wildlife Maintenance Facilities	100,000
15	Total - Natural Resources	74,666,658
16	<i>Environmental Protection</i>	
17	General Revenues	15,081,859
18	Federal Funds	11,503,721
19	Restricted Receipts	7,569,654
20	Other Funds	
21	Transportation MOU	30,986
22	Total - Environmental Protection	34,186,220
23	Grand Total - Environmental Protection	121,902,644
24	<b>Coastal Resources Management Council</b>	
25	General Revenues	3,327,275
26	Federal Funds	1,980,304
27	Restricted Receipts	250,000
28	Other Funds	
29	Rhode Island Capital Plan Funds	
30	South Coast Restoration Project	1,900,000
31	Pawcatuck Resiliency	50,000
32	Little Narragansett Bay	50,000
33	Grand Total - Coastal Resources Mgmt. Council	7,557,579
34	<b>Transportation</b>	

1	<i>Central Management</i>	
2	Federal Funds	16,577,046
3	Other Funds	
4	Gasoline Tax	9,118,769
5	Total - Central Management	25,695,815
6	<i>Management and Budget</i>	
7	Other Funds	
8	Gasoline Tax	3,761,946
9	<i>Infrastructure Engineering</i>	
10	Federal Funds	
11	Federal Funds	415,019,330
12	Federal Funds – State Fiscal Recovery Fund	
13	RI Turnpike and Bridge Authority – Safety Barriers Study	1,000,000
14	RI Public Transit Authority – R-Line Free Service Pilot	2,500,000
15	Restricted Receipts	5,949,070
16	Other Funds	
17	Gasoline Tax	74,421,610
18	Provided that the Rhode Island Public Transit Authority uses a portion of its gasoline tax	
19	allocation to fund a statewide transit access study for passengers with disabilities.	
20	Toll Revenue	33,614,329
21	Land Sale Revenue	9,260,141
22	Rhode Island Capital Plan Funds	
23	Highway Improvement Program	55,465,000
24	Bike Path Asset Protection	400,000
25	RIPTA - Land and Buildings	12,889,628
26	RIPTA - URI Mobility Hub	250,000
27	RIPTA – Pawtucket/Central Falls Bus Hub Passenger Facility	4,000,000
28	RIPTA - Providence High-Capacity Transit Corridor Study	225,000
29	Total - Infrastructure Engineering	614,994,108
30	<i>Infrastructure Maintenance</i>	
31	Federal Funds	21,456,198
32	Other Funds	
33	Gasoline Tax	23,708,688
34	Rhode Island Highway Maintenance Account	102,647,711

1	Rhode Island Capital Plan Funds	
2	Maintenance Capital Equipment Replacement	1,500,000
3	Maintenance Facilities Improvements	500,000
4	Welcome Center	200,000
5	Salt Storage Facilities	1,900,000
6	Train Station Asset Protection	350,000
7	Total - Infrastructure Maintenance	152,262,597
8	Grand Total - Transportation	796,714,466
9	<b>Statewide Totals</b>	
10	General Revenues	5,040,570,488
11	Federal Funds	5,706,217,313
12	Restricted Receipts	453,536,893
13	Other Funds	2,398,392,497
14	Statewide Grand Total	13,598,717,191

15 SECTION 2. Each line appearing in Section 1 of this Article shall constitute an  
16 appropriation.

17 SECTION 3. Upon the transfer of any function of a department or agency to another  
18 department or agency, the Governor is hereby authorized by means of executive order to transfer  
19 or reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected  
20 thereby; provided, however, in accordance with Rhode Island General Law, Section 42-6-5, when  
21 the duties or administrative functions of government are designated by law to be performed within  
22 a particular department or agency, no transfer of duties or functions and no re-allocation, in whole  
23 or part, or appropriations and full-time equivalent positions to any other department or agency shall  
24 be authorized.

25 SECTION 4. From the appropriation for contingency shall be paid such sums as may be  
26 required at the discretion of the Governor to fund expenditures for which appropriations may not  
27 exist. Such contingency funds may also be used for expenditures in the several departments and  
28 agencies where appropriations are insufficient, or where such requirements are due to unforeseen  
29 conditions or are non-recurring items of an unusual nature. Said appropriations may also be used  
30 for the payment of bills incurred due to emergencies or to any offense against public peace and  
31 property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as  
32 amended. All expenditures and transfers from this account shall be approved by the Governor.

33 SECTION 5. The general assembly authorizes the state controller to establish the internal  
34 service accounts shown below, and no other, to finance and account for the operations of state

1 agencies that provide services to other agencies, institutions and other governmental units on a cost  
 2 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in  
 3 a businesslike manner, promote efficient use of services by making agencies pay the full costs  
 4 associated with providing the services, and allocate the costs of central administrative services  
 5 across all fund types, so that federal and other non-general fund programs share in the costs of  
 6 general government support. The controller is authorized to reimburse these accounts for the cost  
 7 of work or services performed for any other department or agency subject to the following  
 8 expenditure limitations:

9 Account	Expenditure Limit
10 State Assessed Fringe Benefit Internal Service Fund	37,370,321
11 Administration Central Utilities Internal Service Fund	27,355,205
12 State Central Mail Internal Service Fund	7,303,550
13 State Telecommunications Internal Service Fund	3,513,931
14 State Automotive Fleet Internal Service Fund	12,869,107
15 Surplus Property Internal Service Fund	3,000
16 Health Insurance Internal Service Fund	272,697,174
17 Other Post-Employment Benefits Fund	63,858,483
18 Capitol Police Internal Service Fund	1,380,836
19 Corrections Central Distribution Center Internal Service Fund	7,524,912
20 Correctional Industries Internal Service Fund	8,472,206
21 Secretary of State Record Center Internal Service Fund	1,143,730
22 Human Resources Internal Service Fund	15,991,654
23 DCAMM Facilities Internal Service Fund	47,011,910
24 Information Technology Internal Service Fund	50,789,409

25 SECTION 6. Legislative Intent - The General Assembly may provide a written "statement  
 26 of legislative intent" signed by the chairperson of the House Finance Committee and by the  
 27 chairperson of the Senate Finance Committee to show the intended purpose of the appropriations  
 28 contained in Section 1 of this Article. The statement of legislative intent shall be kept on file in the  
 29 House Finance Committee and in the Senate Finance Committee.

30 At least twenty (20) days prior to the issuance of a grant or the release of funds, which  
 31 grant or funds are listed on the legislative letter of intent, all department, agency and corporation  
 32 directors, shall notify in writing the chairperson of the House Finance Committee and the  
 33 chairperson of the Senate Finance Committee of the approximate date when the funds are to be  
 34 released or granted.

1 SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby  
2 appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds  
3 required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund  
4 and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2023.

5 SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated  
6 pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed  
7 for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2023.

8 SECTION 9. Appropriation of Lottery Division Funds -- There is hereby appropriated to  
9 the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of  
10 paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2023.

11 SECTION 10. Appropriation of CollegeBoundSaver Funds - There is hereby appropriated  
12 to the Office of the General Treasurer designated funds received under the CollegeBoundSaver  
13 program for transfer to the Division of Higher Education Assistance within the Office of the  
14 Postsecondary Commissioner to support student financial aid for the fiscal year ending June 30,  
15 2023.

16 SECTION 11. Departments and agencies listed below may not exceed the number of full-  
17 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do  
18 not include limited period positions or, seasonal or intermittent positions whose scheduled period  
19 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not  
20 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor  
21 do they include individuals engaged in training, the completion of which is a prerequisite of  
22 employment. Provided, however, that the Governor or designee, Speaker of the House of  
23 Representatives or designee, and the President of the Senate or designee may authorize an  
24 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a  
25 detailed written recommendation to the Governor, the Speaker of the House, and the President of  
26 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the  
27 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor,  
28 and the Senate Fiscal Advisor.

29 State employees whose funding is from non-state general revenue funds that are time  
30 limited shall receive limited term appointment with the term limited to the availability of non-state  
31 general revenue funding source.

32 FY 2023 FTE POSITION AUTHORIZATION

33 Departments and Agencies	Full-Time Equivalent
34 Administration	662.7

1            Provided that no more than 429.5 of the total authorization would be limited to positions  
2 that support internal service fund programs.

3	Business Regulation	181.0
4	Executive Office of Commerce	20.0
5	Labor and Training	461.7
6	Revenue	575.5
7	Legislature	298.5
8	Office of the Lieutenant Governor	8.0
9	Office of the Secretary of State	59.0
10	Office of the General Treasurer	89.0
11	Board of Elections	13.0
12	Rhode Island Ethics Commission	12.0
13	Office of the Governor	45.0
14	Commission for Human Rights	15.0
15	Public Utilities Commission	54.0
16	Office of Health and Human Services	204.0
17	Children, Youth and Families	702.5
18	Health	535.4
19	Human Services	773.0
20	Office of Veterans Services	263.0
21	Office of Healthy Aging	31.0
22	Behavioral Healthcare, Developmental Disabilities and Hospitals	1,200.4
23	Office of the Child Advocate	10.0
24	Commission on the Deaf and Hard of Hearing	4.0
25	Governor's Commission on Disabilities	5.0
26	Office of the Mental Health Advocate	6.0
27	Elementary and Secondary Education	143.1
28	School for the Deaf	60.0
29	Davies Career and Technical School	123.0
30	Office of Postsecondary Commissioner	34.0

31            Provided that 1.0 of the total authorization would be available only for positions that are  
32 supported by third-party funds, 11.0 would be available only for positions at the State's Higher  
33 Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for  
34 positions at the Nursing Education Center.



1	University of Rhode Island	2,555.0
2	Provided that 357.8 of the total authorization would be available only for positions that are	
3	supported by third-party funds.	
4	Rhode Island College	949.2
5	Provided that 76.0 of the total authorization would be available only for positions that are	
6	supported by third-party funds.	
7	Community College of Rhode Island	849.1
8	Provided that 89.0 of the total authorization would be available only for positions that are	
9	supported by third-party funds.	
10	Rhode Island State Council on the Arts	9.6
11	RI Atomic Energy Commission	8.6
12	Historical Preservation and Heritage Commission	15.6
13	Office of the Attorney General	249.1
14	Corrections	1,427.0
15	Judicial	739.3
16	Military Staff	93.0
17	Emergency Management Agency	35.0
18	Public Safety	632.2
19	Office of the Public Defender	100.0
20	Environmental Management	417.0
21	Coastal Resources Management Council	32.0
22	Transportation	755.0
23	<b>Total</b>	<b>15,455.5</b>

24 No agency or department may employ contracted employee services where contract  
25 employees would work under state employee supervisors without determination of need by the  
26 Director of Administration acting upon positive recommendations by the Budget Officer and the  
27 Personnel Administrator and 15 days after a public hearing.

28 Nor may any agency or department contract for services replacing work done by state  
29 employees at that time without determination of need by the Director of Administration acting upon  
30 the positive recommendations of the State Budget Officer and the Personnel Administrator and 30  
31 days after a public hearing.

32 SECTION 12. The amounts reflected in this Article include the appropriation of Rhode  
33 Island Capital Plan funds for fiscal year 2023 and supersede appropriations provided for FY 2023  
34 within Section 12 of Article 1 of Chapter 162 of the P.L. of 2021.

1           The following amounts are hereby appropriated out of any money in the State’s Rhode  
2 Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending  
3 June 30, 2024, June 30, 2025, June 30, 2026, and June 30, 2027. These amounts supersede  
4 appropriations provided within Section 12 of Article 1 of Chapter 162 of the P.L. of 2021.

5           For the purposes and functions hereinafter mentioned, the State Controller is hereby  
6 authorized and directed to draw his or her orders upon the General Treasurer for the payment of  
7 such sums and such portions thereof as may be required by him or her upon receipt of properly  
8 authenticated vouchers.

	FY Ending	FY Ending	FY Ending	FY Ending
Project	06/30/2024	06/30/2025	06/30/2026	06/30/2027
DOA - 560 Jefferson Boulevard	150,000	1,550,000	1,050,000	50,000
DOA - Accessibility Facility Renovations	1,000,000	1,000,000	1,000,000	1,000,000
DOA - Arrigan Center	125,000	75,000	200,000	200,000
DOA - Cannon Building	3,725,000	4,125,000	4,025,000	0
DOA - Cranston Street Armory	2,250,000	3,250,000	1,600,000	100,000
DOA - DoIT Enterprise Operations Center	2,050,000	1,150,000	1,050,000	300,000
DOA - Dunkin Donuts Center	6,212,500	2,100,000	2,300,000	2,300,000
DOA - Pastore Building Demolition	1,000,000	1,000,000	1,000,000	1,000,000
DOA - Pastore Center Non-Hospital Buildings	5,500,000	4,500,000	4,000,000	4,000,000
DOA - Pastore Campus Infrastructure	33,200,000	38,900,000	32,600,000	5,050,000
DOA - RI Convention Center Authority	10,237,500	3,340,000	2,500,000	2,500,000
DOA - Shepard Building	1,500,000	0	0	0
DOA - State House Renovations	3,079,000	16,629,000	15,379,000	15,379,000
DOA - William Powers Building	2,750,000	2,400,000	2,200,000	2,000,000
DOA - Zambarano Buildings and Campus DOA - Zambarano Long Term	1,515,000	1,040,000	1,300,000	1,275,000
Acute Care Hospital	6,569,677	26,185,740	26,067,041	23,804,439
EOC - I-195 Commission	805,000	0	0	0
DCYF - Female Youth Facility	15,000,000	15,000,000	15,000,000	0
DOH - Health Laboratories and Medical Examiner Equipment	400,000	400,000	400,000	400,000

1	DHS - Veterans Cemetery Asset Protection	750,000	250,000	300,000	250,000
2	ELSEC - MET School Asset Protection	2,000,000	2,000,000	250,000	250,000
3	URI - Asset Protection	11,494,395	12,006,225	12,606,536	13,236,863
4	URI - Mechanical, Electric, and Plumbing				
5	Improvements	13,205,467	0	0	0
6	URI - Bay Campus	6,000,000	0	12,500,000	12,500,000
7	URI - Fire Protection				
8	Academic Phase II	3,081,532	3,311,666	0	0
9	URI — Fine Arts Center Renovations &				
10	Addition Phase I	0	8,000,000	8,000,000	0
11	RIC - Asset Protection	5,431,657	5,785,000	5,950,000	6,025,000
12	RIC - Infrastructure Modernization	5,275,000	5,675,000	5,675,000	5,675,000
13	RIC - Clarke Science	0	10,000,000	5,000,000	0
14	CCRI - Asset Protection	2,653,124	2,719,452	2,719,452	2,719,452
15	CCRI - Data, Cabling, and				
16	Power Infrastructure	3,300,000	3,700,000	4,650,000	0
17	CCRI - Flanagan Campus Renewal	2,000,000	6,000,000	2,500,000	0
18	CCRI - Knight Campus Renewal	1,390,000	0	0	0
19	CCRI - Renovation and Modernization	9,000,000	14,000,000	12,000,000	0
20	DOC - Asset Protection	4,100,000	4,100,000	4,100,000	4,100,000
21	Military Staff - Aviation Readiness	0	1,125,800	1,599,115	0
22	Military Staff - Quonset Airport				
23	Runway Reconstruction	1,663,612	926,505	0	0
24	EMA - RI Statewide				
25	Communications Network	1,494,400	1,494,400	0	0
26	DPS - Southern Barracks	13,000,000	0	0	0
27	DPS - Training Academy Upgrades	900,000	1,920,000	715,000	150,000
28	DPS - RISON Microwave				
29	Replacement	230,929	230,929	230,929	0
30	DEM - Dam Repair	1,805,000	3,065,000	2,000,000	2,000,000
31	DEM - Port of Galilee	5,491,817	11,500,000	17,500,000	11,500,000
32	DEM - Natural Resources Offices				
33	and Visitor's Center	250,000	2,500,000	2,000,000	0
34	DEM - Recreational Facilities				

1	Improvements	4,745,578	4,050,000	2,290,000	3,050,000
2	DOT - Highway Improvement				
3	Program	94,308,800	32,404,560	27,200,000	27,200,000
4	DOT - Salt Storage Facilities				
5	Improvement	1,000,000	1,150,000	1,150,000	1,150,000
6	DOT - Maintenance				
7	Capital Equipment Replacement	1,800,000	1,800,000	1,800,000	1,800,000
8	DOT - RIPTA				
9	Land and Building Enhancements	12,627,012	500,000	500,000	500,000
10	DOT - RIPTA - Pawtucket/Central Falls				
11	Bus Hub Passenger Facility	1,000,000	0	0	0

12 SECTION 13. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects.  
13 Any unexpended and unencumbered funds from Rhode Island Capital Plan Fund project  
14 appropriations shall be reappropriated in the ensuing fiscal year and made available for the same  
15 purpose. However, any such reappropriations are subject to final approval by the General  
16 Assembly as part of the supplemental appropriations act. Any unexpended funds of less than five  
17 hundred dollars (\$500) shall be reappropriated at the discretion of the State Budget Officer.

18 SECTION 14. For the Fiscal Year ending June 30, 2023, the Rhode Island Housing and  
19 Mortgage Finance Corporation shall provide from its resources such sums as appropriate in support  
20 of the Neighborhood Opportunities Program. The Corporation shall provide a report detailing the  
21 amount of funding provided to this program, as well as information on the number of units of  
22 housing provided as a result to the Director of Administration, the Chair of the Housing Resources  
23 Commission, the Chair of the House Finance Committee, the Chair of the Senate Finance  
24 Committee and the State Budget Officer.

25 SECTION 15. Appropriation of Economic Activity Taxes in accordance with the city of  
26 Pawtucket downtown redevelopment statute -- There is hereby appropriated for the fiscal year  
27 ending June 30, 2023, all State Economic Activity Taxes to be collected pursuant to § 45-33.4-4 of  
28 the Rhode Island General Laws, as amended (including, but not limited to, the amount of tax  
29 revenues certified by the Commerce Corporation in accordance with § 45-33.4-1(13) of the Rhode  
30 Island General Laws), for the purposes of paying debt service on bonds, funding debt service  
31 reserves, paying costs of infrastructure improvements in and around the ballpark district, arts  
32 district, and the growth center district, funding future debt service on bonds, and funding a  
33 redevelopment revolving fund established in accordance with § 45-33-1 of the Rhode Island  
34 General Laws.

1 SECTION 16. The appropriations from federal funds contained in Section 1 shall not be  
 2 construed to mean any federal funds or assistance appropriated, authorized, allocated or  
 3 apportioned to the State of Rhode Island from the State Fiscal Recovery Fund and Capital Projects  
 4 Fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2023  
 5 except for those instances specifically designated.

6 The following amounts are hereby appropriated out of any money available in the State  
 7 Fiscal Recovery Fund and Capital Projects Fund for the fiscal years ending June 30, 2024, June 30,  
 8 2025, June 30, 2026, and June 30, 2027.

9 For the purposes and functions hereinafter mentioned, the State Controller is hereby  
 10 authorized and directed to draw his or her orders upon the General Treasurer for payment of such  
 11 sums and such portions thereof as may be required by him or her upon receipt of properly  
 12 authenticated vouchers.

	FY Ending	FY Ending	FY Ending	FY Ending
	06/30/2024	06/30/2025	06/30/2026	06/30/2027
15 State Fiscal Recovery Fund - Federal Funds				
16 Project				
17 DOA - Administration	1,621,728	1,621,728	1,621,728	125,449
18 DOA - Electric Heat Pump Grant				
19 Program	10,000,000	10,000,000	0	0
20 DOA - Ongoing COVID-19 Response	75,052,439	38,819,129	0	0
21 DLT - Enhanced Real Jobs	10,000,000	10,000,000	0	0
22 EOC - Minority Business Accelerator	4,000,000	0	0	0
23 EOC - Destination Marketing	1,500,000	0	0	0
24 EOC - Blue Economy Investments	40,000,000	20,000,000	0	0
25 EOC - Bioscience Investments	15,000,000	9,000,000	1,000,000	0
26 EOC - South Quay Marine Terminal	23,000,000	0	0	0
27 RIH - Development of Affordable				
28 Housing	30,000,000	25,000,000	0	0
29 RIH - Site Acquisition	5,000,000	5,000,000	0	0
30 RIH - Down Payment Assistance	10,000,000	10,000,000	0	0
31 RIH - Workforce Housing	8,000,000	0	0	0
32 RIH - Affordable Housing				
33 Predevelopment Program	2,500,000	2,500,000	2,500,000	0
34 RIH - Home Repair and Community				

1	Revitalization	10,000,000	0	0	0
2	OHCD - Predevelopment and Capacity				
3	Building	500,000	0	0	0
4	OHCD - Homelessness Assistance				
5	Program	7,000,000	6,000,000	0	0
6	QDC - Port of Davisville	19,360,000	27,000,000	7,640,000	0
7	DCYF - Foster Home Lead Abatement				
8	& Fire Safety	375,000	0	0	0
9	DHS - Childcare Support	1,217,000	500,000	0	0
10	BHDDH - Crisis Intervention				
11	Trainings	550,000	550,000	550,000	0
12	ELSEC - Adult Education	1,500,000	1,500,000	0	0
13	DPS - Support for Survivors of				
14	Domestic Violence	3,500,000	3,500,000	0	0
15	Capital Projects Fund - Federal Funds				
16	Project				
17	DOA - CPF Administration	2,807,250	2,442,616	0	0
18	DOA - Municipal and Higher Ed				
19	Matching Grant Program	23,360,095	0	0	0
20	DOA - RIC Student Services Center	15,000,000	15,000,000	0	0
21	EOC - Broadband	5,160,500	4,413,000	0	0

22           The State Fiscal Recovery Fund and Capital Projects Fund appropriations herein shall be  
23 made in support of the following projects:

24           **Federal Funds - State Fiscal Recovery Fund**

25           **Department of Administration (DOA)**

26           DOA – Aid to the Convention Center. These funds shall provide operating support to the  
27 Rhode Island convention center authority.

28           DOA - Electric Heat Pump Grant Program. These funds shall support a grant program  
29 within the office of energy resources to assist homeowners and small-to-mid-size business owners  
30 with the purchase and installation of high-efficiency electric heat pumps, with an emphasis on  
31 families in environmental justice communities, minority-owned businesses, and community  
32 organizations who otherwise cannot afford this technology. The office of energy resources shall  
33 report to the Speaker of the House and Senate President no later than April 1 of each year the results  
34 of this program, including but not limited to, the number of grants issued, amount of each grant and

1 the average grant amount, and the expected cumulative carbon emissions reductions associated  
2 with heat pumps that received a grant.

3 DOA – Pandemic Recovery Office. These funds shall be allocated to finance the Pandemic  
4 Recovery Office established within the Department of Administration.

5 DOA - Ongoing COVID-19 Response. These funds shall be allocated to continue COVID-  
6 19 mitigation activities and to address the public health impacts of the pandemic in Rhode Island,  
7 to be administered by the director of administration, in consultation with the director of health and  
8 the secretary of health and human services.

9 DOA - Health Care Facilities. These funds shall address the ongoing needs of hospitals,  
10 nursing facilities and community health centers related to the COVID-19 public health emergency  
11 totaling \$77.5 million. This includes \$45.0 million that shall be allocated to hospitals, or systems  
12 if hospitals are members of one, to include a base payment equivalent to \$1.0 million per hospital  
13 with the remaining based on a hospital’s pro rata share of operating expenses from the 2021 cost  
14 reports and \$30.0 million for distribution to nursing facilities based on the number of Medicaid  
15 beds days from the 2020 facility cost reports. There is \$2.5 million to be distributed to the  
16 community health centers through the Rhode Island Health Center Association.

17 DOA - Public Health Response Warehouse Support. These funds shall be allocated to the  
18 proper of PPE and other necessary COVID-19 response related supplies.

19 DOA - Nonprofit Assistance. These funds shall be allocated to the Rhode Island  
20 Foundation to distribute to nonprofit organizations to address needs that have been exacerbated by  
21 COVID-19, including housing and food insecurity, and behavioral health issues, among others.

22 DOA - Auto-Enrollment Program. These funds shall support a program for automatically  
23 enrolling qualified individuals transitioned off Medicaid coverage at the end of the COVID-19  
24 public health emergency into qualified health plans to avoid gaps in coverage, administered by  
25 HealthSource RI.

26 **Department of Labor and Training (DLT)**

27 DLT - Unemployment Insurance Trust Fund Contribution. The director of labor and  
28 training shall allocate these appropriations to the employment security fund prior to determining  
29 the experience rate for each eligible employer for calendar year 2023.

30 DLT - Enhanced Real Jobs. These funds shall support the Real Jobs Rhode Island program  
31 in the development of job partnerships, connecting industry employers adversely impacted by the  
32 pandemic to individuals enrolled in workforce training programs.

33 **Executive Office of Commerce (EOC)**

34 EOC - Destination Marketing. These funds shall be used for destination tourism marketing

1 in support of airline routes to T.F. Green Airport. The Commerce Corporation is required to supply  
2 equivalent matching funds out of its portion of the state hotel tax.

3 EOC - Statewide Broadband Planning and Mapping. These funds shall be allocated to  
4 develop a statewide broadband strategic plan to provide broadband access to unserved and  
5 underserved households and businesses, to support a state broadband director at the Commerce  
6 Corporation, and to conduct mapping in support of future state broadband investment.

7 EOC - Minority Business Accelerator. These funds shall support a program to invest  
8 additional resources to enhance the growth of minority business enterprises as defined in chapter  
9 14.1 of title 37. The initiative will support a range of assistance and programming, including  
10 financial and technical assistance, entrepreneurship training, space for programming and co-  
11 working, and assistance accessing low-interest loans. Commerce shall work with minority small  
12 business associations, including the Rhode Island Black Business Association (RIBBA), to advance  
13 this program. Of the amount allocated for FY 2023, five hundred thousand dollars (\$500,000) shall  
14 support the Rhode Island Black Business Association and three hundred thousand dollars  
15 (\$300,000) shall support the Roger Williams University Business Start-Up Clinic.

16 EOC - Blue Economy Investments. These funds shall support a program to invest in the  
17 state's blue economy industries consistent with the University of Rhode Island Research  
18 Foundation's Blue Economy Technology Cluster grant application. These funds shall only be  
19 allocated and spent after a commitment of at least thirty five million dollars (\$35,000,000) in federal  
20 matching funds is secured from the economic development administration for Rhode Island. Funds  
21 shall be used for purposes and amounts specified in the grant approval.

22 EOC - Bioscience Investments. These funds shall support a program to invest in the state's  
23 life science industries consistent with Northeastern University's BioConnects New England grant  
24 application. These funds shall only be allocated and spent after a commitment of at least fifteen  
25 million dollars (\$15,000,000) in federal matching funds is secured from the economic development  
26 administration for Rhode Island. Funds shall be used for purposes and amounts specified in the  
27 grant approval.

28 EOC - South Quay Marine Terminal. These funds shall support the development of an  
29 integrated and centralized hub of intermodal shipping designed to support the offshore wind  
30 industry along memorial parkway in the East Providence waterfront special development district.  
31 Funds may be used for design and development of the waterfront portion of the terminal into a  
32 marine-industrial facility.

33 **Rhode Island Housing (RIH)**

34 RIH - Development of Affordable Housing. These funds shall expand a program at the



1 Rhode Island housing and mortgage finance corporation to provide additional investments in the  
2 development of affordable housing units in conjunction with general obligation bond funds and  
3 other sources of available financing according to guidelines approved by the Coordinating  
4 Committee of the Housing Resources Commission. Of this amount, ten million (\$10,000,000) shall  
5 be available to Rhode Island housing and mortgage finance corporation to establish a pilot program  
6 that shall direct funds to support low income and public housing through project-based rental  
7 assistance vouchers and financing for pre-development, improvement, and housing production  
8 costs. Within eighteen (18) months, any money available for the pilot that is not yet allocated to  
9 viable projects, or which has been awarded to public housing authorities which are unable to  
10 demonstrate substantial completion of all work within eighteen (18) months of receipt of any such  
11 funds, shall be returned to this program and no longer be included in the pilot. Determination of  
12 viability and substantial completion under the pilot shall be at the sole discretion of the deputy  
13 secretary of commerce for housing.

14         RIH - Site Acquisition. These funds shall be allocated to the Rhode Island housing and  
15 mortgage finance corporation toward the acquisition of properties for redevelopment as affordable  
16 and supportive housing to finance projects that include requirements for deed restrictions not less  
17 than thirty (30) years, and a non-recourse structure.

18         RIH - Down Payment Assistance. Administered by the Rhode Island housing and mortgage  
19 finance corporation, these funds shall be allocated to a program to provide \$17,500 in down  
20 payment assistance to eligible first-time home buyers to promote homeownership.

21         RIH - Workforce Housing. These funds shall be allocated to the Rhode Island housing and  
22 mortgage finance corporation to support a program to increase the housing supply for families  
23 earning up to 120 percent of area median income.

24         RIH - Affordable Housing Predevelopment Program. These funds shall be allocated to the  
25 Rhode Island housing mortgage finance corporation to support predevelopment work, for proposed  
26 affordable housing developments to build a pipeline of new projects and build the capacity of  
27 affordable housing developers in the state to expand affordable housing production.

28         RIH - Home Repair and Community Revitalization. These funds shall expand the  
29 acquisition and revitalization program administered by the Rhode Island housing and mortgage  
30 finance corporation to finance the acquisition and redevelopment of blighted properties to increase  
31 the number of commercial and community spaces in disproportionately impacted communities and  
32 or to increase the development of affordable housing. Residential development will serve  
33 households earning no more than 80 percent of area median income. Commercial and community  
34 spaces must serve or meet the needs of residents of a census tract where at least 51 percent of the

1 residents are low-and moderate-income persons.

2 **Office of Housing and Community Development (OHCD)**

3 OHCD - Predevelopment and Capacity Building. These funds shall support a program to  
4 increase contract staffing capacity to administer proposed affordable housing projects. These funds  
5 will support research and data analysis, stakeholder engagement, and the expansion of services for  
6 people experiencing homelessness.

7 OHCD - Homelessness Assistance Program. These funds shall support a program to  
8 expand housing navigation, behavioral health, and stabilization services to address pandemic-  
9 related homelessness. The program will support both operating subsidies for extremely low-income  
10 housing units and services for people transitioning from homelessness to housing, including  
11 individuals transitioning out of the adult correctional institutions.

12 OHCD - Homelessness Infrastructure. These funds shall be used to support a program to  
13 respond to pandemic-related homelessness, including but not limited to, acquisition or construction  
14 of temporary or permanent shelter and other housing solutions, of which ten million (\$10,000,000)  
15 shall support Crossroads Rhode Island sponsored housing development-based and/or housing-  
16 based solutions, wrap-around services and administrative costs of implementation.

17 OHCD - Statewide Housing Plan. These funds shall be allocated to the development of a  
18 statewide comprehensive housing plan to assess current and future housing needs, consider barriers  
19 to home ownership and affordability, and identify services needed for increased investments toward  
20 disproportionately impacted individuals and communities. These funds shall be used to support  
21 municipal planning efforts to identify and cultivate viable sites and housing projects.

22 **Quonset Development Corporation (QDC)**

23 QDC - Port of Davisville. These funds shall be allocated to expand a program developing  
24 port infrastructure and services at the Port of Davisville in Quonset in accordance with the  
25 corporation's master plan.

26 **Executive Office of Health and Human Services (EOHHS)**

27 EOHHS - Pediatric Recovery. These funds shall support a program to provide relief to  
28 pediatric providers in response to the decline in visitation and enrollment caused by the public  
29 health emergency and incentivize providers to increase developmental and psychosocial behavioral  
30 screenings.

31 EOHHS - Early Intervention Recovery. These funds shall support a program to provide  
32 relief to early intervention providers in response to a decline in enrollment for early intervention,  
33 family home visiting and screening programs. This program will also provide performance bonuses  
34 for providers who hit certain targets, such as recovering referral numbers and achieving reduced

1 staff turnover.

2 EOHHS - Certified Community Behavioral Clinics. These funds shall be allocated to a  
3 program to support certified community behavioral health clinics to bolster behavioral health  
4 supports, medical screening and monitoring, and social services to particularly vulnerable  
5 populations in response to a rise in mental health needs during the public health emergency.

6 EOHHS – Butler Hospital Short Term Stay Unit. These funds shall be allocated to support  
7 construction of a 25-bed short stay unit at Butler Hospital to provide behavioral health care services,  
8 crisis intervention and other related services.

9 **Department of Children, Youth and Families (DCYF)**

10 DCYF - Provider Workforce Stabilization. These funds shall be allocated to support  
11 workforce stabilization supplemental wage payments and sign-on bonuses to eligible direct care  
12 and supporting care staff of contracted service providers.

13 DCYF - Psychiatric Treatment Facility. These funds shall be allocated to expand existing  
14 provider Psychiatric Residential Treatment Facility capacity to provide intensive residential  
15 treatment options for adolescent girls and young women who face severe and complex behavioral  
16 health challenges.

17 DCYF - Foster Home Lead Abatement & Fire Safety. These funds shall be allocated to  
18 provide financial assistance to foster families for lead remediation and fire suppression upgrades.

19 **Department of Health (DOH)**

20 DOH - Public Health Clinics. Of these funds, \$2.0 million shall be allocated to the RI  
21 Free Clinic to improve statewide access and quality of primary care for uninsured adults; to increase  
22 access to dental care for uninsured adults integrated into medical care at the clinic; and, to build  
23 infrastructure for telehealth and electronic medical records, and \$2.0 million shall be allocated to  
24 Open Door Health to expand services to address issues for people who are disproportionately  
25 impacted by the COVID-19 pandemic.

26 **Department of Human Services (DHS)**

27 DHS - Child Care Support. To address the adverse impact the pandemic has had on the  
28 child care sector, the funds allocated to this program will provide retention bonuses for direct care  
29 staff at child care centers and licensed family providers in response to pandemic-related staffing  
30 shortages and start up and technical assistance grants for family child care providers. Retention  
31 bonuses shall be paid monthly or as often as administratively feasible, but not less than quarterly.  
32 The director of the department of human services and the director of the department of children,  
33 youth and families may waive any fees otherwise assessed upon child care provider applicants who  
34 have been awarded the family child care provider incentive grant. The allocation to this program

1 will also support quality improvements, the creation of a workforce registry and additional funds  
2 for educational opportunities for direct care staff.

3 **Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**  
4 **(BHDDH)**

5 BHDDH - Crisis Intervention Trainings. To respond to the increased volume of mental-  
6 health related calls reported by police departments, these funds shall be allocated to the crisis  
7 intervention training program to provide training every three years for law enforcement as well as  
8 continuing education opportunities.

9 BHDDH - 9-8-8 Hotline. These funds shall be allocated for the creation of a 9-8-8 hotline  
10 to maintain compliance with the National Suicide Hotline Designation Act of 2020 and the Federal  
11 Communications Commission-adopted rules to assure that all citizens receive a consistent level of  
12 9-8-8 and crisis behavioral health services.

13 **Rhode Island Department of Elementary and Secondary Education (ELSEC)**

14 RIDE - Adult Education Providers. These funds shall be directly distributed through the  
15 Office of Adult Education to nonprofit adult education providers to expand access to educational  
16 programs and literary services.

17 **Department of Public Safety (DPS)**

18 DPS - Support for Survivors of Domestic Violence. These funds shall be allocated to invest  
19 in the nonprofit community to provide additional housing, clinical and mental health services to  
20 victims of domestic violence and sexual assault. This includes increased investments for therapy  
21 and counseling, housing assistance, job training, relocation aid and case management.

22 **Department of Transportation**

23 DOT - RIPTA R-Line Free Service Pilot. These funds shall be allocated to the Rhode  
24 Island Public Transit Authority (RIPTA) to provide free fare bus route service along the “R Line”  
25 for a twelve (12) month period beginning September 1, 2022. RIPTA will track ridership data and  
26 submit a report to the Speaker of the House, the President of the Senate, and the Governor no later  
27 than March 1, 2024.

28 DOT - Turnpike and Bridge Authority – Safety Barriers Study. These funds shall be used  
29 by the Turnpike and Bridge Authority to conduct a study to identify and evaluate the options to  
30 prevent and address the risk of suicide on bridges under its purview. The selection of a vendor to  
31 conduct the study shall be done through a request for proposals process.

32 **Federal Funds - Capital Projects Fund**

33 **Department of Administration (DOA)**

34 DOA - CPF Administration. These funds shall be allocated to the department of

1 administration to oversee the implementation of the Capital Projects Fund award from the  
2 American Rescue Plan Act.

3 DOA - Municipal and Higher Ed Matching Grant Program. These funds shall be allocated  
4 to a matching fund program for cities and towns that renovate or build a community wellness center  
5 that meets the work, education and health monitoring requirements identified by the U.S.  
6 Department of the Treasury.

7 DOA - RIC Student Services Center. These funds shall support the development of a  
8 centralized hub at Rhode Island College, where students can complete essential tasks.

9 **Executive Office of Commerce (EOC)**

10 EOC - Broadband. These funds shall be allocated to the executive office of commerce to  
11 invest in middle-mile and last-mile projects to provide high-speed, reliable internet to all Rhode  
12 Islanders. The secretary of commerce, in partnership with the director of business regulation, will  
13 run a series of requests for proposals for broadband infrastructure projects, providing funds to  
14 municipalities, public housing authorities, business cooperatives and local internet service  
15 providers for projects targeted at those unserved and underserved by the current infrastructure as  
16 defined by national telecommunications and information administration standards. This investment  
17 shall be used to match federal funds for broadband investment made available through the  
18 Infrastructure Investment and Jobs Act. These funds shall be used in accordance with the statewide  
19 broadband strategic plan and may not be obligated nor expended prior to its submission in  
20 accordance with Chapter 42-162.

21 SECTION 17. Reappropriation of Funding for State Fiscal Recovery Fund and Capital  
22 Projects Fund. Notwithstanding any provision of general law, any unexpended and unencumbered  
23 federal funds from the State Fiscal Recovery Fund and Capital Projects Fund shall be  
24 reappropriated in the ensuing fiscal year and made available for the same purposes. However, any  
25 such reappropriations are subject to final approval by the General Assembly as part of the  
26 supplemental appropriations act.

27 SECTION 18. State Fiscal Recovery Fund and Capital Projects Fund Compliance and  
28 Reporting. The pandemic recovery office shall be established within the department of  
29 administration to oversee all programs financed by the State Fiscal Recovery Fund or Capital  
30 Projects Fund to ensure compliance with the rules, regulations, and other guidance issued by the  
31 U.S. Department of the Treasury in accordance with the provisions of Section 9901, Subsections  
32 602 and 604 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2. The pandemic recovery  
33 office shall be responsible for submission of all reports required by the U.S. Department of the  
34 Treasury for the State Fiscal Recovery Fund and Capital Projects Fund.

1           In consultation with the pandemic recovery office, the budget officer shall establish an  
2 allotment system such that distributions of State Fiscal Recovery Fund and Capital Projects Fund  
3 shall be made contingent upon recipients' compliance with all state and federal rules, regulations,  
4 and guidance.

5           SECTION 19. This article shall take effect as of July 1, 2022, except as otherwise provided  
6 herein.

**ARTICLE 2**

RELATING TO STATE FUNDS

SECTION 1. Section 16-59-9 of the General Laws in Chapter 16-59 entitled "Council on Postsecondary Education [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read as follows:

**16-59-9. Educational budget and appropriations.**

(a) The general assembly shall annually appropriate any sums it deems necessary for support and maintenance of higher education in the state and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the appropriations or so much of the sums that are necessary for the purposes appropriated, upon the receipt by him or her of proper vouchers as the council on postsecondary education may by rule provide. The council shall receive, review, and adjust the budget for the office of postsecondary commissioner and present the budget as part of the budget for higher education under the requirements of § 35-3-4.

(b) The office of postsecondary commissioner and the institutions of public higher education shall establish working capital accounts.

(c) Any tuition or fee increase schedules in effect for the institutions of public higher education shall be received by the council on postsecondary education for allocation for the fiscal year for which state appropriations are made to the council by the general assembly; provided that no further increases may be made by the board of education or the council on postsecondary education for the year for which appropriations are made. Except that these provisions shall not apply to the revenues of housing, dining, and other auxiliary facilities at the university of Rhode Island, Rhode Island college, and the community colleges including student fees as described in P.L. 1962, ch. 257 pledged to secure indebtedness issued at any time pursuant to P.L. 1962, ch. 257 as amended.

(d) All housing, dining, and other auxiliary facilities at all public institutions of higher learning shall be self-supporting and no funds shall be appropriated by the general assembly to pay operating expenses, including principal and interest on debt services, and overhead expenses for the facilities, with the exception of the mandatory fees covered by the Rhode Island promise scholarship program as established by § 16-107-3. Any debt-service costs on general obligation

1 bonds presented to the voters in November 2000 and November 2004 or appropriated funds from  
2 the Rhode Island capital plan for the housing auxiliaries at the university of Rhode Island and  
3 Rhode Island college shall not be subject to this self-supporting requirement in order to provide  
4 funds for the building construction and rehabilitation program. The institutions of public higher  
5 education will establish policies and procedures that enhance the opportunity for auxiliary facilities  
6 to be self-supporting, including that all faculty provide timely and accurate copies of booklists for  
7 required textbooks to the public higher educational institution's bookstore.

8 (e) The additional costs to achieve self-supporting status shall be by the implementation of  
9 a fee schedule of all housing, dining, and other auxiliary facilities, including but not limited to,  
10 operating expenses, principal, and interest on debt services, and overhead expenses.

11 (f) The board of education is authorized to establish two (2) restricted-receipt accounts for  
12 the higher education and industry centers established throughout the state: one to collect lease  
13 payments from occupying companies, and fees from room and service rentals, to support the  
14 operation and maintenance of the facilities; and one to collect donations to support construction,  
15 operations and maintenance. All such revenues shall be deposited to the restricted-receipt accounts.

16 (g) Notwithstanding subsections (a) and (d) of this section or any provisions of this title, to  
17 the extent necessary to comply with the provisions of any outstanding bonds issued by the Rhode  
18 Island health and educational building corporation or outstanding lease certificates of participation,  
19 in either case, issued for the benefit of the university of Rhode Island, the community college of  
20 Rhode Island, and/or Rhode Island college, to the extent necessary to comply with the provisions  
21 of any such bonds or certificates of participation, the general assembly shall annually appropriate  
22 any such sums it deems necessary from educational and general revenues (including, but not limited  
23 to, tuition) and auxiliary enterprise revenues derived from the university of Rhode Island, the  
24 community college of Rhode Island and Rhode Island college, to be allocated by the council on  
25 postsecondary education or by the board of trustees of the university of Rhode Island, as  
26 appropriate, in accordance with the terms of the contracts with such bondholders or certificate  
27 holders.

28 (h) The board of education is authorized to establish a restricted-receipt account for income  
29 generated by the Rhode Island nursing education center through the rental of classrooms,  
30 laboratories, or other facilities located on the Providence campus of the nursing education center.  
31 All such revenues shall be deposited to the restricted receipt account.

32 [\(i\) The board of education is authorized to establish a restricted-receipt account for the](#)  
33 [receipt and expenditure of monies received from IGT Global Solutions Corporation for the purpose](#)  
34 [of financing scholarships relating to studying science, technology, engineering, or mathematics at](#)



1 [an accredited educational institution. This account shall be housed within the budget of the office](#)  
2 [of the postsecondary commissioner and exempt from the indirect cost recovery provisions of § 35-](#)  
3 [4-27.](#)

4 SECTION 2. Section 21-28.11-13 of the General Laws in Chapter 21-28.11 entitled "The  
5 Rhode Island Cannabis Act" is hereby amended to read as follows:

6 **21-28.11-13. Taxes.**

7 (a) The following taxes are imposed on the retail sale of adult use cannabis pursuant to the  
8 provisions of this chapter.

9 (1) Sales tax pursuant to the provisions of § 44-18-18;

10 (2) A state cannabis excise tax equal to ten percent (10%) of each retail sale as defined in  
11 § 44-18-8; and

12 (3) A local cannabis excise tax equal to three percent (3%) of each retail sale as defined in  
13 § 44-18-8.

14 (b) The assessment, collection and enforcement of the sales tax pursuant to § 44-18-18, the  
15 state cannabis excise tax, and the local cannabis excise tax shall be pursuant to the provisions of  
16 chapters 18 and 19 of title 44 and paid to the tax administrator by the retailer at the time and in the  
17 manner prescribed for sales tax in § 44-19-10. The retailer shall add the taxes imposed by this  
18 chapter to the sales price or charge, and when added, the taxes constitute a part of the price or  
19 charge, is a debt from the consumer or user to the state, and is recoverable at law in the same manner  
20 as other debts.

21 (c) All sums received by the division of taxation under this section as local cannabis excise  
22 tax or associated amounts as penalties, forfeitures, interest, costs of suit, and fines for failure to  
23 timely report or pay the local cannabis excise tax shall be distributed at least quarterly and credited  
24 and paid by the state treasurer to the city or town where the cannabis is delivered.

25 (d) There is created within the general fund a restricted receipt account known as the  
26 "marijuana trust fund." Revenue collected from the state cannabis excise tax or associated amounts  
27 as penalties, forfeitures, interest, costs of suit, and fines for failure to timely report or pay the state  
28 cannabis excise tax shall be deposited into this account and used to fund programs and activities  
29 related to program administration; revenue collection and enforcement; substance use disorder  
30 prevention for adults and youth; education and public awareness campaigns, including awareness  
31 campaigns relating to driving under the influence of cannabis; treatment and recovery support  
32 services; public health monitoring, research, data collection, and surveillance; law enforcement  
33 training and technology improvements, including grants to local law enforcement; and such other  
34 related uses that may be deemed necessary.

1 (e) Revenue collected from the sales tax shall be deposited into the general fund.

2 (f) The budget officer is hereby authorized to create restricted receipt accounts entitled  
3 "marijuana trust fund allocation" in any department or agency of state government wherein monies  
4 from the marijuana trust fund are appropriated by the general assembly for the programmatic  
5 purposes set forth in subsection (d) of this section.

6 SECTION 3. Chapter 23-17.14 of the General Laws entitled "The Hospital Conversions  
7 Act" is hereby amended by adding thereto the following section:

8 **23-17.14-36. Hospital conversion monitoring account.**

9 There is hereby established within the department of health, a restricted receipt account  
10 entitled "Hospital Conversion Monitoring." This account shall be used for the sole purpose to fund  
11 monitoring activities associated with hospital conversions pursuant to § 23-17.14-28(d)(1), (2), (3),  
12 and (4). Funds held in non-state escrow, whether currently existing or prospective, through  
13 agreement between the department of health and the conversion acquiror may be deposited into the  
14 restricted receipt account and disbursed, as necessary, to conduct the monitoring activities  
15 associated with § 23-17.14-28(d) (1), (2), (3), and (4).

16 SECTION 4. Section 35-1.1-5 of the General Laws in Chapter 35-1.1 entitled "Office of  
17 Management and Budget" is hereby amended to read as follows:

18 **35-1.1-5. Federal grants management.**

19 (a) The controller shall be responsible for managing federal grant applications; providing  
20 administrative assistance to agencies regarding reporting requirements; providing technical  
21 assistance; and approving agreements with federal agencies pursuant to § 35-1-1. The controller  
22 shall:

23 (1) Establish state goals and objectives for maximizing the utilization of federal aid  
24 programs;

25 (2) Ensure that the state establishes and maintains statewide federally mandated grants  
26 management processes and procedures as mandated by the federal Office of Management and  
27 Budget;

28 (3) Promulgate procedures and guidelines for all state departments, agencies, advisory  
29 councils, instrumentalities of the state, and public higher education institutions covering  
30 applications for federal grants;

31 (4) Require, upon request, any state department, agency, advisory council, instrumentality  
32 of the state, or public higher education institution receiving a grant of money from the federal  
33 government to submit a report to the controller of expenditures and program measures for the fiscal  
34 period in question;

1 (5) Ensure state departments and agencies adhere to the requirements of § 42-41-5  
2 regarding legislative appropriation authority and delegation thereof;

3 (6) Manage and oversee the disbursements of federal funds in accordance with § 35-6-42;

4 (7) Prepare the statewide cost allocation plan and serve as the monitoring agency to ensure  
5 that state departments and agencies are working within the guidelines contained in the plan; and

6 (8) Provide technical assistance to agencies to ensure resolution and closure of all single  
7 state audit findings and recommendations made by the auditor general related to federal funding.

8 (b) The division of accounts and control shall serve as the state clearinghouse for purposes  
9 of coordinating federal grants, aid, and assistance applied for and/or received by any state  
10 department, agency, advisory council, or instrumentality of the state. Any state department, agency,  
11 advisory council, or instrumentality of the state applying for federal funds, aids, loans, or grants  
12 shall file a summary notification of the intended application with the controller.

13 (1) When as a condition to receiving federal funds, the state is required to match the federal  
14 funds, a statement shall be filed with the notice of intent or summary of the application stating:

15 (i) The amount and source of state funds needed for matching purposes;

16 (ii) The length of time the matching funds shall be required;

17 (iii) The growth of the program;

18 (iv) How the program will be evaluated;

19 (v) What action will be necessary should the federal funds be canceled, curtailed, or  
20 restricted; and

21 (vi) Any other financial and program management data required by the office or by law.

22 (2) Except as otherwise required, any application submitted by an executive agency for  
23 federal funds, aids, loans, or grants which will require state matching or replacement funds at the  
24 time of application or at any time in the future, must be approved by the director of the office of  
25 management and budget, or his or her designated agents, prior to its filing with the appropriate  
26 federal agency. Any application submitted by an executive agency for federal funds, aids, loans, or  
27 grants which will require state matching or replacement funds at the time of application or at any  
28 time in the future, when funds have not been appropriated for that express purpose, must be  
29 approved by the general assembly in accordance with § 42-41-5. When the general assembly is not  
30 in session, the application shall be reported to and reviewed by the director pursuant to rules and  
31 regulations promulgated by the director.

32 (3) When any federal funds, aids, loans, or grants are received by any state department,  
33 agency, advisory council, or instrumentality of the state, a report of the amount of funds received  
34 shall be filed with the office; and this report shall specify the amount of funds that would reimburse

1 an agency for indirect costs, as provided for under federal requirements.

2 (4) The controller may refuse to issue approval for the disbursement of any state or federal  
3 funds from the state treasury as the result of any application that is not approved as provided by  
4 this section, or in regard to which the statement or reports required by this section were not filed.

5 (5) The controller shall be responsible for the orderly administration of this section and  
6 for issuing the appropriate guidelines and regulations from each source of funds used.

7 (c) There is hereby created in the general fund and housed within the budget of the  
8 department of administration a restricted receipt account entitled "Grants Management  
9 Administration." This account shall be used to fund centralized services relating to managing  
10 federal grant applications; providing administrative assistance to agencies regarding reporting  
11 requirements; providing technical assistance; approving agreements with federal agencies pursuant  
12 to § 35-1-1; and, may include costs associated with the development, implementation, and ongoing  
13 operation of a grants management information technology system. Every state department and  
14 agency, as defined in § 35-1-4, that receives federal assistance funds, excluding awards made  
15 directly to Rhode Island College, the Community College of Rhode Island, and the University of  
16 Rhode Island, shall set aside an amount of the funds received equal to a percentage as determined  
17 annually by the state controller multiplied by federal funds received. The state controller shall  
18 determine this rate annually in proportion with budgeted expenditures for uses consistent with the  
19 purpose of this subsection within the department of administration.

20 For federal awards in response to the COVID-19 pandemic and subsequent stimulus  
21 awards, there is hereby authorized an additional assessment that shall be deposited into the  
22 restricted receipt account established by this subsection and shall be equal to a uniform percentage  
23 of the amount of stimulus and other awards received, excluding Medicaid and all awards made  
24 directly to Rhode Island College, the Community College of Rhode Island, and the University of  
25 Rhode Island, associated with the COVID-19 pandemic and subsequent stimulus acts. The state  
26 controller shall calculate the rate of this additional assessment, not to exceed one percent (1%) of  
27 the total awards received during a fiscal year, in proportion with budgeted expenditures necessary  
28 to finance the planning, oversight, compliance, and reporting functions within the department of  
29 administration related to federal awards issued in response to the pandemic and subsequent stimulus  
30 awards in addition to the costs of planning, development, and implementation of a grants  
31 management information technology system. The Grants Management Administration account  
32 shall not include an allocation of the State Fiscal Recovery Fund or the Coronavirus Capital Projects  
33 Fund. For the additional assessment related to federal awards issued in response to the pandemic  
34 and subsequent stimulus awards no funds shall be deposited into the restricted receipt account after

1 December 31, 2026 [the federally determined end of performance period](#). All funds set aside and  
2 designated to be used for grants management shall be deposited into the restricted receipt account  
3 established in this subsection.

4 Prior to any deposits being made into the restricted receipt account established by this  
5 subsection and thereafter prior to the commencement of each fiscal year, the state controller shall  
6 provide a report to the director of administration and the chairpersons of the house and senate  
7 finance committees that includes the rate and calculation thereof for the following fiscal year.

8 SECTION 5. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"  
9 is hereby amended to read as follows:

10 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

11 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all  
12 restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there  
13 shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions  
14 from nonprofit charitable organizations; (2) From the assessment of indirect cost-recovery rates on  
15 federal grant funds; or (3) Through transfers from state agencies to the department of administration  
16 for the payment of debt service. These indirect cost recoveries shall be applied to all accounts,  
17 unless prohibited by federal law or regulation, court order, or court settlement. The following  
18 restricted receipt accounts shall not be subject to the provisions of this section:

- 19 Executive Office of Health and Human Services
- 20 Organ Transplant Fund
- 21 HIV Care Grant Drug Rebates
- 22 Health System Transformation Project
- 23 [Rhode Island Statewide Opioid Abatement Account](#)
- 24 [HCBS Support- ARPA](#)
- 25 [HCBS Admin Support- ARPA](#)
- 26 Department of Human Services
- 27 Veterans' home — Restricted account
- 28 Veterans' home — Resident benefits
- 29 Pharmaceutical Rebates Account
- 30 Demand Side Management Grants
- 31 Veteran's Cemetery Memorial Fund
- 32 Donations — New Veterans' Home Construction
- 33 Department of Health
- 34 Pandemic medications and equipment account

1 Miscellaneous Donations/Grants from Non-Profits  
2 State Loan Repayment Match  
3 Healthcare Information Technology  
4 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals  
5 Eleanor Slater non-Medicaid third-party payor account  
6 Hospital Medicare Part D Receipts  
7 RICLAS Group Home Operations  
8 Commission on the Deaf and Hard of Hearing  
9 Emergency and public communication access account  
10 Department of Environmental Management  
11 National heritage revolving fund  
12 Environmental response fund II  
13 Underground storage tanks registration fees  
14 De Coppet Estate Fund  
15 Rhode Island Historical Preservation and Heritage Commission  
16 Historic preservation revolving loan fund  
17 Historic Preservation loan fund — Interest revenue  
18 Department of Public Safety  
19 E-911 Uniform Emergency Telephone System  
20 Forfeited property — Retained  
21 Forfeitures — Federal  
22 Forfeited property — Gambling  
23 Donation — Polygraph and Law Enforcement Training  
24 Rhode Island State Firefighter's League Training Account  
25 Fire Academy Training Fees Account  
26 Attorney General  
27 Forfeiture of property  
28 Federal forfeitures  
29 Attorney General multi-state account  
30 Forfeited property — Gambling  
31 Department of Administration  
32 OER Reconciliation Funding  
33 Health Insurance Market Integrity Fund  
34 RI Health Benefits Exchange

1 Information Technology Investment Fund  
2 Restore and replacement — Insurance coverage  
3 Convention Center Authority rental payments  
4 Investment Receipts — TANS  
5 OPEB System Restricted Receipt Account  
6 Car Rental Tax/Surcharge-Warwick Share  
7 Grants Management Administration  
8 Executive Office of Commerce  
9 Housing Resources Commission Restricted Account  
10 Housing Production Fund  
11 Department of Revenue  
12 DMV Modernization Project  
13 Jobs Tax Credit Redemption Fund  
14 Legislature  
15 Audit of federal assisted programs  
16 Department of Children, Youth and Families  
17 Children's Trust Accounts — SSI  
18 Military Staff  
19 RI Military Family Relief Fund  
20 RI National Guard Counterdrug Program  
21 Treasury  
22 Admin. Expenses — State Retirement System  
23 Retirement — Treasury Investment Options  
24 Defined Contribution — Administration - RR  
25 Violent Crimes Compensation — Refunds  
26 Treasury Research Fellowship  
27 Business Regulation  
28 Banking Division Reimbursement Account  
29 Office of the Health Insurance Commissioner Reimbursement Account  
30 Securities Division Reimbursement Account  
31 Commercial Licensing and Racing and Athletics Division Reimbursement Account  
32 Insurance Division Reimbursement Account  
33 Historic Preservation Tax Credit Account  
34 [Marijuana Trust Fund](#)

1            [Social Equity Assistance Fund](#)  
2            Judiciary  
3            Arbitration Fund Restricted Receipt Account  
4            Third-Party Grants  
5            RI Judiciary Technology Surcharge Account  
6            Department of Elementary and Secondary Education  
7            Statewide Student Transportation Services Account  
8            School for the Deaf Fee-for-Service Account  
9            School for the Deaf — School Breakfast and Lunch Program  
10           Davies Career and Technical School Local Education Aid Account  
11           Davies — National School Breakfast & Lunch Program  
12           School Construction Services  
13           Office of the Postsecondary Commissioner  
14           Higher Education and Industry Center

15           [IGT STEM Scholarships](#)

16           Department of Labor and Training  
17           Job Development Fund  
18           Rhode Island Council on the Arts  
19           Governors' Portrait Donation Fund  
20           Statewide records management system account

21           SECTION 6. Section 39-1-42 of the General Laws in Chapter 39-1 entitled "Public Utilities  
22 Commission" is hereby amended to read as follows:

23           **39-1-42. Access to telephone information services for persons with disabilities.**

24           (a) The public utilities commission shall establish, administer, and promote an information  
25 accessibility service that includes:

26           (1) A statewide telephone relay service and, through the competitive bidding process,  
27 contract for the administration and operation of such a relay system for utilization of the  
28 telecommunications network by deaf, hard-of-hearing and speech-impaired persons;

29           (2) The adaptive telephone equipment loan program capable of servicing the needs of  
30 persons who are deaf, hard of hearing, severely speech impaired, or those with neuromuscular  
31 impairments for use with a single-party telephone line, or wireless telephone, to any subscriber who  
32 is certified as deaf, hard of hearing, severely speech impaired, or with neuromuscular impairments  
33 by a licensed physician, audiologist, speech pathologist, or a qualified state agency, pursuant to  
34 chapter 23 of this title; and



1 (3) A telephone access to the text of newspaper programs to residents who are blind, deaf  
2 or blind, visually impaired, or reading impaired with a single-party telephone line.

3 (b) The commission shall establish, by rule or regulation, an appropriate funding  
4 mechanism to recover the costs of providing this service from each residence and business  
5 telephone access line or trunk in the state, including PBX trunks and centrex equivalent trunks and  
6 each service line or trunk, and upon each user interface number or extension number or similarly  
7 identifiable line, trunk, or path to or from a digital network. Notwithstanding the foregoing, there  
8 shall not be any additional funding mechanism used to charge each residence and business  
9 telephone access line or trunk in the state, including PBX trunks and centrex equivalent trunks and  
10 each service line or trunk, or upon each user interface number or extension number or similarly  
11 identifiable line, trunk, or path to or from a digital network, to recover the costs of providing the  
12 services outlined in subsection (a)(1), (2) or (3) above.

13 (c) The commission, with the assistance of the state commission on the deaf and hard of  
14 hearing, shall also develop the appropriate rules, regulations, and service standards necessary to  
15 implement the provisions of subsection (a)(1). At a minimum, however, the commission shall  
16 require, under the terms of the contract, that the relay service provider:

17 (1) Offer its relay services seven (7) days a week, twenty-four (24) hours a day, including  
18 holidays;

19 (2) Hire only qualified salaried operators with deaf language skills; and

20 (3) Maintain the confidentiality of all communications.

21 (d) The commission shall collect from the telecommunications service providers the  
22 amounts of the surcharge collected from their subscribers and remit to the department of human  
23 services an additional ten thousand dollars (\$10,000) annually commencing in fiscal year 2005 for  
24 the adaptive telephone equipment loan program and forty thousand dollars (\$40,000) to the  
25 department of human services for the establishment of a new telephone access to the text of  
26 newspaper programs. In addition, ~~eighty thousand dollars (\$80,000)~~ one hundred thousand dollars  
27 (\$100,000) shall annually be remitted to the Rhode Island commission on the deaf and hard of  
28 hearing for an emergency and public communication access program, pursuant to § 23-1.8-4. The  
29 surcharge referenced hereunder shall be generated from existing funding mechanisms and shall not  
30 be generated as a result of any new funding mechanisms charged to each residence and business  
31 telephone access line or trunk in the state, including PBX trunks and centrex equivalent trunks and  
32 each service line or trunk, or upon each user interface number or extension number or similarly  
33 identifiable line, trunk, or path to or from a digital network.

34 SECTION 7. Section 42-7.2-10 of the General Laws in Chapter 42-7.2 entitled "Office of

1 Health and Human Services" is hereby amended to read as follows:

2 **42-7.2-10. Appropriations and disbursements.**

3 (a) The general assembly shall annually appropriate such sums as it may deem necessary  
4 for the purpose of carrying out the provisions of this chapter. The state controller is hereby  
5 authorized and directed to draw his or her orders upon the general treasurer for the payment of such  
6 sum or sums, or so much thereof as may from time to time be required, upon receipt by him or her  
7 of proper vouchers approved by the secretary of the executive office of health and human services,  
8 or his or her designee.

9 (b) For the purpose of recording federal financial participation associated with qualifying  
10 healthcare workforce development activities at the state's public institutions of higher education,  
11 and pursuant to the Rhode Island designated state health programs (DSHP), as approved by the  
12 Centers for Medicare & Medicaid Services (CMC) October 20, 2016, in the 11-W-00242/1  
13 amendment to Rhode Island's section 1115 Demonstration Waiver, there is hereby established a  
14 restricted-receipt account entitled "Health System Transformation Project" in the general fund of  
15 the state and included in the budget of the office of health and human services.

16 (c) There are hereby created within the general fund of the state and housed within the  
17 budget of the office of health and human services two restricted receipt accounts, respectively  
18 entitled "HCBS Support-ARPA" and HCBS Admin Support-ARPA". Amounts deposited into these  
19 accounts are equivalent to the general revenue savings generated by the enhanced federal match  
20 received on eligible home and community-based services between April 1, 2021 and March 31,  
21 2022, allowable under Section 9817 of the American Rescue Plan Act of 2021, P.L. 117-2. Funds  
22 deposited into the "HCBS Support- ARPA" account will used to finance the state share of newly  
23 eligible medicaid expenditures by the office of health and human services and its sister agencies,  
24 including the department of children, youth, and families, the department of health, and the  
25 department of behavioral healthcare, developmental disabilities and hospitals. Funds deposited into  
26 the "HCBS Admin Support-ARPA" account will be used to finance the state share of allowable  
27 administrative expenditures attendant to the implementation of these newly eligible medicaid  
28 expenditures. The accounts created under this subsection shall be exempt from the indirect cost  
29 recovery provisions of § 35-4-27 of the Rhode Island general laws.

30 (d) There is hereby created within the general fund of the state and housed within the budget  
31 of the office of health and human services a restricted receipt account entitled "Rhode Island  
32 Statewide Opioid Abatement Account" for the purpose of receiving and expending monies from  
33 settlement agreements with opioid manufacturers, pharmaceutical distributors, pharmacies, or their  
34 affiliates, as well as monies resulting from bankruptcy proceedings of the same entities. The

1 executive office of health and human services shall deposit any revenues from such sources that  
2 are designated for opioid abatement purposes into the restricted receipt account. Funds from this  
3 account shall only to be used for forward-looking opioid abatement efforts as defined and limited  
4 by any settlement agreements, state-city and town agreements, or court orders pertaining to the use  
5 of such funds. By January 1 of each calendar year, the secretary of health and human services shall  
6 report to the governor, the speaker of the house of representatives, the president of the senate, and  
7 the attorney general on the expenditures that were funded using monies from the Rhode Island  
8 statewide opioid abatement account and the amount of funds spent. The account created under this  
9 subsection shall be exempt from the indirect cost recovery provisions of § 35-4-27 of the Rhode  
10 Island General Laws. No governmental entity has the authority to assert a claim against the entities  
11 with which the attorney general has entered into settlement agreements concerning the  
12 manufacturing, marketing, distributing, or selling of opioids that are the subject of the Rhode Island  
13 Memorandum of Understanding Between the State and Cities and Towns Receiving Opioid  
14 Settlement Funds executed by every city and town and the attorney general and wherein every city  
15 and town agreed to release all such claims against these settling entities, and any amendment  
16 thereto. Governmental entity means any state or local governmental entity or sub-entity and  
17 includes, but is not limited to, school districts, fire districts, and any other such districts. The claims  
18 that shall not be asserted are the released claims, as that term is defined in the settlement agreements  
19 executed by the attorney general, or, if not defined therein, the claims sought to be released in such  
20 settlement agreements.

21           SECTION 8. Section 7 of this Article shall take effect as of July 1, 2021. Sections 1 through  
22 6 of this Article shall take effect as of July 1, 2022.

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# ARTICLE 3

## RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. Section 3-7-14.2 of the General Laws in Chapter 3-7 entitled "Retail Licenses" is hereby amended to read as follows:

### **3-7-14.2. Class P licenses -- Caterers.**

(a) A caterer licensed by the department of health and the division of taxation shall be eligible to apply for a Class P license from the department of business regulation. The department of business regulation is authorized to issue all caterers' licenses. The license will be valid throughout this state as a state license and no further license will be required or tax imposed by any city or town upon this alcoholic beverage privilege. Each caterer to which the license is issued shall pay to the department of business regulation an annual fee of five hundred dollars (\$500) for the license, ~~and one dollar (\$1.00) for each duplicate of the license,~~ which fees are paid into the state treasury. The department is authorized to promulgate rules and regulations for the implementation of this license. In promulgating said rules, the department shall include, but is not limited to, the following standards:

- (1) Proper identification will be required for individuals who look thirty (30) years old or younger and who are ordering alcoholic beverages;
  - (2) Only valid ID's as defined by these titles are acceptable;
  - (3) An individual may not be served more than two (2) drinks at a time;
  - (4) Licensee's, their agents, or employees will not serve visibly intoxicated individuals;
  - (5) Licensee's may only serve alcoholic beverages for no more than a five (5) hour period per event;
  - (6) Only a licensee, or its employees, may serve alcoholic beverages at the event;
  - (7) The licensee will deliver and remove alcoholic beverages to the event; and
  - (8) No shots or triple alcoholic drinks will be served.
- (b) Any bartender employed by the licensee shall be certified by a nationally recognized alcohol beverage server training program.

(c) The licensee shall purchase at retail all alcoholic beverages from a licensed Class A alcohol retail establishment located in the state, provided, however, any licensee who also holds a Class T license, issued pursuant to the provisions of § 3-7-7, shall be allowed to purchase

1 alcoholic beverages at wholesale. Any person violating this section shall be fined five hundred  
2 dollars (\$500) for this violation and shall be subject to license revocation. The provisions of this  
3 section shall be enforced in accordance with this title.

4 (d) Violation of subsection (a) of this section is punishable upon conviction by a fine of  
5 not more than five hundred dollars (\$500). Fines imposed under this section shall be paid to the  
6 department of business regulation.

7 SECTION 2. Sections 5-2-1, 5-2-2, 5-2-3 and 5-2-9 of the General Laws in Chapter 5-2  
8 entitled "Bowling Alleys, Billiard Tables, and Shooting Galleries" are hereby amended to read as  
9 follows:

10 **5-2-1. City and town regulation and taxation of bowling alleys and billiard tables** City  
11 **and town regulation and taxation of bowling alleys and establishments with three (3) or more**  
12 **billiard tables.**

13 The town and city councils of the several towns and cities may tax, regulate, and, if they  
14 find it expedient, prohibit and suppress, bowling alleys and [establishments with three \(3\) or more](#)  
15 billiard tables in their respective cities and towns, conforming to law.

16 **5-2-2. Refusal of bowling alley, box ball alley, or billiard table keeper to comply with**  
17 **order of the city or town council.**

18 The keeper of any bowling alley, box ball alley, or [establishment with three \(3\) or more](#)  
19 billiard ~~table~~ [tables](#) who refuses or neglects to comply with an order or decree relating to it, which  
20 any city or town council is authorized to make, shall be fined fifty dollars (\$50.00).

21 **5-2-3. Keeper of bowling alley, box ball alley, or billiard table defined.**

22 The owner or occupant of the premises on which any bowling alley, box ball alley, or [three](#)  
23 [\(3\) or more](#) billiard ~~table is~~ [tables are](#) situated is deemed the keeper of that bowling alley, box ball  
24 alley, or [\(3\) or more](#) billiard ~~table~~ [tables](#), within the meaning of the provisions of this chapter.

25 **5-2-9. Sunday operation of bowling alleys and billiard tables.**

26 (a) Town or city councils or licensing authorities in any city or town may permit licensees  
27 operating bowling alleys, or persons paying a tax for the operation of a bowling alley, to operate  
28 rooms or places where bowling, [or](#) playing of billiards, or pocket billiards [at establishments with](#)  
29 [three \(3\) or more billiard tables](#) for a fee or charge may be engaged in by patrons of those rooms or  
30 places on the first day of the week, subject to any restrictions and regulations that the city or town  
31 council or licensing authority designates; provided, that the operation of bowling alleys or rooms  
32 or places where bowling, playing of billiards, or pocket billiards [at establishments with three \(3\) or](#)  
33 [more billiard tables](#) for a fee or charge is permitted on the first day of the week only between the  
34 hours of one o'clock (1:00) p.m. and twelve o'clock (12:00) midnight; and provided, that no bowling

1 alley or rooms or places where bowling, playing of billiards, or pocket billiards for a fee or charge  
2 is operated on the first day of the week within two hundred feet (200') of a place of public worship  
3 used for public worship.

4 (b) The operation of any bowling alley, room, or place between any hour on the last day of  
5 the week and one o'clock (1:00) a.m. on the first day of the week is not a violation of this section.

6 SECTION 3. Chapter 5-2 of the General Laws entitled "Bowling Alleys, Billiard Tables,  
7 and Shooting Galleries" is hereby amended by adding thereto the following section:

8 **5-2-3.1. Billiard table defined.**

9 As used in this chapter, the term "billiard table" means and shall include billiard tables,  
10 pool tables, and pocket billiard tables.

11 SECTION 4. Chapter 5-12 of the General Laws entitled "Hide and Leather Inspection" is  
12 hereby repealed.

13 ~~**5-12-1. Town and city inspectors.**~~

14 ~~There may be annually elected by the town councils of the several towns and by the city~~  
15 ~~councils of Providence and Newport an officer to be denominated "inspector of hides and leather,"~~  
16 ~~who shall be sworn to the faithful discharge of his or her duties.~~

17 ~~**5-12-2. Inspection and stamping of hides and leather.**~~

18 ~~City and town inspectors of hides and leather shall examine and inspect all hides and leather~~  
19 ~~that they may be called upon to inspect, within their towns or cities, and stamp upon the inspected~~  
20 ~~hides or leather their quality, as rated in the hides and leather trade, together with the name of the~~  
21 ~~inspector and date of inspection.~~

22 ~~**5-12-3. Inspection fees.**~~

23 ~~The fee of the inspector shall be at the rate of one dollar (\$1.00) per hour for each hour~~  
24 ~~actually employed, paid by the person employing him or her; provided, that not more than five (5)~~  
25 ~~hours shall be paid for by one employer for the same day.~~

26 ~~**5-12-4. Misconduct by inspectors.**~~

27 ~~Every inspector appointed under the provisions of this chapter who willfully stamps any~~  
28 ~~hides or leather as of a grade above or below that at which it is properly ratable, shall forfeit and~~  
29 ~~pay a penalty of one hundred dollars (\$100) and is liable to an action at law for damages to any~~  
30 ~~person injured from the action.~~

31 SECTION 5. Section 5-71-8 of the General Laws in Chapter 5-71 entitled "Licensure of  
32 Interpreters for the Deaf" is hereby amended to read as follows:

33 **5-71-8. Qualifications of applicants for licenses.**

34 (a) To be eligible for licensure by the board as an interpreter for the deaf or transliterator,

1 the applicant must submit written evidence on forms furnished by the department, ~~verified by oath,~~  
2 that the applicant meets all of the following requirements:

3 (1) Is of good moral character;

4 (2) Meets the screened requirements as defined in regulations promulgated by the  
5 department or meets the certification requirements set forth by RID or its successor agency  
6 approved by the department in consultation with the board;

7 (3) Pays the department a license fee as set forth in § 23-1-54;

8 (4) Adheres to the National Association of the Deaf (NAD) and the Registry of Interpreters  
9 for the Deaf, Inc. (RID) code of professional conduct; and

10 (5) Provides verification of a background check with the bureau of criminal investigation  
11 in the office of attorney general at the time of the initial application for license.

12 (b) To be eligible for licensure by the board as an educational interpreter for the deaf, the  
13 applicant must meet all of the requirements as described in subsection (a) and must further present  
14 proof of successful completion of the educational interpreter performance assessment (EIPA),  
15 written and performance tests, or a similar test as approved by the board, at a performance level  
16 established by the board.

17 (c) An individual whose license, certification, permit, or equivalent form of permission  
18 issued within another state has been revoked, suspended, or currently placed on probation shall not  
19 be eligible for consideration for licensure unless they have first disclosed to the department about  
20 such disciplinary actions.

21 SECTION 6. Sections 9-5-10.1, 9-5-10.5 and 9-5-10.6 of the General Laws in Chapter 9-  
22 5 entitled "Writs, Summons and Process" are hereby amended to read as follows:

23 **9-5-10.1. Certification of constables.**

24 (a) (1) A person at least twenty-one (21) years of age who complies with the statute and  
25 the requirements set forth in any regulations promulgated by the department of business regulation  
26 may file an application with the department requesting that the applicant be certified as a constable.  
27 Once issued by the department, the certification shall be effective for a period of two (2) years or  
28 until the approval is withdrawn by the department. A certified constable shall be entitled to serve  
29 or execute writs and process in such capacity for any court of the state, anywhere in the state,  
30 subject to any terms and limitations as set forth by the court, ~~and in such number as determined by~~  
31 ~~the chief judge of the district court.~~

32 (2) A person to be certified as a constable shall provide documentation and evidence  
33 satisfactory to the department of business regulations that the person possesses the specified  
34 minimum qualifications to include:

1 (i) Sixty (60) hours of earned credit from an accredited college, university, or institution;  
2 or  
3 (ii) Four (4) years of honorable military service; or  
4 (iii) Twenty (20) years of honorable service with a local, state, or federal law enforcement  
5 agency; and  
6 (iv) United State citizenship; and  
7 (v) Possession of a valid motor vehicle operator's license; and  
8 (vi) Successful completion of unlawful drug use screening; and  
9 (vii) Successful completion of psychological testing approved by the department of  
10 business regulation.

11 (b) Certification process.

12 (1) Application.

13 (i) Any person seeking certification pursuant to this section shall complete an application  
14 and submit it to the department of business regulation in the form designated by the department for  
15 such applications.

16 (ii) The application shall include information determined by the department to be relevant  
17 to licensure and shall include a national criminal background check.

18 (2) Referral to certified constables' board. Once the applicant has provided a completed  
19 application, the department shall refer the applicant to the certified constables' board by providing  
20 a copy of the application to the board ~~and to the chief judge of the district court.~~

21 (3) Training.

22 (i) Following review of the application, the board shall determine whether the applicant  
23 should be recommended for training ~~by the board~~ to be conducted by a volunteer training constable.  
24 If the board determines that training is appropriate, the applicant shall be assigned to a training  
25 constable who shall be a constable in good standing for a minimum of ten (10) years and who is  
26 approved by the ~~chief judge of the district court to train prospective constables~~ [department](#).

27 (ii) Training shall consist of a minimum of ninety (90) hours to be completed no sooner  
28 than ninety (90) days from the date of the referral by the board. The department may waive the  
29 training requirement of this section for an applicant who has graduated from a certified police or  
30 law enforcement academy and who has a minimum of twenty (20) years of honorable service as a  
31 police or law enforcement officer.

32 (iii) Within thirty (30) days from the conclusion of training, a written report shall be  
33 submitted by the training constable to the board with a copy to the department that reflects the dates  
34 and times of training and comments on the aptitude of the trainee.



1 (iv) If the board concludes that training is not appropriate or if the report of the training  
2 constable concludes that the applicant does not have the aptitude to perform the duties of a  
3 constable, the board shall so inform the department which shall deny the application on that basis.

4 (4) Oral and written tests.

5 (i) Upon the successful completion of the training period and recommendation from the  
6 training constable, within ninety (90) days, the applicant shall complete an oral examination on the  
7 legal and practical aspects of certified constables' duties that shall be created and administered by  
8 the board.

9 (ii) Upon the successful completion of the oral examination, within sixty (60) days the  
10 applicant must complete a written test created by the board and approved by the ~~chief judge of the~~  
11 ~~district court~~ department that measures the applicant's knowledge of state law and court procedure.

12 (iii) If the board concludes that the applicant has not successfully passed either the oral or  
13 written test, the board shall so inform the department which shall deny the application on that basis.

14 (5) Final review. The department shall review the application, training record, test scores,  
15 and such other information or documentation as required and shall determine whether the applicant  
16 shall be approved for certification and the person authorized to serve process in the state.

17 (c) Any person certified as a constable on the effective date of this act shall continue to be  
18 certified without complying with the certification requirements prescribed by this act.

19 **9-5-10.5. Suspension, revocation or review of certification of certified constables.**

20 (a) Upon the receipt of a written complaint, request of the board, request of a judge of any  
21 court, or upon its own initiative, the department shall ascertain the facts and, if warranted, hold a  
22 hearing for the reprimand, suspension, or revocation of a certification. The director, or his or her  
23 designee, has the power to refuse a certification for cause or to suspend or revoke a certification or  
24 place an applicant on probation for any of the following reasons:

25 (1) The certification was obtained by false representation or by fraudulent act or conduct;

26 (2) Failure to report to the department any of the following within thirty (30) days of the  
27 occurrence:

28 (i) Any criminal prosecution taken in any jurisdiction. The constable shall provide the  
29 initial complaint filed and any other relevant legal documents;

30 (ii) Any change of name, address or other contact information;

31 (iii) Any administrative action taken against the constable in any jurisdiction by any  
32 government agency within or outside of this state. The report shall include a copy of all relevant  
33 legal documents.

34 (3) Failure to respond to the department within ten (10) days to any written inquiry from

1 the department;

2 (4) Where a certified constable, in performing or attempting to perform any of the acts  
3 mentioned in this section, is found to have committed any of the following:

4 (i) Inappropriate conduct that fails to promote public confidence, including failure to  
5 maintain impartiality, equity, and fairness in the conduct of his or her duties;

6 (ii) Neglect, misfeasance, or malfeasance of his or her duties;

7 (iii) Failure to adhere to court policies, rules, procedures, or regulations;

8 (iv) Failure to maintain the highest standards of personal integrity, honesty, and  
9 truthfulness, including misrepresentation, bad faith, dishonesty, incompetence, or an arrest or  
10 conviction of a crime.

11 (5) A copy of the determination of the director of department of business regulation, or his  
12 or her designee, shall be forwarded to the chief judge of the district court within ten (10) business  
13 days.

14 (b) Nothing herein shall be construed to prohibit the chief of any court from suspending  
15 the certification of a constable to serve process within his or her respective court pending the  
16 outcome of an investigation consistent with the provisions of chapter 35 of title 42.

17 (c) The department is authorized to levy an administrative penalty not exceeding one  
18 thousand dollars (\$1,000) for each violation for failure to comply with the provisions of this chapter  
19 or with any rule or regulation promulgated by the department.

20 **9-5-10.6. Certified constables' board.**

21 (a) There shall be created a certified constables' board that shall review each applicant and  
22 recommend him or her for training, conduct the oral examination of each applicant, and that shall  
23 serve as a resource to ~~the chief judge and~~ the department in the consideration of the practical aspects  
24 of constable practice. The board shall consist of five (5) members appointed by the governor: two  
25 (2) who shall be constables in good standing who have served for at least ten (10) years, one of  
26 whom shall be ~~appointed~~ recommended by the Rhode Island Constables, Inc. and one ~~appointed~~  
27 recommended by the Rhode Island Constables Association; and three (3) attorneys who shall be  
28 licensed to practice law by the supreme court in good standing ~~who shall be appointed by the chief~~  
29 ~~judge of the district court~~. Members of the constables' board shall serve for terms of five (5) years  
30 until a successor is appointed and qualified.

31 (b) A representative of the board may attend hearings in order to furnish advice to the  
32 department. The board may also consult with the department of business regulation from time to  
33 time on matters relating to constable certification.

34 SECTION 7. Chapter 28.10 of the General Laws entitled "Opioid Stewardship Act" is

1 hereby amended by adding thereto the following section:

2 **21-28.10-14. Transfer of powers and duties.**

3 [The employee responsible for performing fiscal functions associated with the management](#)  
4 [of the opioid stewardship fund within the department of health shall be transferred to the executive](#)  
5 [office.](#)

6 SECTION 8. Sections 21-28.10-1, 21-28.10-2, 21-28.10-3, 21-28.10-4, 21-28.10-5, 21-  
7 28.10-6, 21-28.10-7, 21-28.10-8, 21-28.10-9, 21-28.10-10, 21-28.10-11 and 21-28.10-13 of the  
8 General Laws in Chapter 28.10 entitled "Opioid Stewardship Act" are hereby amended to read as  
9 follows:

10 **21-28.10-1. Definitions.**

11 Unless the context otherwise requires, the following terms shall be construed in this chapter  
12 to have the following meanings:

13 ~~(1) "Department" means the Rhode Island department of health.~~

14 ~~(2) "Director" means the director of the Rhode Island department of health.~~

15 (3)(1) "Distribute" means distribute as defined in § 21-28-1.02.

16 ~~(4)(2)~~ (2) "Distributor" means distributor as defined in § 21-28-1.02.

17 ~~(5)(3)~~ (3) "Executive Office" means the executive office of health and human services.

18 ~~(5)(4)~~ (4) "Manufacture" means manufacture as defined in § 21-28-1.02.

19 ~~(6)(5)~~ (5) "Manufacturer" means manufacturer as defined in § 21-28-1.02.

20 ~~(7)(6)~~ (6) "Market share" means the total opioid stewardship fund amount measured as a  
21 percentage of each manufacturer's, distributor's and wholesaler's gross, in-state opioid sales in  
22 dollars from the previous calendar year as reported to the U.S. Drug Enforcement Administration  
23 (DEA) on its Automation of Reports and Consolidated Orders System (ARCOS) report.

24 [\(7\) "Secretary" means the secretary of the executive office of health and human services.](#)

25 (8) "Wholesaler" means wholesaler as defined in § 21-28-1.02.

26 **21-28.10-2. Opioid registration fee imposed on manufacturers, distributors, and**  
27 **wholesalers.**

28 All manufacturers, distributors, and wholesalers licensed or registered under this title or  
29 chapter 19.1 of title 5 (hereinafter referred to as "licensees"), that manufacture or distribute opioids  
30 shall be required to pay an opioid registration fee. On an annual basis, the ~~director~~ [secretary](#) shall  
31 certify the amount of all revenues collected from opioid registration fees and any penalties imposed,  
32 to the general treasurer. The amount of revenues so certified shall be deposited annually into the  
33 opioid stewardship fund restricted receipt account established pursuant to § 21-28.10-10.

34 **21-28.10-3. Determination of market share and registration fee.**

1 (1) The total opioid stewardship fund amount shall be five million dollars (\$5,000,000)  
2 annually, subject to downward adjustments pursuant to § 21-28.10-7.

3 (2) Each manufacturer's, distributor's, and wholesaler's annual opioid registration fee shall  
4 be based on that licensee's in-state market share.

5 (3) The following sales will not be included when determining a manufacturer's,  
6 distributor's, or wholesaler's market share:

7 (i) The gross, in-state opioid sales attributed to the sale of buprenorphine or methadone;

8 (ii) The gross, in-state opioid sales sold or distributed directly to opioid treatment  
9 programs, data-waivered practitioners, or hospice providers licensed pursuant to chapter 17 of title  
10 23;

11 (iii) Any sales from those opioids manufactured in Rhode Island, but whose final point of  
12 delivery or sale is outside of Rhode Island;

13 (iv) Any sales of anesthesia or epidurals as defined in regulation by the department; and

14 (v) Any in-state intracompany transfers of opioids between any division, affiliate,  
15 subsidiary, parent, or other entity under complete and common ownership and control.

16 (4) The ~~department~~ executive office shall provide to the licensee, in writing, on or before  
17 October 15, ~~2019~~ annually, the licensee's market share for the ~~2018~~ previous calendar year.  
18 ~~Thereafter,~~ ~~the~~ ~~department~~ executive office shall notify the licensee, in writing, on or before  
19 October 15 of each year, of its market share for the prior calendar year based on the opioids sold  
20 or distributed for the prior calendar year.

21 **21-28.10-4. Reports and records.**

22 (a) Each manufacturer, distributor, and wholesaler licensed to manufacture or distribute  
23 opioids in the state of Rhode Island shall provide to the ~~director~~ secretary a report detailing all  
24 opioids sold or distributed by that manufacturer or distributor in the state of Rhode Island. Such  
25 report shall include:

26 (1) The manufacturer's, distributor's, or wholesaler's name, address, phone number, DEA  
27 registration number, and controlled substance license number issued by the department;

28 (2) The name, address, and DEA registration number of the entity to whom the opioid was  
29 sold or distributed;

30 (3) The date of the sale or distribution of the opioids;

31 (4) The gross receipt total, in dollars, of all opioids sold or distributed;

32 (5) The name and National Drug Code of the opioids sold or distributed;

33 (6) The number of containers and the strength and metric quantity of controlled substance  
34 in each container of the opioids sold or distributed; and

1 (7) Any other elements as deemed necessary or advisable by the ~~director~~ [secretary](#).

2 (b) Initial and future reports. This information shall be reported annually to the ~~department~~  
3 [executive office](#) via ARCOS or in such other form as defined or approved by the ~~director~~ [secretary](#);  
4 provided, however, that the initial report provided pursuant to subsection (a) shall consist of all  
5 opioids sold or distributed in the state of Rhode Island for the 2018 calendar year, and shall be  
6 submitted by September 1, 2019. Subsequent annual reports shall be submitted by April 15 of each  
7 year based on the actual opioid sales and distributions of the prior calendar year.

8 **21-28.10-5. Payment of market share.**

9 The licensee shall make payments annually to the ~~department~~ [executive office](#) with the first  
10 payment of its market share due on December 31, 2019; provided, that the amount due on December  
11 31, 2019, shall be for the full amount of the payment for the 2018 calendar year, with subsequent  
12 payments to be due and owing on the last day of every year thereafter.

13 **21-28.10-6. Rebate of market share.**

14 In any year for which the ~~director~~ [secretary](#) determines that a licensee failed to report  
15 information required by this chapter, those licensees complying with this chapter shall receive a  
16 reduced assessment of their market share in the following year equal to the amount in excess of any  
17 overpayment in the prior payment period.

18 **21-28.10-7. Licensee opportunity to appeal.**

19 (a) A licensee shall be afforded an opportunity to submit information to the ~~department~~  
20 [secretary](#) documenting or evidencing that the market share provided to the licensee (or amounts  
21 paid thereunder), pursuant to § 21-28.10-3(4), is in error or otherwise not warranted. The  
22 ~~department~~ [executive office](#) may consider and examine such additional information that it  
23 determines to be reasonably related to resolving the calculation of a licensee's market share, which  
24 may require the licensee to provide additional materials to the ~~department~~ [executive office](#). If the  
25 ~~department~~ [executive office](#) determines thereafter that all or a portion of such market share, as  
26 determined by the ~~director~~ [secretary](#) pursuant to § 21-28.10-3(4), is not warranted, the ~~department~~  
27 [executive office](#) may:

- 28 (1) Adjust the market share;  
29 (2) Adjust the assessment of the market share in the following year equal to the amount in  
30 excess of any overpayment in the prior payment period; or  
31 (3) Refund amounts paid in error.

32 (b) Any person aggrieved by a decision of the ~~department~~ [executive office](#) relating to the  
33 calculation of market share may appeal that decision to the superior court, which shall have power  
34 to review such decision, and the process by which such decision was made, as prescribed in chapter

1 35 of title 42.

2 (c) A licensee shall also have the ability to appeal its assessed opioid registration fee if the  
3 assessed fee amount exceeds the amount of profit the licensee obtains through sales in the state of  
4 products described in § 21-28.10-3. The ~~department~~ [executive office](#) may, exercising discretion as  
5 it deems appropriate, waive or decrease fees as assessed pursuant to § 21-28.10-3 if a licensee can  
6 demonstrate that the correctly assessed payment will pose undue hardship to the licensee's  
7 continued activities in state. The ~~department~~ [executive office](#) shall be allowed to request, and the  
8 licensee shall furnish to the department, any information or supporting documentation validating  
9 the licensee's request for waiver or reduction under this subsection. Fees waived under this section  
10 shall not be reapportioned to other licensees which have payments due under this chapter.

11 **21-28.10-8. Departmental annual reporting Annual reporting.**

12 By January of each calendar year, the [department of health](#), the department of behavioral  
13 healthcare, developmental disabilities and hospitals (~~BHDDH~~), the executive office ~~of health and~~  
14 ~~human services (EOHHS)~~, the department of children, youth and families (~~DCYF~~), the Rhode  
15 Island department of education (~~RIDE~~), the Rhode Island office of veterans services, the  
16 department of corrections (~~DOC~~), the department of labor and training (~~DLT~~), and any other  
17 department or agency receiving opioid stewardship funds shall report annually to the governor, the  
18 speaker of the house, and the senate president which programs in their respective departments were  
19 funded using monies from the opioid stewardship fund and the total amount of funds spent on each  
20 program.

21 **21-28.10-9. Penalties.**

22 (a) The ~~department~~ [executive office](#) may assess a civil penalty in an amount not to exceed  
23 one thousand dollars (\$1,000) per day against any licensee that fails to comply with this chapter.

24 (b) (1) In addition to any other civil penalty provided by law, where a licensee has failed  
25 to pay its market share in accordance with § 21-28.10-5, the ~~department~~ [executive office](#) may also  
26 assess a penalty of no less than ten percent (10%) and no greater than three hundred percent (300%)  
27 of the market share due from such licensee.

28 (2) In addition to any other criminal penalty provided by law, where a licensee has failed  
29 to pay its market share in accordance with § 21-28.10-5, the ~~department~~ [executive office](#) may also  
30 assess a penalty of no less than ten percent (10%) and no greater than fifty percent (50%) of the  
31 market share due from such licensee.

32 **21-28.10-10. Creation of opioid stewardship fund.**

33 (a) There is hereby established, in the custody of the ~~department~~, [executive office](#), a  
34 restricted-receipt account to be known as the "opioid stewardship fund."

1 (b) Monies in the opioid stewardship fund shall be kept separate and shall not be  
2 commingled with any other monies in the custody of the ~~department~~ [executive office](#).

3 (c) The opioid stewardship fund shall consist of monies appropriated for the purpose of  
4 such account; monies transferred to such account pursuant to law; contributions consisting of  
5 promises or grants of any money or property of any kind or value, or any other thing of value,  
6 including grants or other financial assistance from any agency of government; and monies required  
7 by the provisions of this chapter or any other law to be paid into or credited to this account.

8 (d) Monies of the opioid stewardship fund shall be available to provide opioid treatment,  
9 recovery, prevention, education services, and other related programs, subject to appropriation by  
10 the general assembly.

11 (e) The budget officer is hereby authorized to create restricted receipt accounts entitled  
12 "opioid stewardship fund allocation" in any department or agency of state government wherein  
13 monies from the opioid stewardship fund are appropriated by the general assembly for the  
14 programmatic purposes set forth in subsection (d) of this section.

15 **21-28.10-11. Allocation.**

16 The monies, when allocated, shall be paid out of the opioid stewardship fund and subject  
17 to the approval of the ~~director~~ [secretary](#) and the approvals of the [directors](#) of the [departments](#) of  
18 [health and](#) behavioral healthcare, developmental disabilities and hospitals (~~BHDDH~~), pursuant to  
19 the provisions of this chapter.

20 **21-28.10-13. Rules and regulations.**

21 The ~~director~~ [secretary](#) may prescribe rules and regulations, not inconsistent with law, to  
22 carry into effect the provisions of this chapter 28.10 of title 21, which rules and regulations, when  
23 reasonably designed to carry out the intent and purpose of this chapter, are prima facie evidence of  
24 its proper interpretation. Such rules and regulations may be amended, suspended, or revoked, from  
25 time to time and in whole or in part, by the ~~director~~ [secretary](#). The ~~director~~ [secretary](#) may prescribe,  
26 and may furnish, any forms necessary or advisable for the administration of this chapter.

27 SECTION 9. Sections 23-26-7.1, 23-26-11, 23-26-12, 23-26-13, 23-26-15, 23-26-25, 23-  
28 26-26, 23-26-27, 23-26-30 and 23-26-31 of the General Laws in Chapter 23-26 entitled "Bedding  
29 and Upholstered Furniture" are hereby amended to read as follows:

30 **23-26-7.1. Sterilization, disinfection and disinfestation of bedding and materials.**

31 (a) No person shall sell, offer for sale or include in a sale any item of secondhand bedding  
32 or any item of bedding of any type manufactured in whole or in part from secondhand material,  
33 including their component parts or wiping rags, unless such material has been sterilized, disinfected  
34 and cleaned, by a method approved by the department of business regulation; provided, further,

1 that any product used for sterilization or disinfection of secondhand bedding must be registered as  
2 consumer and health benefit products and labeled for use on bedding and upholstered furniture by  
3 the EPA in accordance with § 23-25-6 of this title. The department of business regulation shall  
4 promulgate rules and regulations consistent with the provisions of this chapter.

5 (b) No person shall use in the manufacture, repair and renovation of bedding of any type  
6 any material which has been used by a person with an infectious or contagious disease, or which is  
7 filthy, oily or harbors loathsome insects or pathogenic bacteria.

8 (c) No person shall sell, or offer for sale or include in a sale any material or bedding which  
9 under the provisions of this chapter or regulations requires treatment unless there is securely  
10 attached in accordance with regulations, a yellow tag not less than twelve square inches in size,  
11 made of substantial cloth or a material of equal quality. Upon the tag there shall be plainly printed,  
12 in black ink, in the English language, a statement showing:

13 (1) That the item or material has been treated by a method approved by the department of  
14 business regulation, and the method of treatment applied.

15 (2) The lot number and the tag number of the item treated.

16 (3) The ~~license~~ [registration](#) number of the person applying treatment.

17 (4) The name and address of the person for whom treated.

18 (d) The tag required by this section shall be in addition to any other tag required pursuant  
19 to the provisions of this chapter. Holders of ~~licenses~~ [registrations](#) to apply sterilization, disinfection  
20 or disinfestation treatment shall be required to keep an accurate record of all materials which have  
21 been subjected to treatment, including the source of material, date of treatment, and the name and  
22 address of the receiver of each. Such records shall be available for inspection at any time by  
23 authorized representatives of the department.

24 (e) Violations of this section shall be punishable by a fine not to exceed five hundred dollars  
25 (\$500).

26 **23-26-11. ~~Counterfeit stamps and permits~~ Counterfeit stamps and registrations.**

27 No person shall have in his or her possession or shall make, use, or sell any counterfeit or  
28 colorable imitation of the inspection stamp or ~~permit~~ [registration](#) required by this chapter. Each  
29 counterfeited or imitated stamp or ~~permit~~ [registration](#) made, used, sold, offered for sale, delivered,  
30 or consigned for sale contrary to the provisions of this chapter shall constitute a separate offense.

31 **23-26-12. ~~Sterilization permits~~ Sterilization registrations.**

32 Any sterilization process, before being used in connection with this chapter, must receive  
33 the approval of the director. Every person, firm, or corporation desiring to operate the sterilization  
34 process shall first obtain a numbered ~~permit~~ [registration](#) from the director and shall not operate the



1 process unless the ~~permit~~ [registration](#) is kept conspicuously posted in the establishment. Fee for  
2 original ~~permit~~ [registration](#) shall be eighty-four dollars (\$84.00). Application for the ~~permit~~  
3 [registration](#) shall be accompanied by specifications in duplicate, in such form as the director shall  
4 require. Each ~~permit~~ [registration](#) shall expire one year from date of issue. Fee for annual renewal  
5 of a sterilizing ~~permit~~ [registration](#) shall be one-half (1/2) the original fee.

6 **23-26-13. Contents of tag on bedding articles for sale.**

7 Every article of bedding made for sale, sold, or offered for sale shall have attached thereto  
8 a tag which shall state the name of the material used, that the material used is new, or second-hand  
9 and, when required to be sterilized, that the material has been sterilized, and the number of the  
10 sterilizing ~~permit~~ [registration](#). The tag shall also contain the name and address of the maker or the  
11 vendor and the registry number of the maker. All tags attached to new articles shall be legibly  
12 stamped or marked by the retail vendor with the date of delivery to the customer.

13 **23-26-15. Contents of tag on shipments of filling material.**

14 Any shipment or delivery, however contained, of material used for filling articles of  
15 bedding shall have firmly and conspicuously attached thereto a tag which shall state the name of  
16 the maker, preparer or vendor, and the address of the maker, preparer, or vendor, the name of the  
17 contents and whether the contents are new or second-hand, and, if sterilized, the number of the  
18 sterilizing ~~permit~~ [registration](#).

19 **~~23-26-25. Rules, regulations, and findings -- Suspension or revocation of permits~~**

20 **Rules, regulations, and findings -- Suspension or revocation of registrations.**

21 (a) The director is hereby authorized and empowered to make general rules and regulations  
22 and specific rulings, demands, and findings for the enforcement of this chapter, in addition hereto  
23 and not inconsistent herewith. The director may suspend or revoke any ~~permit-or~~ registration for  
24 violation of any provision of this chapter, or any rule, regulation, ruling, or demand made pursuant  
25 to the authority granted by this chapter. (b) The director of the department of health shall investigate  
26 and enforce the provisions of § 23-26-3.1, and promulgate rules and regulations deemed necessary  
27 to enforce it.

28 **23-26-26. Appeal of director's decisions.**

29 Any person aggrieved by the action of the director in denying an application for a ~~permit~~  
30 ~~or-for~~ registration, or in revoking or suspending any ~~permit-or~~ registration, or by any order or  
31 decision of the director, shall have the right to appeal to the supreme court and the procedure in  
32 case of the appeal shall be the same as that provided in § 42-35-15.

33 **23-26-27. Penalty for violations.**

34 Any person who:

1 (1) Makes, remakes, renovates, sterilizes, prepares, sells, or offers for sale, exchange, or  
2 lease any article of bedding as defined by § 23-26-1, not properly tagged as required by this chapter;  
3 or

4 (2) Uses in the making, remaking, renovating, or preparing of the article of bedding or in  
5 preparing cotton or other material therefor that has been used as a mattress, pillow, or bedding in  
6 any public or private hospital, or that has been used by or about any person having an infectious or  
7 contagious disease, and that after such use has not been sterilized and approved for use, by the  
8 director of business regulation; or

9 (3) Counterfeits or imitates any stamp or ~~permit~~ [registration](#) issued under this chapter shall  
10 be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500) or  
11 by imprisonment for not more than six (6) months or both.

12 (4) Any person or entity who or that violates the provisions of § 23-26-3.1 shall be civilly  
13 fined not to exceed five thousand dollars (\$5,000) for the first violation and up to ten thousand  
14 dollars (\$10,000) for each subsequent violation.

15 **23-26-30. ~~License required -- Application -- Issuance and term of license~~ Registration**  
16 **required -- Application -- Issuance and term of registration.**

17 No person shall be engaged: (1) as a manufacturer of articles of bedding for sale at  
18 wholesale; (2) as a manufacturer of articles of bedding for sale at retail; (3) as a supply dealer; (4)  
19 as a repairer-renovator; or (5) as a retailer of second-hand articles of bedding, unless he or she has  
20 obtained the appropriate numbered ~~license~~ [registration](#) therefor from the director, who is hereby  
21 empowered to issue the ~~license~~ [registration](#). Application for the ~~license~~ [registration](#) shall be made  
22 on forms provided by the director and shall contain such information as the director may deem  
23 material and necessary. Based on the information furnished in the application and on any  
24 investigation deemed necessary by the director, the applicant's classification shall be determined.  
25 Each ~~license~~ [registration](#) issued by the director pursuant to this section shall be conspicuously  
26 posted in the establishment of the person to whom issued. The director may withhold the issuance  
27 of a ~~license~~ [registration](#) to any person who shall make any false statement in the application for a  
28 ~~license~~ [registration](#) under this chapter. The director shall promulgate rules and regulations  
29 mandating the term of ~~license~~ [registration](#) for each category of ~~license~~ [registration](#) issued pursuant  
30 to this chapter; however, no ~~license~~ [registration](#) shall remain in force for a period in excess of three  
31 (3) years. The fee for the initial issuance or renewal of a ~~license~~ [registration](#) shall be determined by  
32 multiplying the per annum fee by the number of years in the term of the ~~license~~ [registration](#). The  
33 entire fee ~~must~~ [shall](#) be paid in full for the total number of years of ~~license~~ [registration](#) prior to the  
34 issuance of the ~~license~~ [registration](#).

1           **23-26-31. Fees.**

2           (a) The per annum fees imposed for ~~licenses~~ registrations issued pursuant to § 23-26-30  
3 shall be as follows:

4           (1) Every applicant classified as a manufacturer of articles of bedding for sale at wholesale  
5 or retail or as a supply dealer shall pay, prior to the issuance of a general ~~license~~ registration, a per  
6 annum fee of two hundred ten dollars (\$210) and the ~~licensee~~ registrant may be engaged in any or  
7 all of the following:

- 8           (i) Manufacture of articles of bedding for sale at wholesale;
- 9           (ii) Manufacture of articles of bedding for sale at retail;
- 10          (iii) Supply dealer;
- 11          (iv) Repairer-renovator.

12          (2) Every applicant classified as a repairer-renovator or retailer of second-hand articles of  
13 bedding shall pay, prior to the issuance of a limited ~~license~~ registration, a per annum fee of sixty  
14 dollars (\$60.00), and the ~~licensee~~ registrant may be engaged in any or all of the following:

- 15          (i) Repairer-renovator;
- 16          (ii) Retailer of second-hand articles of bedding; provided, however, that if a ~~licensee~~  
17 registrant is reclassified from one category to another which calls for a higher ~~license~~ registration  
18 fee, he or she shall pay a pro rata share of the higher ~~license~~ registration fee for the unexpired period  
19 and shall be issued a new ~~license~~ registration to expire on the expiration date of the original ~~license~~  
20 registration.

21          (b) If, through error, a ~~licensee~~ registrant has been improperly classified as of the date of  
22 issue of his or her current ~~license~~ registration, the proper fee for the entire period shall be payable.  
23 Any overpayment shall be refunded to the ~~licensee~~ registrant. No refunds shall be allowed to any  
24 ~~licensee~~ registrant who has discontinued business, or whose ~~license~~ registration has been revoked  
25 or suspended or who has been reclassified to a category calling for a greater or lesser  
26 ~~license~~registration fee, except as provided herein. The fee shall be paid to the director of business  
27 regulation. For reissuing a revoked or expired ~~license~~ registration the fee shall be the same as for  
28 an original ~~license~~ registration.

29          (c) All payments for registration fees, sterilization process, ~~permits~~, fines and penalties,  
30 and other money received under this chapter shall constitute inspection fees for the purpose of  
31 enforcing this chapter.

32           SECTION 10. Section 23-90-5 of the General Laws in Chapter 23-90 entitled "Responsible  
33 Recycling, Reuse and Disposal of Mattresses" is hereby amended to read as follows:

34           **23-90-5. Mattress stewardship plan.**

1 (a) On or before July 1, 2015, the mattress stewardship council shall submit a mattress  
2 stewardship plan for the establishment of a mattress stewardship program to the corporation  
3 director for approval.

4 (b) The plan submitted pursuant to subsection (a) of this section shall, to the extent it is  
5 technologically feasible and economically practical:

6 (1) Identify each producer's participation in the program;

7 (2) Describe the fee structure for the program and propose a uniform stewardship fee that  
8 is sufficient to cover the costs of operating and administering the program;

9 (3) Establish performance goals for the first two (2) years of the program;

10 (4) Identify proposed recycling facilities to be used by the program, such facilities shall not  
11 require a solid waste management facilities license;

12 (5) Detail how the program will promote the recycling of discarded mattresses;

13 (6) Include a description of the public education program;

14 (7) Describe fee-disclosure language that retailers will be required to prominently display  
15 that will inform consumers of the amount and purpose of the fee; and

16 (8) Identify the methods and procedures to facilitate implementation of the mattress  
17 stewardship program in coordination with the corporation director and municipalities.

18 (c) Not later than ninety (90) days after submission of the plan pursuant to this section, the  
19 corporation shall make a determination whether to:

20 (1) Approve the plan as submitted; or

21 (2) Deny the plan.

22 (d) The corporation director shall approve the plan for the establishment of the mattress  
23 stewardship program, provided such plan reasonably meets the requirements of this section. Prior  
24 to making such determination, the corporation director shall post the plan for at least thirty (30)  
25 days, in accordance with the "Administrative Procedures Act" as set forth in chapter 35 of title 42  
26 on the corporation's website and solicit public comments on the plan to be posted on the website.

27 (e) In the event that the corporation director denies the plan, the corporation director shall  
28 provide a notice of determination to the council, within sixty (60) days, detailing the reasons for  
29 the disapproval. The council shall revise and resubmit the plan to the corporation director not later  
30 than forty-five (45) days after receipt of notice of the corporation director's denial notice. Not later  
31 than forty-five (45) days after receipt of the revised plan, the corporation director shall review and  
32 approve or deny the revised plan. The council may resubmit a revised plan to the corporation  
33 director for approval on not more than two (2) occasions. If the council fails to submit a plan that  
34 is acceptable to the corporation director, because it does not meet the criteria pursuant to

1 subdivisions (b)(1-8), the corporation director shall have the ability to modify the submitted plan  
2 and approve it. Not later than one hundred twenty (120) days after the approval of a plan pursuant  
3 to this section, the council shall implement the mattress stewardship program.

4 (f) It is the responsibility of the council to:

5 (1) Notify the corporation director whenever there is a proposed substantial change to the  
6 program. If the corporation director takes no action on a proposed substantial change within ninety  
7 (90) days after notification of the proposed change, the proposed change shall be deemed approved.

8 For the purposes of this subdivision, "substantial change" shall include, but not be limited to:

9 (i) A change in the processing facilities to be used for discarded mattresses collected  
10 pursuant to the program; or

11 (ii) A material change to the system for collecting mattresses.

12 (2) Not later than October 1, 2017, the council shall submit to the corporation director for  
13 review, updated performance goals that are based on the experience of the program during the first  
14 two (2) years of the program.

15 (g) The council shall notify the corporation director of any other changes to the program  
16 on an ongoing basis, whenever they occur, without resubmission of the plan to the corporation  
17 director for approval. Such changes shall include, but not be limited to, a change in the composition,  
18 officers, or contact information of the council.

19 (h) On or before July 1, 2015, and every two (2) years thereafter, the council shall propose  
20 a uniform fee for all mattresses sold in this state. The council may propose a change to the uniform  
21 fee more frequently than once every two (2) years if the council determines such change is needed  
22 to avoid funding shortfalls or excesses. Any proposed fee shall be reviewed by an independent  
23 auditor to ensure that such assessment does not exceed the costs of the mattress stewardship  
24 program described in subsection (b) of this section and to maintain financial reserves sufficient to  
25 operate the program over a multi-year period in a fiscally prudent and responsible manner. Not  
26 later than sixty (60) days after the council proposes a mattress stewardship fee, the auditor shall  
27 render an opinion to the corporation director as to whether the proposed mattress stewardship fee  
28 is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress  
29 stewardship fee is reasonable, then the proposed fee shall go into effect not less than ninety (90)  
30 days after the auditor notifies the corporation director that the fee is reasonable. If the auditor  
31 concludes that the mattress stewardship fee is not reasonable, the auditor shall provide the council  
32 with written notice explaining the auditor's opinion. [Specific documents or information provided](#)  
33 [to the auditor by the council, along with any associated internal documents or information held by](#)  
34 [the council, shall be made available to the corporation for its review upon request but shall not be](#)

1 [made public if the documents and information contain trade secrets or commercial or financial](#)  
2 [information of a privileged or confidential nature, pursuant to chapter 2 of title 38 \("access to public](#)  
3 [records"\)](#). Not later than fourteen (14) days after the council's receipt of the auditor's opinion, the  
4 council may either propose a new mattress stewardship fee, or provide written comments on the  
5 auditor's opinion. If the auditor concludes that the fee is not reasonable, the corporation director  
6 shall decide, based on the auditor's opinion and any comments provided by the council, whether to  
7 approve the proposed mattress stewardship fee. Such auditor shall be selected by the council. The  
8 cost of any work performed by such auditor pursuant to the provisions of this subsection and  
9 subsection (i) of this section shall be funded by the council.

10 (i)(1) On and after the implementation of the mattress stewardship program, each retailer  
11 shall add the amount of the fee established pursuant to subsection (b) of this section and described  
12 in subsection (h) of this section to the purchase price of all mattresses sold in this state. The fee  
13 shall be remitted by the retailer to the council. The council may, subject to the corporation director's  
14 approval, establish an alternative, practicable means of collecting or remitting such fee.

15 (2) On and after the implementation date of the mattress stewardship program, no producer,  
16 distributor or retailer shall sell or offer for sale a mattress to any person in the state if the producer  
17 is not a member of the council.

18 (3) No retailer or distributor shall be found to be in violation of the provisions of this  
19 section, if, on the date the mattress was ordered from the producer or its agent, the producer of said  
20 mattress was listed on the corporation's website in accordance with the provisions of this chapter.

21 (j) Not later than October 1, 2016, and annually thereafter, the council shall submit an  
22 annual report to the corporation director. The corporation director shall post such annual report on  
23 the corporation's website. Such report shall include, but not be limited to:

24 (1) The weight of mattresses collected pursuant to the program from:

25 (i) Municipal and/or transfer stations;

26 (ii) Retailers; and

27 (iii) All other covered entities;

28 (2) The weight of mattresses diverted for recycling;

29 (3) Identification of the mattress recycling facilities to which mattresses were delivered for  
30 recycling;

31 (4) The weight of discarded mattresses recycled, as indicated by the weight of each of the  
32 commodities sold to secondary markets;

33 (5) The weight of mattresses, or parts thereof, sent for disposal at each of the following:

34 (i) Rhode Island resource recovery corporation; and

- 1 (ii) Any other facilities;
- 2 (6) Samples of public education materials and methods used to support the program;
- 3 (7) A description of efforts undertaken and evaluation of the methods used to disseminate
- 4 such materials;
- 5 (8) Updated performance goals and an evaluation of the effectiveness of the methods and
- 6 processes used to achieve performance goals of the program; and
- 7 (9) Recommendations for any changes to the program.

8 (k) Two (2) years after the implementation of the program and upon the request of the

9 corporation director, but not more frequently than once a year, the council shall cause an audit of

10 the program to be conducted by the auditor described in subsection (h) of this section. Such audit

11 shall review the accuracy of the council's data concerning the program and provide any other

12 information requested by the corporation director. Such audit shall be paid for by the council. The

13 council shall maintain all records relating to the program for not less than three (3) years.

14 (l) No covered entity that participates in the program shall charge for receipt of mattresses

15 generated in the state. Covered entities may charge a fee for providing the service of collecting

16 mattresses and may restrict the acceptance of mattresses by number, source or physical condition.

17 (m) Covered entities that, upon the date of this act's passage, have an existing program for

18 recycling discarded mattresses may continue to operate such program without coordination of the

19 council, so long as the entities are able to demonstrate, in writing, to the corporation director that

20 the facilities to which discarded mattresses are delivered are engaged in the business of recycling

21 said mattresses and the corporation director approves the written affirmation that the facility

22 engages in mattress recycling of mattresses received by the covered entity. A copy of the written

23 affirmation and the corporation's approval shall be provided to the council by the corporation

24 director in a timely manner.

25 (e) Pursuant to § 23-90-11, the corporation shall report biennially to the general assembly

26 on the operation of the statewide system for collection, transportation and recycling of mattresses.

27 SECTION 11. Section 31-2-6 of the General Laws in Chapter 31-2 entitled "Division of

28 Motor Vehicles" is hereby amended to read as follows:

29 **31-2-6. Offices.**

30 The administrator shall maintain offices in those places in the state that he or she may deem

31 necessary to properly carry out the powers and duties vested in the division of motor vehicles. The

32 administrator shall ~~maintain branch offices~~ provide direct, in-person services in the towns of

33 Warren and Westerly and keep the services in Warren ~~office open~~ available for business at least

34 three (3) days per week and keep the services in Westerly ~~office open~~ available at least one day per

1 week.

2 SECTION 12. Section 36-4-16.4 of the General Laws in Chapter 36-4 entitled "Merit  
3 System" is hereby amended to read as follows:

4 **36-4-16.4. Salaries of directors.**

5 (a) In the month of March of each year, the department of administration shall conduct a  
6 public hearing to determine salaries to be paid to directors of all state executive departments for the  
7 following year, at which hearing all persons shall have the opportunity to provide testimony, orally  
8 and in writing. In determining these salaries, the department of administration will take into  
9 consideration the duties and responsibilities of the aforementioned officers, as well as such related  
10 factors as salaries paid executive positions in other states and levels of government, and in  
11 comparable positions anywhere that require similar skills, experience, or training. Consideration  
12 shall also be given to the amounts of salary adjustments made for other state employees during the  
13 period that pay for directors was set last.

14 (b) Each salary determined by the department of administration will be in a flat amount,  
15 exclusive of such other monetary provisions as longevity, educational incentive awards, or other  
16 fringe additives accorded other state employees under provisions of law, and for which directors  
17 are eligible and entitled.

18 (c) In no event will the department of administration lower the salaries of existing directors  
19 during their term of office.

20 (d) Upon determination by the department of administration, the proposed salaries of  
21 directors will be referred to the general assembly by the last day in April of that year to go into  
22 effect thirty (30) days hence, unless rejected by formal action of the house and the senate acting  
23 concurrently within that time.

24 (e) Notwithstanding the provisions of this section, for ~~2015~~ 2022 only, the time period for  
25 the department of administration to conduct the public hearing shall be extended to ~~July~~ September  
26 and the proposed salaries shall be referred to the general assembly by ~~August 30~~ October 30. The  
27 salaries may take effect before next year, but all other provisions of this section shall apply.

28 ~~(f) Notwithstanding the provisions of this section or any law to the contrary, for 2017 only,~~  
29 ~~the salaries of the director of the department of transportation, the secretary of health and human~~  
30 ~~services, and the director of administration shall be determined by the governor.~~

31 ~~(g)~~(f) Notwithstanding the provisions of this section or any law to the contrary, for ~~2021~~  
32 2022 only, the salary of the director of the department of children, youth and families shall be  
33 determined by the governor.

34 SECTION 13. Section 41-5.2-2 of the General Laws in Chapter 41-5.2 entitled "Mixed



1 Martial Arts" is hereby amended to read as follows:

2 (a) Except as provided in subsection (b) of this section, no ~~no~~ mixed-martial-arts match or  
3 exhibition for a prize or a purse, or at which an admission fee is charged, either directly or  
4 indirectly, in the form of dues or otherwise, shall take place or be conducted in this state unless  
5 licensed by the division of gaming and athletics licensing in accordance with this chapter.

6 (b) The provisions of this section shall not apply to any mixed-martial-arts match or  
7 exhibition in which the contestants are amateurs and that is conducted under the supervision and  
8 control of:

9 (1) Any educational institution recognized by the council on postsecondary education and  
10 the council on elementary and secondary education of this state; or

11 (2) Any religious or charitable organization or society engaged in the training of youth and  
12 recognized as such by the division of gaming and athletics licensing in this state.

13 (c) For the purposes of this section, an "amateur" means a person who engages in mixed-  
14 martial-arts matches or exhibitions for which no cash prizes are awarded to the participants, and  
15 for which the prize competed for, if any, shall not exceed in value the sum of twenty-five dollars  
16 (\$25.00).

17 SECTION 14. Chapter 41-5.2 of the General Laws entitled "Mixed Martial Arts" is hereby  
18 amended by adding thereto the following section:

19 **41-5.2-30. Fees of officials.**

20 The fees of the referee and other licensed officials, as established by this chapter, shall be  
21 fixed by the division of gaming and athletics licensing, and shall be paid by the licensed  
22 organization prior to the exhibition.

23 SECTION 15. Section 42-11-2.9 of the General Laws in Chapter 42-11 entitled  
24 "Department of Administration" is hereby amended to read as follows:

25 **42-11-2.9. Division of capital asset management and maintenance established.**

26 (a) Establishment. Within the department of administration there shall be established the  
27 division of capital asset management and maintenance ("DCAMM"). Any prior references to the  
28 division of facilities management and/or capital projects, if any, shall now mean DCAMM. Within  
29 the DCAMM there shall be a director of DCAMM who shall be in the classified service and shall  
30 be appointed by the director of administration. The director of DCAMM shall have the following  
31 responsibilities:

32 (1) Oversee, coordinate, and manage the operating budget, personnel, and functions of  
33 DCAMM in carrying out the duties described below;

34 (2) Review agency capital-budget requests to ensure that the request is consistent with

1 strategic and master facility plans for the state of Rhode Island;

2 (3) Promulgate and adopt regulations necessary to carry out the purposes of this section.

3 (b) Purpose. The purpose of the DCAMM shall be to manage and maintain state property  
4 and state-owned facilities in a manner that meets the highest standards of health, safety, security,  
5 accessibility, energy efficiency, and comfort for citizens and state employees and ensures  
6 appropriate and timely investments are made for state property and facility maintenance.

7 (c) Duties and responsibilities of DCAMM. DCAMM shall have the following duties and  
8 responsibilities:

9 (1) To oversee all new construction and rehabilitation projects on state property, not  
10 including property otherwise assigned outside of the executive department by Rhode Island general  
11 laws or under the control and supervision of the judicial branch;

12 (2) To assist the department of administration in fulfilling any and all capital-asset and  
13 maintenance-related statutory duties assigned to the department under chapter 8 of title 37 (public  
14 buildings) or any other provision of law, including, but not limited to, the following statutory duties  
15 provided in § 42-11-2:

16 (i) To maintain, equip, and keep in repair the state house, state office buildings, and other  
17 premises, owned or rented by the state, for the use of any department or agency, excepting those  
18 buildings, the control of which is vested by law in some other agency;

19 (ii) To provide for the periodic inspection, appraisal, or inventory of all state buildings and  
20 property, real and personal;

21 (iii) To require reports from state agencies on the buildings and property in their custody;

22 (iv) To issue regulations to govern the protection and custody of the property of the state;

23 (v) To assign office and storage space, and to rent and lease land and buildings, for the use  
24 of the several state departments and agencies in the manner provided by law;

25 (vi) To control and supervise the acquisition, operation, maintenance, repair, and  
26 replacement of state-owned motor vehicles by state agencies;

27 (3) To generally manage, oversee, protect, and care for the state's properties and facilities,  
28 not otherwise assigned by Rhode Island general laws, including, but not limited to, the following  
29 duties:

30 (i) Space management, procurement, usage, and/or leasing of private or public space;

31 (ii) Care, maintenance, cleaning, and contracting for such services as necessary for state  
32 property;

33 (iii) Capital equipment replacement;

34 (iv) Security of state property and facilities unless otherwise provided by law;

1 (v) Ensuring Americans with Disabilities Act (ADA) compliance;

2 (vi) Responding to facilities emergencies;

3 (vii) Managing traffic flow on state property;

4 (viii) Grounds keeping/landscaping/snow-removal services;

5 (ix) Maintenance and protection of artwork and historic artifacts;

6 (x) On or before August 31 of 2022 and each April 1 thereafter to submit to the division of  
7 municipal finance a comprehensive list of all real property owned by the state as of the preceding  
8 December 31 to facilitate the purposes of § 45-13-5.1. The comprehensive list and all other  
9 information provided shall be in a format prescribed by the division of municipal finance. The  
10 division of municipal finance shall subsequently provide to DCAMM a certified list of all  
11 properties eligible under § 45-13-5.1 for identification in the statewide database established under  
12 § 42-11-2.9(d). Any changes to the comprehensive list of all real property owned by the state after  
13 the list has been supplied to the division of municipal finance shall require notification to the  
14 division of municipal finance within thirty (30) days.

15 (4) To manage and oversee state fleet operations.

16 (d) All state agencies shall participate in a statewide database and/or information system  
17 for capital assets, that shall be established and maintained by DCAMM.

18 (1) Beginning January 1, 2023, all state agencies, departments, boards, commissions,  
19 corporations, authorities, quasi-state agencies, councils, or other political subdivisions that utilize  
20 real property shall provide DCAMM any information, documentary and otherwise, that may be  
21 necessary or desirable to facilitate the purposes of § 42-11-2.9(c)(3)(x) by March 1 annually, or §  
22 42-11-2.9(d) as required by DCAMM. The administrative head of each submitting entity shall attest  
23 to the accuracy and completeness of the information in writing.

24 (e) Offices and boards assigned to DCAMM. DCAMM shall oversee the following boards,  
25 offices, and functions:

26 (1) Office of planning, design, and construction (PDC);

27 (2) Office of facilities management and maintenance (OFMM);

28 (3) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

29 (4) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

30 (5) Office of risk management (§ 37-11-1 et seq.);

31 (6) [Deleted by P.L. 2018, ch. 47, art. 3, § 7].

32 (7) Office of state fleet operations (§ 42-11-2.4(d)).

33 (f) The boards, offices, and functions assigned to DCAMM shall:

34 (1) Exercise their respective powers and duties in accordance with their statutory authority

1 and the general policy established by the director of DCAMM or in accordance with the powers  
2 and authorities conferred upon the director of DCAMM by this section;

3 (2) Provide such assistance or resources as may be requested or required by the director of  
4 DCAMM or the director of administration;

5 (3) Provide such records and information as may be requested or required by the director  
6 of DCAMM or the director of administration; and

7 (4) Except as provided herein, no provision of this chapter or application thereof shall be  
8 construed to limit or otherwise restrict the offices stated above from fulfilling any statutory  
9 requirement or complying with any valid rule or regulation.

10 SECTION 16. Section 42-142-8 of the General Laws in Chapter 42-142 entitled  
11 "Department of Revenue" is hereby amended to read as follows:

12 **42-142-8. Collection unit.**

13 (a) The director of the department of revenue is authorized to establish within the  
14 department of revenue a collection unit for the purpose of assisting state agencies in the collection  
15 of debts owed to the state. The director of the department of revenue may enter into an agreement  
16 with any state agency(ies) to collect any delinquent debt owed to the state.

17 (b) The director of the department of revenue shall initially implement a pilot program to  
18 assist the agency(ies) with the collection of delinquent debts owed to the state.

19 (c) The agency(ies) participating in the pilot program shall refer to the collection unit  
20 within the department of revenue, debts owed by delinquent debtors where the nature and amount  
21 of the debt owed has been determined and reconciled by the agency and the debt is: (i) The subject  
22 of a written settlement agreement and/or written waiver agreement and the delinquent debtor has  
23 failed to timely make payments under the agreement and/or waiver and is therefore in violation of  
24 the terms of the agreement and/or waiver; (ii) The subject of a final administrative order or decision  
25 and the debtor has not timely appealed the order or decision; (iii) The subject of final order,  
26 judgment, or decision of a court of competent jurisdiction and the debtor has not timely appealed  
27 the order, judgment, or decision. The collection unit shall not accept a referral of any delinquent  
28 debt unless it satisfies subsection (c)(i), (ii) or (iii) of this section.

29 (d) Any agency(ies) entering into an agreement with the department of revenue to allow  
30 the collection unit of the department to collect a delinquent debt owed to the state shall indemnify  
31 the department of revenue against injuries, actions, liabilities, or proceedings arising from the  
32 collection, or attempted collection, by the collection unit of the debt owed to the state.

33 (e) Before referring a delinquent debt to the collection unit, the agency(ies) must notify the  
34 debtor of its intention to submit the debt to the collection unit for collection and of the debtor's right

1 to appeal that decision not less than thirty (30) days before the debt is submitted to the collection  
2 unit.

3 (f) At such time as the agency(ies) refers a delinquent debt to the collection unit, the agency  
4 shall: (i) Represent in writing to the collection unit that it has complied with all applicable state and  
5 federal laws and regulations relating to the collection of the debt, including, but not limited to, the  
6 requirement to provide the debtor with the notice of referral to the collection unit under subsection  
7 (e) of this section; and (ii) Provide the collection unit personnel with all relevant supporting  
8 documentation including, but not limited to, notices, invoices, ledgers, correspondence,  
9 agreements, waivers, decisions, orders, and judgments necessary for the collection unit to attempt  
10 to collect the delinquent debt.

11 (g) The referring agency(ies) shall assist the collection unit by providing any and all  
12 information, expertise, and resources deemed necessary by the collection unit to collect the  
13 delinquent debts referred to the collection unit.

14 (h) Upon receipt of a referral of a delinquent debt from an agency(ies), the amount of the  
15 delinquent debt shall accrue interest at the annual rate of interest established by law for the referring  
16 agency or at an annual rate of 13%, whichever percentage rate is greater.

17 (i) Upon receipt of a referral of a delinquent debt from the agency(ies), the collection unit  
18 shall provide the delinquent debtor with a "Notice of Referral" advising the debtor that:

19 (1) The delinquent debt has been referred to the collection unit for collection; and

20 (2) The collection unit will initiate, in its names, any action that is available under state law  
21 for the collection of the delinquent debt, including, but not limited to, referring the debt to a third  
22 party to initiate said action.

23 (j) Upon receipt of a referral of a delinquent debt from an agency(ies), the director of the  
24 department of revenue shall have the authority to institute, in its name, any action(s) that are  
25 available under state law for collection of the delinquent debt and interest, penalties, and/or fees  
26 thereon and to, with or without suit, settle the delinquent debt.

27 (k) In exercising its authority under this section, the collection unit shall comply with all  
28 state and federal laws and regulations related to the collection of debts.

29 (l) Upon the receipt of payment from a delinquent debtor, whether a full or partial payment,  
30 the collection unit shall disburse/deposit the proceeds of the payment in the following order:

31 (1) To the appropriate federal account to reimburse the federal government funds owed to  
32 them by the state from funds recovered; and

33 (2) The balance of the amount collected to the referring agency.

34 (m) Notwithstanding the above, the establishment of a collection unit within the department

1 of revenue shall be contingent upon an annual appropriation by the general assembly of amounts  
2 necessary and sufficient to cover the costs and expenses to establish, maintain, and operate the  
3 collection unit including, but not limited to, computer hardware and software, maintenance of the  
4 computer system to manage the system, and personnel to perform work within the collection unit.

5 (n) In addition to the implementation of any pilot program, the collection unit shall comply  
6 with the provisions of this section in the collection of all delinquent debts under this section.

7 (o) The department of revenue is authorized to promulgate rules and regulations as it deems  
8 appropriate with respect to the collection unit.

9 (p) By September 1, 2020, and each year thereafter, the department of revenue shall  
10 specifically assess the performance, effectiveness, and revenue impact of the collections associated  
11 with this section, including, but not limited to, the total amounts referred and collected by each  
12 referring agency during the previous state fiscal year to the governor, the speaker of the house of  
13 representatives, the president of the senate, the chairpersons of the house and senate finance  
14 committees, and the house and senate fiscal advisors. The report shall include the net revenue  
15 impact to the state of the collection unit.

16 (q) No operations of a collection unit pursuant to this chapter shall be authorized after June  
17 30, ~~2023~~ 2033.

18 SECTION 17. Title 42 of the General Laws entitled "State Affairs and Government" is  
19 hereby amended by adding thereto the following chapter:

20 CHAPTER 162

21 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROGRAM

22 **42-162-1. Legislative findings.**

23 The general assembly finds and declares that:

24 (1) The 2021 act on climate establishes mandatory, economy-wide greenhouse gas  
25 emissions reduction targets; and

26 (2) To meet these goals, Rhode Island must accelerate its adoption of more sustainable  
27 transportation solutions, including electric vehicles; and

28 (3) The widespread adoption of electric vehicles will necessitate investment in and  
29 deployment of electric vehicle charging infrastructure; and

30 (4) Electric vehicle charging infrastructure must be made accessible to all Rhode Island  
31 citizens and businesses, and deployed in an equitable manner; and

32 (5) The installation of electric vehicle charging infrastructure and other clean energy  
33 investments will support statewide economic development and job growth in the clean energy  
34 sector.

1           **42-162-2. Definitions.**

2           As used in this chapter, the following terms, unless the context requires a different  
3 interpretation, shall have the following meanings:

4           (1) "Department" means the department of transportation.

5           (2) "Electric vehicle charging infrastructure" means equipment that supplies electricity to  
6 charge electric vehicles, including charging stations and balance of plant.

7           (3) "Electric vehicle charging infrastructure funds" means but is not limited to, federal  
8 funds allocated for electric vehicle charging infrastructure from the federal infrastructure  
9 investment and jobs act and any funds allocated as state match to federal funds.

10          (4) "Federal funds" means monies allocated for electric vehicle charging infrastructure  
11 from the infrastructure investment and jobs act.

12          (5) "Office" means the office of energy resources.

13           **42-162-3. Implementation of the electric vehicle charging infrastructure investment**  
14 **program.**

15          (a) There is hereby established an electric vehicle charging infrastructure investment  
16 program. The department and office shall, in consultation with the department of environmental  
17 management, establish the electric vehicle charging infrastructure investment program to be  
18 administered by the office in consultation with the department.

19          (b) The department and office, in consultation with the department of environmental  
20 management, shall propose draft program and investment criteria on the electric vehicle charging  
21 infrastructure investment program and accept public comment for thirty (30) days. The draft shall  
22 specify the incentive levels, eligibility criteria, and program rules for electric vehicle charging  
23 infrastructure incentives. The program and investment criteria shall be finalized by the office and  
24 department after the public comment period closes and include responses to submitted public  
25 comments.

26          (c) The department and office shall provide a website for the electric vehicle charging  
27 infrastructure investment program to support public accessibility.

28           **42-162-4. Reporting.**

29          The department and office shall provide a report to the governor and general assembly by  
30 December 31, 2023, on the results of the electric vehicle charging infrastructure investment  
31 program. The department and office shall provide an annual report to the governor and general  
32 assembly until the federal funds have been completely utilized.

33          SECTION 18. This article shall take effect upon passage.

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**ARTICLE 4**

RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

SECTION 1. This Article shall serve as the joint resolution required pursuant to Rhode Island Laws § 35-18-1, *et seq.*

SECTION 2. *University of Rhode Island – Facilities Service Sector Upgrade.*

WHEREAS, the University of Rhode Island Board of Trustees and the University of Rhode Island are proposing a project which involves the design and construction to enhance and reorganize the facilities within the service sector for more efficient and effective operations;

WHEREAS, the University has engaged qualified architectural and engineering firms to perform master planning for this purpose;

WHEREAS, in the last few decades, the University has made significant improvements to the campus infrastructure and building inventory that house academic functions, student activities, and athletic events for the University’s faculty and students;

WHEREAS, it is in the best interest of the State, University, and the students and faculty to have these improvements maintained and repaired;

WHEREAS, the University’s facilities group has the responsibility for maintenance and repair of these 5.8 million square feet, comprising approximately 25% of the State’s real estate portfolio;

WHEREAS, the buildings housing the facilities group were built in the 1950s through 1970s, have passed the end of their 40-year useful life, and are in need of substantial capital renewal or replacement;

WHEREAS, such improvements to the facilities group’s buildings are necessary to allow for the ongoing support of the campus; and

WHEREAS, the total project cost associated with completion of this phase of the project and proposed financing method is thirteen million dollars (\$13,000,000), including cost of issuance, debt service payments would be supported by revenues derived from the University’s unrestricted general revenues, and total debt service on the bonds is not expected to exceed one million one hundred fifty thousand dollars (\$1,150,000) annually and twenty-three million dollars (\$23,000,000) in the aggregate based on an average interest rate of six (6%) percent; now, therefore be it



1           RESOLVED, that this General Assembly hereby approves financing in an amount not to  
2 exceed thirteen million dollars (\$13,000,000) for the facilities service sector upgrade project at the  
3 University of Rhode Island; and be it further

4           RESOLVED, that, this Joint Resolution shall take effect upon passage by this General  
5 Assembly.

6           SECTION 3. *University of Rhode Island – Utility Infrastructure Upgrade Phase II.*

7           WHEREAS, the University of Rhode Island Board of Trustees and the University of Rhode  
8 Island are proposing a project which involves the engineering and construction of upgrades and  
9 component replacements to five municipal-level Kingston Campus utility systems;

10          WHEREAS, the University has engaged qualified engineering firms to examine its major  
11 infrastructure systems;

12          WHEREAS, based on the condition and capabilities of these systems, the studies have  
13 concluded that replacement of components and reconfiguration was advisable for each of these  
14 extensive systems to ensure necessary steam, water, sanitary, and electrical support for the  
15 University’s campuses for the next 20-40 years;

16          WHEREAS, the University has also developed the required Storm Water Management  
17 Plan for the Kingston Campus, which provides guidelines that are being incorporated into new  
18 building projects under development and are driving stand-alone storm water infrastructure projects  
19 as well;

20          WHEREAS, the University has successfully completed many extremely important  
21 individual utility infrastructure projects in its continuing progression of work to upgrade and  
22 replace infrastructure systems but now needs additional investments beyond annual capital  
23 resources;

24          WHEREAS, this project is the second phase in a phased implementation plan to upgrade  
25 and improve the reliability of infrastructure on the University of Rhode Island’s campuses; and

26          WHEREAS, the total project cost associated with completion of this phase of the project  
27 and proposed financing method is fifteen million four hundred fifty thousand dollars (\$15,450,000),  
28 including cost of issuance, debt service payments would be supported by revenues derived from  
29 the University’s unrestricted general revenues, and total debt service on the bonds is not expected  
30 to exceed one million three hundred fifty thousand dollars (\$1,350,000) annually and twenty-seven  
31 million dollars (\$27,000,000) in the aggregate based on an average interest rate of six (6%) percent;  
32 now, therefore be it

33          RESOLVED, that this General Assembly hereby approves financing in an amount not to  
34 exceed fifteen million four hundred fifty thousand dollars (\$15,450,000) for the Utility

1 Infrastructure Upgrade Phase II project at the University of Rhode Island; and be it further  
2 RESOLVED, that this Joint Resolution shall take effect upon passage by this General  
3 Assembly.  
4 SECTION 4. This article shall take effect upon passage.

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# ARTICLE 5

## RELATING TO CAPITAL DEVELOPMENT PROGRAM

### SECTION 1. Proposition to be submitted to the people.

At the general election to be held on the Tuesday next after the first Monday in November 2022, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for their approval or rejection, the following proposition:

"Shall the action of the general assembly, by an act passed at the January 2022 session, authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode Island for the capital projects and in the amount with respect to each such project listed below be approved, and the issuance of bonds, refunding bonds, and temporary notes authorized in accordance with the provisions of said act?"

#### Project

(1) University of Rhode Island Narragansett Bay Campus \$100,000,000

Provides one hundred million dollars (\$100,000,000) to fund repairs and construct new facilities on the University of Rhode Island's Narragansett Bay Campus in support of the educational and research needs for the marine disciplines.

(2) Rhode Island School Buildings \$250,000,000

Approval of this question will allow the state of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed two hundred fifty million dollars (\$250,000,000) to provide direct funding for school construction projects, such as the construction of new school facilities and the rehabilitation of existing school facilities.

(3) Green Economy Bonds \$50,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed fifty million dollars (\$50,000,000) for environmental and recreational purposes, to be allocated as follows:

(a) Municipal Resiliency \$16,000,000

Provides sixteen million dollars (\$16,000,000) for up to seventy-five percent (75%) matching grants to municipalities for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring rivers and stream floodplains. These funds are expected to leverage significant matching funds to support local programs to improve community resiliency

1 and public safety in the face of increased flooding, major storm events, and environmental  
2 degradation.

3 (b) Small Business Energy Loan Program \$5,000,000

4 Provides five million dollars (\$5,000,000) for grants for small businesses to remove  
5 impediments to clean energy project implementation and would provide zero interest and below  
6 market rate loans for clean energy projects.

7 (c) Narragansett Bay and Watershed Restoration \$3,000,000

8 Provides three million dollars (\$3,000,000) for activities to restore and protect the water  
9 quality and enhance the economic viability and environmental sustainability of Narragansett Bay  
10 and the state's watersheds. Eligible activities include nonpoint source pollution abatement,  
11 including stormwater management; nutrient loading abatement; commercial, industrial and  
12 agricultural pollution abatement; and riparian buffer and watershed ecosystem restoration.

13 (d) Forest Restoration \$3,000,000

14 Provides three million dollars (\$3,000,000) to maintain forest and wildlife habitat and  
15 infrastructure on state properties, including state management areas.

16 (e) Brownfields Remediation and Economic Development \$4,000,000

17 Provides four million dollars (\$4,000,000) for up to eighty percent (80%) matching grants  
18 to public, private, and/or nonprofit entities for brownfield remediation projects.

19 (f) State Land Acquisition Program \$3,000,000

20 Provides three million dollars (\$3,000,000) for the State to acquire fee simple interest or  
21 conservation easements to open space, farmland, watershed, and recreation lands.

22 (g) Local Land Acquisition Matching Grant Program \$2,000,000

23 Provides two million dollars (\$2,000,000) for up to fifty percent (50%) matching grants to  
24 municipalities, local land trusts and nonprofit organizations to acquire fee-simple interest,  
25 development rights, or conservation easements on open space and urban parklands.

26 (h) Local Recreation Development Matching Grant Program \$2,000,000

27 Provides two million dollars (\$2,000,000) for up to eighty percent (80%) matching grants  
28 to municipalities to acquire, develop, or rehabilitate local public recreational facilities in Rhode  
29 Island.

30 (i) Roger Williams Park and Zoo \$12,000,000

31 Provides twelve million dollars (\$12,000,000) for Roger Williams Park and Zoo for the  
32 construction of a state-of-the-art-carbon-neutral education center.

33 SECTION 2. Ballot labels and applicability of general election laws.

34 The Secretary of State shall prepare and deliver to the State Board of Elections ballot labels

1 for each of the projects provided for in Section 1 hereof with the designations "approve" or "reject"  
2 provided next to the description of each such project to enable voters to approve or reject each such  
3 proposition. The general election laws, so far as consistent herewith, shall apply to this proposition.

4 SECTION 3. Approval of projects by people.

5 If a majority of the People voting on the proposition in Section 1 hereof shall vote to  
6 approve any project stated therein, said project shall be deemed to be approved by the People. The  
7 authority to issue bonds, refunding bonds and/or temporary notes of the State shall be limited to  
8 the aggregate amount for all such projects as set forth in the proposition, which has been approved  
9 by the People.

10 SECTION 4. Bonds for capital development program.

11 The General Treasurer is hereby authorized and empowered, with the approval of the  
12 Governor, and in accordance with the provisions of this act to issue capital development bonds in  
13 serial form, in the name of and on behalf of the State of Rhode Island, in amounts as may be  
14 specified by the Governor in an aggregate principal amount not to exceed the total amount for all  
15 projects approved by the People and designated as "capital development loan of 2022 bonds."  
16 Provided, however, that the aggregate principal amount of such capital development bonds and of  
17 any temporary notes outstanding at any one time issued in anticipation thereof pursuant to Section  
18 7 hereof shall not exceed the total amount for all such projects approved by the People. All  
19 provisions in this act relating to "bonds" shall also be deemed to apply to "refunding bonds."

20 Capital development bonds issued under this act shall be in denominations of one thousand  
21 dollars (\$1,000) each, or multiples thereof, and shall be payable in any coin or currency of the  
22 United States which at the time of payment shall be legal tender for public and private debts. These  
23 capital development bonds shall bear such date or dates, mature at specified time or times, but not  
24 mature beyond the end of the twentieth State fiscal year following the fiscal year in which they are  
25 issued; bear interest payable semi-annually at a specified rate or different or varying rates: be  
26 payable at designated time or times at specified place or places; be subject to express terms of  
27 redemption or recall, with or without premium; be in a form, with or without interest coupons  
28 attached; carry such registration, conversion, reconversion, transfer, debt retirement, acceleration  
29 and other provisions as may be fixed by the General Treasurer, with the approval by the Governor,  
30 upon each issue of such capital development bonds at the time of each issue. Whenever the  
31 Governor shall approve the issuance of such capital development bonds, the Governor's approval  
32 shall be certified to the Secretary of State; the bonds shall be signed by the General Treasurer and  
33 countersigned by Secretary of State and shall bear the seal of the State. The signature approval of  
34 the Governor shall be endorsed on each bond.

1 SECTION 5. Refunding bonds for 2022 capital development program.

2 The General Treasurer is hereby authorized and empowered, with the approval of the  
3 Governor, and in accordance with the provisions of this act, to issue bonds to refund the 2022  
4 capital development program bonds, in the name of and on behalf of the state, in amounts as may  
5 be specified by the Governor in an aggregate principal amount not to exceed the total amount  
6 approved by the People, to be designated as "capital development program loan of 2022 refunding  
7 bonds" (hereinafter "Refunding Bonds").

8 The General Treasurer with the approval of the Governor shall fix the terms and form of  
9 any Refunding Bonds issued under this act in the same manner as the capital development bonds  
10 issued under this act, except that the Refunding Bonds may not mature more than twenty (20) years  
11 from the date of original issue of the capital development bonds being refunded.

12 The proceeds of the Refunding Bonds, exclusive of any premium and accrual interest and  
13 net the underwriters' cost, and cost of bond issuance, shall, upon their receipt, be paid by the General  
14 Treasurer immediately to the paying agent for the capital development bonds which are to be called  
15 and prepaid. The paying agent shall hold the Refunding Bond proceeds in trust until they are applied  
16 to prepay the capital development bonds. While such proceeds are held in trust, the proceeds may  
17 be invested for the benefit of the State in obligations of the United States of America or the State  
18 of Rhode Island.

19 If the General Treasurer shall deposit with the paying agent for the capital development  
20 bonds the proceeds of the Refunding Bonds, or proceeds from other sources, amounts that, when  
21 invested in obligations of the United States or the State of Rhode Island, are sufficient to pay all  
22 principal, interest, and premium, if any, on the capital development bonds until these bonds are  
23 called for prepayment, then such capital development bonds shall not be considered debts of the  
24 State of Rhode Island for any purpose starting from the date of deposit of such monies with the  
25 paying agent. The Refunding Bonds shall continue to be a debt of the State until paid.

26 The term "bond" shall include "note," and the term "refunding bonds" shall include  
27 "refunding notes" when used in this act.

28 SECTION 6. Proceeds of capital development program.

29 The General Treasurer is directed to deposit the proceeds from the sale of capital  
30 development bonds issued under this act, exclusive of premiums and accrued interest and net the  
31 underwriters' cost, and cost of bond issuance, in one or more of the depositories in which the funds  
32 of the State may be lawfully kept in special accounts (hereinafter cumulatively referred to as "such  
33 capital development bond fund") appropriately designated for each of the projects set forth in  
34 Section 1 hereof which shall have been approved by the People to be used for the purpose of paying

1 the cost of all such projects so approved.

2 All monies in the capital development bond fund shall be expended for the purposes  
3 specified in the proposition provided for in Section 1 hereof under the direction and supervision of  
4 the Director of Administration (hereinafter referred to as "Director"). The Director or his or her  
5 designee shall be vested with all power and authority necessary or incidental to the purposes of this  
6 act, including but not limited to, the following authority: (a) to acquire land or other real property  
7 or any interest, estate or right therein as may be necessary or advantageous to accomplish the  
8 purposes of this act; (b) to direct payment for the preparation of any reports, plans and  
9 specifications, and relocation expenses and other costs such as for furnishings, equipment  
10 designing, inspecting and engineering, required in connection with the implementation of any  
11 projects set forth in Section 1 hereof; (c) to direct payment for the costs of construction,  
12 rehabilitation, enlargement, provision of service utilities, and razing of facilities, and other  
13 improvements to land in connection with the implementation of any projects set forth in Section 1  
14 hereof; and (d) to direct payment for the cost of equipment, supplies, devices, materials and labor  
15 for repair, renovation or conversion of systems and structures as necessary for the 2022 capital  
16 development program bonds or notes hereunder from the proceeds thereof. No funds shall be  
17 expended in excess of the amount of the capital development bond fund designated for each project  
18 authorized in Section 1 hereof. With respect to the bonds and temporary notes described in Section  
19 1, the proceeds shall be used for the following purposes:

20 Question 1, relating to bonds in the amount of one hundred million dollars (\$100,000,000)  
21 to fund repairs and construct new facilities on the University of Rhode Island's Narragansett Bay  
22 Campus in support of the educational and research needs for the marine disciplines.

23 Question 2, relating to bonds in the amount of two hundred fifty million dollars  
24 (\$250,000,000) to provide funding for the construction, renovation, and rehabilitation of the state's  
25 public schools pursuant to § 45-38.2-4 (f).

26 Question 3, relating to bonds in the amount of fifty million dollars (\$50,000,000) for  
27 environmental and recreational purposes, to be allocated as follows:

28 (a) Municipal Resiliency \$16,000,000

29 Provides sixteen million dollars (\$16,000,000) for up to seventy-five percent (75%)  
30 matching grants to municipalities for restoring and/or improving resiliency of infrastructure,  
31 vulnerable coastal habitats, and restoring rivers and stream floodplains. These funds are expected  
32 to leverage significant matching funds to support local programs to improve community resiliency  
33 and public safety in the face of increased flooding, major storm events, and environmental  
34 degradation.

- 1 (b) Small Business Energy Loan Program \$5,000,000  
 2 Provides five million dollars (\$5,000,000) for grants for small businesses to remove  
 3 impediments to clean energy project implementation and would provide zero interest and below  
 4 market rate loans for clean energy projects.
- 5 (c) Narragansett Bay and Watershed Restoration \$3,000,000  
 6 Provides three million dollars (\$3,000,000) for activities to restore and protect the water  
 7 quality and enhance the economic viability and environmental sustainability of Narragansett Bay  
 8 and the state's watersheds. Eligible activities include nonpoint source pollution abatement,  
 9 including stormwater management; nutrient loading abatement; commercial, industrial and  
 10 agricultural pollution abatement; and riparian buffer and watershed ecosystem restoration.
- 11 (d) Forest Restoration \$3,000,000  
 12 Provides three million dollars (\$3,000,000) to maintain forest and wildlife habitat and  
 13 infrastructure on state properties, including state management areas.
- 14 (e) Brownfields Remediation and Economic Development \$4,000,000  
 15 Provides four million dollars (\$4,000,000) for up to eighty percent (80%) matching grants  
 16 to public, private, and/or nonprofit entities for brownfield remediation projects.
- 17 (f) State Land Acquisition Program \$3,000,000  
 18 Provides three million dollars (\$3,000,000) for the State to acquire fee simple interest or  
 19 conservation easements to open space, farmland, watershed, and recreation lands.
- 20 (g) Local Land Acquisition Matching Grant Program \$2,000,000  
 21 Provides two million dollars (\$2,000,000) for up to fifty percent (50%) matching grants to  
 22 municipalities, local land trusts and nonprofit organizations to acquire fee-simple interest,  
 23 development rights, or conservation easements on open space and urban parklands.
- 24 (h) Local Recreation Development Matching Grant Program \$2,000,000  
 25 Provides two million dollars (\$2,000,000) for up to eighty percent (80%) matching grants  
 26 to municipalities to acquire, develop, or rehabilitate local public recreational facilities in Rhode  
 27 Island.
- 28 (i) Roger Williams Park and Zoo \$12,000,000  
 29 Provides twelve million dollars (\$12,000,000) for Roger Williams Park and Zoo for the  
 30 construction of a state-of-the-art-carbon-neutral education center.

31 SECTION 7. Sale of bonds and notes.  
 32 Any bonds or notes issued under the authority of this act shall be sold at not less than the  
 33 principal amount thereof, in such mode and on such terms and conditions as the General Treasurer,  
 34 with the approval of the Governor, shall deem to be in the best interests of the State.



1 Any premiums and accrued interest, net of the cost of bond issuance and underwriter's  
2 discount, which may be received on the sale of the capital development bonds or notes shall become  
3 part of the Rhode Island Capital Plan Fund of the State, unless directed by federal law or regulation  
4 to be used for some other purpose.

5 In the event that the amount received from the sale of the capital development bonds or  
6 notes exceeds the amount necessary for the purposes stated in Section 6 hereof, the surplus may be  
7 used to the extent possible to retire the bonds as the same may become due, to redeem them in  
8 accordance with the terms thereof or otherwise to purchase them as the General Treasurer, with the  
9 approval of the Governor, shall deem to be in the best interests of the state.

10 Any bonds or notes issued under the provisions of this act and coupons on any capital  
11 development bonds, if properly executed by the manual or electronic signatures of officers of the  
12 State in office on the date of execution, shall be valid and binding according to their tenor,  
13 notwithstanding that before the delivery thereof and payment therefor, any or all such officers shall  
14 for any reason have ceased to hold office.

15 SECTION 8. Bonds and notes to be tax exempt and general obligations of the State.

16 All bonds and notes issued under the authority of this act shall be exempt from taxation in  
17 the State and shall be general obligations of the State, and the full faith and credit of the State is  
18 hereby pledged for the due payment of the principal and interest on each of such bonds and notes  
19 as the same shall become due.

20 SECTION 9. Investment of moneys in fund.

21 All monies in the capital development fund not immediately required for payment pursuant  
22 to the provisions of this act may be invested by the investment commission, as established by  
23 Chapter 10 of Title 35, entitled "State Investment Commission," pursuant to the provisions of such  
24 chapter; provided, however, that the securities in which the capital development fund is invested  
25 shall remain a part of the capital development fund until exchanged for other securities; and  
26 provided further, that the income from investments of the capital development fund shall become  
27 a part of the general fund of the State and shall be applied to the payment of debt service charges  
28 of the State, unless directed by federal law or regulation to be used for some other purpose, or to  
29 the extent necessary, to rebate to the United States treasury any income from investments (including  
30 gains from the disposition of investments) of proceeds of bonds or notes to the extent deemed  
31 necessary to exempt (in whole or in part) the interest paid on such bonds or notes from federal  
32 income taxation.

33 SECTION 10. Appropriation.

34 To the extent the debt service on these bonds is not otherwise provided, a sum sufficient to

1 pay the interest and principal due each year on bonds and notes hereunder is hereby annually  
2 appropriated out of any money in the treasury not otherwise appropriated.

3 SECTION 11. Advances from general fund.

4 The General Treasurer is authorized, with the approval of the Director and the Governor,  
5 in anticipation of the issue of notes or bonds under the authority of this act, to advance to the capital  
6 development bond fund for the purposes specified in Section 6 hereof, any funds of the State not  
7 specifically held for any particular purpose; provided, however, that all advances made to the  
8 capital development bond fund shall be returned to the general fund from the capital development  
9 bond fund forthwith upon the receipt by the capital development fund of proceeds resulting from  
10 the issue of notes or bonds to the extent of such advances.

11 SECTION 12. Federal assistance and private funds.

12 In carrying out this act, the Director, or his or her designee, is authorized on behalf of the  
13 State, with the approval of the Governor, to apply for and accept any federal assistance which may  
14 become available for the purpose of this act, whether in the form of loan or grant or otherwise, to  
15 accept the provision of any federal legislation therefor, to enter into, act and carry out contracts in  
16 connection therewith, to act as agent for the federal government in connection therewith, or to  
17 designate a subordinate so to act. Where federal assistance is made available, the project shall be  
18 carried out in accordance with applicable federal law, the rules and regulations thereunder and the  
19 contract or contracts providing for federal assistance, notwithstanding any contrary provisions of  
20 State law. Subject to the foregoing, any federal funds received for the purposes of this act shall be  
21 deposited in the capital development bond fund and expended as a part thereof. The Director or his  
22 or her designee may also utilize any private funds that may be made available for the purposes of  
23 this act.

24 SECTION 13. Effective Date.

25 Sections 1, 2, 3, 11, 12 and this Section 13 of this article shall take effect upon passage.  
26 The remaining sections of this article shall take effect when and if the State Board of Elections shall  
27 certify to the Secretary of State that a majority of the qualified electors voting on the proposition  
28 contained in Section 1 hereof have indicated their approval of all or any projects thereunder.

1 **ARTICLE 6**

2 RELATING TO TAXES AND REVENUES

3 SECTION 1. Section 23-17-38.1 of the General Laws in Chapter 23-17 entitled "Licensing  
4 of Health Care Facilities" is hereby amended to read as follows:

5 **23-17-38.1. Hospitals -- Licensing fee.**

6 ~~(a) There is imposed a hospital licensing fee at the rate of six percent (6%) upon the net~~  
7 ~~patient services revenue of every hospital for the hospital's first fiscal year ending on or after~~  
8 ~~January 1, 2018, except that the license fee for all hospitals located in Washington County, Rhode~~  
9 ~~Island shall be discounted by thirty seven percent (37%). The discount for Washington County~~  
10 ~~hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human~~  
11 ~~Services of a state plan amendment submitted by the executive office of health and human services~~  
12 ~~for the purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This~~  
13 ~~licensing fee shall be administered and collected by the tax administrator, division of taxation~~  
14 ~~within the department of revenue, and all the administration, collection, and other provisions of~~  
15 ~~Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator~~  
16 ~~on or before July 13, 2020, and payments shall be made by electronic transfer of monies to the~~  
17 ~~general treasurer and deposited to the general fund. Every hospital shall, on or before June 15,~~  
18 ~~2020, make a return to the tax administrator containing the correct computation of net patient~~  
19 ~~services revenue for the hospital fiscal year ending September 30, 2018, and the licensing fee due~~  
20 ~~upon that amount. All returns shall be signed by the hospital's authorized representative, subject to~~  
21 ~~the pains and penalties of perjury.~~

22 (b) (a) There is also imposed a hospital licensing fee for state fiscal year 2021 against each  
23 hospital in the state. The hospital licensing fee is equal to five percent (5.0%) of the net patient-  
24 services revenue of every hospital for the hospital's first fiscal year ending on or after January 1,  
25 2019, except that the license fee for all hospitals located in Washington County, Rhode Island shall  
26 be discounted by thirty-seven percent (37%). The discount for Washington County hospitals is  
27 subject to approval by the Secretary of the U.S. Department of Health and Human Services of a  
28 state plan amendment submitted by the executive office of health and human services for the  
29 purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This  
30 licensing fee shall be administered and collected by the tax administrator, division of taxation

1 within the department of revenue, and all the administration, collection, and other provisions of  
2 Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator  
3 on or before July 13, 2021, and payments shall be made by electronic transfer of monies to the  
4 general treasurer and deposited to the general fund. Every hospital shall, on or before June 15,  
5 2020, make a return to the tax administrator containing the correct computation of net patient-  
6 services revenue for the hospital fiscal year ending September 30, 2019, and the licensing fee due  
7 upon that amount. All returns shall be signed by the hospital's authorized representative, subject to  
8 the pains and penalties of perjury.

9 ~~(e)~~ (b) There is also imposed a hospital licensing fee for state fiscal year 2022 against each  
10 hospital in the state. The hospital licensing fee is equal to ~~five and seven hundred twenty five~~  
11 ~~thousandths percent (5.725%)~~ five and six hundred fifty-six thousandths percent (5.656%) of the  
12 net patient-services revenue of every hospital for the hospital's first fiscal year ending on or after  
13 January 1, 2020, except that the license fee for all hospitals located in Washington County, Rhode  
14 Island shall be discounted by thirty-seven percent (37%). The discount for Washington County  
15 hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human  
16 Services of a state plan amendment submitted by the executive office of health and human services  
17 for the purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This  
18 licensing fee shall be administered and collected by the tax administrator, division of taxation  
19 within the department of revenue, and all the administration, collection, and other provisions of  
20 Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator  
21 on or before July 13, 2022, and payments shall be made by electronic transfer of monies to the  
22 general treasurer and deposited to the general fund. Every hospital shall, on or before June 15,  
23 2022, make a return to the tax administrator containing the correct computation of net patient-  
24 services revenue for the hospital fiscal year ending September 30, 2020, and the licensing fee due  
25 upon that amount. All returns shall be signed by the hospital's authorized representative, subject to  
26 the pains and penalties of perjury.

27 (c) There is also imposed a hospital licensing fee for state fiscal year 2023 against each  
28 hospital in the state. The hospital licensing fee is equal to five and forty-two hundredths percent  
29 (5.42%) of the net patient-services revenue of every hospital for the hospital's first fiscal year  
30 ending on or after January 1, 2021, except that the license fee for all hospitals located in Washington  
31 County, Rhode Island shall be discounted by thirty-seven percent (37%). The discount for  
32 Washington County hospitals is subject to approval by the Secretary of the U.S. Department of  
33 Health and Human Services of a state plan amendment submitted by the executive office of health  
34 and human services for the purpose of pursuing a waiver of the uniformity requirement for the

1 hospital license fee. This licensing fee shall be administered and collected by the tax administrator,  
2 division of taxation within the department of revenue, and all the administration, collection, and  
3 other provisions of Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to  
4 the tax administrator on or before July 13, 2023, and payments shall be made by electronic transfer  
5 of monies to the general treasurer and deposited to the general fund. Every hospital shall, on or  
6 before June 15, 2023, make a return to the tax administrator containing the correct computation of  
7 net patient-services revenue for the hospital fiscal year ending September 30, 2020, and the  
8 licensing fee due upon that amount. All returns shall be signed by the hospital's authorized  
9 representative, subject to the pains and penalties of perjury.

10 (d) For purposes of this section the following words and phrases have the following  
11 meanings:

12 (1) "Hospital" means the actual facilities and buildings in existence in Rhode Island,  
13 licensed pursuant to § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on  
14 that license, regardless of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital  
15 conversions) and § 23-17-6(b) (change in effective control), that provides short-term acute inpatient  
16 and/or outpatient care to persons who require definitive diagnosis and treatment for injury, illness,  
17 disabilities, or pregnancy. Notwithstanding the preceding language, the negotiated Medicaid  
18 managed care payment rates for a court-approved purchaser that acquires a hospital through  
19 receivership, special mastership, or other similar state insolvency proceedings (which court-  
20 approved purchaser is issued a hospital license after January 1, 2013) shall be based upon the newly  
21 negotiated rates between the court-approved purchaser and the health plan, and such rates shall be  
22 effective as of the date that the court-approved purchaser and the health plan execute the initial  
23 agreement containing the newly negotiated rate. The rate-setting methodology for inpatient hospital  
24 payments and outpatient hospital payments set forth in §§ 40-8-13.4(b) and 40-8-13.4(b)(2),  
25 respectively, shall thereafter apply to negotiated increases for each annual twelve-month (12)  
26 period as of July 1 following the completion of the first full year of the court-approved purchaser's  
27 initial Medicaid managed care contract.

28 (2) "Gross patient-services revenue" means the gross revenue related to patient care  
29 services.

30 (3) "Net patient-services revenue" means the charges related to patient care services less  
31 (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual allowances.

32 (e) The tax administrator shall make and promulgate any rules, regulations, and procedures  
33 not inconsistent with state law and fiscal procedures that he or she deems necessary for the proper  
34 administration of this section and to carry out the provisions, policy, and purposes of this section.

1 (f) The licensing fee imposed by subsection ~~(b)~~ (a) shall apply to hospitals as defined herein  
2 that are duly licensed on July 1, 2020, and shall be in addition to the inspection fee imposed by §  
3 23-17-38 and to any licensing fees previously imposed in accordance with this section.

4 (g) The licensing fee imposed by subsection ~~(c)~~ (b) shall apply to hospitals as defined  
5 herein that are duly licensed on July 1, 2021, and shall be in addition to the inspection fee imposed  
6 by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

7 (e) The licensing fee imposed by subsection (c) shall apply to hospitals as defined herein  
8 that are duly licensed on July 1, 2022, and shall be in addition to the inspection fee imposed by §  
9 23-17-38 and to any licensing fees previously imposed in accordance with this section.

10 SECTION 2. Section 31-6-1 of the General Laws in Chapter 31-6 entitled "Registration  
11 Fees" is hereby amended to read as follows:

12 **31-6-1. Amount of registration and miscellaneous fees.**

13 The following registration fees shall be paid to the division of motor vehicles for the  
14 registration of motor vehicles, trailers, semi-trailers, and school buses subject to registration for  
15 each year of registration:

16 (1) For the registration of every automobile, when equipped with pneumatic tires, the gross  
17 weight of which is not more than four thousand pounds (4,000 lbs.): thirty dollars (\$30.00).

18 (2) For the registration of every motor truck or tractor when equipped with pneumatic tires,  
19 the gross weight of which is not more than four thousand pounds (4,000 lbs.): thirty-four dollars  
20 (\$34.00).

21 (3) For the registration of every automobile, motor truck or tractor, when equipped with  
22 pneumatic tires, the gross weight of which is:

23 (i) More than four thousand pounds (4,000 lbs.), but not more than five thousand pounds  
24 (5,000 lbs.): forty dollars (\$40.00);

25 (ii) More than five thousand pounds (5,000 lbs.), but not more than six thousand pounds  
26 (6,000 lbs.): forty-eight dollars (\$48.00);

27 (iii) More than six thousand pounds (6,000 lbs.), but not more than seven thousand pounds  
28 (7,000 lbs.): fifty-six dollars (\$56.00);

29 (iv) More than seven thousand pounds (7,000 lbs.), but not more than eight thousand  
30 pounds (8,000 lbs.): sixty-four dollars (\$64.00);

31 (v) More than eight thousand pounds (8,000 lbs.), but not more than nine thousand pounds  
32 (9,000 lbs.): seventy dollars (\$70.00);

33 (vi) More than nine thousand pounds (9,000 lbs.), but not more than ten thousand pounds  
34 (10,000 lbs.): seventy-eight dollars (\$78.00);

- 1 (vii) More than ten thousand pounds (10,000 lbs.), but not more than twelve thousand  
2 pounds (12,000 lbs.): one hundred six dollars (\$106);
- 3 (viii) More than twelve thousand pounds (12,000 lbs.), but not more than fourteen thousand  
4 pounds (14,000 lbs.): one hundred twenty-four dollars (\$124);
- 5 (ix) More than fourteen thousand pounds (14,000 lbs.), but not more than sixteen thousand  
6 pounds (16,000 lbs.): one hundred forty dollars (\$140);
- 7 (x) More than sixteen thousand pounds (16,000 lbs.), but not more than eighteen thousand  
8 pounds (18,000 lbs.): one hundred fifty-eight dollars (\$158);
- 9 (xi) More than eighteen thousand pounds (18,000 lbs.), but not more than twenty thousand  
10 pounds (20,000 lbs.): one hundred seventy-six dollars (\$176);
- 11 (xii) More than twenty thousand pounds (20,000 lbs.), but not more than twenty-two  
12 thousand pounds (22,000 lbs.): one hundred ninety-four dollars (\$194);
- 13 (xiii) More than twenty-two thousand pounds (22,000 lbs.), but not more than twenty-four  
14 thousand pounds (24,000 lbs.): two hundred ten dollars (\$210);
- 15 (xiv) More than twenty-four thousand pounds (24,000 lbs.), but not more than twenty-six  
16 thousand pounds (26,000 lbs.): two hundred thirty dollars (\$230);
- 17 (xv) More than twenty-six thousand pounds (26,000 lbs.), but not more than twenty-eight  
18 thousand pounds (28,000 lbs.): two hundred ninety-six dollars (\$296);
- 19 (xvi) More than twenty-eight thousand pounds (28,000 lbs.), but not more than thirty  
20 thousand pounds (30,000 lbs.): three hundred sixteen dollars (\$316);
- 21 (xvii) More than thirty thousand pounds (30,000 lbs.), but not more than thirty-two  
22 thousand pounds (32,000 lbs.): four hundred and twenty-two dollars (\$422);
- 23 (xviii) More than thirty-two thousand pounds (32,000 lbs.), but not more than thirty-four  
24 thousand pounds (34,000 lbs.): four hundred and forty-eight dollars (\$448);
- 25 (xix) More than thirty-four thousand pounds (34,000 lbs.), but not more than thirty-six  
26 thousand pounds (36,000 lbs.): four hundred and seventy-six dollars (\$476);
- 27 (xx) More than thirty-six thousand pounds (36,000 lbs.), but not more than thirty-eight  
28 thousand pounds (38,000 lbs.): five hundred and two dollars (\$502);
- 29 (xxi) More than thirty-eight thousand pounds (38,000 lbs.), but not more than forty  
30 thousand pounds (40,000 lbs.): five hundred and twenty-eight dollars (\$528);
- 31 (xxii) More than forty thousand pounds (40,000 lbs.), but not more than forty-two thousand  
32 pounds (42,000 lbs.): five hundred and fifty-four dollars (\$554);
- 33 (xxiii) More than forty-two thousand pounds (42,000 lbs.), but not more than forty-six  
34 thousand pounds (46,000 lbs.): six hundred and eight dollars (\$608);

1 (xxiv) More than forty-six thousand pounds (46,000 lbs.), but not more than fifty thousand  
2 pounds (50,000 lbs.): six hundred and sixty dollars (\$660);

3 (xxv) More than fifty thousand pounds (50,000 lbs.), but not more than fifty-four thousand  
4 pounds (54,000 lbs.): seven hundred and twelve dollars (\$712);

5 (xxvi) More than fifty-four thousand pounds (54,000 lbs.), but not more than fifty-eight  
6 thousand pounds (58,000 lbs.): seven hundred and sixty-eight dollars (\$768);

7 (xxvii) More than fifty-eight thousand pounds (58,000 lbs.), but not more than sixty-two  
8 thousand pounds (62,000 lbs.): eight hundred and sixteen dollars (\$816);

9 (xxviii) More than sixty-two thousand pounds (62,000 lbs.), but not more than sixty-six  
10 thousand pounds (66,000 lbs.): eight hundred and seventy-six dollars (\$876);

11 (xxix) More than sixty-six thousand pounds (66,000 lbs.), but not more than seventy  
12 thousand pounds (70,000 lbs.): nine hundred and twenty-four dollars (\$924);

13 (xxx) More than seventy thousand pounds (70,000 lbs.), but not more than seventy-four  
14 thousand pounds (74,000 lbs.): nine hundred and seventy-two dollars (\$972);

15 (xxxi) Over seventy-four thousand pounds (74,000 lbs.): nine hundred and seventy-two  
16 dollars (\$972), plus twenty-four dollars (\$24.00) per two thousand pounds (2,000 lbs.) gross  
17 weight.

18 (4) For the registration of every semi-trailer to be used with a truck-tractor, as defined in §  
19 31-1-4(f), shall be as follows: an annual fee of twelve dollars (\$12.00) for a one-year registration;  
20 for multi-year registrations the fee of fifty dollars (\$50.00) for a five-year (5) registration; and  
21 eighty dollars (\$80.00) for an eight-year (8) registration. However, when in use, the weight of the  
22 resulting semi-trailer unit and its maximum carrying capacity shall not exceed the gross weight of  
23 the original semi-trailer unit from which the gross weight of the tractor was determined. A  
24 registration certificate and registration plate shall be issued for each semi-trailer so registered.  
25 There shall be no refund of payment of such fee, except that when a plate is returned prior to ninety  
26 (90) days before the effective date of that year's registration, the pro rate amount, based on the  
27 unused portion of the multi-year registration plate period at time of surrender, shall be refunded. A  
28 multi-year semi-trailer registration may be transferred to another semi-trailer subject to the  
29 provisions and fee set forth in § 31-6-11. Thirty percent (30%) of the semi-trailer registration fee  
30 shall be retained by the division of motor vehicles to defray the costs of implementation of the  
31 international registration plan (IRP) and fleet registration section.

32 (5) For the registration of every automobile, motor truck, or tractor, when equipped with  
33 other than pneumatic tires, there shall be added to the above gross weight fees a charge of ten cents  
34 (10¢) for each one hundred pounds (100 lbs.) of gross weight.



1 (6) For the registration of every public bus, the rates provided for motor vehicles for hire  
2 plus two dollars (\$2.00) for each passenger that bus is rated to carry, the rating to be determined by  
3 the administrator of the division of motor vehicles.

4 (7) For the registration of every motorcycle, or motor-driven cycle, thirteen dollars  
5 (\$13.00). Three dollars (\$3.00) from that sum shall be turned over to the department of education  
6 to assist in the payment of the cost of the motorcycle driver's education program as enumerated in  
7 § 31-10.1-1.1.

8 (8) For the registration of every trailer, not including semi-trailers used with a truck-tractor  
9 as defined in § 31-1-4(d), with a gross weight of three thousand pounds (3,000 lbs.) or less, five  
10 dollars (\$5.00). Trailers with a gross weight of more than three thousand pounds (3,000 lbs.) shall  
11 be assessed a registration fee of one dollar and fifty cents (\$1.50) per thousand pounds (1,000 lbs.).

12 (9) The annual registration fee for a motor vehicle, commonly described as a boxcar and/or  
13 locomotive, and used only by La Societe Des 40 Hommes et 8 Chevaux for civic demonstration,  
14 parades, convention purposes, or social welfare work, shall be two dollars (\$2.00).

15 (10) For the registration of every motor vehicle, trailer, or semi-trailer owned by any  
16 department or agency of any city or town or district, provided the name of the city or town or  
17 district or state department or agency owning the same shall be plainly printed on two (2) sides of  
18 the vehicle, two dollars (\$2.00).

19 (11) For the registration of motor vehicles used for racing, fifteen dollars (\$15.00).

20 (12) For every duplicate registration certificate, seventeen dollars (\$17.00).

21 (13) For every certified copy of a registration certificate or application, ten dollars (\$10.00).

22 (14) For every certificate assigning a special identification number or mark as provided in  
23 § 31-3-37, one dollar (\$1.00).

24 (15) For every replacement of number plates or additional pair of number plates, without  
25 changing the number, thirty dollars (\$30.00).

26 (16) For the registration of every farm vehicle, used in farming as provided in § 31-3-31:  
27 ten dollars (\$10.00).

28 (17) For the registration of antique motor vehicles, five dollars (\$5.00).

29 (18) For the registration of a suburban vehicle, when used as a pleasure vehicle and the  
30 gross weight of which is not more than four thousand pounds (4,000 lbs.), the same rates as charged  
31 in subsection (1) of this section shall be applicable and when used as a commercial vehicle and the  
32 gross weight of which is not more than four thousand pounds (4,000 lbs.), the same rates as  
33 provided in subsection (2) of this section shall be applicable. The rates in subsection (3) of this  
34 section shall be applicable when the suburban vehicle has a gross weight of more than four thousand

1 pounds (4,000 lbs.), regardless of the use of the vehicle.

2 (19) For the registration of every motor bus that is used exclusively under contract with a  
3 political subdivision or school district of the state for the transportation of school children, twenty-  
4 five dollars (\$25); provided that the motor bus may also be used for the transportation of persons  
5 to and from church and Sunday school services, and for the transportation of children to and from  
6 educational or recreational projects sponsored by a city or town or by any association or  
7 organization supported wholly or in part by public or private donations for charitable purposes,  
8 without the payment of additional registration fee.

9 (20) For the registration of every motorized bicycle, ten dollars (\$10.00).

10 (21) For the registration of every motorized tricycle, ten dollars (\$10.00).

11 (22) For the replacement of number plates with a number change, twenty dollars (\$20.00).

12 (23) For the initial issuance and each reissuance of fully reflective plates, as required by §§  
13 31-3-10, 31-3-32, and 31-3-33, an additional eight dollars (\$8.00); [provided, however, for the initial](#)  
14 [issuance of new license plates as required by § 31-3-33\(c\) that feature the 2022 approved design,](#)  
15 [the fee shall be waived when the plate is issued for a vehicle with an existing registration.](#)

16 (24) For the issuance of a trip permit under the International Registration Plan, twenty-five  
17 dollars (\$25.00) per vehicle. The division of motor vehicles is authorized to issue seventy-two-hour  
18 (72) trip permits for vehicles required to be registered in the International Registration Plan that  
19 have not been apportioned with the state of Rhode Island.

20 (25) For the issuance of a hunter's permit under the International Registration Plan, twenty-  
21 five dollars (\$25.00) per vehicle. The division of motor vehicles is authorized to issue hunter's  
22 permits for motor vehicles based in the state of Rhode Island and otherwise required to be registered  
23 in the International Registration Plan. These permits are valid for thirty (30) days.

24 (26) For the registration of a specially adapted motor vehicle necessary to transport a family  
25 member with a disability for personal, noncommercial use, a fee of thirty dollars (\$30.00) assessed.

26 SECTION 3. Section 42-61-15 of the General Laws in Chapter 42-61 entitled "State  
27 Lottery" is hereby amended to read as follows:

28 **42-61-15. State lottery fund.**

29 (a) There is created the state lottery fund, into which shall be deposited all revenues  
30 received by the division from the sales of lottery tickets and license fees. The fund shall be in the  
31 custody of the general treasurer, subject to the direction of the division for the use of the division,  
32 and money shall be disbursed from it on the order of the controller of the state, pursuant to vouchers  
33 or invoices signed by the director and certified by the director of administration. The moneys in the  
34 state lottery fund shall be allotted in the following order, and only for the following purposes:

1 (1) Establishing a prize fund from which payments of the prize awards shall be disbursed  
2 to holders of winning lottery tickets on checks signed by the director and countersigned by the  
3 controller of the state or his or her designee.

4 (i) The amount of payments of prize awards to holders of winning lottery tickets shall be  
5 determined by the division, but shall not be less than forty-five percent (45%) nor more than ~~sixty-~~  
6 ~~five percent (65%)~~ seventy-one percent (71%) of the total revenue accruing from the sale of lottery  
7 tickets;

8 (ii) For the lottery game commonly known as "Keno," the amount of prize awards to  
9 holders of winning Keno tickets shall be determined by the division, but shall not be less than forty-  
10 five percent (45%) nor more than seventy-two percent (72%) of the total revenue accruing from  
11 the sale of Keno tickets;

12 (2) Payment of expenses incurred by the division in the operation of the state lotteries  
13 including, but not limited to, costs arising from contracts entered into by the director for  
14 promotional, consulting, or operational services, salaries of professional, technical, and clerical  
15 assistants, and purchases or lease of facilities, lottery equipment, and materials; provided however,  
16 solely for the purpose of determining revenues remaining and available for transfer to the state's  
17 general fund, expenses incurred by the division in the operation of state lotteries shall reflect (i)  
18 Beginning in fiscal year 2015, the actuarially determined employer contribution to the Employees'  
19 Retirement System consistent with the state's adopted funding policy; and (ii) Beginning in fiscal  
20 year 2018, the actuarially determined employer contribution to the State Employees and Electing  
21 Teachers' OPEB System consistent with the state's adopted funding policy. For financial reporting  
22 purposes, the state lottery fund financial statements shall be prepared in accordance with generally  
23 accepted accounting principles as promulgated by the Governmental Accounting Standards Board;  
24 and

25 (3) Payment into the general revenue fund of all revenues remaining in the state lottery  
26 fund after the payments specified in subsections (a)(1) -- (a)(2) of this section.

27 (b) The auditor general shall conduct an annual post audit of the financial records and  
28 operations of the lottery for the preceding year in accordance with generally accepted auditing  
29 standards and government auditing standards. In connection with the audit, the auditor general may  
30 examine all records, files, and other documents of the division, and any records of lottery sales  
31 agents that pertain to their activities as agents, for purposes of conducting the audit. The auditor  
32 general, in addition to the annual post audit, may require or conduct any other audits or studies he  
33 or she deems appropriate, the costs of which shall be borne by the division.

34 (c) Payments into the state's general fund specified in subsection (a)(3) of this section shall

1 be made on an estimated quarterly basis. Payment shall be made on the tenth business day following  
2 the close of the quarter except for the fourth quarter when payment shall be on the last business  
3 day.

4 SECTION 4. Section 44-1-7 of the General Laws in Chapter 44-1 entitled "State Tax  
5 Officials" is hereby amended to read as follows:

6 **44-1-7. Interest on delinquent payments.**

7 (a) Whenever the full amount of any state tax or any portion or deficiency, as finally  
8 determined by the tax administrator, has not been paid on the date when it is due and payable,  
9 whether the time has been extended or not, there shall be added as part of the tax or portion or  
10 deficiency interest at the rate as determined in accordance with subsection (b) of this section,  
11 notwithstanding any general or specific statute to the contrary.

12 (b) Each January 1 the tax administrator shall compute the rate of interest to be in effect  
13 for that calendar year by adding two percent (2%) to the prime rate, which was in effect on October  
14 1 of the preceding year, except:

15 (1) Before January 1, 2023, in no event shall the rate of interest exceed twenty-one percent  
16 (21%) per annum nor be less than eighteen percent (18%) per annum;:-

17 (2) On and after January 1, 2023, in no event shall the rate of interest exceed twenty-one  
18 percent (21%) per annum nor be less than twelve percent (12%) per annum except:

19 (A)for trust fund taxes as established by §§ 44-19-35 and 44-30-76, in no event shall the  
20 rate of interest exceed twenty-one percent (21%) per annum nor be less than eighteen percent (18%)  
21 per annum.

22 (c) "Prime rate" as used in subsection (b) of this section means the predominant prime rate  
23 quoted by commercial banks to large businesses as determined by the board of governors of the  
24 Federal Reserve System.

25 (d) Notwithstanding any provisions of the general laws to the contrary, the tax  
26 administrator shall waive interest and penalty on the taxable portion of each Paycheck Protection  
27 Program loan taxed pursuant to §§ 44-11-11(a)(1)(iv), 44-14-11, and 44-30-12(b)(8) and forgiven  
28 during tax year 2020 provided that the tax on that portion is paid in full on or before March 31,  
29 2022. The tax administrator shall make available suitable forms with instructions for making tax  
30 payments on the taxable portion of such forgiven Paycheck Protection Program loans.

31 SECTION 5. Chapter 44-1 of the General Laws entitled "State Tax Officials" is hereby  
32 amended by adding thereto the following section:

33 **44-1-31.2. Electronic filing of large entity tax returns, electronic payments, and**  
34 **penalties..**

1 (a) For the purposes of this chapter, "larger business registrant" means any person who:

2 (1) Operates as a business whose combined annual liability for all taxes administered by  
3 the division of taxation for the entity is or exceeds five thousand dollars (\$5,000); or

4 (2) Operated as a business whose annual gross income is over one hundred thousand dollars  
5 (\$100,000) for the entity.

6 (b) Beginning on January 1, 2023, any larger business registrant is required to file returns  
7 and remit taxes to the State of Rhode Island electronically.

8 (c) Beginning on January 1, 2023, if any larger business registrant fails to pay said taxes  
9 by electronic funds transfer or other electronic means defined by the tax administrator as required  
10 hereunder, there shall be added to the amount of tax the lesser of five percent (5%) of the tax  
11 liability amount that was not filed electronically or five hundred dollars (\$500), whichever is less,  
12 unless there was reasonable cause for the failure and such failure was not due to negligence or  
13 willful neglect.

14 (d) Notwithstanding the provisions of subsection (c) of this section, beginning on January  
15 1, 2023, if any larger business registrant fails to file a return by electronic means defined by the tax  
16 administrator as required hereunder, there shall be added to the amount of tax equal to fifty dollars  
17 (\$50.00), unless there was reasonable cause for the failure and such failure was not due to  
18 negligence or willful neglect.

19 SECTION 6. Section 44-3-3 of the General Laws in Chapter 44-3 entitled "Property  
20 Subject to Taxation" is hereby amended to read as follows:

21 **44-3-3. Property exempt. [Effective January 1, 2022.]**

22 (a) The following property is exempt from taxation:

23 (1) Property belonging to the state, except as provided in § 44-4-4.1;

24 (2) Lands ceded or belonging to the United States;

25 (3) Bonds and other securities issued and exempted from taxation by the government of  
26 the United States or of this state;

27 (4) Real estate, used exclusively for military purposes, owned by chartered or incorporated  
28 organizations approved by the adjutant general and composed of members of the national guard,  
29 the naval militia, or the independent, chartered-military organizations;

30 (5) Buildings for free public schools, buildings for religious worship, and the land upon  
31 which they stand and immediately surrounding them, to an extent not exceeding five (5) acres so  
32 far as the buildings and land are occupied and used exclusively for religious or educational  
33 purposes;

34 (6) Dwellings houses and the land on which they stand, not exceeding one acre in size, or

1 the minimum lot size for zone in which the dwelling house is located, whichever is the greater,  
2 owned by, or held in trust for, any religious organization and actually used by its officiating clergy;  
3 provided, further, that in the town of Charlestown, where the property previously described in this  
4 paragraph is exempt in total, along with dwelling houses and the land on which they stand in  
5 Charlestown, not exceeding one acre in size, or the minimum lot size for zone in which the dwelling  
6 house is located, whichever is the greater, owned by, or held in trust for, any religious organization  
7 and actually used by its officiating clergy, or used as a convent, nunnery, or retreat center by its  
8 religious order;

9 (7) Intangible personal property owned by, or held in trust for, any religious or charitable  
10 organization, if the principal or income is used or appropriated for religious or charitable purposes;

11 (8) Buildings and personal estate owned by any corporation used for a school, academy, or  
12 seminary of learning, and of any incorporated public charitable institution, and the land upon which  
13 the buildings stand and immediately surrounding them to an extent not exceeding one acre, so far  
14 as they are used exclusively for educational purposes, but no property or estate whatever is hereafter  
15 exempt from taxation in any case where any part of its income or profits, or of the business carried  
16 on there, is divided among its owners or stockholders; provided, however, that unless any private  
17 nonprofit corporation organized as a college or university located in the town of Smithfield reaches  
18 a memorandum of agreement with the town of Smithfield, the town of Smithfield shall bill the  
19 actual costs for police, fire, and rescue services supplied, unless otherwise reimbursed, to said  
20 corporation commencing March 1, 2014;

21 (9) Estates, persons, and families of the president and professors for the time being of  
22 Brown University for not more than ten thousand dollars (\$10,000) for each officer, the officer's  
23 estate, person, and family included, but only to the extent that any person had claimed and utilized  
24 the exemption prior to, and for a period ending, either on or after December 31, 1996;

25 (10) Property especially exempt by charter unless the exemption has been waived in whole  
26 or in part;

27 (11) Lots of land exclusively for burial grounds;

28 (12) Property, real and personal, held for, or by, an incorporated library, society, or any  
29 free public library, or any free public library society, so far as the property is held exclusively for  
30 library purposes, or for the aid or support of the aged poor, or poor friendless children, or the poor  
31 generally, or for a nonprofit hospital for the sick or disabled;

32 (13) Real or personal estate belonging to, or held in trust for, the benefit of incorporated  
33 organizations of veterans of any war in which the United States has been engaged, the parent body  
34 of which has been incorporated by act of Congress, to the extent of four hundred thousand dollars

1 (\$400,000) if actually used and occupied by the association; provided, that the city council of the  
2 city of Cranston may by ordinance exempt the real or personal estate as previously described in  
3 this subdivision located within the city of Cranston to the extent of five hundred thousand dollars  
4 (\$500,000);

5 (14) Property, real and personal, held for, or by, the fraternal corporation, association, or  
6 body created to build and maintain a building or buildings for its meetings or the meetings of the  
7 general assembly of its members, or subordinate bodies of the fraternity, and for the  
8 accommodation of other fraternal bodies or associations, the entire net income of which real and  
9 personal property is exclusively applied or to be used to build, furnish, and maintain an asylum or  
10 asylums, a home or homes, a school or schools, for the free education or relief of the members of  
11 the fraternity, or the relief, support, and care of worthy and indigent members of the fraternity, their  
12 wives, widows, or orphans, and any fund given or held for the purpose of public education,  
13 almshouses, and the land and buildings used in connection therewith;

14 (15) Real estate and personal property of any incorporated volunteer fire engine company  
15 or incorporated volunteer ambulance or rescue corps in active service;

16 (16) The estate of any person who, in the judgment of the assessors, is unable from infirmity  
17 or poverty to pay the tax; provided, that in the towns of Burrillville and West Greenwich, the tax  
18 shall constitute a lien for five (5) years on the property where the owner is entitled to the exemption.  
19 At the expiration of five (5) years, the lien shall be abated in full. Provided, if the property is sold  
20 or conveyed, or if debt secured by the property is refinanced during the five-year (5) period, the  
21 lien immediately becomes due and payable; any person claiming the exemption aggrieved by an  
22 adverse decision of an assessor shall appeal the decision to the local board of tax review and  
23 thereafter according to the provisions of § 44-5-26;

24 (17) Household furniture and family stores of a housekeeper in the whole, including  
25 clothing, bedding, and other white goods, books, and all other tangible personal property items that  
26 are common to the normal household;

27 (18) Improvements made to any real property to provide a shelter and fallout protection  
28 from nuclear radiation, to the amount of one thousand five hundred dollars (\$1,500); provided, that  
29 the improvements meet applicable standards for shelter construction established, from time to time,  
30 by the Rhode Island emergency management agency. The improvements are deemed to comply  
31 with the provisions of any building code or ordinance with respect to the materials or the methods  
32 of construction used and any shelter or its establishment is deemed to comply with the provisions  
33 of any zoning code or ordinance;

34 (19) Aircraft for which the fee required by § 1-4-6 has been paid to the tax administrator;

1 (20) Manufacturer's inventory.

2 (i) For the purposes of §§ 44-4-10, 44-5-3, 44-5-20, and 44-5-38, a person is deemed to be  
3 a manufacturer within a city or town within this state if that person uses any premises, room, or  
4 place in it primarily for the purpose of transforming raw materials into a finished product for trade  
5 through any or all of the following operations: adapting, altering, finishing, making, and  
6 ornamenting; provided, that public utilities; non-regulated power producers commencing  
7 commercial operation by selling electricity at retail or taking title to generating facilities on or after  
8 July 1, 1997; building and construction contractors; warehousing operations, including distribution  
9 bases or outlets of out-of-state manufacturers; and fabricating processes incidental to warehousing  
10 or distribution of raw materials, such as alteration of stock for the convenience of a customer; are  
11 excluded from this definition;

12 (ii) For the purposes of this section and §§ 44-4-10 and 44-5-38, the term "manufacturer's  
13 inventory," or any similar term, means and includes the manufacturer's raw materials, the  
14 manufacturer's work in process, and finished products manufactured by the manufacturer in this  
15 state, and not sold, leased, or traded by the manufacturer or its title or right to possession divested;  
16 provided, that the term does not include any finished products held by the manufacturer in any retail  
17 store or other similar selling place operated by the manufacturer whether or not the retail  
18 establishment is located in the same building in which the manufacturer operates the manufacturing  
19 plant;

20 (iii) For the purpose of § 44-11-2, a "manufacturer" is a person whose principal business  
21 in this state consists of transforming raw materials into a finished product for trade through any or  
22 all of the operations described in paragraph (i) of this subdivision. A person will be deemed to be  
23 principally engaged if the gross receipts that person derived from the manufacturing operations in  
24 this state during the calendar year or fiscal year mentioned in § 44-11-1 amounted to more than  
25 fifty percent (50%) of the total gross receipts that person derived from all the business activities in  
26 which that person engaged in this state during the taxable year. For the purpose of computing the  
27 percentage, gross receipts derived by a manufacturer from the sale, lease, or rental of finished  
28 products manufactured by the manufacturer in this state, even though the manufacturer's store or  
29 other selling place may be at a different location from the location of the manufacturer's  
30 manufacturing plant in this state, are deemed to have been derived from manufacturing;

31 (iv) Within the meaning of the preceding paragraphs of this subdivision, the term  
32 "manufacturer" also includes persons who are principally engaged in any of the general activities  
33 coded and listed as establishments engaged in manufacturing in the Standard Industrial  
34 Classification Manual prepared by the Technical Committee on Industrial Classification, Office of



1 Statistical Standards, Executive Office of the President, United States Bureau of the Budget, as  
2 revised from time to time, but eliminating as manufacturers those persons, who, because of their  
3 limited type of manufacturing activities, are classified in the manual as falling within the trade  
4 rather than an industrial classification of manufacturers. Among those thus eliminated, and  
5 accordingly also excluded as manufacturers within the meaning of this paragraph, are persons  
6 primarily engaged in selling, to the general public, products produced on the premises from which  
7 they are sold, such as neighborhood bakeries, candy stores, ice cream parlors, shade shops, and  
8 custom tailors, except, that a person who manufactures bakery products for sale primarily for home  
9 delivery, or through one or more non-baking retail outlets, and whether or not retail outlets are  
10 operated by the person, is a manufacturer within the meaning of this paragraph;

11 (v) The term "Person" means and includes, as appropriate, a person, partnership, or  
12 corporation; and

13 (vi) The department of revenue shall provide to the local assessors any assistance that is  
14 necessary in determining the proper application of the definitions in this subdivision;

15 (21) Real and tangible personal property acquired to provide a treatment facility used  
16 primarily to control the pollution or contamination of the waters or the air of the state, as defined  
17 in chapter 12 of title 46 and chapter 25 of title 23, respectively, the facility having been constructed,  
18 reconstructed, erected, installed, or acquired in furtherance of federal or state requirements or  
19 standards for the control of water or air pollution or contamination, and certified as approved in an  
20 order entered by the director of environmental management. The property is exempt as long as it is  
21 operated properly in compliance with the order of approval of the director of environmental  
22 management; provided, that any grant of the exemption by the director of environmental  
23 management in excess of ten (10) years is approved by the city or town in which the property is  
24 situated. This provision applies only to water and air pollution control properties and facilities  
25 installed for the treatment of waste waters and air contaminants resulting from industrial  
26 processing; furthermore, it applies only to water or air pollution control properties and facilities  
27 placed in operation for the first time after April 13, 1970;

28 (22) Manufacturing machinery and equipment acquired or used by a manufacturer after  
29 December 31, 1974. Manufacturing machinery and equipment is defined as:

30 (i) Machinery and equipment used exclusively in the actual manufacture or conversion of  
31 raw materials or goods in the process of manufacture by a manufacturer, as defined in subdivision  
32 (20), and machinery, fixtures, and equipment used exclusively by a manufacturer for research and  
33 development or for quality assurance of its manufactured products;

34 (ii) Machinery and equipment that is partially used in the actual manufacture or conversion

1 of raw materials or goods in process of manufacture by a manufacturer, as defined in subdivision  
2 (20), and machinery, fixtures, and equipment used by a manufacturer for research and development  
3 or for quality assurance of its manufactured products, to the extent to which the machinery and  
4 equipment is used for the manufacturing processes, research and development, or quality assurance.  
5 In the instances where machinery and equipment is used in both manufacturing and/or research and  
6 development and/or quality assurance activities and non-manufacturing activities, the assessment  
7 on machinery and equipment is prorated by applying the percentage of usage of the equipment for  
8 the manufacturing, research and development, and quality-assurance activity to the value of the  
9 machinery and equipment for purposes of taxation, and the portion of the value used for  
10 manufacturing, research and development, and quality assurance is exempt from taxation. The  
11 burden of demonstrating this percentage usage of machinery and equipment for manufacturing and  
12 for research and development and/or quality assurance of its manufactured products rests with the  
13 manufacturer; and

14 (iii) Machinery and equipment described in §§ 44-18-30(7) and 44-18-30(22) that was  
15 purchased after July 1, 1997; provided that the city or town council of the city or town in which the  
16 machinery and equipment is located adopts an ordinance exempting the machinery and equipment  
17 from taxation. For purposes of this subsection, city councils and town councils of any municipality  
18 may, by ordinance, wholly or partially exempt from taxation the machinery and equipment  
19 discussed in this subsection for the period of time established in the ordinance and may, by  
20 ordinance, establish the procedures for taxpayers to avail themselves of the benefit of any  
21 exemption permitted under this section; provided, that the ordinance does not apply to any  
22 machinery or equipment of a business, subsidiary, or any affiliated business that locates or relocates  
23 from a city or town in this state to another city or town in the state;

24 (23) Precious metal bullion, meaning any elementary metal that has been put through a  
25 process of melting or refining, and that is in a state or condition that its value depends upon its  
26 content and not its form. The term does not include fabricated precious metal that has been  
27 processed or manufactured for some one or more specific and customary industrial, professional,  
28 or artistic uses;

29 (24) Hydroelectric power-generation equipment, which includes, but is not limited to,  
30 turbines, generators, switchgear, controls, monitoring equipment, circuit breakers, transformers,  
31 protective relaying, bus bars, cables, connections, trash racks, headgates, and conduits. The  
32 hydroelectric power-generation equipment must have been purchased after July 1, 1979, and  
33 acquired or used by a person or corporation who or that owns or leases a dam and utilizes the  
34 equipment to generate hydroelectric power;

1 (25) Subject to authorization by formal action of the council of any city or town, any real  
2 or personal property owned by, held in trust for, or leased to an organization incorporated under  
3 chapter 6 of title 7, as amended, or an organization meeting the definition of "charitable trust" set  
4 out in § 18-9-4, as amended, or an organization incorporated under the not-for-profits statutes of  
5 another state or the District of Columbia, the purpose of which is the conserving of open space, as  
6 that term is defined in chapter 36 of title 45, as amended, provided the property is used exclusively  
7 for the purposes of the organization;

8 (26) Tangible personal property, the primary function of which is the recycling, reuse, or  
9 recovery of materials (other than precious metals, as defined in § 44-18-30(24)(ii) and (iii)), from,  
10 or the treatment of "hazardous wastes," as defined in § 23-19.1-4, where the "hazardous wastes"  
11 are generated primarily by the same taxpayer and where the personal property is located at, in, or  
12 adjacent to a generating facility of the taxpayer. The taxpayer may, but need not, procure an order  
13 from the director of the department of environmental management certifying that the tangible  
14 personal property has this function, which order effects a conclusive presumption that the tangible  
15 personal property qualifies for the exemption under this subdivision. If any information relating to  
16 secret processes or methods of manufacture, production, or treatment is disclosed to the department  
17 of environmental management only to procure an order, and is a "trade secret" as defined in § 28-  
18 21-10(b), it shall not be open to public inspection or publicly disclosed unless disclosure is  
19 otherwise required under chapter 21 of title 28 or chapter 24.4 of title 23;

20 (27) Motorboats as defined in § 46-22-2 for which the annual fee required in § 46-22-4 has  
21 been paid;

22 (28) Real and personal property of the Providence Performing Arts Center, a non-business  
23 corporation as of December 31, 1986;

24 (29) Tangible personal property owned by, and used exclusively for the purposes of, any  
25 religious organization located in the city of Cranston;

26 (30) Real and personal property of the Travelers Aid Society of Rhode Island, a nonprofit  
27 corporation, the Union Mall Real Estate Corporation, and any limited partnership or limited liability  
28 company that is formed in connection with, or to facilitate the acquisition of, the Providence YMCA  
29 Building;

30 (31) Real and personal property of Meeting Street Center or MSC Realty, Inc., both not-  
31 for-profit Rhode Island corporations, and any other corporation, limited partnership, or limited  
32 liability company that is formed in connection with, or to facilitate the acquisition of, the properties  
33 designated as the Meeting Street National Center of Excellence on Eddy Street in Providence,  
34 Rhode Island;

1 (32) The buildings, personal property, and land upon which the buildings stand, located on  
2 Pomham Island, East Providence, currently identified as Assessor's Map 211, Block 01, Parcel  
3 001.00, that consists of approximately twenty-one thousand three hundred (21,300) square feet and  
4 is located approximately eight hundred sixty feet (860'), more or less, from the shore, and limited  
5 exclusively to these said buildings, personal estate and land, provided that said property is owned  
6 by a qualified 501(c)(3) organization, such as the American Lighthouse Foundation, and is used  
7 exclusively for a lighthouse;

8 (33) The Stadium Theatre Performing Arts Centre building located in Monument Square,  
9 Woonsocket, Rhode Island, so long as said Stadium Theatre Performing Arts Center is owned by  
10 the Stadium Theatre Foundation, a Rhode Island nonprofit corporation;

11 (34) Real and tangible personal property of St. Mary Academy — Bay View, located in  
12 East Providence, Rhode Island;

13 (35) Real and personal property of East Bay Community Action Program and its  
14 predecessor, Self Help, Inc; provided, that the organization is qualified as a tax-exempt corporation  
15 under § 501(c)(3) of the United States Internal Revenue Code;

16 (36) Real and personal property located within the city of East Providence of the Columbus  
17 Club of East Providence, a Rhode Island charitable nonprofit corporation;

18 (37) Real and personal property located within the city of East Providence of the Columbus  
19 Club of Barrington, a Rhode Island charitable nonprofit corporation;

20 (38) Real and personal property located within the city of East Providence of Lodge 2337  
21 BPO Elks, a Rhode Island nonprofit corporation;

22 (39) Real and personal property located within the city of East Providence of the St.  
23 Andrews Lodge No. 39, a Rhode Island charitable nonprofit corporation;

24 (40) Real and personal property located within the city of East Providence of the Trustees  
25 of Methodist Health and Welfare service a/k/a United Methodist Elder Care, a Rhode Island  
26 nonprofit corporation;

27 (41) Real and personal property located on the first floor of 90 Leonard Avenue within the  
28 city of East Providence of the Zion Gospel Temple, Inc., a religious nonprofit corporation;

29 (42) Real and personal property located within the city of East Providence of the Cape  
30 Verdean Museum Exhibit, a Rhode Island nonprofit corporation;

31 (43) The real and personal property owned by a qualified 501(c)(3) organization that is  
32 affiliated and in good standing with a national, congressionally chartered organization and thereby  
33 adheres to that organization's standards and provides activities designed for recreational,  
34 educational, and character building purposes for children from ages six (6) years to seventeen (17)

1 years;

2 (44) Real and personal property of the Rhode Island Philharmonic Orchestra and Music  
3 School; provided, that the organization is qualified as a tax-exempt corporation under § 501(c)(3)  
4 of the United States Internal Revenue Code;

5 (45) The real and personal property located within the town of West Warwick at 211  
6 Cowesett Avenue, Plat 29-Lot 25, which consists of approximately twenty-eight thousand seven  
7 hundred fifty (28,750) square feet and is owned by the Station Fire Memorial Foundation of East  
8 Greenwich, a Rhode Island nonprofit corporation;

9 (46) Real and personal property of the Comprehensive Community Action Program, a  
10 qualified tax-exempt corporation under § 501(c)(3) of the United States Internal Revenue Code;

11 (47) Real and personal property located at 52 Plain Street, within the city of Pawtucket of  
12 the Pawtucket Youth Soccer Association, a Rhode Island nonprofit corporation;

13 (48) Renewable energy resources, as defined in § 39-26-5, used in residential systems and  
14 associated equipment used therewith in service after December 31, 2015;

15 (49) Renewable energy resources, as defined in § 39-26-5, if employed by a manufacturer,  
16 as defined in subsection (a) of this section, shall be exempt from taxation in accordance with  
17 subsection (a) of this section;

18 (50) Real and personal property located at 415 Tower Hill Road within the town of North  
19 Kingstown, of South County Community Action, Inc., a qualified tax-exempt corporation under §  
20 501(c)(3) of the United States Internal Revenue Code;

21 (51) As an effort to promote business growth, tangible business or personal property, in  
22 whole or in part, within the town of Charlestown's community limits, subject to authorization by  
23 formal action of the town council of the town of Charlestown;

24 (52) All real and personal property located at 1300 Frenchtown Road, within the town of  
25 East Greenwich, identified as assessor's map 027, plat 019, lot 071, and known as the New England  
26 Wireless and Steam Museum, Inc., a qualified tax-exempt corporation under § 501(c)(3) of the  
27 United States Internal Revenue Code;

28 (53) Real and tangible personal property of Mount Saint Charles Academy located within  
29 the city of Woonsocket, specifically identified as the following assessor's plats and lots: Logee  
30 Street, plat 23, lot 62, Logee Street, plat 24, lots 304 and 305; Welles Street, plat 23, lot 310;  
31 Monroe Street, plat 23, lot 312; and Roberge Avenue, plat 24, lot 47;

32 (54) Real and tangible personal property of Steere House, a Rhode Island nonprofit  
33 corporation, located in Providence, Rhode Island;

34 (55) Real and personal property located within the town of West Warwick of Tides Family

1 Services, Inc., a Rhode Island nonprofit corporation;

2 (56) Real and personal property of Tides Family Services, Inc., a Rhode Island nonprofit  
3 corporation, located in the city of Pawtucket at 242 Dexter Street, plat 44, lot 444;

4 (57) Real and personal property located within the town of Middletown of Lucy's Hearth,  
5 a Rhode Island nonprofit corporation;

6 (58) Real and tangible personal property of Habitat for Humanity of Rhode Island—  
7 Greater Providence, Inc., a Rhode Island nonprofit corporation, located in Providence, Rhode  
8 Island;

9 (59) Real and personal property of the Artic Playhouse, a Rhode Island nonprofit  
10 corporation, located in the town of West Warwick at 1249 Main Street;

11 (60) Real and personal property located at 321 Main Street, within the town of South  
12 Kingstown, of the Contemporary Theatre Company, a qualified, tax-exempt corporation under §  
13 501(c)(3) of the United States Internal Revenue Code;

14 (61) Real and personal property of The Samaritans, Inc., a Rhode Island nonprofit §  
15 501(c)(3) corporation located at 67 Park Place, Pawtucket, Rhode Island, to the extent the city  
16 council of Pawtucket may from time to time determine;

17 (62) Real and personal property of North Kingstown, Exeter Animal Protection League,  
18 Inc., dba "Pet Refuge," 500 Stony Lane, a Rhode Island nonprofit corporation, located in North  
19 Kingstown, Rhode Island;

20 (63) Real and personal property located within the city of East Providence of Foster  
21 Forward (formerly the Rhode Island Foster Parents Association), a Rhode Island charitable  
22 nonprofit corporation;

23 (64) Real and personal property located at 54 Kelly Avenue within the town of East  
24 Providence, of the Associated Radio Amateurs of Southern New England, a Rhode Island nonprofit  
25 corporation;

26 (65) Real and tangible personal property of Providence Country Day School, a Rhode  
27 Island nonprofit corporation, located in East Providence, Rhode Island and further identified as plat  
28 406, block 6, lot 6, and plat 506, block 1, lot 8;

29 (66) As an effort to promote business growth, tangible business or personal property, in  
30 whole or in part, within the town of Bristol's community limits, subject to authorization by formal  
31 action of the town council of the town of Bristol;

32 (67) Real and tangible personal property of the Heritage Harbor Foundation, a Rhode  
33 Island nonprofit corporation, located at 1445 Wampanoag Trail, Suites 103 and 201, within the city  
34 of East Providence;

1 (68) Real property of Ocean State Community Wellness, Inc., a qualified tax-exempt  
2 corporation under § 501(c)(3) of the United States Internal Revenue Code, located in North  
3 Kingstown, Rhode Island, with a physical address of 7450 Post Road, and further identified as plat  
4 108, lot 83;

5 (69) Real and tangible personal property of St. John Baptist De La Salle Institute, d/b/a La  
6 Salle Academy, a Rhode Island domestic nonprofit corporation, located in Providence, Rhode  
7 Island denominated at the time this subsection was adopted as Plat 83 Lot 276 by the tax assessor  
8 for the city of Providence comprising approximately 26.08 acres of land along with all buildings  
9 and improvements that have been or may be made;

10 (70) Real and tangible personal property of The Providence Community Health Centers,  
11 Inc., a Rhode Island domestic nonprofit corporation, located in Providence, Rhode Island; and

12 (71) In the city of Central Falls and the city of Pawtucket, real property and tangible  
13 personal property located on or in the premise acquired or leased by a railroad entity and for the  
14 purpose of providing boarding and disembarking of railroad passengers and the supporting  
15 passenger railroad operations and services. For the purpose of this section, a railroad entity shall be  
16 any incorporated entity that has been duly authorized by the Rhode Island public utilities  
17 commission to provide passenger railroad services.

18 (b) Except as provided below, when a city or town taxes a for-profit hospital facility, the  
19 value of its real property shall be the value determined by the most recent full revaluation or  
20 statistical property update performed by the city or town; provided, however, in the year a nonprofit  
21 hospital facility converts to or otherwise becomes a for-profit hospital facility, or a for-profit  
22 hospital facility is initially established, the value of the real property and personal property of the  
23 for-profit hospital facility shall be determined by a valuation performed by the assessor for the  
24 purpose of determining an initial assessed value of real and personal property, not previously taxed  
25 by the city or town, as of the most recent date of assessment pursuant to § 44-5-1, subject to a right  
26 of appeal by the for-profit hospital facility which shall be made to the city or town tax assessor with  
27 a direct appeal from an adverse decision to the Rhode Island superior court business calendar.

28 A "for-profit hospital facility" includes all real and personal property affiliated with any  
29 hospital as identified in an application filed pursuant to chapter 17 or 17.14 of title 23.  
30 Notwithstanding the above, a city or town may enter into a stabilization agreement with a for-profit  
31 hospital facility under § 44-3-9 or other laws specific to the particular city or town relating to  
32 stabilization agreements. In a year in which a nonprofit hospital facility converts to, or otherwise  
33 becomes, a for-profit hospital facility, or a for-profit hospital facility is otherwise established, in  
34 that year only the amount levied by the city or town and/or the amount payable under the

1 stabilization agreement for that year related to the for-profit hospital facility shall not be counted  
2 towards determining the maximum tax levy permitted under § 44-5-2.

3 (c) Notwithstanding any other provision of law to the contrary, in an effort to provide relief  
4 for businesses, including small businesses, and to promote economic development, a city, town, or  
5 fire district may establish an exemption for tangible personal property within its geographic limits  
6 by formal action of the appropriate governing body within the city, town, or fire district, which  
7 exemptions shall be uniformly applied and in compliance with local tax classification requirements.  
8 Exemptions established pursuant to this subsection shall conform to the requirements of § 44-5-  
9 12.2.

10 SECTION 7. Chapter 44-5 of the General Laws entitled " Levy and Assessment of Local  
11 Taxes" is hereby amended by adding thereto the following sections:

12 **44-5-11.16. Division of Municipal Finance Classification Exemption Authority.**

13 Notwithstanding any other provision of law to the contrary, the Division of Municipal  
14 Finance (Division) within the Department of Revenue shall have the authority to grant a one-year  
15 exemption to any city or town authorized to have a property tax classification structure under this  
16 chapter, where in the absence of such an exemption, the city or town would not be in compliance  
17 with its applicable tax classification structure. Any city or town seeking such an exemption shall  
18 provide the Division with any documentation that the Division deems necessary to grant an  
19 exemption. Such exemption, if approved by the Division, shall be limited to one year. The city or  
20 town, if granted such an exemption, shall be required to either have applicable state legislation  
21 approved amending the specific section of law for which the exemption was sought or adjust its  
22 class tax rates so that the city or town is in compliance for its next fiscal year.

23 **44-5-12.2. Tangible personal property exemption -- Tax rate cap.**

24 Notwithstanding any other provision of law to the contrary, the tax rate for the class of  
25 property that includes tangible personal property for any city, town, or fire district that also  
26 establishes a tangible personal property assessment exemption, pursuant to subsections (a)(51),  
27 (a)(66), or (c) of § 44-3-3, § 44-3-47, § 44-3-65, or any other provision of law that enables a city,  
28 town, or fire district to establish a tangible personal property assessment exemption, shall be capped  
29 at the tax rate in effect for the assessment date immediately preceding the assessment date on which  
30 the exemption takes effect or the assessment date immediately following the effective date of this  
31 section, whichever is later.

32 SECTION 8. Section 44-18-30 of the General Laws in Chapter 44-18 entitled "Sales and  
33 Use Taxes - Liability and Computation" is hereby amended to read as follows:

34 **44-18-30. Gross receipts exempt from sales and use taxes.**



1           There are exempted from the taxes imposed by this chapter the following gross receipts:

2           (1) Sales and uses beyond constitutional power of state. From the sale and from the storage,  
3 use, or other consumption in this state of tangible personal property the gross receipts from the sale  
4 of which, or the storage, use, or other consumption of which, this state is prohibited from taxing  
5 under the Constitution of the United States or under the constitution of this state.

6           (2) Newspapers.

7           (i) From the sale and from the storage, use, or other consumption in this state of any  
8 newspaper.

9           (ii) "Newspaper" means an unbound publication printed on newsprint that contains news,  
10 editorial comment, opinions, features, advertising matter, and other matters of public interest.

11           (iii) "Newspaper" does not include a magazine, handbill, circular, flyer, sales catalog, or  
12 similar item unless the item is printed for, and distributed as, a part of a newspaper.

13           (3) School meals. From the sale and from the storage, use, or other consumption in this  
14 state of meals served by public, private, or parochial schools, school districts, colleges, universities,  
15 student organizations, and parent-teacher associations to the students or teachers of a school,  
16 college, or university whether the meals are served by the educational institutions or by a food  
17 service or management entity under contract to the educational institutions.

18           (4) Containers.

19           (i) From the sale and from the storage, use, or other consumption in this state of:

20           (A) Non-returnable containers, including boxes, paper bags, and wrapping materials that  
21 are biodegradable and all bags and wrapping materials utilized in the medical and healing arts,  
22 when sold without the contents to persons who place the contents in the container and sell the  
23 contents with the container.

24           (B) Containers when sold with the contents if the sale price of the contents is not required  
25 to be included in the measure of the taxes imposed by this chapter.

26           (C) Returnable containers when sold with the contents in connection with a retail sale of  
27 the contents or when resold for refilling.

28           (D) Keg and barrel containers, whether returnable or not, when sold to alcoholic beverage  
29 producers who place the alcoholic beverages in the containers.

30           (ii) As used in this subdivision, the term "returnable containers" means containers of a kind  
31 customarily returned by the buyer of the contents for reuse. All other containers are "non-returnable  
32 containers."

33           (5)(i) Charitable, educational, and religious organizations. From the sale to, as in defined  
34 in this section, and from the storage, use, and other consumption in this state, or any other state of

1 the United States of America, of tangible personal property by hospitals not operated for a profit;  
2 "educational institutions" as defined in subdivision (18) not operated for a profit; churches,  
3 orphanages, and other institutions or organizations operated exclusively for religious or charitable  
4 purposes; interest-free loan associations not operated for profit; nonprofit, organized sporting  
5 leagues and associations and bands for boys and girls under the age of nineteen (19) years; the  
6 following vocational student organizations that are state chapters of national vocational student  
7 organizations: Distributive Education Clubs of America (DECA); Future Business Leaders of  
8 America, Phi Beta Lambda (FBLA/PBL); Future Farmers of America (FFA); Future Homemakers  
9 of America/Home Economics Related Occupations (FHA/HERD); Vocational Industrial Clubs of  
10 America (VICA); organized nonprofit golden age and senior citizens clubs for men and women;  
11 and parent-teacher associations; and from the sale, storage, use, and other consumption in this state,  
12 of and by the Industrial Foundation of Burrillville, a Rhode Island domestic nonprofit corporation.

13 (ii) In the case of contracts entered into with the federal government, its agencies, or  
14 instrumentalities, this state, or any other state of the United States of America, its agencies, any  
15 city, town, district, or other political subdivision of the states; hospitals not operated for profit;  
16 educational institutions not operated for profit; churches, orphanages, and other institutions or  
17 organizations operated exclusively for religious or charitable purposes, the contractor may purchase  
18 such materials and supplies (materials and/or supplies are defined as those that are essential to the  
19 project) that are to be utilized in the construction of the projects being performed under the contracts  
20 without payment of the tax.

21 (iii) The contractor shall not charge any sales or use tax to any exempt agency, institution,  
22 or organization but shall in that instance provide his or her suppliers with certificates in the form  
23 as determined by the division of taxation showing the reason for exemption and the contractor's  
24 records must substantiate the claim for exemption by showing the disposition of all property so  
25 purchased. If any property is then used for a nonexempt purpose, the contractor must pay the tax  
26 on the property used.

27 (6) Gasoline. From the sale and from the storage, use, or other consumption in this state of:

28 (i) Gasoline and other products taxed under chapter 36 of title 31 and (ii) Fuels used for the  
29 propulsion of airplanes.

30 (7) Purchase for manufacturing purposes.

31 (i) From the sale and from the storage, use, or other consumption in this state of computer  
32 software, tangible personal property, electricity, natural gas, artificial gas, steam, refrigeration, and  
33 water, when the property or service is purchased for the purpose of being manufactured into a  
34 finished product for resale and becomes an ingredient, component, or integral part of the

1 manufactured, compounded, processed, assembled, or prepared product, or if the property or  
2 service is consumed in the process of manufacturing for resale computer software, tangible personal  
3 property, electricity, natural gas, artificial gas, steam, refrigeration, or water.

4 (ii) "Consumed" means destroyed, used up, or worn out to the degree or extent that the  
5 property cannot be repaired, reconditioned, or rendered fit for further manufacturing use.

6 (iii) "Consumed" includes mere obsolescence.

7 (iv) "Manufacturing" means and includes: manufacturing, compounding, processing,  
8 assembling, preparing, or producing.

9 (v) "Process of manufacturing" means and includes all production operations performed in  
10 the producing or processing room, shop, or plant, insofar as the operations are a part of and  
11 connected with the manufacturing for resale of tangible personal property, electricity, natural gas,  
12 artificial gas, steam, refrigeration, or water and all production operations performed insofar as the  
13 operations are a part of and connected with the manufacturing for resale of computer software.

14 (vi) "Process of manufacturing" does not mean or include administration operations such  
15 as general office operations, accounting, collection, or sales promotion, nor does it mean or include  
16 distribution operations that occur subsequent to production operations, such as handling, storing,  
17 selling, and transporting the manufactured products, even though the administration and  
18 distribution operations are performed by, or in connection with, a manufacturing business.

19 (8) State and political subdivisions. From the sale to, and from the storage, use, or other  
20 consumption by, this state, any city, town, district, or other political subdivision of this state. Every  
21 redevelopment agency created pursuant to chapter 31 of title 45 is deemed to be a subdivision of  
22 the municipality where it is located.

23 (9) Food and food ingredients. From the sale and storage, use, or other consumption in this  
24 state of food and food ingredients as defined in § 44-18-7.1(1).

25 For the purposes of this exemption "food and food ingredients" shall not include candy,  
26 soft drinks, dietary supplements, alcoholic beverages, tobacco, food sold through vending  
27 machines, or prepared food, as those terms are defined in § 44-18-7.1, unless the prepared food is:

28 (i) Sold by a seller whose primary NAICS classification is manufacturing in sector 311,  
29 except sub-sector 3118 (bakeries);

30 (ii) Sold in an unheated state by weight or volume as a single item;

31 (iii) Bakery items, including: bread, rolls, buns, biscuits, bagels, croissants, pastries,  
32 donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, tortillas; and

33 is not sold with utensils provided by the seller, including: plates, knives, forks, spoons,  
34 glasses, cups, napkins, or straws.

1 (10) Medicines, drugs, and durable medical equipment. From the sale and from the storage,  
2 use, or other consumption in this state, of:

3 (i) "Drugs" as defined in § 44-18-7.1(h)(i), sold on prescriptions, medical oxygen, and  
4 insulin whether or not sold on prescription. For purposes of this exemption drugs shall not include  
5 over-the-counter drugs and grooming and hygiene products as defined in § 44-18-7.1(h)(iii).

6 (ii) Durable medical equipment as defined in § 44-18-7.1(k) for home use only, including,  
7 but not limited to: syringe infusers, ambulatory drug delivery pumps, hospital beds, convalescent  
8 chairs, and chair lifts. Supplies used in connection with syringe infusers and ambulatory drug  
9 delivery pumps that are sold on prescription to individuals to be used by them to dispense or  
10 administer prescription drugs, and related ancillary dressings and supplies used to dispense or  
11 administer prescription drugs, shall also be exempt from tax.

12 (11) Prosthetic devices and mobility enhancing equipment. From the sale and from the  
13 storage, use, or other consumption in this state, of prosthetic devices as defined in § 44-18-7.1(t),  
14 sold on prescription, including, but not limited to: artificial limbs, dentures, spectacles, eyeglasses,  
15 and artificial eyes; artificial hearing devices and hearing aids, whether or not sold on prescription;  
16 and mobility enhancing equipment as defined in § 44-18-7.1(p), including wheelchairs, crutches,  
17 and canes.

18 (12) Coffins, caskets, urns, shrouds and burial garments. From the sale and from the  
19 storage, use, or other consumption in this state of coffins, caskets, [burial containers](#), urns, [urn liners](#),  
20 [urn vaults](#), [grave liners](#), [grave vaults](#), [burial tent setups](#), [prayer cards](#), shrouds, and other burial  
21 garments that are ordinarily sold by a funeral director as part of the business of funeral directing.

22 (13) Motor vehicles sold to nonresidents.

23 (i) From the sale, subsequent to June 30, 1958, of a motor vehicle to a bona fide nonresident  
24 of this state who does not register the motor vehicle in this state, whether the sale or delivery of the  
25 motor vehicle is made in this state or at the place of residence of the nonresident. A motor vehicle  
26 sold to a bona fide nonresident whose state of residence does not allow a like exemption to its  
27 nonresidents is not exempt from the tax imposed under § 44-18-20. In that event, the bona fide  
28 nonresident pays a tax to Rhode Island on the sale at a rate equal to the rate that would be imposed  
29 in his or her state of residence not to exceed the rate that would have been imposed under § 44-18-  
30 20. Notwithstanding any other provisions of law, a licensed motor vehicle dealer shall add and  
31 collect the tax required under this subdivision and remit the tax to the tax administrator under the  
32 provisions of chapters 18 and 19 of this title. When a Rhode Island licensed, motor vehicle dealer  
33 is required to add and collect the sales and use tax on the sale of a motor vehicle to a bona fide  
34 nonresident as provided in this section, the dealer in computing the tax takes into consideration the

1 law of the state of the nonresident as it relates to the trade-in of motor vehicles.

2 (ii) The tax administrator, in addition to the provisions of §§ 44-19-27 and 44-19-28, may  
3 require any licensed motor vehicle dealer to keep records of sales to bona fide nonresidents as the  
4 tax administrator deems reasonably necessary to substantiate the exemption provided in this  
5 subdivision, including the affidavit of a licensed motor vehicle dealer that the purchaser of the  
6 motor vehicle was the holder of, and had in his or her possession a valid out-of-state motor vehicle  
7 registration or a valid out-of-state driver's license.

8 (iii) Any nonresident who registers a motor vehicle in this state within ninety (90) days of  
9 the date of its sale to him or her is deemed to have purchased the motor vehicle for use, storage, or  
10 other consumption in this state, and is subject to, and liable for, the use tax imposed under the  
11 provisions of § 44-18-20.

12 (14) Sales in public buildings by blind people. From the sale and from the storage, use, or  
13 other consumption in all public buildings in this state of all products or wares by any person  
14 licensed under § 40-9-11.1.

15 (15) Air and water pollution control facilities. From the sale, storage, use, or other  
16 consumption in this state of tangible personal property or supplies acquired for incorporation into  
17 or used and consumed in the operation of a facility, the primary purpose of which is to aid in the  
18 control of the pollution or contamination of the waters or air of the state, as defined in chapter 12  
19 of title 46 and chapter 23 of title 23, respectively, and that has been certified as approved for that  
20 purpose by the director of environmental management. The director of environmental management  
21 may certify to a portion of the tangible personal property or supplies acquired for incorporation  
22 into those facilities or used and consumed in the operation of those facilities to the extent that that  
23 portion has as its primary purpose the control of the pollution or contamination of the waters or air  
24 of this state. As used in this subdivision, "facility" means any land, facility, device, building,  
25 machinery, or equipment.

26 (16) Camps. From the rental charged for living quarters, or sleeping, or housekeeping  
27 accommodations at camps or retreat houses operated by religious, charitable, educational, or other  
28 organizations and associations mentioned in subsection (5), or by privately owned and operated  
29 summer camps for children.

30 (17) Certain institutions. From the rental charged for living or sleeping quarters in an  
31 institution licensed by the state for the hospitalization, custodial, or nursing care of human beings.

32 (18) Educational institutions. From the rental charged by any educational institution for  
33 living quarters, or sleeping, or housekeeping accommodations or other rooms or accommodations  
34 to any student or teacher necessitated by attendance at an educational institution. "Educational

1 institution" as used in this section means an institution of learning not operated for profit that is  
2 empowered to confer diplomas, educational, literary, or academic degrees; that has a regular  
3 faculty, curriculum, and organized body of pupils or students in attendance throughout the usual  
4 school year; that keeps and furnishes to students and others records required and accepted for  
5 entrance to schools of secondary, collegiate, or graduate rank; and no part of the net earnings of  
6 which inures to the benefit of any individual.

7 (19) Motor vehicle and adaptive equipment for persons with disabilities.

8 (i) From the sale of: (A) Special adaptations; (B) The component parts of the special  
9 adaptations; or (C) A specially adapted motor vehicle; provided that the owner furnishes to the tax  
10 administrator an affidavit of a licensed physician to the effect that the specially adapted motor  
11 vehicle is necessary to transport a family member with a disability or where the vehicle has been  
12 specially adapted to meet the specific needs of the person with a disability. This exemption applies  
13 to not more than one motor vehicle owned and registered for personal, noncommercial use.

14 (ii) For the purpose of this subsection the term "special adaptations" includes, but is not  
15 limited to: wheelchair lifts, wheelchair carriers, wheelchair ramps, wheelchair securements, hand  
16 controls, steering devices, extensions, relocations, and crossovers of operator controls, power-  
17 assisted controls, raised tops or dropped floors, raised entry doors, or alternative signaling devices  
18 to auditory signals.

19 (iii) From the sale of: (a) Special adaptations, (b) The component parts of the special  
20 adaptations, for a "wheelchair accessible taxicab" as defined in § 39-14-1, and/or a "wheelchair  
21 accessible public motor vehicle" as defined in § 39-14.1-1.

22 (iv) For the purpose of this subdivision the exemption for a "specially adapted motor  
23 vehicle" means a use tax credit not to exceed the amount of use tax that would otherwise be due on  
24 the motor vehicle, exclusive of any adaptations. The use tax credit is equal to the cost of the special  
25 adaptations, including installation.

26 (20) Heating fuels. From the sale and from the storage, use, or other consumption in this  
27 state of every type of heating fuel.

28 (21) Electricity and gas. From the sale and from the storage, use, or other consumption in  
29 this state of electricity and gas.

30 (22) Manufacturing machinery and equipment.

31 (i) From the sale and from the storage, use, or other consumption in this state of tools, dies,  
32 molds, machinery, equipment (including replacement parts), and related items to the extent used in  
33 an industrial plant in connection with the actual manufacture, conversion, or processing of tangible  
34 personal property, or to the extent used in connection with the actual manufacture, conversion, or

1 processing of computer software as that term is utilized in industry numbers 7371, 7372, and 7373  
2 in the standard industrial classification manual prepared by the Technical Committee on Industrial  
3 Classification, Office of Statistical Standards, Executive Office of the President, United States  
4 Bureau of the Budget, as revised from time to time, to be sold, or that machinery and equipment  
5 used in the furnishing of power to an industrial manufacturing plant. For the purposes of this  
6 subdivision, "industrial plant" means a factory at a fixed location primarily engaged in the  
7 manufacture, conversion, or processing of tangible personal property to be sold in the regular  
8 course of business;

9 (ii) Machinery and equipment and related items are not deemed to be used in connection  
10 with the actual manufacture, conversion, or processing of tangible personal property, or in  
11 connection with the actual manufacture, conversion, or processing of computer software as that  
12 term is utilized in industry numbers 7371, 7372, and 7373 in the standard industrial classification  
13 manual prepared by the Technical Committee on Industrial Classification, Office of Statistical  
14 Standards, Executive Office of the President, United States Bureau of the Budget, as revised from  
15 time to time, to be sold to the extent the property is used in administration or distribution operations;

16 (iii) Machinery and equipment and related items used in connection with the actual  
17 manufacture, conversion, or processing of any computer software or any tangible personal property  
18 that is not to be sold and that would be exempt under subdivision (7) or this subdivision if purchased  
19 from a vendor or machinery and equipment and related items used during any manufacturing,  
20 converting, or processing function is exempt under this subdivision even if that operation, function,  
21 or purpose is not an integral or essential part of a continuous production flow or manufacturing  
22 process;

23 (iv) Where a portion of a group of portable or mobile machinery is used in connection with  
24 the actual manufacture, conversion, or processing of computer software or tangible personal  
25 property to be sold, as previously defined, that portion, if otherwise qualifying, is exempt under  
26 this subdivision even though the machinery in that group is used interchangeably and not otherwise  
27 identifiable as to use.

28 (23) Trade-in value of motor vehicles. From the sale and from the storage, use, or other  
29 consumption in this state of so much of the purchase price paid for a new or used automobile as is  
30 allocated for a trade-in allowance on the automobile of the buyer given in trade to the seller, or of  
31 the proceeds applicable only to the automobile as are received from the manufacturer of  
32 automobiles for the repurchase of the automobile whether the repurchase was voluntary or not  
33 towards the purchase of a new or used automobile by the buyer. For the purpose of this subdivision,  
34 the word "automobile" means a private passenger automobile not used for hire and does not refer

1 to any other type of motor vehicle.

2 (24) Precious metal bullion.

3 (i) From the sale and from the storage, use, or other consumption in this state of precious  
4 metal bullion, substantially equivalent to a transaction in securities or commodities.

5 (ii) For purposes of this subdivision, "precious metal bullion" means any elementary  
6 precious metal that has been put through a process of smelting or refining, including, but not limited  
7 to: gold, silver, platinum, rhodium, and chromium, and that is in a state or condition that its value  
8 depends upon its content and not upon its form.

9 (iii) The term does not include fabricated precious metal that has been processed or  
10 manufactured for some one or more specific and customary industrial, professional, or artistic uses.

11 (25) Commercial vessels. From sales made to a commercial ship, barge, or other vessel of  
12 fifty (50) tons burden or over, primarily engaged in interstate or foreign commerce, and from the  
13 repair, alteration, or conversion of the vessels, and from the sale of property purchased for the use  
14 of the vessels including provisions, supplies, and material for the maintenance and/or repair of the  
15 vessels.

16 (26) Commercial fishing vessels. From the sale and from the storage, use, or other  
17 consumption in this state of vessels and other watercraft that are in excess of five (5) net tons and  
18 that are used exclusively for "commercial fishing," as defined in this subdivision, and from the  
19 repair, alteration, or conversion of those vessels and other watercraft, and from the sale of property  
20 purchased for the use of those vessels and other watercraft including provisions, supplies, and  
21 material for the maintenance and/or repair of the vessels and other watercraft and the boats nets,  
22 cables, tackle, and other fishing equipment appurtenant to or used in connection with the  
23 commercial fishing of the vessels and other watercraft. "Commercial fishing" means taking or  
24 attempting to take any fish, shellfish, crustacea, or bait species with the intent of disposing of it for  
25 profit or by sale, barter, trade, or in commercial channels. The term does not include subsistence  
26 fishing, i.e., the taking for personal use and not for sale or barter; or sport fishing; but shall include  
27 vessels and other watercraft with a Rhode Island party and charter boat license issued by the  
28 department of environmental management pursuant to § 20-2-27.1 that meet the following criteria:

29 (i) The operator must have a current United States Coast Guard (U.S.C.G.) license to carry  
30 passengers for hire; (ii) U.S.C.G. vessel documentation in the coast wide fishery trade; (iii)  
31 U.S.C.G. vessel documentation as to proof of Rhode Island home port status or a Rhode Island boat  
32 registration to prove Rhode Island home port status; and (iv) The vessel must be used as a  
33 commercial passenger carrying fishing vessel to carry passengers for fishing. The vessel must be  
34 able to demonstrate that at least fifty percent (50%) of its annual gross income derives from charters



1 or provides documentation of a minimum of one hundred (100) charter trips annually; and (v) The  
2 vessel must have a valid Rhode Island party and charter boat license. The tax administrator shall  
3 implement the provisions of this subdivision by promulgating rules and regulations relating thereto.

4 (27) Clothing and footwear. From the sales of articles of clothing, including footwear,  
5 intended to be worn or carried on or about the human body for sales prior to October 1, 2012.  
6 Effective October 1, 2012, the exemption will apply to the sales of articles of clothing, including  
7 footwear, intended to be worn or carried on or about the human body up to two hundred and fifty  
8 dollars (\$250) of the sales price per item. For the purposes of this section, "clothing or footwear"  
9 does not include clothing accessories or equipment or special clothing or footwear primarily  
10 designed for athletic activity or protective use as these terms are defined in section 44-18-7.1(f). In  
11 recognition of the work being performed by the streamlined sales and use tax governing board,  
12 upon passage of any federal law that authorizes states to require remote sellers to collect and remit  
13 sales and use taxes, this unlimited exemption will apply as it did prior to October 1, 2012. The  
14 unlimited exemption on sales of clothing and footwear shall take effect on the date that the state  
15 requires remote sellers to collect and remit sales and use taxes.

16 (28) Water for residential use. From the sale and from the storage, use, or other  
17 consumption in this state of water furnished for domestic use by occupants of residential premises.

18 (29) Bibles. [Unconstitutional; see *Ahlburn v. Clark*, 728 A.2d 449 (R.I. 1999); see Notes  
19 to Decisions.] From the sale and from the storage, use, or other consumption in the state of any  
20 canonized scriptures of any tax-exempt nonprofit religious organization including, but not limited  
21 to, the Old Testament and the New Testament versions.

22 (30) Boats.

23 (i) From the sale of a boat or vessel to a bona fide nonresident of this state who does not  
24 register the boat or vessel in this state or document the boat or vessel with the United States  
25 government at a home port within the state, whether the sale or delivery of the boat or vessel is  
26 made in this state or elsewhere; provided, that the nonresident transports the boat within thirty (30)  
27 days after delivery by the seller outside the state for use thereafter solely outside the state.

28 (ii) The tax administrator, in addition to the provisions of §§ 44-19-27 and 44-19-28, may  
29 require the seller of the boat or vessel to keep records of the sales to bona fide nonresidents as the  
30 tax administrator deems reasonably necessary to substantiate the exemption provided in this  
31 subdivision, including the affidavit of the seller that the buyer represented himself or herself to be  
32 a bona fide nonresident of this state and of the buyer that he or she is a nonresident of this state.

33 (31) Youth activities equipment. From the sale, storage, use, or other consumption in this  
34 state of items for not more than twenty dollars (\$20.00) each by nonprofit Rhode Island

1 eleemosynary organizations, for the purposes of youth activities that the organization is formed to  
2 sponsor and support; and by accredited elementary and secondary schools for the purposes of the  
3 schools or of organized activities of the enrolled students.

4 (32) Farm equipment. From the sale and from the storage or use of machinery and  
5 equipment used directly for commercial farming and agricultural production; including, but not  
6 limited to: tractors, ploughs, harrows, spreaders, seeders, milking machines, silage conveyors,  
7 balers, bulk milk storage tanks, trucks with farm plates, mowers, combines, irrigation equipment,  
8 greenhouses and greenhouse coverings, graders and packaging machines, tools and supplies and  
9 other farming equipment, including replacement parts appurtenant to or used in connection with  
10 commercial farming and tools and supplies used in the repair and maintenance of farming  
11 equipment. "Commercial farming" means the keeping or boarding of five (5) or more horses or the  
12 production within this state of agricultural products, including, but not limited to, field or orchard  
13 crops, livestock, dairy, and poultry, or their products, where the keeping, boarding, or production  
14 provides at least two thousand five hundred dollars (\$2,500) in annual gross sales to the operator,  
15 whether an individual, a group, a partnership, or a corporation for exemptions issued prior to July  
16 1, 2002. For exemptions issued or renewed after July 1, 2002, there shall be two (2) levels. Level I  
17 shall be based on proof of annual, gross sales from commercial farming of at least twenty-five  
18 hundred dollars (\$2,500) and shall be valid for purchases subject to the exemption provided in this  
19 subdivision except for motor vehicles with an excise tax value of five thousand dollars (\$5,000) or  
20 greater. Level II shall be based on proof of annual gross sales from commercial farming of at least  
21 ten thousand dollars (\$10,000) or greater and shall be valid for purchases subject to the exemption  
22 provided in this subdivision including motor vehicles with an excise tax value of five thousand  
23 dollars (\$5,000) or greater. For the initial issuance of the exemptions, proof of the requisite amount  
24 of annual gross sales from commercial farming shall be required for the prior year; for any renewal  
25 of an exemption granted in accordance with this subdivision at either level I or level II, proof of  
26 gross annual sales from commercial farming at the requisite amount shall be required for each of  
27 the prior two (2) years. Certificates of exemption issued or renewed after July 1, 2002, shall clearly  
28 indicate the level of the exemption and be valid for four (4) years after the date of issue. This  
29 exemption applies even if the same equipment is used for ancillary uses, or is temporarily used for  
30 a non-farming or a non-agricultural purpose, but shall not apply to motor vehicles acquired after  
31 July 1, 2002, unless the vehicle is a farm vehicle as defined pursuant to § 31-1-8 and is eligible for  
32 registration displaying farm plates as provided for in § 31-3-31.

33 (33) Compressed air. From the sale and from the storage, use, or other consumption in the  
34 state of compressed air.

1 (34) Flags. From the sale and from the storage, consumption, or other use in this state of  
2 United States, Rhode Island or POW-MIA flags.

3 (35) Motor vehicle and adaptive equipment to certain veterans. From the sale of a motor  
4 vehicle and adaptive equipment to and for the use of a veteran with a service-connected loss of or  
5 the loss of use of a leg, foot, hand, or arm, or any veteran who is a double amputee, whether service  
6 connected or not. The motor vehicle must be purchased by and especially equipped for use by the  
7 qualifying veteran. Certificate of exemption or refunds of taxes paid is granted under rules or  
8 regulations that the tax administrator may prescribe.

9 (36) Textbooks. From the sale and from the storage, use, or other consumption in this state  
10 of textbooks by an "educational institution," as defined in subsection (18) of this section, and any  
11 educational institution within the purview of § 16-63-9(4), and used textbooks by any purveyor.

12 (37) Tangible personal property and supplies used in on-site hazardous waste recycling,  
13 reuse, or treatment. From the sale, storage, use, or other consumption in this state of tangible  
14 personal property or supplies used or consumed in the operation of equipment, the exclusive  
15 function of which is the recycling, reuse, or recovery of materials (other than precious metals, as  
16 defined in subdivision (24)(ii) of this section) from the treatment of "hazardous wastes," as defined  
17 in § 23-19.1-4, where the "hazardous wastes" are generated in Rhode Island solely by the same  
18 taxpayer and where the personal property is located at, in, or adjacent to a generating facility of the  
19 taxpayer in Rhode Island. The taxpayer shall procure an order from the director of the department  
20 of environmental management certifying that the equipment and/or supplies as used or consumed,  
21 qualify for the exemption under this subdivision. If any information relating to secret processes or  
22 methods of manufacture, production, or treatment is disclosed to the department of environmental  
23 management only to procure an order, and is a "trade secret" as defined in § 28-21-10(b), it is not  
24 open to public inspection or publicly disclosed unless disclosure is required under chapter 21 of  
25 title 28 or chapter 24.4 of title 23.

26 (38) Promotional and product literature of boat manufacturers. From the sale and from the  
27 storage, use, or other consumption of promotional and product literature of boat manufacturers  
28 shipped to points outside of Rhode Island that either: (i) Accompany the product that is sold; (ii)  
29 Are shipped in bulk to out-of-state dealers for use in the sale of the product; or (iii) Are mailed to  
30 customers at no charge.

31 (39) Food items paid for by food stamps. From the sale and from the storage, use, or other  
32 consumption in this state of eligible food items payment for which is properly made to the retailer  
33 in the form of U.S. government food stamps issued in accordance with the Food Stamp Act of 1977,  
34 7 U.S.C. § 2011 et seq.

1           (40) Transportation charges. From the sale or hiring of motor carriers as defined in § 39-  
2 12-2(12) to haul goods, when the contract or hiring cost is charged by a motor freight tariff filed  
3 with the Rhode Island public utilities commission on the number of miles driven or by the number  
4 of hours spent on the job.

5           (41) Trade-in value of boats. From the sale and from the storage, use, or other consumption  
6 in this state of so much of the purchase price paid for a new or used boat as is allocated for a trade-  
7 in allowance on the boat of the buyer given in trade to the seller or of the proceeds applicable only  
8 to the boat as are received from an insurance claim as a result of a stolen or damaged boat, towards  
9 the purchase of a new or used boat by the buyer.

10          (42) Equipment used for research and development. From the sale and from the storage,  
11 use, or other consumption of equipment to the extent used for research and development purposes  
12 by a qualifying firm. For the purposes of this subsection, "qualifying firm" means a business for  
13 which the use of research and development equipment is an integral part of its operation and  
14 "equipment" means scientific equipment, computers, software, and related items.

15          (43) Coins. From the sale and from the other consumption in this state of coins having  
16 numismatic or investment value.

17          (44) Farm structure construction materials. Lumber, hardware, and other materials used in  
18 the new construction of farm structures, including production facilities such as, but not limited to:  
19 farrowing sheds, free stall and stanchion barns, milking parlors, silos, poultry barns, laying houses,  
20 fruit and vegetable storages, rooting cellars, propagation rooms, greenhouses, packing rooms,  
21 machinery storage, seasonal farm worker housing, certified farm markets, bunker and trench silos,  
22 feed storage sheds, and any other structures used in connection with commercial farming.

23          (45) Telecommunications carrier access service. Carrier access service or  
24 telecommunications service when purchased by a telecommunications company from another  
25 telecommunications company to facilitate the provision of telecommunications service.

26          (46) Boats or vessels brought into the state exclusively for winter storage, maintenance,  
27 repair, or sale. Notwithstanding the provisions of §§ 44-18-10, 44-18-11 and 44-18-20, the tax  
28 imposed by § 44-18-20 is not applicable for the period commencing on the first day of October in  
29 any year up to and including the 30th day of April next succeeding with respect to the use of any  
30 boat or vessel within this state exclusively for purposes of: (i) Delivery of the vessel to a facility in  
31 this state for storage, including dry storage and storage in water by means of apparatus preventing  
32 ice damage to the hull, maintenance, or repair; (ii) The actual process of storage, maintenance, or  
33 repair of the boat or vessel; or (iii) Storage for the purpose of selling the boat or vessel.

34          (47) Jewelry display product. From the sale and from the storage, use, or other consumption

1 in this state of tangible personal property used to display any jewelry product; provided that title to  
2 the jewelry display product is transferred by the jewelry manufacturer or seller and that the jewelry  
3 display product is shipped out of state for use solely outside the state and is not returned to the  
4 jewelry manufacturer or seller.

5 (48) Boats or vessels generally. Notwithstanding the provisions of this chapter, the tax  
6 imposed by §§ 44-18-20 and 44-18-18 shall not apply with respect to the sale and to the storage,  
7 use, or other consumption in this state of any new or used boat. The exemption provided for in this  
8 subdivision does not apply after October 1, 1993, unless prior to October 1, 1993, the federal ten  
9 percent (10%) surcharge on luxury boats is repealed.

10 (49) Banks and regulated investment companies interstate toll-free calls. Notwithstanding  
11 the provisions of this chapter, the tax imposed by this chapter does not apply to the furnishing of  
12 interstate and international, toll-free terminating telecommunication service that is used directly  
13 and exclusively by or for the benefit of an eligible company as defined in this subdivision; provided  
14 that an eligible company employs on average during the calendar year no less than five hundred  
15 (500) "full-time equivalent employees" as that term is defined in § 42-64.5-2. For purposes of this  
16 section, an "eligible company" means a "regulated investment company" as that term is defined in  
17 the Internal Revenue Code of 1986, 26 U.S.C. § 851, or a corporation to the extent the service is  
18 provided, directly or indirectly, to or on behalf of a regulated investment company, an employee  
19 benefit plan, a retirement plan or a pension plan, or a state-chartered bank.

20 (50) Mobile and manufactured homes generally. From the sale and from the storage, use,  
21 or other consumption in this state of mobile and/or manufactured homes as defined and subject to  
22 taxation pursuant to the provisions of chapter 44 of title 31.

23 (51) Manufacturing business reconstruction materials.

24 (i) From the sale and from the storage, use, or other consumption in this state of lumber,  
25 hardware, and other building materials used in the reconstruction of a manufacturing business  
26 facility that suffers a disaster, as defined in this subdivision, in this state. "Disaster" means any  
27 occurrence, natural or otherwise, that results in the destruction of sixty percent (60%) or more of  
28 an operating manufacturing business facility within this state. "Disaster" does not include any  
29 damage resulting from the willful act of the owner of the manufacturing business facility.

30 (ii) Manufacturing business facility includes, but is not limited to, the structures housing  
31 the production and administrative facilities.

32 (iii) In the event a manufacturer has more than one manufacturing site in this state, the sixty  
33 percent (60%) provision applies to the damages suffered at that one site.

34 (iv) To the extent that the costs of the reconstruction materials are reimbursed by insurance,

1 this exemption does not apply.

2 (52) Tangible personal property and supplies used in the processing or preparation of floral  
3 products and floral arrangements. From the sale, storage, use, or other consumption in this state of  
4 tangible personal property or supplies purchased by florists, garden centers, or other like producers  
5 or vendors of flowers, plants, floral products, and natural and artificial floral arrangements that are  
6 ultimately sold with flowers, plants, floral products, and natural and artificial floral arrangements  
7 or are otherwise used in the decoration, fabrication, creation, processing, or preparation of flowers,  
8 plants, floral products, or natural and artificial floral arrangements, including descriptive labels,  
9 stickers, and cards affixed to the flower, plant, floral product, or arrangement, artificial flowers,  
10 spray materials, floral paint and tint, plant shine, flower food, insecticide, and fertilizers.

11 (53) Horse food products. From the sale and from the storage, use, or other consumption  
12 in this state of horse food products purchased by a person engaged in the business of the boarding  
13 of horses.

14 (54) Non-motorized recreational vehicles sold to nonresidents.

15 (i) From the sale, subsequent to June 30, 2003, of a non-motorized recreational vehicle to  
16 a bona fide nonresident of this state who does not register the non-motorized recreational vehicle  
17 in this state, whether the sale or delivery of the non-motorized recreational vehicle is made in this  
18 state or at the place of residence of the nonresident; provided that a non-motorized recreational  
19 vehicle sold to a bona fide nonresident whose state of residence does not allow a like exemption to  
20 its nonresidents is not exempt from the tax imposed under § 44-18-20; provided, further, that in  
21 that event the bona fide nonresident pays a tax to Rhode Island on the sale at a rate equal to the rate  
22 that would be imposed in his or her state of residence not to exceed the rate that would have been  
23 imposed under § 44-18-20. Notwithstanding any other provisions of law, a licensed, non-motorized  
24 recreational vehicle dealer shall add and collect the tax required under this subdivision and remit  
25 the tax to the tax administrator under the provisions of chapters 18 and 19 of this title. Provided,  
26 that when a Rhode Island licensed, non-motorized recreational vehicle dealer is required to add and  
27 collect the sales and use tax on the sale of a non-motorized recreational vehicle to a bona fide  
28 nonresident as provided in this section, the dealer in computing the tax takes into consideration the  
29 law of the state of the nonresident as it relates to the trade-in of motor vehicles.

30 (ii) The tax administrator, in addition to the provisions of §§ 44-19-27 and 44-19-28, may  
31 require any licensed, non-motorized recreational vehicle dealer to keep records of sales to bona fide  
32 nonresidents as the tax administrator deems reasonably necessary to substantiate the exemption  
33 provided in this subdivision, including the affidavit of a licensed, non-motorized recreational  
34 vehicle dealer that the purchaser of the non-motorized recreational vehicle was the holder of, and

1 had in his or her possession a valid out-of-state non-motorized recreational vehicle registration or  
2 a valid out-of-state driver's license.

3 (iii) Any nonresident who registers a non-motorized recreational vehicle in this state within  
4 ninety (90) days of the date of its sale to him or her is deemed to have purchased the non-motorized  
5 recreational vehicle for use, storage, or other consumption in this state, and is subject to, and liable  
6 for, the use tax imposed under the provisions of § 44-18-20.

7 (iv) "Non-motorized recreational vehicle" means any portable dwelling designed and  
8 constructed to be used as a temporary dwelling for travel, camping, recreational, and vacation use  
9 that is eligible to be registered for highway use, including, but not limited to, "pick-up coaches" or  
10 "pick-up campers," "travel trailers," and "tent trailers" as those terms are defined in chapter 1 of  
11 title 31.

12 (55) Sprinkler and fire alarm systems in existing buildings. From the sale in this state of  
13 sprinkler and fire alarm systems; emergency lighting and alarm systems; and the materials  
14 necessary and attendant to the installation of those systems that are required in buildings and  
15 occupancies existing therein in July 2003 in order to comply with any additional requirements for  
16 such buildings arising directly from the enactment of the Comprehensive Fire Safety Act of 2003  
17 and that are not required by any other provision of law or ordinance or regulation adopted pursuant  
18 to that act. The exemption provided in this subdivision shall expire on December 31, 2008.

19 (56) Aircraft. Notwithstanding the provisions of this chapter, the tax imposed by §§ 44-18-  
20 18 and 44-18-20 shall not apply with respect to the sale and to the storage, use, or other consumption  
21 in this state of any new or used aircraft or aircraft parts.

22 (57) Renewable energy products. Notwithstanding any other provisions of Rhode Island  
23 general laws, the following products shall also be exempt from sales tax: solar photovoltaic  
24 modules or panels, or any module or panel that generates electricity from light; solar thermal  
25 collectors, including, but not limited to, those manufactured with flat glass plates, extruded plastic,  
26 sheet metal, and/or evacuated tubes; geothermal heat pumps, including both water-to-water and  
27 water-to-air type pumps; wind turbines; towers used to mount wind turbines if specified by or sold  
28 by a wind turbine manufacturer; DC to AC inverters that interconnect with utility power lines; and  
29 manufactured mounting racks and ballast pans for solar collector, module, or panel installation. Not  
30 to include materials that could be fabricated into such racks; monitoring and control equipment, if  
31 specified or supplied by a manufacturer of solar thermal, solar photovoltaic, geothermal, or wind  
32 energy systems or if required by law or regulation for such systems but not to include pumps, fans  
33 or plumbing or electrical fixtures unless shipped from the manufacturer affixed to, or an integral  
34 part of, another item specified on this list; and solar storage tanks that are part of a solar domestic

1 hot water system or a solar space heating system. If the tank comes with an external heat exchanger  
2 it shall also be tax exempt, but a standard hot water tank is not exempt from state sales tax.

3 (58) Returned property. The amount charged for property returned by customers upon  
4 rescission of the contract of sale when the entire amount exclusive of handling charges paid for the  
5 property is refunded in either cash or credit, and where the property is returned within one hundred  
6 twenty (120) days from the date of delivery.

7 (59) Dietary supplements. From the sale and from the storage, use, or other consumption  
8 of dietary supplements as defined in § 44-18-7.1(l)(v), sold on prescriptions.

9 (60) Blood. From the sale and from the storage, use, or other consumption of human blood.

10 (61) Agricultural products for human consumption. From the sale and from the storage,  
11 use, or other consumption of livestock and poultry of the kinds of products that ordinarily constitute  
12 food for human consumption and of livestock of the kind the products of which ordinarily constitute  
13 fibers for human use.

14 (62) Diesel emission control technology. From the sale and use of diesel retrofit technology  
15 that is required by § 31-47.3-4.

16 (63) Feed for certain animals used in commercial farming. From the sale of feed for animals  
17 as described in subsection (61) of this section.

18 (64) Alcoholic beverages. From the sale and storage, use, or other consumption in this state  
19 by a Class A licensee of alcoholic beverages, as defined in § 44-18-7.1, excluding beer and malt  
20 beverages; provided, further, notwithstanding § 6-13-1 or any other general or public law to the  
21 contrary, alcoholic beverages, as defined in § 44-18-7.1, shall not be subject to minimum markup.

22 (65) Seeds and plants used to grow food and food ingredients. From the sale, storage, use,  
23 or other consumption in this state of seeds and plants used to grow food and food ingredients as  
24 defined in § 44-18-7.1(i). "Seeds and plants used to grow food and food ingredients" shall not  
25 include marijuana seeds or plants.

26 (66) Feminine hygiene products. From the sale and from the storage, use, or other  
27 consumption of tampons, panty liners, menstrual cups, sanitary napkins, and other similar products  
28 the principal use of which is feminine hygiene in connection with the menstrual cycle.

29 (67) Breast pump products. From the sale and from the storage, use, or other consumption  
30 of breast pumps and breast pump collection and storage supplies, when sold to individuals for home  
31 use and any repair or replacement parts for such products.

32 SECTION 9. Section 44-30-12 of the General Laws in Chapter 44-30 entitled "Personal  
33 Income Tax" is hereby amended to read as follows:

34 **44-30-12 Rhode Island income of a resident individual.**



1 (a) General. The Rhode Island income of a resident individual means his or her adjusted  
2 gross income for federal income tax purposes, with the modifications specified in this section.

3 (b) Modifications increasing federal adjusted gross income. There shall be added to federal  
4 adjusted gross income:

5 (1) Interest income on obligations of any state, or its political subdivisions, other than  
6 Rhode Island or its political subdivisions;

7 (2) Interest or dividend income on obligations or securities of any authority, commission,  
8 or instrumentality of the United States, but not of Rhode Island or its political subdivisions, to the  
9 extent exempted by the laws of the United States from federal income tax but not from state income  
10 taxes;

11 (3) The modification described in § 44-30-25(g);

12 (4) (i) The amount defined below of a nonqualified withdrawal made from an account in  
13 the tuition savings program pursuant to § 16-57-6.1. For purposes of this section, a nonqualified  
14 withdrawal is:

15 (A) A transfer or rollover to a qualified tuition program under Section 529 of the Internal  
16 Revenue Code, 26 U.S.C. § 529, other than to the tuition savings program referred to in § 16-57-  
17 6.1; and

18 (B) A withdrawal or distribution that is:

19 (I) Not applied on a timely basis to pay "qualified higher education expenses" as defined  
20 in § 16-57-3(12) of the beneficiary of the account from which the withdrawal is made;

21 (II) Not made for a reason referred to in § 16-57-6.1(e); or

22 (III) Not made in other circumstances for which an exclusion from tax made applicable by  
23 Section 529 of the Internal Revenue Code, 26 U.S.C. § 529, pertains if the transfer, rollover,  
24 withdrawal, or distribution is made within two (2) taxable years following the taxable year for  
25 which a contributions modification pursuant to subsection (c)(4) of this section is taken based on  
26 contributions to any tuition savings program account by the person who is the participant of the  
27 account at the time of the contribution, whether or not the person is the participant of the account  
28 at the time of the transfer, rollover, withdrawal or distribution;

29 (ii) In the event of a nonqualified withdrawal under subsection (b)(4)(i)(A) or (b)(4)(i)(B)  
30 of this section, there shall be added to the federal adjusted gross income of that person for the  
31 taxable year of the withdrawal an amount equal to the lesser of:

32 (A) The amount equal to the nonqualified withdrawal reduced by the sum of any  
33 administrative fee or penalty imposed under the tuition savings program in connection with the  
34 nonqualified withdrawal plus the earnings portion thereof, if any, includible in computing the

1 person's federal adjusted gross income for the taxable year; and

2 (B) The amount of the person's contribution modification pursuant to subsection (c)(4) of  
3 this section for the person's taxable year of the withdrawal and the two (2) prior taxable years less  
4 the amount of any nonqualified withdrawal for the two (2) prior taxable years included in  
5 computing the person's Rhode Island income by application of this subsection for those years. Any  
6 amount added to federal adjusted gross income pursuant to this subdivision shall constitute Rhode  
7 Island income for residents, nonresidents and part-year residents;

8 (5) The modification described in § 44-30-25.1(d)(3)(i);

9 (6) The amount equal to any unemployment compensation received but not included in  
10 federal adjusted gross income;

11 (7) The amount equal to the deduction allowed for sales tax paid for a purchase of a  
12 qualified motor vehicle as defined by the Internal Revenue Code § 164(a)(6); and

13 (8) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck  
14 Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus  
15 Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or  
16 any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount  
17 of the loan forgiven exceeds \$250,000, including an individual's distributive share of the amount  
18 of a pass-through entity's loan forgiveness in excess of \$250,000.

19 (c) Modifications reducing federal adjusted gross income. There shall be subtracted from  
20 federal adjusted gross income:

21 (1) Any interest income on obligations of the United States and its possessions to the extent  
22 includible in gross income for federal income tax purposes, and any interest or dividend income on  
23 obligations, or securities of any authority, commission, or instrumentality of the United States to  
24 the extent includible in gross income for federal income tax purposes but exempt from state income  
25 taxes under the laws of the United States; provided, that the amount to be subtracted shall in any  
26 case be reduced by any interest on indebtedness incurred or continued to purchase or carry  
27 obligations or securities the income of which is exempt from Rhode Island personal income tax, to  
28 the extent the interest has been deducted in determining federal adjusted gross income or taxable  
29 income;

30 (2) A modification described in § 44-30-25(f) or § 44-30-1.1(c)(1);

31 (3) The amount of any withdrawal or distribution from the "tuition savings program"  
32 referred to in § 16-57-6.1 that is included in federal adjusted gross income, other than a withdrawal  
33 or distribution or portion of a withdrawal or distribution that is a nonqualified withdrawal;

34 (4) Contributions made to an account under the tuition savings program, including the

1 "contributions carryover" pursuant to subsection (c)(4)(iv) of this section, if any, subject to the  
2 following limitations, restrictions and qualifications:

3 (i) The aggregate subtraction pursuant to this subdivision for any taxable year of the  
4 taxpayer shall not exceed five hundred dollars (\$500) or one thousand dollars (\$1,000) if a joint  
5 return;

6 (ii) The following shall not be considered contributions:

7 (A) Contributions made by any person to an account who is not a participant of the account  
8 at the time the contribution is made;

9 (B) Transfers or rollovers to an account from any other tuition savings program account or  
10 from any other "qualified tuition program" under section 529 of the Internal Revenue Code, 26  
11 U.S.C. § 529; or

12 (C) A change of the beneficiary of the account;

13 (iii) The subtraction pursuant to this subdivision shall not reduce the taxpayer's federal  
14 adjusted gross income to less than zero (0);

15 (iv) The contributions carryover to a taxable year for purpose of this subdivision is the  
16 excess, if any, of the total amount of contributions actually made by the taxpayer to the tuition  
17 savings program for all preceding taxable years for which this subsection is effective over the sum  
18 of:

19 (A) The total of the subtractions under this subdivision allowable to the taxpayer for all  
20 such preceding taxable years; and

21 (B) That part of any remaining contribution carryover at the end of the taxable year which  
22 exceeds the amount of any nonqualified withdrawals during the year and the prior two (2) taxable  
23 years not included in the addition provided for in this subdivision for those years. Any such part  
24 shall be disregarded in computing the contributions carryover for any subsequent taxable year;

25 (v) For any taxable year for which a contributions carryover is applicable, the taxpayer  
26 shall include a computation of the carryover with the taxpayer's Rhode Island personal income tax  
27 return for that year, and if for any taxable year on which the carryover is based the taxpayer filed a  
28 joint Rhode Island personal income tax return but filed a return on a basis other than jointly for a  
29 subsequent taxable year, the computation shall reflect how the carryover is being allocated between  
30 the prior joint filers;

31 (5) The modification described in § 44-30-25.1(d)(1);

32 (6) Amounts deemed taxable income to the taxpayer due to payment or provision of  
33 insurance benefits to a dependent, including a domestic partner pursuant to chapter 12 of title 36 or  
34 other coverage plan;

1 (7) Modification for organ transplantation.

2 (i) An individual may subtract up to ten thousand dollars (\$10,000) from federal adjusted  
3 gross income if he or she, while living, donates one or more of his or her human organs to another  
4 human being for human organ transplantation, except that for purposes of this subsection, "human  
5 organ" means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract  
6 modification that is claimed hereunder may be claimed in the taxable year in which the human  
7 organ transplantation occurs.

8 (ii) An individual may claim that subtract modification hereunder only once, and the  
9 subtract modification may be claimed for only the following unreimbursed expenses that are  
10 incurred by the claimant and related to the claimant's organ donation:

11 (A) Travel expenses.

12 (B) Lodging expenses.

13 (C) Lost wages.

14 (iii) The subtract modification hereunder may not be claimed by a part-time resident or a  
15 nonresident of this state;

16 (8) Modification for taxable Social Security income.

17 (i) For tax years beginning on or after January 1, 2016:

18 (A) For a person who has attained the age used for calculating full or unreduced social  
19 security retirement benefits who files a return as an unmarried individual, head of household, or  
20 married filing separate whose federal adjusted gross income for the taxable year is less than eighty  
21 thousand dollars (\$80,000); or

22 (B) A married individual filing jointly or individual filing qualifying widow(er) who has  
23 attained the age used for calculating full or unreduced social security retirement benefits whose  
24 joint federal adjusted gross income for the taxable year is less than one hundred thousand dollars  
25 (\$100,000), an amount equal to the social security benefits includible in federal adjusted gross  
26 income.

27 (ii) Adjustment for inflation. The dollar amount contained in subsections (c)(8)(i)(A) and  
28 (c)(8)(i)(B) of this section shall be increased annually by an amount equal to:

29 (A) Such dollar amount contained in subsections (c)(8)(i)(A) and (c)(8)(i)(B) of this section  
30 adjusted for inflation using a base tax year of 2000, multiplied by;

31 (B) The cost-of-living adjustment with a base year of 2000.

32 (iii) For the purposes of this section the cost-of-living adjustment for any calendar year is  
33 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds  
34 the consumer price index for the base year. The consumer price index for any calendar year is the

1 average of the consumer price index as of the close of the twelve-month (12) period ending on  
2 August 31, of such calendar year.

3 (iv) For the purpose of this section the term "consumer price index" means the last  
4 consumer price index for all urban consumers published by the department of labor. For the purpose  
5 of this section the revision of the consumer price index which is most consistent with the consumer  
6 price index for calendar year 1986 shall be used.

7 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),  
8 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a  
9 married individual filing separate return, if any increase determined under this section is not a  
10 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple  
11 of twenty-five dollars (\$25.00);

12 (9) Modification ~~for up to fifteen thousand dollars (\$15,000)~~ of taxable retirement income  
13 from certain pension plans or annuities.

14 (i) For tax years beginning on or after January 1, 2017 until tax year beginning January 1,  
15 2022, a modification shall be allowed for up to fifteen thousand dollars (\$15,000), and for tax years  
16 beginning on or after January 1, 2023 a modification shall be allowed for up to twenty thousand  
17 dollars (\$20,000), of taxable pension and/or annuity income that is included in federal adjusted  
18 gross income for the taxable year:

19 (A) For a person who has attained the age used for calculating full or unreduced social  
20 security retirement benefits who files a return as an unmarried individual, head of household, or  
21 married filing separate whose federal adjusted gross income for such taxable year is less than the  
22 amount used for the modification contained in subsection (c)(8)(i)(A) of this section an amount not  
23 to exceed \$15,000 for tax years beginning on or after January 1, 2017 until tax year beginning  
24 January 1, 2022, and an amount not to exceed twenty thousand dollars (\$20,000) for tax years  
25 beginning on or after January 1, 2023, of taxable pension and/or annuity income includible in  
26 federal adjusted gross income; or

27 (B) For a married individual filing jointly or individual filing qualifying widow(er) who  
28 has attained the age used for calculating full or unreduced social security retirement benefits whose  
29 joint federal adjusted gross income for such taxable year is less than the amount used for the  
30 modification contained in subsection (c)(8)(i)(B) of this section an amount not to exceed \$15,000  
31 for tax years beginning on or after January 1, 2017 until tax year beginning January 1, 2022, and  
32 an amount not to exceed twenty thousand dollars (\$20,000) for tax years beginning on or after  
33 January 1, 2023, of taxable pension and/or annuity income includible in federal adjusted gross  
34 income.

1 (ii) Adjustment for inflation. The dollar amount contained by reference in subsections  
2 (c)(9)(i)(A) and (c)(9)(i)(B) of this section shall be increased annually for tax years beginning on  
3 or after January 1, 2018, by an amount equal to:

4 (A) Such dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B)  
5 of this section adjusted for inflation using a base tax year of 2000, multiplied by;

6 (B) The cost-of-living adjustment with a base year of 2000.

7 (iii) For the purposes of this section, the cost-of-living adjustment for any calendar year is  
8 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds  
9 the consumer price index for the base year. The consumer price index for any calendar year is the  
10 average of the consumer price index as of the close of the twelve-month (12) period ending on  
11 August 31, of such calendar year.

12 (iv) For the purpose of this section, the term "consumer price index" means the last  
13 consumer price index for all urban consumers published by the department of labor. For the purpose  
14 of this section, the revision of the consumer price index which is most consistent with the consumer  
15 price index for calendar year 1986 shall be used.

16 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),  
17 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a  
18 married individual filing a separate return, if any increase determined under this section is not a  
19 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple  
20 of twenty-five dollars (\$25.00); and

21 (vi) For tax years beginning on or after January 1, 2022, the dollar amount contained by  
22 reference in subsection (c)(9)(i)(A) shall be adjusted to equal the dollar amount contained in  
23 subsection (c)(8)(i)(A), as adjusted for inflation, and the dollar amount contained by reference in  
24 subsection(c)(9)(i)(B) shall be adjusted to equal the dollar amount contained in subsection  
25 (c)(8)(i)(B), as adjusted for inflation.

26 (10) Modification for Rhode Island investment in opportunity zones. For purposes of a  
27 taxpayer's state tax liability, in the case of any investment in a Rhode Island opportunity zone by  
28 the taxpayer for at least seven (7) years, a modification to income shall be allowed for the  
29 incremental difference between the benefit allowed under 26 U.S.C. § 1400Z-2(b)(2)(B)(iv) and  
30 the federal benefit allowed under 26 U.S.C. § 1400Z-2(c); and

31 (11) Modification for military service pensions.

32 (i) For purposes of a taxpayer's state tax liability, a modification to income shall be allowed  
33 as follows:

34 (A) For the tax year beginning on January 1, 2023, a taxpayer may subtract from federal

1 adjusted gross income the taxpayer's military service pension benefits included in federal adjusted  
2 gross income;

3 (ii) As used in this subsection, the term "military service" shall have the same meaning as  
4 set forth in 20 CFR Section 212.2.

5 (iii) At no time shall the modification allowed under this subsection alone or in conjunction  
6 with subsection (c)(9) exceed the amount of the military service pension received in the tax year  
7 for which the modification is claimed.

8 (12) Any rebate issued to the taxpayer pursuant to § 44-30-103 to the extent included in  
9 gross income for federal tax purposes.

10 (d) Modification for Rhode Island fiduciary adjustment. There shall be added to, or  
11 subtracted from, federal adjusted gross income (as the case may be) the taxpayer's share, as  
12 beneficiary of an estate or trust, of the Rhode Island fiduciary adjustment determined under § 44-  
13 30-17.

14 (e) Partners. The amounts of modifications required to be made under this section by a  
15 partner, which relate to items of income or deduction of a partnership, shall be determined under §  
16 44-30-15.

17 SECTION 10. Chapter 30 of Title 44 of the General Laws entitled "Personal Income Tax"  
18 is amended to add Section 103 as follows:

19 **44-30-103. Child Tax Rebates.**

20 (a) As used in this section, (1) "child" means an individual who is eighteen years of age or  
21 under as of December 31, 2021, and (2) "eligible taxpayer" means any natural person domiciled in  
22 this state who filed a Rhode Island state personal income tax return for the 2021 taxable year by  
23 the due date for filing said return either as a:

24 (1) Single, married filing separately, head of household, or qualifying widow/widower  
25 taxpayer with a federal adjusted gross income of \$100,000.00 or less for the 2021 taxable year; or

26 (2) Married filing jointly with a federal adjusted gross income of \$200,000.00 or less.

27 (b) (1) An eligible taxpayer will be issued a rebate payment in the amount of two hundred  
28 fifty dollars for each child, up to a maximum of three children, who the eligible taxpayer validly  
29 claims as a dependent on such taxpayer's Rhode Island state personal income tax return properly  
30 filed with this state for the 2021 taxable year by the due date for filing said return.

31 (2) The rebate amount shall be determined by the division of taxation based on the eligible  
32 taxpayer's Rhode Island state personal income tax return filed for the 2021 taxable year in  
33 accordance with this section and no determination shall be based on amended filings received by  
34 the division of taxation after August 31, 2022.

1 (3) In the case of a married couple filing separately, the rebate payment will be made to the  
2 eligible taxpayer making the filing and in the case of a married couple filing jointly, the rebate  
3 payment will be made jointly to the eligible taxpayers.

4 (4) Rebate payments made under this subsection shall not be subject to offset pursuant to  
5 chapter 44-30.1 and shall not be considered income for the purposes of state personal income tax  
6 under chapter 44-30 or for determining eligibility for any state program.

7 (5) In no event shall the rebate amount provided for in this section accrue interest for the  
8 benefit of any eligible taxpayer.

9 (6) In addition to all other penalties provided under Rhode Island state law, any eligible  
10 taxpayer that fraudulently claims a dependent on the taxpayer's Rhode Island state personal income  
11 tax return shall pay a ten thousand dollar (\$10,000) penalty for each dependent fraudulently claimed  
12 and shall pay any rebate amount fraudulently received. The tax administrator shall have the same  
13 powers to collect payment under this subsection as under title 44 of the general laws.

14 SECTION 11. Section 44-33-9 of the General Laws in Chapter 44-33 entitled "Property  
15 Tax Relief" is hereby amended to read as follows:

16 **44-33-9. Computation of credit.**

17 The amount of any claim made pursuant to this chapter shall be determined as follows:

18 (1) For any taxable year, a claimant is entitled to a credit against his or her tax liability  
19 equal to the amount by which the property taxes accrued or rent constituting property taxes accrued  
20 upon the claimant's homestead for the taxable year exceeds a certain percentage of the claimant's  
21 total household income for that taxable year, which percentage is based upon income level and  
22 household size. The credit shall be computed in accordance with the following table:

Income Range	1 Person	2 or More Persons
less than \$6000	3%	3%
\$6001-9000	4%	4%
\$9001-12000	5%	5%
\$12001-15000	6%	5%
\$15001- <del>30000</del> <u>35000</u>	6%	6%

29 (2) The maximum amount of the credit granted under this chapter will be as follows:

Year	Credit Maximum
Commencing July 1977	\$55.00
Commencing July 1978	\$150.00
Commencing July 1979	\$175.00
Commencing July 1980	\$200.00



1 Commencing on July 1997 and subsequent years \$250.00

2 Commencing on July 2006 \$300.00

3 Commencing July 2007 ~~and subsequent years~~ until July 2022, the credit shall be increased,  
4 at a minimum, to the maximum amount to the nearest five dollars (\$5.00) increment within the  
5 allocation of five one-hundredths of one percent (0.05%) of net terminal income derived from video  
6 lottery games up to a maximum of five million dollars (\$5,000,000) until a maximum credit of five  
7 hundred dollars (\$500) is obtained pursuant to the provisions of § 42-61-15. In no event shall the  
8 exemption in any fiscal year be less than the prior fiscal year.

9 Commencing July 2022 the maximum credit shall be six hundred dollars (\$600).

10 Commencing July 2023 and subsequent years, the income range provided pursuant to  
11 subsection (1) of this section and the maximum credit granted pursuant to subsection (2) of this  
12 section shall be adjusted by the percentage increase in the Consumer Price Index for all Urban  
13 Consumers (CPI-U) as published by the United States Department of Labor Statistics determined  
14 as of September 30 of the prior calendar years. Said adjustment shall be compounded annually and  
15 shall be rounded up to the nearest five dollar (\$5.00) increment. In no event shall the income range  
16 or the maximum credit in any fiscal year be less than the prior fiscal year.

17 SECTION 12. Chapter 44-34.1 of the General Laws entitled "Motor Vehicle and Trailer  
18 Excise Tax Elimination Act of 1998" is hereby amended by adding thereto the following section:

19 **44-34.1-5. Excise tax elimination.**

20 (a) Notwithstanding any provisions of the general or public laws to the contrary, for each  
21 city, town, and fire district, except for the city of East Providence:

22 (1) The motor vehicle and trailer excise tax established by § 44-34-1 shall be repealed  
23 effective July 1, 2022. For fiscal year 2023 and thereafter, no tax shall be levied.

24 (2) For fiscal year 2023, each city, town, and fire district shall receive a reimbursement  
25 equal to the amount it received in fiscal year 2017 plus its FY 2018 baseline amount ("FY 2023  
26 reimbursement amount"). A city, town, or fire district is entitled to receive additional  
27 reimbursement in fiscal year 2023 as follows:

28 (i) If the department of revenue certifies that a city, town, or fire district's budgeted motor  
29 vehicle levy for the assessment date of December 31, 2021 is in excess of its FY 2023  
30 reimbursement amount, the city, town, or fire district shall be reimbursed the difference between  
31 such motor vehicle levy and its FY2023 reimbursement amount.

32 (3) Any fire district reimbursement amounts outstanding as of the effective date of this act  
33 shall be distributed by August 1, 2022.

34 (4) For fiscal year 2024 and thereafter, cities, towns, and fire districts shall receive

1 [reimbursements in accordance with § 44-34.1-2.](#)

2 [\(b\) Notwithstanding any provisions of the general or public laws to the contrary, for the](#)  
3 [city of East Providence the following shall apply:](#)

4 [\(1\) It shall levy the excise tax in its fiscal year 2022 because its implementation of the](#)  
5 [phase out was delayed by one year to match its fiscal year.](#)

6 [\(2\) The motor vehicle and trailer excise tax established by § 44-34-1 shall be repealed](#)  
7 [effective July 1, 2023.](#)

8 [\(3\) For its fiscal year 2023 and thereafter, no tax shall be levied, and the city of East](#)  
9 [Providence shall receive reimbursements in accordance with § 44-34.1-2.](#)

10 SECTION 13. Section 45-13-14 of the General Laws in Chapter 45-13 entitled "State Aid"  
11 is hereby amended to read as follows:

12 **45-13-14. Adjustments to tax levy, assessed value, and full value when computing state**  
13 **aid.**

14 (a) Whenever the director of revenue computes the relative wealth of municipalities for the  
15 purpose of distributing state aid in accordance with title 16 and the provisions of § 45-13-12, he or  
16 she shall base it on the full value of all property except:

17 (1) That exempted from taxation by acts of the general assembly and reimbursed under §  
18 45-13-5.1 of the general laws, which shall have its value calculated as if the payment in lieu of tax  
19 revenues received pursuant to § 45-13-5.1, has resulted from a tax levy;

20 (2) That whose tax levy or assessed value is based on a tax treaty agreement authorized by  
21 a special public law or by reason of agreements between a municipality and the economic  
22 development corporation in accordance with § 42-64-20 prior to May 15, 2005, which shall not  
23 have its value included;

24 (3) That whose tax levy or assessed value is based on tax treaty agreements or tax  
25 stabilization agreements in force prior to May 15, 2005, which shall not have its value included;

26 (4) That which is subject to a payment in lieu of tax agreement in force prior to May 15,  
27 2005;

28 (5) Any other property exempt from taxation under state law; ~~or~~

29 (6) Any property subject to chapter 27 of title 44, taxation of Farm, Forest, and Open Space  
30 Land; ~~or~~

31 [\(7\) Any property exempt from taxation, in whole or in part, under the provisions of](#)  
32 [subsections \(a\)\(51\), \(a\)\(66\), or \(c\) of § 44-3-3, § 44-3-47, § 44-3-65, or any other provision of law](#)  
33 [that enables a city, town, or fire district to establish a tangible personal property exemption, which](#)  
34 [shall have its value calculated as the full value of the property minus the exemption amount.](#)

1           (b) The tax levy of each municipality and fire district shall be adjusted for any real estate  
2 and personal property exempt from taxation by act of the general assembly by the amount of  
3 payment in lieu of property tax revenue anticipated to be received pursuant to § 45-13-5.1 relating  
4 to property tax from certain exempt private and state properties, and for any property subject to any  
5 payment in lieu of tax agreements, any tax treaty agreements or tax stabilization agreements in  
6 force after May 15, 2005, by the amount of the payment in lieu of taxes pursuant to such  
7 agreements.

8           (c) Fire district tax levies within a city or town shall be included as part of the total levy  
9 attributable to that city or town.

10           (d) The changes as required by subsections (a) through (c) of this section shall be  
11 incorporated into the computation of entitlements effective for distribution in fiscal year 2007-2008  
12 and thereafter.

13           SECTION 14. Section 8 of this article shall take effect on October 1, 2022. Sections 1  
14 through 7 and Sections 9 through 13 shall take effect upon passage.

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**ARTICLE 7**

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2022

SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2022. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

	<b>FY 2022</b>	<b>FY 2022</b>	<b>FY 2022</b>
	<b>Enacted</b>	<b>Change</b>	<b>FINAL</b>
<b>Administration</b>			
<i>Central Management</i>			
General Revenues	2,569,679	2,221,733	4,791,412
Federal Funds	261,031,499	29,273,381	290,304,880
Total - Central Management	263,601,178	31,495,114	295,096,292
<i>Legal Services</i>			
General Revenues	2,262,149	(68,400)	2,193,749
<i>Accounts and Control</i>			
General Revenues	4,103,385	341,438	4,444,823
Federal Funds			
Federal Funds – State Fiscal Recovery Fund			
Pandemic Recovery Office	0	7,011,307	7,011,307
Capital Projects Fund			
CPF Administration	0	15,137	15,137
Restricted Receipts -			
OPEB Board Administration	137,697	(414)	137,283
Restricted Receipts -			
Grants Management Administration	9,096,567	(4,299,480)	4,797,087

1	Total - Accounts and Control	13,337,649	3,067,988	16,405,637
2	<i>Office of Management and Budget</i>			
3	General Revenues	8,285,227	275,363	8,560,590
4	Federal Funds	224,755	(112,823)	111,932
5	Restricted Receipts	300,000	0	300,000
6	Other Funds	1,117,615	92,179	1,209,794
7	Total - Office of Management and Budget	9,927,597	254,719	10,182,316
8	<i>Purchasing</i>			
9	General Revenues	3,275,536	131,126	3,406,662
10	Restricted Receipts	298,059	122,368	420,427
11	Other Funds	497,386	58,034	555,420
12	Total - Purchasing	4,070,981	311,528	4,382,509
13	<i>Human Resources</i>			
14	General Revenues	1,099,549	(200,000)	899,549
15	<i>Personnel Appeal Board</i>			
16	General Revenues	120,050	5,305	125,355
17	<i>Information Technology</i>			
18	General Revenues	721,340	74,802,044	75,523,384
19	<a href="#"><u>Provided that of this general revenue amount, \$75,000,000 shall be transferred to the</u></a>			
20	<a href="#"><u>Information Technology Investment Fund by June 30, 2022.</u></a>			
21	Restricted Receipts	9,625,165	(419,412)	9,205,753
22	Provided that of the total available in the Information Technology Investment Fund as of			
23	July 1, 2021, \$50.0 million shall be made available for the implementation and development of the			
24	Enterprise Resource Planning Information Technology Improvements project. Provided further that			
25	\$17.0 million shall be made available for a new child welfare system to replace the current Rhode			
26	Island Children's Information System.			
27	Total - Information Technology	10,346,505	74,382,632	84,729,137
28	<i>Library and Information Services</i>			
29	General Revenues	1,640,558	73,667	1,714,225
30	Federal Funds	3,796,916	520,390	4,317,306
31	Restricted Receipts	6,990	0	6,990
32	Total - Library and Information Services	5,444,464	594,057	6,038,521
33	<i>Planning</i>			
34	General Revenues	663,930	38,593	702,523

1	Federal Funds	22,700	72,748	95,448
2	Other Funds			
3	Air Quality Modeling	24,000	0	24,000
4	Federal Highway -			
5	PL Systems Planning	3,483,469	356,040	3,839,509
6	State Transportation Planning Match	485,673	97,047	582,720
7	FTA - Metro Planning Grant	1,241,337	90,479	1,331,816
8	Total - Planning	5,921,109	654,907	6,576,016
9	<i>General</i>			
10	General Revenues			
11	Miscellaneous Grants/Payments	130,000	0	130,000
12	Provided that this amount be allocated to City Year for the Whole School Whole Child			
13	Program, which provides individualized support to at-risk students.			
14	Torts - Courts/Awards	650,000	1,244,711	1,894,711
15	Resource Sharing and State Library Aid	9,562,072	0	9,562,072
16	Library Construction Aid	2,102,866	0	2,102,866
17	Advance Payment of Pension Deferrals	0	61,780,491	61,780,491
18	Transfer to RICAP Fund	0	563,000,000	563,000,000
19	Federal Funds - State Fiscal Recovery Fund			
20	Aid to the Convention Center	0	5,000,000	5,000,000
21	<u>Provided that these federal funds shall be allocated to provide operating support to the</u>			
22	<u>Rhode Island Convention Center Authority.</u>			
23	Restricted Receipts	700,000	0	700,000
24	Other Funds			
25	Rhode Island Capital Plan Funds			
26	Security Measures State Buildings	500,000	356,355	856,355
27	Energy Efficiency Improvements	1,250,000	0	1,250,000
28	Cranston Street Armory	325,000	937	325,937
29	State House Renovations	1,478,000	(92,000)	1,386,000
30	Zambarano Utilities & Infrastructure	1,350,000	43,887	1,393,887
31	Replacement of Fueling Tanks	800,000	244,770	1,044,770
32	Environmental Compliance	400,000	65,961	465,961
33	Big River Management Area	250,000	97,461	347,461
34	Shepard Building	1,500,000	466,635	1,966,635

1	Pastore Center Water Tanks & Pipes	100,000	107,681	207,681
2	RI Convention Center Authority	2,000,000	0	2,000,000
3	Pastore Center Power Plant Rehabilitation	734,000	544,484	1,278,484
4	Accessibility - Facility Renovations	1,000,000	392,736	1,392,736
5	DoIT Enterprise Operations Center	800,000	(550,000)	250,000
6	BHDDH MH & Community Facilities			
7	- Asset Protection	300,000	7,228	307,228
8	BHDDH DD & Community Homes			
9	- Fire Code	325,000	430,265	755,265
10	BHDDH DD Regional Facilities			
11	- Asset Protection	450,000	68,295	518,295
12	BHDDH Substance Abuse			
13	- Asset Protection	375,000	145,442	520,442
14	BHDDH Group Homes	750,000	48,130	798,130
15	Statewide Facility Master Plan	116,467	71,783	188,250
16	Cannon Building	800,000	313,028	1,113,028
17	Old State House	100,000	375,952	475,952
18	State Office Building	100,000	77,594	177,594
19	State Office Reorganization & Relocation	500,000	1,375,286	1,875,286
20	William Powers Building	1,800,000	529,937	2,329,937
21	Pastore Center Utilities Upgrade	175,000	216,042	391,042
22	Pastore Center Non-Medical Buildings			
23	- Asset Protection	3,170,000	343,000	3,513,000
24	Washington County Government Center	500,000	104,892	604,892
25	Chapin Health Laboratory	500,000	185,650	685,650
26	Medical Examiner New Facility	4,500,000	(4,000,000)	500,000
27	560 Jefferson Blvd Asset Protection	150,000	0	150,000
28	Arrigan Center	197,500	0	197,500
29	Dunkin Donuts Center	2,300,000	0	2,300,000
30	Pastore Center Building Demolition	1,000,000	0	1,000,000
31	Veterans Auditorium	285,000	0	285,000
32	Pastore Center Medical Buildings			
33	- Asset Protection	750,000	0	750,000
34	Total - General	44,775,905	632,996,633	677,772,538

1	<i>Debt Service Payments</i>			
2	General Revenues	145,424,890	(2,741,127)	142,683,763
3	Out of the general revenue appropriations for debt service, the General Treasurer is			
4	authorized to make payments for the I-195 Redevelopment District Commission loan up to the			
5	maximum debt service due in accordance with the loan agreement.			
6	Other Funds			
7	Transportation Debt Service	39,205,402	244,774	39,450,176
8	Investment Receipts - Bond Funds	100,000	0	100,000
9	Total - Debt Service Payments	184,730,292	(2,496,353)	182,233,939
10	<i>Energy Resources</i>			
11	Federal Funds	761,478	755,701	1,517,179
12	Restricted Receipts	8,791,172	6,981,510	15,772,682
13	Total - Energy Resources	9,552,650	7,737,211	17,289,861
14	<i>Rhode Island Health Benefits Exchange</i>			
15	General Revenues	2,820,336	189,846	3,010,182
16	Federal Funds	5,239,671	1,108,939	6,348,610
17	Restricted Receipts	16,842,483	(1,712,681)	15,129,802
18	Total - Rhode Island Health Benefits			
19	Exchange	24,902,490	(413,896)	24,488,594
20	<i>Office of Diversity, Equity &amp; Opportunity</i>			
21	General Revenues	1,245,968	(125,980)	1,119,988
22	Other Funds	112,623	7,932	120,555
23	Total - Office of Diversity, Equity & Opportunity	1,358,591	(118,048)	1,240,543
24	<i>Capital Asset Management and Maintenance</i>			
25	General Revenues	9,354,998	10,084,615	19,439,613
26	Federal Funds	4,363,888	(1,819,820)	2,544,068
27	Total - Capital Asset Management and Maintenance	13,718,886	8,264,795	21,983,681
28	Grand Total - Administration	595,170,045	756,468,192	1,351,638,237
29	<b>Business Regulation</b>			
30	<i>Central Management</i>			
31	General Revenues	3,232,684	220,173	3,452,857
32	<i>Banking Regulation</i>			
33	General Revenues	1,620,824	315,966	1,936,790
34	Restricted Receipts	75,000	(11,500)	63,500



1	Total - Banking Regulation	1,695,824	304,466	2,000,290
2	<i>Securities Regulation</i>			
3	General Revenues	817,118	(21,035)	796,083
4	Restricted Receipts	15,000	0	15,000
5	Total - Securities Regulation	832,118	(21,035)	811,083
6	<i>Insurance Regulation</i>			
7	General Revenues	4,152,139	54,330	4,206,469
8	Restricted Receipts	2,033,882	12,887	2,046,769
9	Total - Insurance Regulation	6,186,021	67,217	6,253,238
10	<i>Office of the Health Insurance Commissioner</i>			
11	General Revenues	1,659,713	64,842	1,724,555
12	Federal Funds	120,000	143,728	263,728
13	Restricted Receipts	496,092	41,829	537,921
14	Total - Office of the Health			
15	Insurance Commissioner	2,275,805	250,399	2,526,204
16	<i>Board of Accountancy</i>			
17	General Revenues	5,883	(393)	5,490
18	<i>Commercial Licensing and Gaming and Athletics Licensing</i>			
19	General Revenues	1,053,287	118,368	1,171,655
20	Restricted Receipts	890,069	14,574	904,643
21	Total - Commercial Licensing and Gaming and			
22	Athletics Licensing	1,943,356	132,942	2,076,298
23	<i>Building, Design and Fire Professionals</i>			
24	General Revenues	6,697,958	1,357,219	8,055,177
25	Federal Funds	186,000	548,611	734,611
26	Restricted Receipts	1,844,025	721,516	2,565,541
27	Other Funds			
28	Quonset Development Corporation	67,928	3,292	71,220
29	Total - Building, Design and Fire Professionals	8,795,911	2,630,638	11,426,549
30	<i>Office of Cannabis Regulation</i>			
31	Restricted Receipts	1,165,441	521,103	1,686,544
32	Grand Total - Business Regulation	26,133,043	4,105,510	30,238,553
33	<b>Executive Office of Commerce</b>			
34	<i>Central Management</i>			

1	General Revenues	2,202,211	(273,047)	1,929,164
2	Federal Funds	7,311,225	(236,612)	7,074,613
3	Total - Central Management	9,513,436	(509,659)	9,003,777
4	<i>Housing and Community Development</i>			
5	General Revenues	26,046,591	13,194,711	39,241,302
6	Federal Funds			
7	Federal Funds	16,066,986	10,928,934	26,995,920
8	Federal Funds - State Fiscal Recovery Fund			
9	OHIC – Predevelopment & Capacity Bldg.	0	500,000	500,000
10	Development of Affordable Housing	0	15,000,000	15,000,000
11	Homelessness Assistance Program	0	1,500,000	1,500,000
12	Site Acquisition	0	12,000,000	12,000,000
13	Restricted Receipts	7,698,884	(33,952)	7,664,932
14	Total - Housing and Community Development	49,812,461	53,089,693	102,902,154
15	<i>Quasi-Public Appropriations</i>			
16	General Revenues			
17	Rhode Island Commerce Corporation	7,659,565	0	7,659,565
18	Airport Impact Aid	1,010,036	0	1,010,036
19	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be			
20	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the			
21	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)			
22	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2021			
23	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,			
24	T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation			
25	shall make an impact payment to the towns or cities in which the airport is located based on this			
26	calculation. Each community upon which any part of the above airports is located shall receive at			
27	least \$25,000.			
28	STAC Research Alliance	900,000	0	900,000
29	Innovative Matching Grants/Internships	1,000,000	0	1,000,000
30	I-195 Redevelopment District Commission	761,000	0	761,000
31	Polaris Manufacturing Grant	350,000	0	350,000
32	East Providence Waterfront Commission	50,000	0	50,000
33	Urban Ventures	140,000	0	140,000
34	Chafee Center at Bryant	476,200	0	476,200

1	Quonset Development Corporation	1,200,000	0	1,200,000
2	Municipal Infrastructure Grant Program	1,000,000	0	1,000,000
3	Other Funds			
4	Rhode Island Capital Plan Funds			
5	Quonset Point Infrastructure	6,000,000	0	6,000,000
6	I-195 Redevelopment District Commission	578,000	246,117	824,117
7	Quonset Point Davisville Pier	0	20,274	20,274
8	Total - Quasi-Public Appropriations	21,124,801	266,391	21,391,192
9	<i>Economic Development Initiatives Fund</i>			
10	General Revenues			
11	Innovation Initiative	1,000,000	0	1,000,000
12	Rebuild RI Tax Credit Fund	52,500,000	0	52,500,000
13	Small Business Promotion	300,000	0	300,000
14	Small Business Assistance	650,000	0	650,000
15	Federal Funds			
16	State Small Business Credit Initiative	56,234,176	(31,536,441)	24,697,735
17	Federal Funds - State Fiscal Recovery Fund			
18	Assistance to Impacted Industries	0	13,000,000	13,000,000
19	Total - Economic Development Initiatives Fund	110,684,176	(18,536,441)	92,147,735
20	<i>Commerce Programs</i>			
21	General Revenues			
22	Wavemaker Fellowship	1,600,000	0	1,600,000
23	Federal Funds - State Fiscal Recovery Fund			
24	Small Business Financial and Technical			
25	Assistance	0	32,000,000	32,000,000
26	Statewide Broadband Planning and Mapping	0	500,000	500,000
27	Total - Commerce Programs	1,600,000	32,500,000	34,100,000
28	Grand Total - Executive Office of Commerce	192,734,874	66,809,984	259,544,858
29	<b>Labor and Training</b>			
30	<i>Central Management</i>			
31	General Revenues	712,826	491,438	1,204,264
32	Restricted Receipts	126,519	239,325	365,844
33	Total - Central Management	839,345	730,763	1,570,108
34	<i>Workforce Development Services</i>			

1	General Revenues	904,898	(145,623)	759,275
2	Federal Funds	18,817,837	6,928,345	25,746,182
3	Other Funds	82,525	(74,717)	7,808
4	Total - Workforce Development Services	19,805,260	6,708,005	26,513,265
5	<i>Workforce Regulation and Safety</i>			
6	General Revenues	3,489,965	445,290	3,935,255
7	<i>Income Support</i>			
8	General Revenues	3,801,667	432,637	4,234,304
9	Federal Funds	407,411,048	(18,966,273)	388,444,775
10	Restricted Receipts	2,770,811	374,166	3,144,977
11	Other Funds			
12	Temporary Disability Insurance Fund	205,490,965	3,795,691	209,286,656
13	Employment Security Fund	284,125,000	(65,950,000)	218,175,000
14	Total - Income Support	903,599,491	(80,313,779)	823,285,712
15	<i>Injured Workers Services</i>			
16	Restricted Receipts	11,172,336	(90,028)	11,082,308
17	<i>Labor Relations Board</i>			
18	General Revenues	407,364	43,414	450,778
19	<i>Governor's Workforce Board</i>			
20	General Revenues	6,050,000	0	6,050,000
21	Provided that \$600,000 of these funds shall be used for enhanced training for direct care			
22	and support services staff to improve resident quality of care and address the changing health care			
23	needs of nursing facility residents due to higher acuity and increased cognitive impairments			
24	pursuant to Rhode Island General Laws, Section 23-17.5-36.			
25	Federal Funds	9,536,150	(2,348,437)	7,187,713
26	Restricted Receipts	13,849,054	4,229,823	18,078,877
27	Total - Governor's Workforce Board	29,435,204	1,881,386	31,316,590
28	Grand Total - Labor and Training	968,748,965	(70,594,949)	898,154,016
29	<b>Department of Revenue</b>			
30	<i>Director of Revenue</i>			
31	General Revenues	1,792,985	214,524	2,007,509
32	<i>Office of Revenue Analysis</i>			
33	General Revenues	889,151	(58,420)	830,731
34	<i>Lottery Division</i>			

1	Other Funds	434,215,853	(67,571,040)	366,644,813
2	<i>Municipal Finance</i>			
3	General Revenues	1,718,168	(60,262)	1,657,906
4	Federal Funds	131,957,594	0	131,957,594
5	Total - Municipal Finance	133,675,762	(60,262)	133,615,500
6	<i>Taxation</i>			
7	General Revenues	32,673,073	2,019,962	34,693,035
8	Restricted Receipts	2,221,812	0	2,221,812
9	Other Funds			
10	Motor Fuel Tax Evasion	155,000	2,419	157,419
11	Total - Taxation	35,049,885	2,022,381	37,072,266
12	<i>Registry of Motor Vehicles</i>			
13	General Revenues	30,331,973	1,485,718	31,817,691
14	Federal Funds	462,404	(227,223)	235,181
15	Restricted Receipts	1,692,587	(200,000)	1,492,587
16	Total - Registry of Motor Vehicles	32,486,964	1,058,495	33,545,459
17	<i>State Aid</i>			
18	General Revenues			
19	Distressed Communities Relief Fund	12,384,458	0	12,384,458
20	Payment in Lieu of Tax Exempt			
21	Properties	46,089,504	0	46,089,504
22	Motor Vehicle Excise Tax Payments	139,656,362	(9,959,698)	129,696,664
23	Property Revaluation Program	1,503,677	0	1,503,677
24	Restricted Receipts	995,120	0	995,120
25	Total - State Aid	200,629,121	(9,959,698)	190,669,423
26	<i>Collections</i>			
27	General Revenues	828,769	(36,566)	792,203
28	Grand Total - Revenue	839,568,490	(74,390,586)	765,177,904
29	<b>Legislature</b>			
30	General Revenues	44,844,662	7,169,866	52,014,528
31	Restricted Receipts	1,782,425	119,192	1,901,617
32	Grand Total - Legislature	46,627,087	7,289,058	53,916,145
33	<b>Lieutenant Governor</b>			
34	General Revenues	1,199,161	64,193	1,263,354

1	<b>Secretary of State</b>			
2	<i>Administration</i>			
3	General Revenues	3,633,858	320,272	3,954,130
4	<i>Corporations</i>			
5	General Revenues	2,539,285	5,589	2,544,874
6	<i>State Archives</i>			
7	General Revenues	243,954	(73,903)	170,051
8	Federal Funds	0	12,000	12,000
9	Restricted Receipts	447,148	167,724	614,872
10	Total - State Archives	691,102	105,821	796,923
11	<i>Elections and Civics</i>			
12	General Revenues	2,067,371	131,371	2,198,742
13	Federal Funds	1,810,000	190,835	2,000,835
14	Total - Elections and Civics	3,877,371	322,206	4,199,577
15	<i>State Library</i>			
16	General Revenues	768,685	57,915	826,600
17	Provided that \$125,000 be allocated to support the Rhode Island Historical Society			
18	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the			
19	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.			
20	<i>Office of Public Information</i>			
21	General Revenues	521,918	48,395	570,313
22	Receipted Receipts	25,000	0	25,000
23	Total - Office of Public Information	546,918	48,395	595,313
24	Grand Total - Secretary of State	12,057,219	860,198	12,917,417
25	<b>General Treasurer</b>			
26	<i>Treasury</i>			
27	General Revenues	2,582,131	(13,169)	2,568,962
28	Federal Funds	308,416	43,838	352,254
29	Other Funds			
30	Temporary Disability Insurance Fund	263,421	26,469	289,890
31	Tuition Savings Program - Administration	382,476	19,650	402,126
32	Total -Treasury	3,536,444	76,788	3,613,232
33	<i>State Retirement System</i>			
34	Restricted Receipts			

1	Admin Expenses - State Retirement System	11,427,273	741,282	12,168,555
2	Retirement - Treasury Investment Operations	1,871,467	132,032	2,003,499
3	Defined Contribution - Administration	300,234	11,681	311,915
4	Total - State Retirement System	13,598,974	884,995	14,483,969
5	<i>Unclaimed Property</i>			
6	Restricted Receipts	28,902,766	(26,340,120)	2,562,646
7	<i>Crime Victim Compensation Program</i>			
8	General Revenues	646,179	197,986	844,165
9	Federal Funds	422,493	16	422,509
10	Restricted Receipts	713,007	(155,013)	557,994
11	Total - Crime Victim Compensation Program	1,781,679	42,989	1,824,668
12	Grand Total - General Treasurer	47,819,863	(25,335,348)	22,484,515
13	<b>Board of Elections</b>			
14	General Revenues	2,671,768	112,128	2,783,896
15	<b>Rhode Island Ethics Commission</b>			
16	General Revenues	1,867,351	102,295	1,969,646
17	<b>Office of Governor</b>			
18	General Revenues	6,553,626	432,260	6,985,886
19	Contingency Fund	150,000	0	150,000
20	Federal Funds	0	24,840	24,840
21	Grand Total - Office of Governor	6,703,626	457,100	7,160,726
22	<b>Commission for Human Rights</b>			
23	General Revenues	1,486,581	93,527	1,580,108
24	Federal Funds	422,418	(17,097)	405,321
25	Grand Total - Commission for Human Rights	1,908,999	76,430	1,985,429
26	<b>Public Utilities Commission</b>			
27	Federal Funds	540,253	25,871	566,124
28	Restricted Receipts	11,926,093	1,135,262	13,061,355
29	Grand Total - Public Utilities Commission	12,466,346	1,161,133	13,627,479
30	<b>Office of Health and Human Services</b>			
31	<i>Central Management</i>			
32	General Revenues	44,961,144	153,975	45,115,119
33	Federal Funds			
34	Federal Funds	121,027,873	22,486,948	143,514,821

1	Federal Funds - State Fiscal Recovery Fund			
2	Pediatric Recovery	0	7,500,000	7,500,000
3	Early Intervention Recovery	0	5,500,000	5,500,000
4	Restricted Receipts	22,897,651	(3,222,251)	19,675,400
5	Total - Central Management	188,886,668	32,418,672	221,305,340
6	<i>Medical Assistance</i>			
7	General Revenues			
8	Managed Care	344,346,294	(26,915,101)	317,431,193
9	Hospitals	94,772,895	44,724,663	139,497,558
10	Of the general revenue funding, \$2.0 million shall be provided for Graduate Medical			
11	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center			
12	and \$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care.			
13	Nursing Facilities	147,255,515	(24,301,355)	122,954,160
14	Home and Community Based Services	43,405,421	(4,833,101)	38,572,320
15	Other Services	128,944,587	(5,756,473)	123,188,114
16	Pharmacy	69,142,220	(250,000)	68,892,220
17	Rhody Health	188,362,579	(16,385,299)	171,977,280
18	Other Programs	39,000,000	(39,000,000)	0
19	Federal Funds			
20	Managed Care	509,180,803	26,288,004	535,468,807
21	Hospitals	120,363,721	97,712,580	218,076,301
22	Nursing Facilities	201,490,261	(10,144,421)	191,345,840
23	Home and Community Based Services	59,310,041	717,639	60,027,680
24	Other Services	751,902,189	6,894,697	758,796,886
25	Pharmacy	57,780	(50,000)	7,780
26	Rhody Health	255,260,108	9,662,612	264,922,720
27	Other Programs	36,288,580	109,110,000	145,398,580
28	Restricted Receipts	17,792,796	23,562,204	41,355,000
29	Total - Medical Assistance	3,006,875,790	191,036,649	3,197,912,439
30	Grand Total - Office of Health and Human			
31	Services	3,195,762,458	223,455,321	3,419,217,779
32	<b>Children, Youth, and Families</b>			
33	<i>Central Management</i>			
34	General Revenues	14,120,765	344,452	14,465,217



1           The director of the department of children, youth and families shall provide to the speaker  
2 of the house and president of the senate at least every sixty (60) days beginning September 1, 2021,  
3 a report on its progress implementing the accreditation plan filed in accordance with Rhode Island  
4 General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The  
5 report shall, at minimum, provide data regarding recruitment and retention efforts including  
6 attaining and maintaining a diverse workforce, documentation of newly filled and vacated  
7 positions, and progress towards reducing worker caseloads.

8	Federal Funds			
9	Federal Funds	4,914,204	(439,524)	4,474,680
10	Federal Funds - State Fiscal Recovery Fund			
11	Provider Workforce Stabilization	0	12,500,000	12,500,000
12	Total - Central Management	19,034,969	12,404,928	31,439,897
13	<i>Children's Behavioral Health Services</i>			
14	General Revenues	7,579,739	(480,373)	7,099,366
15	Federal Funds	6,718,331	2,765,911	9,484,242
16	Total - Children's Behavioral Health Services	14,298,070	2,285,538	16,583,608
17	<i>Juvenile Correctional Services</i>			
18	General Revenues	21,401,081	768,354	22,169,435
19	Federal Funds	274,541	138,226	412,767
20	Restricted Receipts	0	314,298	314,298
21	Other Funds			
22	Rhode Island Capital Plan Funds			
23	Training School Asset Protection	250,000	0	250,000
24	Total - Juvenile Correctional Services	21,925,622	1,220,878	23,146,500
25	<i>Child Welfare</i>			
26	General Revenues	149,983,357	2,072,010	152,055,367
27	Federal Funds	69,549,337	(2,452,218)	67,097,119
28	Restricted Receipts	1,487,111	(40,841)	1,446,270
29	Total - Child Welfare	221,019,805	(421,049)	220,598,756
30	<i>Higher Education Incentive Grants</i>			
31	General Revenues	200,000	0	200,000
32	Grand Total - Children, Youth, and Families	276,478,466	15,490,295	291,968,761
33	<b>Health</b>			
34	<i>Central Management</i>			

1	General Revenues	3,232,283	59,509	3,291,792
2	Federal Funds	4,631,858	(37,633)	4,594,225
3	Restricted Receipts	27,871,484	(1,616,371)	26,255,113
4	Provided that the disbursement of any indirect cost recoveries on federal grants budgeted			
5	in this line item that are derived from grants authorized under The Coronavirus Preparedness and			
6	Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus			
7	Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-			
8	136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); <del>and</del>			
9	the Consolidated Appropriations Act, 2021 (P.L. 116-260); <u>and the American Rescue Plan Act of</u>			
10	<u>2021 (P.L. 117-2)</u> , are hereby subject to the review and prior approval of the Director of			
11	Management and Budget. No obligation or expenditure of these funds shall take place without such			
12	approval.			
13	Total - Central Management	35,735,625	(1,594,495)	34,141,130
14	<i>Community Health and Equity</i>			
15	General Revenues	1,325,578	(678,224)	647,354
16	Federal Funds	72,626,719	4,767,979	77,394,698
17	Restricted Receipts	39,122,956	624,905	39,747,861
18	Total - Community Health and Equity	113,075,253	4,714,660	117,789,913
19	<i>Environmental Health</i>			
20	General Revenues	5,744,839	71,935	5,816,774
21	Federal Funds	7,382,886	1,774,821	9,157,707
22	Restricted Receipts	738,436	217,031	955,467
23	Total - Environmental Health	13,866,161	2,063,787	15,929,948
24	<i>Health Laboratories and Medical Examiner</i>			
25	General Revenues	10,149,765	1,015,293	11,165,058
26	Federal Funds	2,398,469	448,312	2,846,781
27	Other Funds			
28	Rhode Island Capital Plan Funds			
29	Health Laboratories & Medical			
30	Examiner Equipment	600,000	0	600,000
31	Total - Health Laboratories and Medical Examiner	13,148,234	1,463,605	14,611,839
32	<i>Customer Services</i>			
33	General Revenues	7,729,808	414,753	8,144,561
34	Federal Funds	5,158,613	1,183,696	6,342,309

1	Restricted Receipts	2,094,387	180,419	2,274,806
2	Total - Customer Services	14,982,808	1,778,868	16,761,676
3	<i>Policy, Information and Communications</i>			
4	General Revenues	908,676	51,531	960,207
5	Federal Funds	2,934,574	573,587	3,508,161
6	Restricted Receipts	1,103,113	45,008	1,148,121
7	Total - Policy, Information and Communications	4,946,363	670,126	5,616,489
8	<i>Preparedness, Response, Infectious Disease &amp; Emergency Services</i>			
9	General Revenues	1,939,241	101,356	2,040,597
10	Federal Funds	31,159,763	(10,751,462)	20,408,301
11	Total - Preparedness, Response, Infectious Disease			
12	& Emergency Services	33,099,004	(10,650,106)	22,448,898
13	<i>COVID-19</i>			
14	General Revenues	0	245,509,915	245,509,915
15	Federal Funds	241,991,855	(135,192,646)	106,799,209
16	Total - COVID-19	241,991,855	110,317,269	352,309,124
17	Grand Total - Health	470,845,303	108,763,714	579,609,017
18	<b>Human Services</b>			
19	<i>Central Management</i>			
20	General Revenues	5,119,898	51,800	5,171,698
21	Of this amount, \$300,000 is to support the Domestic Violence Prevention Fund to provide			
22	direct services through the Coalition Against Domestic Violence, \$250,000 to support Project			
23	Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$217,000 is for outreach and			
24	supportive services through Day One, \$350,000 is for food collection and distribution through the			
25	Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads			
26	Rhode Island, \$600,000 for the Community Action Fund and \$200,000 is for the Institute for the			
27	Study and Practice of Nonviolence's Reduction Strategy.			
28	Federal Funds	7,961,909	1,237,174	9,199,083
29	Restricted Receipts	150,000	550,000	700,000
30	Total - Central Management	13,231,807	1,838,974	15,070,781
31	<i>Child Support Enforcement</i>			
32	General Revenues	2,933,192	169,170	3,102,362
33	Federal Funds	8,889,388	(206,785)	8,682,603
34	Restricted Receipts	4,100,000	(63,961)	4,036,039

1	Total - Child Support Enforcement	15,922,580	(101,576)	15,821,004
2	<i>Individual and Family Support</i>			
3	General Revenues	39,411,638	203,946	39,615,584
4	Federal Funds			
5	Federal Funds	204,300,917	(1,209,215)	203,091,702
6	Federal Funds - State Fiscal Recovery Fund			
7	Child Care Support	0	19,000,000	19,000,000
8	Restricted Receipts	255,255	1,256,086	1,511,341
9	Other Funds			
10	Rhode Island Capital Plan Funds			
11	Blind Vending Facilities	165,000	108,062	273,062
12	Total - Individual and Family Support	244,132,810	19,358,879	263,491,689
13	<i>Office of Veterans Services</i>			
14	General Revenues	28,573,995	2,612,031	31,186,026
15	Of this amount, \$200,000 is to provide support services through Veterans' organizations.			
16	Federal Funds	11,296,289	2,003,311	13,299,600
17	Restricted Receipts	1,571,061	107,180	1,678,241
18	Other Funds			
19	Rhode Island Capital Plan Funds			
20	Veterans Home Asset Protection	350,000	0	350,000
21	Veterans Cemetery			
22	Crypt Installation/Expansion	380,000	(220,000)	160,000
23	Total - Office of Veterans Services	42,171,345	4,502,522	46,673,867
24	<i>Health Care Eligibility</i>			
25	General Revenues	8,265,046	(116,526)	8,148,520
26	Federal Funds	13,473,195	375,206	13,848,401
27	Total - Health Care Eligibility	21,738,241	258,680	21,996,921
28	<i>Supplemental Security Income Program</i>			
29	General Revenues	17,950,819	(210,919)	17,739,900
30	<i>Rhode Island Works</i>			
31	General Revenues	8,659,085	(597,687)	8,061,398
32	Federal Funds	86,375,347	(20,035,835)	66,339,512
33	Total - Rhode Island Works	95,034,432	(20,633,522)	74,400,910
34	<i>Other Programs</i>			

1	General Revenues	851,704	25,496	877,200
2	Of this appropriation, \$90,000 shall be used for hardship contingency payments.			
3	Federal Funds	254,157,901	171,000,000	425,157,901
4	Restricted Receipts	8,000	0	8,000
5	Total - Other Programs	255,017,605	171,025,496	426,043,101
6	<i>Office of Healthy Aging</i>			
7	General Revenues	12,130,918	(131,713)	11,999,205
8	Of this amount, \$325,000 is to provide elder services, including respite, through the			
9	Diocese of Providence, \$40,000 for ombudsman services provided by the Alliance for Long Term			
10	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 for security for			
11	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, \$800,000			
12	for Senior Services Support and \$580,000 for elderly nutrition, of which \$530,000 is for Meals on			
13	Wheels.			
14	Federal Funds	20,607,297	4,406,646	25,013,943
15	Restricted Receipts	106,161	(45,434)	60,727
16	Other Funds			
17	Intermodal Surface Transportation Fund	4,269,970	115,741	4,385,711
18	Total - Office of Healthy Aging	37,114,346	4,345,240	41,459,586
19	Grand Total - Human Services	742,313,985	180,383,774	922,697,759
20	<b>Behavioral Healthcare, Developmental Disabilities, and Hospitals</b>			
21	<i>Central Management</i>			
22	General Revenues	5,000,299	(2,213,054)	2,787,245
23	Federal Funds	1,352,665	(621,192)	731,473
24	Total - Central Management	6,352,964	(2,834,246)	3,518,718
25	<i>Hospital and Community System Support</i>			
26	General Revenues	3,433,367	(2,024,752)	1,408,615
27	Federal Funds	9,899	830,273	840,172
28	Restricted Receipts	300,000	(43,710)	256,290
29	Total - Hospital and Community System Support	3,743,266	(1,238,189)	2,505,077
30	<i>Services for the Developmentally Disabled</i>			
31	General Revenues	145,293,304	(3,379,136)	141,914,168
32	<del>Of this general revenue funding, \$16,780,500 shall be expended on certain community-</del>			
33	<del>based department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)</del>			
34	<del>developmental disability private provider and self directed consumer direct care service worker</del>			

1 ~~raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff~~  
2 ~~and residential or other community-based setting must first receive the approval of BHDDH. A~~  
3 ~~total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance~~  
4 ~~with most recent consent decree initiatives of which all unexpended or unencumbered balances, at~~  
5 ~~the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately~~  
6 ~~available for the same purposes.~~

7 Provided that of this general revenue funding, \$18,451,626 shall be expended on certain  
8 community-based department of behavioral healthcare, developmental disabilities and hospitals  
9 (BHDDH) developmental disability private provider and self-directed consumer direct care service  
10 worker raises and associated payroll costs as authorized by BHDDH. Any increase for direct  
11 support staff and residential or other community-based setting must first receive the approval of  
12 BHDDH.

13 Provided further that of this general revenue funding, a total of \$1,000,000 shall be  
14 expended on state infrastructure to implement and manage compliance with most recent consent  
15 decree initiatives and a total of \$406,700 shall be expended on technology acquisition for  
16 individuals within the developmental disabilities system. For these two designations of general  
17 revenue funding, all unexpended or unencumbered balances at the end of the fiscal year shall be  
18 reappropriated to the ensuing fiscal year and made immediately available for the same purpose.

19	Federal Funds	189,882,388	(977,448)	188,904,940
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20 ~~Of this federal funding, \$22,964,880 shall be expended on certain community-based~~  
21 ~~department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)~~  
22 ~~developmental disability private provider and self-directed consumer direct care service worker~~  
23 ~~raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff~~  
24 ~~and residential or other community-based setting must first receive the approval of BHDDH. A~~  
25 ~~total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance~~  
26 ~~with most recent consent decree initiatives of which all unexpended or unencumbered balances, at~~  
27 ~~the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately~~  
28 ~~available for the same purposes.~~

29 Provided that of this federal funding, \$26,917,505 shall be expended on certain  
30 community-based department of behavioral healthcare, developmental disabilities and hospitals  
31 (BHDDH) developmental disability private provider and self-directed consumer direct care service  
32 worker raises and associated payroll costs as authorized by BHDDH. Any increase for direct  
33 support staff and residential or other community-based setting must first receive the approval of  
34 BHDDH.

1 Provided further that of this federal funding, a total of \$1,000,000 shall be expended on  
2 state infrastructure to implement and manage compliance with most recent consent decree  
3 initiatives and a total of \$593,300 shall be expended on technology acquisition for individuals  
4 within the developmental disabilities system. For these two designations of federal funding, all  
5 unexpended or unencumbered balances at the end of the fiscal year shall be reappropriated to the  
6 ensuing fiscal year and made immediately available for the same purpose.

7	Restricted Receipts	1,410,300	(134,600)	1,275,700
8	Other Funds			
9	Rhode Island Capital Plan Funds			
10	DD Residential Development	100,000	98,802	198,802
11	Total - Services for the Developmentally Disabled	336,685,992	(4,392,382)	332,293,610
12	<i>Behavioral Healthcare Services</i>			
13	General Revenues	2,245,753	1,047,974	3,293,727
14	Federal Funds	53,811,306	(8,312,045)	45,499,261
15	Restricted Receipts	2,476,600	(8,718)	2,467,882
16	Total - Behavioral Healthcare Services	58,533,659	(7,272,789)	51,260,870
17	<i>Hospital and Community Rehabilitative Services</i>			
18	General Revenues	115,970,100	(12,134,073)	103,836,027
19	Federal Funds	2,003,522	22,217,912	24,221,434
20	Restricted Receipts	9,750	25,000	34,750
21	Other Funds			
22	Rhode Island Capital Plan Funds			
23	Hospital Equipment	300,000	300,000	600,000
24	Total - Hospital and Community Rehabilitative			
25	Services	118,283,372	10,408,839	128,692,211
26	Grand Total - Behavioral Healthcare,			
27	Developmental Disabilities, and Hospitals	523,599,253	(5,328,767)	518,270,486
28	<b>Office of the Child Advocate</b>			
29	General Revenues	1,036,219	68,338	1,104,557
30	Federal Funds	207,307	(145,333)	61,974
31	Grand Total - Office of the Child Advocate	1,243,526	(76,995)	1,166,531
32	<b>Commission on the Deaf and Hard of Hearing</b>			
33	General Revenues	655,862	83,903	739,765
34	Restricted Receipts	162,802	(82,482)	80,320

1	Grand Total - Comm. On Deaf and Hard-of-Hearing	818,664	1,421	820,085
2	<b>Governor's Commission on Disabilities</b>			
3	General Revenues	582,860	(12,061)	570,799
4	Livable Home Modification Grant Program	507,850	39,474	547,324
5	Provided that this will be used for home modification and accessibility enhancements to			
6	construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.			
7	This will be in consultation with the Executive Office of Health and Human Services. <a href="#">All</a>			
8	<a href="#">unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the</a>			
9	<a href="#">ensuing fiscal year, and made immediately available for the same purpose.</a>			
10	Federal Funds	380,316	(1,658)	378,658
11	Restricted Receipts	59,455	10,970	70,425
12	Total - Governor's Commission on Disabilities	1,530,481	36,725	1,567,206
13	<b>Office of the Mental Health Advocate</b>			
14	General Revenues	680,190	41,144	721,334
15	<b>Elementary and Secondary Education</b>			
16	<i>Administration of the Comprehensive Education Strategy</i>			
17	General Revenues	24,339,679	944,855	25,284,534
18	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's			
19	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to			
20	support child opportunity zones through agreements with the Department of Elementary and			
21	Secondary Education to strengthen education, health and social services for students and their			
22	families as a strategy to accelerate student achievement.			
23	Federal Funds	324,772,666	(8,083,897)	316,688,769
24	Provided that \$684,000 from the Department's administrative share of Individuals with			
25	Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to			
26	support the Rhode Island Vision Education and Services Program.			
27	Restricted Receipts			
28	Restricted Receipts	1,766,808	1,247,785	3,014,593
29	HRIC Adult Education Grants	3,500,000	0	3,500,000
30	Total - Admin. of the Comprehensive Ed. Strategy	354,379,153	(5,891,257)	348,487,896
31	<i>Davies Career and Technical School</i>			
32	General Revenues	14,437,904	78,953	14,516,857
33	Federal Funds	4,546,489	(3,144,232)	1,402,257
34	Restricted Receipts	4,819,592	(300,217)	4,519,375



1	Other Funds			
2	Rhode Island Capital Plan Funds			
3	Davies School HVAC	900,000	(873,500)	26,500
4	Davies School Asset Protection	665,000	150,000	815,000
5	Davies School Healthcare Classroom			
6	Renovations	500,000	0	500,000
7	Total - Davies Career and Technical School	25,868,985	(4,088,996)	21,779,989
8	<i>RI School for the Deaf</i>			
9	General Revenues	7,402,627	324,699	7,727,326
10	Federal Funds	581,126	3,759	584,885
11	Restricted Receipts	469,779	149,953	619,732
12	Other Funds			
13	School for the Deaf Transformation Grants	59,000	0	59,000
14	Rhode Island Capital Plan Funds			
15	School for the Deaf Asset Protection	250,000	0	250,000
16	Total - RI School for the Deaf	8,762,532	478,411	9,240,943
17	<i>Metropolitan Career and Technical School</i>			
18	General Revenues	9,342,007	0	9,342,007
19	Federal Funds	4,667,210	(4,167,210)	500,000
20	Other Funds			
21	Rhode Island Capital Plan Funds			
22	MET School Asset Protection	250,000	0	250,000
23	Total - Metropolitan Career and			
24	Technical School	14,259,217	(4,167,210)	10,092,007
25	<i>Education Aid</i>			
26	General Revenues	1,023,707,116	625,163	1,024,332,279
27	Provided that the criteria for the allocation of early childhood funds shall prioritize			
28	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one			
29	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities			
30	with higher concentrations of low performing schools.			
31	Federal Funds	508,943,494	(462,553,844)	46,389,650
32	Restricted Receipts	36,146,758	(577,289)	35,569,469
33	Other Funds			
34	Permanent School Fund	300,000	0	300,000

1	Total - Education Aid	1,569,097,368	(462,505,970)	1,106,591,398
2	<i>Central Falls School District</i>			
3	General Revenues	47,702,746	0	47,702,746
4	Federal Funds	22,041,316	(21,041,316)	1,000,000
5	Total - Central Falls School District	69,744,062	(21,041,316)	48,702,746
6	<i>School Construction Aid</i>			
7	General Revenues			
8	School Housing Aid	79,409,186	(8,371,145)	71,038,041
9	School Building Authority Capital Fund	590,814	8,371,145	8,961,959
10	Total - School Construction Aid	80,000,000	0	80,000,000
11	<i>Teachers' Retirement</i>			
12	General Revenues	123,916,166	71,488	123,987,654
13	Grand Total - Elementary and			
14	Secondary Education	2,246,027,483	(497,144,850)	1,748,882,633
15	<b>Public Higher Education</b>			
16	<i>Office of Postsecondary Commissioner</i>			
17	General Revenues	26,979,920	(1,437,953)	25,541,967
18	Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to			
19	the Rhode Island General Law, Section 16-70-5 and that \$75,000 shall be allocated to Best Buddies			
20	Rhode Island to support its programs for children with developmental and intellectual disabilities.			
21	It is also provided that <del>\$7,680,838</del> <u>\$6,118,892</u> shall be allocated to the Rhode Island Promise			
22	Scholarship program, \$9,595,000 shall be allocated to the Last Dollar Scholarship program, and			
23	\$147,000 shall be used to support Rhode Island's membership in the New England Board of Higher			
24	Education.			
25	Federal Funds			
26	Federal Funds	6,780,470	3,193,123	9,973,593
27	Guaranty Agency Administration	400,000	0	400,000
28	Restricted Receipts	3,485,642	296,980	3,782,622
29	Other Funds			
30	Tuition Savings Program - Dual Enrollment	2,300,000	0	2,300,000
31	Nursing Education Center - Operating	2,589,674	(7,752)	2,581,922
32	Rhode Island Capital Plan Funds			
33	Higher Education Centers	3,932,500	(2,932,500)	1,000,000
34	Provided that the state fund no more than 50.0 percent of the total project cost.			

1	Total - Office of Postsecondary Commissioner	46,468,206	(888,102)	45,580,104
2	<i>University of Rhode Island</i>			
3	General Revenues			
4	General Revenues	84,177,615	4,890,660	89,068,275
5	Provided that in order to leverage federal funding and support economic development,			
6	\$700,000 shall be allocated to the Small Business Development Center and that \$50,000 shall be			
7	allocated to Special Olympics Rhode Island to support its mission of providing athletic			
8	opportunities for individuals with intellectual and developmental disabilities.			
9	Debt Service	29,837,239	(28,653)	29,808,586
10	RI State Forensics Laboratory	1,317,901	0	1,317,901
11	Federal Funds	31,102,250	(31,102,250)	0
12	Other Funds			
13	University and College Funds	685,449,813	35,047,269	720,497,082
14	Debt - Dining Services	979,827	13,000	992,827
15	Debt - Education and General	4,833,788	(69,085)	4,764,703
16	Debt - Health Services	119,246	2,000	121,246
17	Debt - Housing Loan Funds	12,771,303	201,001	12,972,304
18	Debt - Memorial Union	322,507	3,100	325,607
19	Debt - Ryan Center	2,734,158	(355,455)	2,378,703
20	Debt - Parking Authority	1,311,087	81,786	1,392,873
21	Debt - Restricted Energy Conservation	530,994	7,245	538,239
22	Debt - URI Energy Conservation	2,039,606	(7,245)	2,032,361
23	Rhode Island Capital Plan Funds			
24	Asset Protection	9,900,000	(28,114)	9,871,886
25	Fine Arts Center Renovation	0	1,072,878	1,072,878
26	Total - University of Rhode Island	867,427,334	9,728,137	877,155,471
27	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
28	unencumbered balances as of June 30, 2022 relating to the University of Rhode Island are hereby			
29	reappropriated to fiscal year 2023.			
30	<i>Rhode Island College</i>			
31	General Revenues			
32	General Revenues	58,108,155	1,842,652	59,950,807
33	Debt Service	6,024,998	149,155	6,174,153
34	Federal Funds	34,573,206	(34,573,206)	0

1	Other Funds			
2	University and College Funds	113,860,455	9,261,091	123,121,546
3	Debt - Education and General	881,355	0	881,355
4	Debt - Housing	366,667	2,935	369,602
5	Debt - Student Center and Dining	155,000	0	155,000
6	Debt - Student Union	208,800	0	208,800
7	Debt - G.O. Debt Service	1,642,434	0	1,642,434
8	Debt - Energy Conservation	674,475	0	674,475
9	Rhode Island Capital Plan Funds			
10	Asset Protection	4,733,000	(2,306,634)	2,426,366
11	Infrastructure Modernization	4,550,000	956,173	5,506,173
12	Total - Rhode Island College	225,778,545	(24,667,834)	201,110,711

13 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
14 unencumbered balances as of June 30, 2022 relating to Rhode Island College are hereby  
15 reappropriated to fiscal year 2023.

16 *Community College of Rhode Island*

17	General Revenues			
18	General Revenues	52,427,080	1,409,612	53,836,692
19	Debt Service	1,095,685	27,838	1,123,523
20	Federal Funds	67,577,643	(64,143,274)	3,434,369
21	Restricted Receipts	660,191	121,312	781,503
22	Other Funds			
23	University and College Funds	99,556,679	21,464,293	121,020,972
24	Rhode Island Capital Plan Funds			
25	Asset Protection	3,037,615	0	3,037,615
26	Knight Campus Renewal	3,000,000	(2,894,266)	105,734
27	Knight Campus Lab Renovation	887,902	60,414	948,316
28	Data, Cabling, and			
29	Power Infrastructure	1,500,000	(1,500,000)	0
30	Flanagan Campus Renovation and			
31	Modernization	2,000,000	(1,982,000)	18,000
32	Total - Community College of RI	231,742,795	(47,436,071)	184,306,724

33 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
34 unencumbered balances as of June 30, 2022 relating to the Community College of Rhode Island

1 are hereby reappropriated to fiscal year 2023.

2 Grand Total - Public Higher Education 1,371,416,880 (63,263,870) 1,308,153,010

3 **RI State Council on the Arts**

4 General Revenues

5 Operating Support 883,651 62,742 946,393

6 Grants 1,165,000 914 1,165,914

7 Provided that \$375,000 be provided to support the operational costs of WaterFire

8 Providence art installations.

9 Federal Funds 2,677,642 (724,587) 1,953,055

10 Restricted Receipts 40,000 (20,000) 20,000

11 Other Funds

12 Art for Public Facilities 495,000 0 495,000

13 Grand Total - RI State Council on the Arts 5,261,293 (680,931) 4,580,362

14 **RI Atomic Energy Commission**

15 General Revenues 1,076,170 63,181 1,139,351

16 Federal Funds 477,000 0 477,000

17 Restricted Receipts 25,036 0 25,036

18 Other Funds

19 URI Sponsored Research 331,367 (15,401) 315,966

20 Rhode Island Capital Plan Funds

21 RINSC Asset Protection 50,000 5,063 55,063

22 Grand Total - RI Atomic Energy Commission 1,959,573 52,843 2,012,416

23 **RI Historical Preservation and Heritage Commission**

24 General Revenues 1,390,704 (103,645) 1,287,059

25 Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration

26 activities.

27 Federal Funds 697,162 44,727 741,889

28 Restricted Receipts 424,100 488 424,588

29 Other Funds

30 RIDOT Project Review 150,379 7,233 157,612

31 Grand Total - RI Historical Preservation and Heritage

32 Comm. 2,662,345 (51,197) 2,611,148

33 **Attorney General**

34 *Criminal*

1	General Revenues	17,949,759	1,098,972	19,048,731
2	Federal Funds	3,206,560	195,329	3,401,889
3	Restricted Receipts	204,734	61,209	265,943
4	Total - Criminal	21,361,053	1,355,510	22,716,563
5	<i>Civil</i>			
6	General Revenues	5,897,317	570,912	6,468,229
7	Restricted Receipts	1,172,929	323,454	1,496,383
8	Total - Civil	7,070,246	894,366	7,964,612
9	<i>Bureau of Criminal Identification</i>			
10	General Revenues	1,836,927	160,277	1,997,204
11	Federal Funds	238,000	0	238,000
12	Restricted Receipts	1,005,774	125,148	1,130,922
13	Total - Bureau of Criminal Identification	3,080,701	285,425	3,366,126
14	<i>General</i>			
15	General Revenues	4,136,361	371,620	4,507,981
16	Other Funds			
17	Rhode Island Capital Plan Funds			
18	Building Renovations and Repairs	150,000	3,532	153,532
19	Total - General	4,286,361	375,152	4,661,513
20	Grand Total - Attorney General	35,798,361	2,910,453	38,708,814
21	<b>Corrections</b>			
22	<i>Central Management</i>			
23	General Revenues	15,823,807	2,792,384	18,616,191
24	Restricted Receipts	0	346	346
25	Total - Central Management	15,823,807	2,792,730	18,616,537
26	<i>Parole Board</i>			
27	General Revenues	1,402,115	31,524	1,433,639
28	Federal Funds	77,534	(35,702)	41,832
29	Total - Parole Board	1,479,649	(4,178)	1,475,471
30	<i>Custody and Security</i>			
31	General Revenues	138,679,834	7,403,102	146,082,936
32	Federal Funds	1,044,858	78,177	1,123,035
33	Total - Custody and Security	139,724,692	7,481,279	147,205,971
34	<i>Institutional Support</i>			

1	General Revenues	24,292,177	1,517,615	25,809,792
2	Other Funds			
3	Rhode Island Capital Plan Funds			
4	Asset Protection	5,125,000	0	5,125,000
5	Correctional Facilities - Renovations	0	3,063,154	3,063,154
6	Total - Institutional Support	29,417,177	4,580,769	33,997,946
7	<i>Institutional Based Rehab./Population Management</i>			
8	General Revenues	11,727,119	(14,909)	11,712,210
9	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender			
10	discharge planning.			
11	Federal Funds	832,927	37,750	870,677
12	Restricted Receipts	49,600	15,000	64,600
13	Total - Institutional Based Rehab/Population			
14	Management	12,609,646	37,841	12,647,487
15	<i>Healthcare Services</i>			
16	General Revenues	25,847,217	1,167,383	27,014,600
17	Of this general revenue funding, \$750,000 shall be expended to expand access to			
18	behavioral healthcare for individuals with severe and persistent mental illnesses incarcerated at the			
19	Adult Correctional Institutions. Funds shall be dedicated to planning for and, as practicable,			
20	creation of a <del>Transitional Care Unit</del> <u>Behavioral Management Unit</u> to provide robust behavioral			
21	healthcare to individuals in this population whose needs do not rise to the level of requiring care at			
22	the existing Residential Treatment Unit at the High Security facility but who nonetheless would			
23	require or benefit from a level of care beyond that which is delivered to the general population. All			
24	disbursements from this fund must occur in pursuit of collaborative development by the Department			
25	of Corrections, the Office of the Governor, and the Office of Management and Budget of a final			
26	approved long-term strategy for meeting the needs of the severely and persistently mentally ill			
27	population, or in furtherance of the needs and goals identified in the final approved long-term			
28	strategy, potentially including but not limited to creation of a <del>Transitional Care Unit</del> <u>Behavioral</u>			
29	<u>Management Unit</u> and expansion of programming. All unexpended or unencumbered balances of			
30	this fund, at the end of any fiscal year, shall be reappropriated to the ensuing fiscal year and made			
31	immediately available for the same purposes.			
32	Federal Funds	54,000	(54,000)	0
33	Restricted Receipts	2,274,537	0	2,274,537
34	Total - Healthcare Services	28,175,754	1,113,383	29,289,137

1	<i>Community Corrections</i>			
2	General Revenues	18,577,675	1,015,641	19,593,316
3	Federal Funds	97,867	271,550	369,417
4	Restricted Receipts	14,883	(3,603)	11,280
5	Total - Community Corrections	18,690,425	1,283,588	19,974,013
6	Grand Total - Corrections	245,921,150	17,285,412	263,206,562
7	<b>Judiciary</b>			
8	<i>Supreme Court</i>			
9	General Revenues	29,988,350	2,132,961	32,121,311
10	Provided however, that no more than \$1,435,110 in combined total shall be offset to the			
11	Public Defender's Office, the Attorney General's Office, the Department of Corrections, the			
12	Department of Children, Youth, and Families, and the Department of Public Safety for square-			
13	footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to			
14	the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy			
15	project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to			
16	Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.			
17	Defense of Indigents	5,075,432	53	5,075,485
18	Federal Funds	138,354	503,340	641,694
19	Restricted Receipts	3,861,095	205,911	4,067,006
20	Other Funds			
21	Rhode Island Capital Plan Funds			
22	Garrahy Courtroom Restoration	250,000	0	250,000
23	Murray Courtroom Restoration	700,000	0	700,000
24	Judicial Complexes - HVAC	1,000,000	143,149	1,143,149
25	Judicial Complexes Asset Protection	1,500,000	0	1,500,000
26	Judicial Complexes Fan			
27	Coil Unit Replacements	750,000	0	750,000
28	Licht Judicial Complex Restoration	750,000	42,193	792,193
29	Total - Supreme Court	44,013,231	3,027,607	47,040,838
30	<i>Judicial Tenure and Discipline</i>			
31	General Revenues	155,863	14,765	170,628
32	<i>Superior Court</i>			
33	General Revenues	25,022,380	1,211,678	26,234,058
34	Federal Funds	111,553	14,698	126,251



1	Restricted Receipts	407,207	(82,190)	325,017
2	Total - Superior Court	25,541,140	1,144,186	26,685,326
3	<i>Family Court</i>			
4	General Revenues	23,507,538	1,468,944	24,976,482
5	Federal Funds	3,106,857	221,411	3,328,268
6	Total - Family Court	26,614,395	1,690,355	28,304,750
7	<i>District Court</i>			
8	General Revenues	14,443,083	769,637	15,212,720
9	Federal Funds	571,495	(189,176)	382,319
10	Restricted Receipts	60,000	0	60,000
11	Total - District Court	15,074,578	580,461	15,655,039
12	<i>Traffic Tribunal</i>			
13	General Revenues	9,716,034	587,320	10,303,354
14	<i>Workers' Compensation Court</i>			
15	Restricted Receipts	9,310,113	416,057	9,726,170
16	Grand Total - Judiciary	130,425,354	7,460,751	137,886,105
17	<b>Military Staff</b>			
18	General Revenues	2,723,714	333,567	3,057,281
19	Federal Funds	36,614,294	3,761,534	40,375,828
20	Restricted Receipts			
21	RI Military Family Relief Fund	55,000	0	55,000
22	Other Funds			
23	Rhode Island Capital Plan Funds			
24	Aviation Readiness Center	535,263	(535,263)	0
25	AMC Roof Replacement	366,500	(366,500)	0
26	Asset Protection	930,000	197,526	1,127,526
27	Joint Force Headquarters Building	0	906,004	906,004
28	Grand Total - Military Staff	41,224,771	4,296,868	45,521,639
29	<b>Public Safety</b>			
30	<i>Central Management</i>			
31	General Revenues	15,917,162	(14,935,869)	981,293
32	<del>Provided that \$15,000,000 shall be allocated as the state contribution for the Statewide</del>			
33	<del>Body worn Camera Program, subject to all program and reporting rules, regulations, policies, and</del>			
34	<del>guidelines prescribed in the Rhode Island General Laws. No money appropriated shall be</del>			

1 ~~distributed for Rhode Island police department body worn camera expenses prior to the~~  
2 ~~promulgation of rules and regulations. Notwithstanding the provisions of section 35-3-15 of the~~  
3 ~~general laws, all unexpended or unencumbered balances as of June 30, 2022 from this appropriation~~  
4 ~~are hereby reappropriated to fiscal year 2023.~~

5	Federal Funds	10,902,596	2,525,171	13,427,767
6	Restricted Receipts	189,556	87,208	276,764
7	Total - Central Management	27,009,314	(12,323,490)	14,685,824
8	<i>E-911 Emergency Telephone System</i>			
9	Restricted Receipts	7,469,769	1,193,318	8,663,087
10	<i>Security Services</i>			
11	General Revenues	27,319,253	(417,643)	26,901,610
12	<i>Municipal Police Training Academy</i>			
13	General Revenues	262,575	15,949	278,524
14	Federal Funds	451,295	94,011	545,306
15	Total - Municipal Police Training Academy	713,870	109,960	823,830
16	<i>State Police</i>			
17	General Revenues	77,105,322	4,996,045	82,101,367
18	Federal Funds	6,110,439	3,452,457	9,562,896
19	Restricted Receipts	856,000	69,441	925,441
20	Other Funds			
21	Airport Corporation Assistance	150,000	15,300	165,300
22	Road Construction Reimbursement	2,500,000	790,951	3,290,951
23	Weight and Measurement Reimbursement	400,000	222,997	622,997
24	Rhode Island Capital Plan Funds			
25	DPS Asset Protection	791,000	7,498	798,498
26	Portsmouth Barracks	350,000	0	350,000
27	Southern Barracks	2,100,000	0	2,100,000
28	Training Academy Upgrades	750,000	(556,380)	193,620
29	Statewide Communications System			
30	Network	237,370	(6,441)	230,929
31	Headquarters Roof Replacement	0	998,259	998,259
32	Total-State Police	91,350,131	9,990,127	101,340,258
33	Grand Total - Public Safety	153,862,337	(1,447,728)	152,414,609
34	<b>Office of Public Defender</b>			

1	General Revenues	13,431,599	786,051	14,217,650
2	Federal Funds	75,665	19,387	95,052
3	Grand Total - Office of Public Defender	13,507,264	805,438	14,312,702
4	<b>Emergency Management Agency</b>			
5	General Revenues	2,710,290	5,216,141	7,926,431
6	Federal Funds	17,552,433	12,010,469	29,562,902
7	Restricted Receipts	527,563	(68,108)	459,455
8	Other Funds			
9	Rhode Island Capital Plan Funds			
10	RI Statewide Communications Network	1,494,400	0	1,494,400
11	Emergency Management Building	250,000	0	250,000
12	Grand Total - Emergency Management Agency	22,534,686	17,158,502	39,693,188
13	<b>Environmental Management</b>			
14	<i>Office of the Director</i>			
15	General Revenues			
16	General Revenues	7,551,252	173,917	7,725,169
17	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts.			
18	Clean and Drinking Water Match	0	21,915,120	21,915,120
19	<a href="#"><u>Provided that these funds are used to support the state match for the Clean Water State</u></a>			
20	<a href="#"><u>Revolving Fund and Drinking Water State Revolving Fund through the Rhode Island Infrastructure</u></a>			
21	<a href="#"><u>Bank and that the Infrastructure Bank provide acceptable documentation to the Office of</u></a>			
22	<a href="#"><u>Management and Budget showing the need for the funding to be used as state match.</u></a>			
23	Federal Funds	0	65,100	65,100
24	Restricted Receipts	4,189,798	708,116	4,897,914
25	Total - Office of the Director	11,741,050	22,862,253	34,603,303
26	<i>Natural Resources</i>			
27	General Revenues	25,272,202	2,046,235	27,318,437
28	Federal Funds	21,635,240	2,416,356	24,051,596
29	Restricted Receipts	5,454,434	405,546	5,859,980
30	Other Funds			
31	DOT Recreational Projects	762,000	0	762,000
32	Blackstone Bike Path Design	1,000,000	0	1,000,000
33	Transportation MOU	10,286	(10,286)	0
34	Rhode Island Capital Plan Funds			

1	Blackstone Valley Park Improvement	500,000	489,717	989,717
2	Dam Repair	90,000	865,315	955,315
3	Fort Adams Rehabilitation	300,000	223,880	523,880
4	Galilee Pier Upgrades	5,420,000	3,562,563	8,982,563
5	Newport Pier Upgrades	150,000	108,820	258,820
6	Recreation Facility Asset Protection	750,000	79,693	829,693
7	Recreational Facilities Improvement	3,200,000	157,990	3,357,990
8	Total - Natural Resources	64,544,162	10,345,829	74,889,991
9	<i>Environmental Protection</i>			
10	General Revenues	13,360,386	605,317	13,965,703
11	Federal Funds	10,753,650	668,948	11,422,598
12	Restricted Receipts	7,457,559	113,787	7,571,346
13	Other Funds			
14	Transportation MOU	63,565	(31,544)	32,021
15	Total - Environmental Protection	31,635,160	1,356,508	32,991,668
16	Grand Total - Environmental Management	107,920,372	34,564,590	142,484,962
17	<b>Coastal Resources Management Council</b>			
18	General Revenues	2,809,533	179,339	2,988,872
19	Federal Funds	1,850,628	446,274	2,296,902
20	Restricted Receipts	250,000	0	250,000
21	Other Funds			
22	Rhode Island Capital Plan Funds			
23	Narragansett Bay SAMP	75,115	69,309	144,424
24	RI Coastal Storm Risk Study	475,000	0	475,000
25	Grand Total - Coastal Resources Management			
26	Council	5,460,276	694,922	6,155,198
27	<b>Transportation</b>			
28	<i>Central Management</i>			
29	Federal Funds	16,066,910	627,845	16,694,755
30	Other Funds			
31	Gasoline Tax	8,917,792	727,132	9,644,924
32	Total - Central Management	24,984,702	1,354,977	26,339,679
33	<i>Management and Budget</i>			
34	Other Funds			

1	Gasoline Tax	5,380,580	53,487	5,434,067
2	<i>Infrastructure Engineering</i>			
3	Federal Funds	416,941,030	3,601,089	420,542,119
4	Restricted Receipts	2,589,202	2,103,452	4,692,654
5	Other Funds			
6	Gasoline Tax	70,347,728	1,298,457	71,646,185
7	Toll Revenue	35,089,593	(4,000,000)	31,089,593
8	Land Sale Revenue	5,979,719	5,302,754	11,282,473
9	Rhode Island Capital Plan Funds			
10	Highway Improvement Program	63,451,346	0	63,451,346
11	Bike Path Facilities Maintenance	400,000	(15,951)	384,049
12	RIPTA - Land and Buildings	1,330,000	(74,950)	1,255,050
13	RIPTA - Providence Transit Connector	0	35,726	35,726
14	RIPTA - Pawtucket Bus Hub & Transit Connector	0	598,180	598,180
15	RIPTA - Warwick Bus Hub	260,000	0	260,000
16	RIPTA - URI Mobility Hub	600,000	0	600,000
17	Total - Infrastructure Engineering	596,988,618	8,848,757	605,837,375
18	<i>Infrastructure Maintenance</i>			
19	Federal Funds	18,038,585	14,800,000	32,838,585
20	Other Funds			
21	Gasoline Tax	29,781,566	5,630,898	35,412,464
22	Non-Land Surplus Property	50,000	(50,000)	0
23	Rhode Island Highway Maintenance			
24	Account	87,157,485	12,327,899	99,485,384
25	Rhode Island Capital Plan Funds			
26	Maintenance Capital Equipment			
27	Replacement	1,499,462	0	1,499,462
28	Maintenance Facilities Improvements	900,000	179,400	1,079,400
29	Welcome Center	150,000	0	150,000
30	Salt Storage Facilities	2,500,000	(500,000)	2,000,000
31	Train Station Maintenance and Repairs	450,000	230,179	680,179
32	Total - Infrastructure Maintenance	140,527,098	32,618,376	173,145,474
33	Grand Total - Transportation	767,880,998	42,875,597	810,756,595
34	Statewide Totals			

1	General Revenues	4,550,811,637	941,952,582	5,492,764,219
2	Federal Funds	5,862,690,503	(158,402,175)	5,704,288,328
3	Restricted Receipts	372,695,155	10,531,511	383,226,666
4	Other Funds	2,334,615,011	(38,613,148)	2,296,001,863
5	Statewide Grand Total	13,120,812,306	755,468,770	13,876,281,076

6 SECTION 2. Each line appearing in Section 1 of this Article shall constitute an  
7 appropriation.

8 SECTION 3. The general assembly authorizes the state controller to establish the internal  
9 service accounts shown below, and no other, to finance and account for the operations of state  
10 agencies that provide services to other agencies, institutions and other governmental units on a cost  
11 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in  
12 a businesslike manner, promote efficient use of services by making agencies pay the full costs  
13 associated with providing the services, and allocate the costs of central administrative services  
14 across all fund types, so that federal and other non-general fund programs share in the costs of  
15 general government support. The controller is authorized to reimburse these accounts for the cost  
16 of work or services performed for any other department or agency subject to the following  
17 expenditure limitations:

18	Account	Expenditure Limit		
19		FY2022	FY2022	FY2022
20		Enacted	Change	FINAL
21	State Assessed Fringe Benefit Internal Service Fund	37,626,944	(149,771)	37,477,173
22	Administration Central Utilities			
23	Internal Service Fund	27,345,573	10,931	27,356,504
24	State Central Mail Internal Service Fund	6,736,424	382,893	7,119,317
25	State Telecommunications Internal Service Fund	3,100,546	769,721	3,870,267
26	State Automotive Fleet Internal Service Fund	12,664,678	208,206	12,872,884
27	Surplus Property Internal Service Fund	3,000	0	3,000
28	Health Insurance Internal Service Fund	272,604,683	63,451	272,668,134
29	Other Post-Employment Benefits Fund	63,858,483	0	63,858,483
30	Capitol Police Internal Service Fund	1,731,553	(295,960)	1,435,593
31	Corrections Central Distribution Center			
32	Internal Service Fund	7,410,210	94,561	7,504,771
33	Correctional Industries Internal Service Fund	8,590,417	(117,116)	8,473,301
34	Secretary of State Record Center Internal Service Fund	1,060,059	115,727	1,175,786



1	Office of the Governor	45.0
2	Commission for Human Rights	14.0
3	Public Utilities Commission	54.0
4	Office of Health and Human Services	190.0
5	Children, Youth, and Families	702.5
6	Health	<del>530.6</del> <u>530.4</u>
7	Human Services	753.0
8	Office of Veterans Services	<del>263.1</del> <u>263.0</u>
9	Office of Healthy Aging	31.0
10	Behavioral Healthcare, Developmental Disabilities, and Hospitals	1,190.4
11	Office of the Child Advocate	10.0
12	Commission on the Deaf and Hard of Hearing	4.0
13	Governor's Commission on Disabilities	4.0
14	Office of the Mental Health Advocate	4.0
15	Elementary and Secondary Education	143.1
16	School for the Deaf	60.0
17	Davies Career and Technical School	123.0
18	Office of Postsecondary Commissioner	33.0
19	Provided that 1.0 of the total authorization would be available only for positions that are	
20	supported by third-party funds, 10.0 would be available only for positions at the State's Higher	
21	Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for	
22	positions at the Nursing Education Center.	
23	University of Rhode Island	2,555.0
24	Provided that 357.8 of the total authorization would be available only for positions that are	
25	supported by third-party funds.	
26	Rhode Island College	949.2
27	Provided that 76.0 of the total authorization would be available only for positions that are	
28	supported by third-party funds.	
29	Community College of Rhode Island	849.1
30	Provided that 89.0 of the total authorization would be available only for positions that are	
31	supported by third-party funds.	
32	Rhode Island State Council on the Arts	9.6
33	RI Atomic Energy Commission	8.6
34	Historical Preservation and Heritage Commission	15.6



1	Office of the Attorney General	247.1
2	Corrections	1,424.0
3	Judicial	726.3
4	Military Staff	92.0
5	Emergency Management Agency	33.0
6	Public Safety	<del>622.6</del> 628.6
7	Office of the Public Defender	99.0
8	Environmental Management	401.0
9	Coastal Resources Management Council	30.0
10	Transportation	755.0
11	<b>Total</b>	<del>15,313.2</del> 15,317.9

12 No agency or department may employ contracted employee services where contract  
13 employees would work under state employee supervisors without determination of need by the  
14 Director of Administration acting upon positive recommendations by the Budget Officer and the  
15 Personnel Administrator and 15 days after a public hearing.

16 Nor may any agency or department contract for services replacing work done by state  
17 employees at that time without determination of need by the Director of Administration acting upon  
18 the positive recommendations of the State Budget Officer and the Personnel Administrator and 30  
19 days after a public hearing.

20 SECTION 5. Reappropriation of Funding for State Fiscal Recovery Fund and Capital  
21 Projects Fund. Notwithstanding any provision of general law, any unexpended and unencumbered  
22 federal funds from the State Fiscal Recovery Fund and Capital Projects Fund shall be  
23 reappropriated in the ensuing fiscal year and made available for the same purposes. However, any  
24 such reappropriations are subject to final approval by the General Assembly as part of the  
25 supplemental appropriations act.

26 SECTION 6. This article shall take effect upon passage.

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## ARTICLE 8

### RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND OPERATING SPACE

SECTION 1. This Article consists of a joint resolution that is submitted pursuant to § 37-6-2 authorizing various lease agreements for office space and operating space.

#### SECTION 2. *Executive Office of Commerce*

WHEREAS, the Executive Office of Commerce currently occupies approximately 2,983 square feet at 555 Valley Street (Building 58, Suite 203) in the City of Providence;

WHEREAS, the Executive Office of Commerce currently has a current lease agreement, in full force and effect, with Foundry ALCO Members, LLC for approximately 2,983 square feet of office space located at 555 Valley Street (Building 58, Suite 203);

WHEREAS, the existing lease expires on June 30, 2022, and the Executive Office of Commerce wishes to exercise its option to renew this lease for an additional five-year term;

WHEREAS, the State of Rhode Island, acting by and through the Executive Office of Commerce attests to the fact that there are no clauses in the lease agreement with Foundry ALCO Members, LLC that would interfere with the Executive Office of Commerce lease agreement or use of the facility;

WHEREAS, the leased premises provide a critical location for the offices of the Executive Office of Commerce from which the organization can fulfill the mission of the Executive Office of Commerce;

WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June 30, 2022 is \$71,234.04;

WHEREAS, the anticipated annual base rent of the agreement in each of the five (5) years of the renewal term will not exceed \$76,576.60;

WHEREAS, the payment of the annual base rent will be made from funds available to the Executive Office of Commerce for the payments of rental and lease costs based on annual appropriations made by the General Assembly;

WHEREAS, the State Properties Committee now respectfully requests the approval of the Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement between the Executive Office of Commerce and Foundry ALCO Members, LLC for leased space located at 555 Valley Street (Building 58, Suite 203), Providence; now therefore be it

1           RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
2 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
3 \$382,883; and it be further

4           RESOLVED, that this Joint Resolution shall take effect upon passage by the General  
5 Assembly; and it be further

6           RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
7 certified copies of this resolution to the Governor, the Director of the Executive Office of  
8 Commerce, the Director of Administration, the State Budget Officer, and the Chair of the State  
9 Properties Committee.

10           SECTION 3. *Department of Corrections*

11           WHEREAS, the Rhode Island Department of Corrections has a current lease agreement,  
12 in full force and effect, with WRR Associates, LLC. for approximately 5,086 square feet of office  
13 space located at 49 Pavilion Avenue, Providence;

14           WHEREAS, the State of Rhode Island, acting by and through the Department of  
15 Corrections attests to the fact that there are no clauses in the lease agreement with the WRR  
16 Associates, LLC that would interfere with the Department of Corrections lease agreement or use  
17 of the facility;

18           WHEREAS, the existing lease expires on January 31, 2023, and the Department of  
19 Corrections wishes to advertise a Request for Proposals seeking approximately 5,000 square feet  
20 of office space and relocating to a new office location in Providence;

21           WHEREAS, the annual base rent in the current agreement in the current fiscal year, ending  
22 June 30, 2022 and continuing through January 31, 2023 is \$108,690;

23           WHEREAS, the annual base rent of the agreement through January 31, 2023 will not  
24 exceed \$108,690;

25           WHEREAS, it is anticipated that the annual base rent of the new lease agreement in each  
26 of the ten years of the term will not exceed \$110,000;

27           WHEREAS, the payment of the annual base rent will be made from funds available to the  
28 Department of Corrections for the payments of rental and lease costs based on annual  
29 appropriations made by the General Assembly;

30           WHEREAS, the proposed new leased premises will provide a critical location for the  
31 offices of the Department of Corrections from which the Department can serve the needs of  
32 Providence and surrounding communities and otherwise fulfill the mission of the Department of  
33 Corrections;

34           WHEREAS, the State Properties Committee now respectfully requests the approval of the

1 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement  
2 between the Department of Corrections and a landlord to be determined, for the office space located  
3 at a location to be determined in the City of Providence, Rhode Island; now therefore be it

4         RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
5 lease agreement, for a term not to exceed ten (10) years and an aggregate base rent not to exceed  
6 \$1,100,000; and it be further

7         RESOLVED, that this joint resolution shall take effect upon passage by the General  
8 Assembly; and it be further

9         RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
10 certified copies of this resolution to the Governor, the Director of the Department of Corrections,  
11 the Director of Administration, the State Budget Officer, and the Chair of the State Properties  
12 Committee.

13         SECTION 4. *University of Rhode Island -- Communicative Disorders Program Lease*  
14 *Renewal*

15         WHEREAS, the University of Rhode Island (“University”) has academic programs in  
16 physical therapy, communicative disorders, and kinesiology with teaching, research, and outreach  
17 that benefit Rhode Island adults and children with injuries and disabilities;

18         WHEREAS, the Independence Square Foundation (“Foundation”) is a non-profit  
19 corporation that develops and manages community center buildings, leasing space at affordable  
20 rates to not-for-profit operations, with a historical emphasis on operations supporting individuals  
21 with disabilities;

22         WHEREAS, the Foundation promotes and fosters collaborative relationships between its  
23 non-profit tenants in the interest of enhancing the range and quality of services offered to these  
24 special populations, recognized at the national level as a unique model to be emulated:

25         WHEREAS, in 1991, the University and the Board of Governors for Higher  
26 Education/Council on Postsecondary Education/University of Rhode Island Board of Trustees  
27 (“Board”), and the State Properties Committee (“Properties Committee”) approved a lease of land  
28 (“Ground Lease”), for ten years, with ten years renewable, for a parcel of land at 25 West  
29 Independence Way on the Kingston Campus of the University in Kingston, Rhode Island to the  
30 Foundation, enabling Independence Square to build a 40,000 square foot community center  
31 building for not-for-profit tenants;

32         WHEREAS, in 2002, the University, the Board and the Properties Committee, approved a  
33 space lease executed on May 24, 2002 and terminating, with executed extensions, on January 31,  
34 2023, wherein the Foundation leased to University approximately 4,300 rentable square feet of

1 space located Building II for the University’s Communicative Disorders program (“Program”)  
2 within the original phase of building at 25 West Independence Way and that Program, associated  
3 students and faculty have benefited from the quality, accessible, and well maintained facilities for  
4 the duration of that lease;

5 WHEREAS, in 2007, the University, the Board, and the Properties Committee have  
6 approved a 25 year extension to the existing Ground Lease, commencing as of January 1, 2009 and  
7 terminating on January 31, 2034;

8 WHEREAS, in 2022, the University and the Board approved a space lease commencing as  
9 of the February 1, 2023 and terminating on January 31, 2034 , wherein the Foundation leased to  
10 University approximately 4,300 rentable square feet of space located Building II for the  
11 University’s Program within the original phase of building at 25 West Independence Way and that  
12 Program, associated students and faculty have benefited from the quality, accessible, and well  
13 maintained facilities for the duration of that lease;

14 WHEREAS, it is in the best interest of the Program, associated students and faculty to have  
15 continued access to the quality, accessible, and well maintained facilities for the duration of the  
16 lease;

17 WHEREAS, the renewal of the lease requires the University to pay rent, plus the  
18 University’s proportional share of building operating expenses, such as heating, cooling, lighting,  
19 and basic electrical service, such rent, for the Lease period, in total, shall be \$758,692.00. The  
20 proportionate share of building operating expenses are calculated on an annualized basis, this  
21 proportionate share of building operating expenses being subject to annual increases in operating  
22 expenses in future years; now, therefore be it

23 RESOLVED, that this General Assembly of the State of Rhode Island hereby recognizes  
24 that lease payments of rent will not exceed \$758,692.00 for the duration of the Communicative  
25 Disorders Program Lease Renewal (“Lease Renewal”), plus the proportionate share of building  
26 operating expenses; and be it further

27 RESOLVED, that this General Assembly hereby approves this Lease Renewal and its  
28 associated rent and proportionate operating cost; and be it further

29 RESOLVED, that this Joint Resolution shall take effect upon passage by this General  
30 Assembly; and be it further

31 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
32 certified copies of this resolution to the Governor, the President of the University of Rhode Island,  
33 the Director of Administration, the State Budget Officer, and the Chair of the State Properties  
34 Committee.

1           SECTION 5. *University of Rhode Island Physical Therapy Program Lease Renewal*

2           WHEREAS, the University of Rhode Island (“University”) has academic programs in  
3 physical therapy, communicative disorders, and kinesiology with teaching, research, and outreach  
4 that benefit Rhode Island adults and children with injuries and disabilities;

5           WHEREAS, the Independence Square Foundation (“Foundation”) is a non-profit  
6 corporation that develops and manages community center buildings, leasing space at affordable  
7 rates to not-for-profit operations, with a historical emphasis on operations supporting individuals  
8 with disabilities;

9           WHEREAS, the Foundation promotes and fosters collaborative relationships between its  
10 non-profit tenants in the interest of enhancing the range and quality of services offered to these  
11 special populations, recognized at the national level as a unique model to be emulated:

12           WHEREAS, in 1991, the University and the Board of Governors for Higher  
13 Education/Council on Postsecondary Education/University of Rhode Island Board of Trustees  
14 (“Board”), and the State Properties Committee (“Properties Committee”) approved a lease of land  
15 (“Ground Lease”), for ten years, with ten years renewable, for a parcel of land at 25 West  
16 Independence Way on the Kingston Campus of the University in Kingston, Rhode Island to the  
17 Foundation, enabling Independence Square to build a 40,000 square foot community center  
18 building for not-for-profit tenants;

19           WHEREAS, in 2007, the University, the Board, and the Properties Committee have  
20 approved a 25 year extension to the existing Ground Lease, commencing as of January 1, 2009 and  
21 terminating on January 31, 2034;

22           WHEREAS, in 2013, the University, the Board and the Properties Committee, approved a  
23 space lease commencing as of the February 1, 2014 and terminating on February 28, 2023, wherein  
24 the Foundation leased to University approximately 16,400 rentable square feet of space located  
25 Building II for the University’s Physical Therapy program (“Program”) within the original phase  
26 of building at 25 West Independence Way and that Program, associated students and faculty have  
27 benefited from the quality, accessible, and well maintained facilities for the duration of that lease;

28           WHEREAS, in 2022, the University and the Board approved a space lease commencing as  
29 of March 1, 2023 and terminating on January 31, 2034 (“Lease”), wherein the Foundation leased  
30 to University approximately 16,400 rentable square feet of space located Building II for the  
31 University’s Program within the original phase of building at 25 West Independence Way and that  
32 Program, associated students and faculty have benefited from the quality, accessible, and well  
33 maintained facilities for the duration of that Lease;

34           WHEREAS it is in the best interest of the Program, associated students and faculty to have

1 continued access to the quality, accessible, and well-maintained facilities for the duration of the  
2 Lease;

3 WHEREAS, the lease requires the University to pay rent, plus the University's  
4 proportional share of building operating expenses, such as heating, cooling, lighting, and basic  
5 electrical service, such rent, for the Lease period, in total, shall be \$2,871,694.67. The proportionate  
6 share of building operating expenses are calculated on an annualized basis, this proportionate share  
7 of building operating expenses being subject to annual increases in operating expenses in future  
8 years; now, therefore be it

9 RESOLVED, that this General Assembly of the State of Rhode Island hereby recognizes  
10 that Lease payments of rent will not exceed \$2,871,694.67 for the duration of the Lease, plus the  
11 proportionate share of building operating expenses; and be it further

12 RESOLVED, that this General Assembly hereby approves this Physical Therapy Program  
13 Lease Renewal and its associated rent and proportionate operating costs; and be it further

14 RESOLVED, that this Joint Resolution shall take effect upon passage by this General  
15 Assembly; and be it further

16 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
17 certified copies of this resolution to the Governor, the President of the University of Rhode Island,  
18 the Director of Administration, the State Budget Officer, and the Chair of the State Properties  
19 Committee.

20 SECTION 6. This Article shall take effect upon passage.

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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	<a href="#">Cottage Food Manufacturers</a>	<a href="#">21-27-6.2(4)</a>	<a href="#">Registration fee</a>	<a href="#">\$65.00</a>
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	23-17.4-15.2(d)	License application fee:	\$220.00
11	Assisted living residences/ administrators	23-17.4-15.2(d)	License renewal fee:	\$220.00
12	Assisted living residences	23-17.4-31	Annual facility fee: base	\$330.00
13	Assisted living residences	23-17.4-31	Annual facility per bed	\$70.00
14	Nursing assistant registration	23-17.9-3	Application: competency evaluation training program maximum	\$325.00
15	Nursing assistant registration	23-17.9-5	Application fee	\$35.00
16	Nursing assistant registration	23-17.9-5	Exam fee: skills proficiency	\$170.00
17	Nursing assistant registration	23-17.9-6	Registration fee	\$35.00
18	Nursing assistant registration	23-17.9-7	Renewal fee	\$35.00
19	Sanitarians	23-19.3-5(a)	Registration fee	\$25.00
20	Sanitarians	23-19.3-5(b)	Registration renewal	\$25.00
21	Massage therapy	23-20.8-3(e)	Massage therapist appl fee	\$65.00
22	Massage therapy	23-20.8-3(e)	Massage therapist renewal fee	\$65.00
23	Recreational facilities	23-21-2	Application fee	\$160.00
24	Swimming pools	23-22-6	Application license: first pool	\$250.00
25	Swimming pools	23-22-6	Additional pool fee at same location	\$75.00
26	Swimming pools	23-22-6	Seasonal application license: first pool	\$150.00
27	Swimming pools	23-22-6	Seasonal additional pool fee at same location	\$75.00
28	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 ~~(d)~~ 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.

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**ARTICLE 10**

RELATING TO EDUCATION

SECTION 1. Sections 16-7-16, 16-7-20 and 16-7-40 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support" are hereby amended to read as follows:

**16-7-16. Definitions.**

The following words and phrases used in §§ 16-7-15 to 16-7-34 have the following meanings:

(1) "Adjusted equalized weighted assessed valuation" means the equalized weighted assessed valuation of a community as determined by the department of revenue or as apportioned by the commissioner pursuant to the provisions of § 16-7-21.

(2)(i) "Average daily membership" means the average number of pupils in a community during a school year as determined pursuant to the provisions of § 16-7-22, less any students who are served in a program operated by the state and funded through the permanent foundation education aid formula pursuant to chapter 7.2 of this title.

(ii) For FY 2022, "average daily membership" means the greater of the average number of pupils in a community during a school year as determined pursuant to the provisions of § 16-7-22 in March 2020 or March 2021, less any students who are served in a program operated by the state and funded through the permanent foundation education aid formula pursuant to chapter 7.2 of this title. State aid to charter public schools, Davies, and the Met Center shall be determined based on the districts of residence in whichever year had the greater total average daily membership.

(A) For the purposes of determining the number of students in poverty, the department shall divide the average daily membership of students reported as living in poverty in each district of residence by the total average daily membership of students enrolled in the district of residence in both March 2020 and March 2021. The greater percentage shall be applied to the average daily membership used in the calculation of foundation education aid. For charter public schools, Davies, and the Met Center, the average daily membership of students reported as living in poverty shall be consistent with March 2020 or March 2021, whichever year had the greater total average daily membership.

(B) If the average daily membership in March 2020 is greater for any given community than in March 2021, the number of pupils shall be reduced by the number of students attending new

1 or expanding charter schools in FY 2022.

2 (iii) For FY 2023, "average daily membership" means the greater of the average number  
3 of pupils in a community during a school year as determined pursuant to the provisions of § 16-7-  
4 22 in March 2020, March 2021 or March 2022, less any students who are served in a program  
5 operated by the state and funded through the permanent foundation education aid formula pursuant  
6 to chapter 7.2 of this title. State aid to charter public schools, Davies, and the Met Center shall be  
7 determined based on the districts of residence in whichever year had the greater total average daily  
8 membership.

9 (A) For the purposes of determining the number of students in poverty, the department  
10 shall divide the average daily membership of students reported as living in poverty in each district  
11 of residence by the total average daily membership of students enrolled in the district of residence  
12 in March 2020, March 2021 and March 2022. The greater percentage shall be applied to the average  
13 daily membership used in the calculation of foundation education aid. For charter public schools,  
14 Davies, and the Met Center, the average daily membership of students reported as living in poverty  
15 shall be consistent with March 2020, March 2021 or March 2022, whichever year had the greater  
16 total average daily membership.

17 (B) If the average daily membership in March 2020 is greater for any given community  
18 than in March 2021 and March 2022, the number of pupils shall be reduced by the number of  
19 students attending new or expanding charter schools in FY 2022 and FY 2023.

20 (C) If the average daily membership in March 2021 is greater for any given community  
21 than in March 2022, the number of pupils shall be reduced by the number of students attending new  
22 or expanding charter schools in FY 2023.

23 (3) "Basic education program" means the cost of education of resident pupils in grades  
24 twelve (12) and below in average daily membership for the reference year as determined by the  
25 mandated minimum program level.

26 (4) "Certified personnel" means all persons who are required to hold certificates issued by  
27 or under the authority of the council on elementary and secondary education.

28 (5) "Community" means any city, town, or regional school district established pursuant to  
29 law and/or the department of children, youth and families; provided, however, that the department  
30 of children, youth and families shall not have those administrative responsibilities and obligations  
31 as set forth in chapter 2 of this title; provided, however, that the member towns of the Chariho  
32 regional high school district, created by P.L. 1958, ch. 55 as amended, shall constitute separate and  
33 individual communities for the purpose of determining and distributing the foundation level school  
34 support including state aid for noncapital excess expenses for the special education of children with

1 disabilities provided for in § 16-24-6 for all grades financed in whole or in part by the towns  
2 irrespective of any regionalization and any school operated by the state department of elementary  
3 and secondary education.

4 (6) "Department of children, youth and families" means that department created pursuant  
5 to chapter 72 of title 42. For purposes of this section, §§ 16-7-20, 16-24-2, and 42-72-5(b)(22),  
6 "children" means those children who are placed, assigned, or otherwise accommodated for  
7 residence by the department of children, youth and families in a state operated or supported  
8 community residence licensed by a state agency and the residence operates an educational program  
9 approved by the department of elementary and secondary education.

10 (7) "Equalized weighted assessed valuation" means the equalized weighted assessed  
11 valuation for a community as determined by the division of property valuation pursuant to the  
12 provisions of § 16-7-21.

13 (8) "Full time equivalency students" means the time spent in a particular activity divided  
14 by the amount of time in a normal school day.

15 (9) "Incentive entitlement" means the sum payable to a local school district under the  
16 formula used.

17 (10) "Mandated minimum program level" means the amount that shall be spent by a  
18 community for every pupil in average daily membership as determined pursuant to the provisions  
19 of § 16-7-18.

20 (11) "Reference year" means the next year prior to the school year immediately preceding  
21 that in which the aid is to be paid. For the purposes of calculating the permanent foundation  
22 education formula aid as described in § 16-7.2-3, the reference date shall be one year prior to the  
23 year in which aid is paid.

24 (12) "Regularly employed" and "service" as applied to certified personnel have the same  
25 meaning as defined in chapter 16 of this title.

26 **16-7-20. Determination of state's share.**

27 (a) For each community the state's share shall be computed as follows: Let

28  $R$ =state share ratio for the community.

29  $v$ =adjusted equalized weighted assessed valuation for the community, as defined in § 16-  
30 7-21(3).

31  $V$ =sum of the values of  $v$  for all communities.

32  $m$ =average daily membership of pupils in the community as defined in § 16-7-22(3).

33  $M$ =total average daily membership of pupils in the state.

34  $E$ =approved reimbursable expenditures for the community for the reference year minus the

1 excess costs of special education, tuitions, federal and state receipts, and other income.

2 Then the state share entitlement for the community shall be RE where

3  $R = 1 - 0.5vM/(Vm)$  through June 30, 2011, and  $R = 1 - 0.475 vM/(Vm)$  beginning on  
4 July 1, 2011 and thereafter. Except that in no case shall R be less than zero percent (0%).

5 (b) Whenever any funds are appropriated for educational purposes, the funds shall be used  
6 for educational purposes only and all state funds appropriated for educational purposes must be  
7 used to supplement any and all money allocated by a city or town for educational purposes and in  
8 no event shall state funds be used to supplant, directly or indirectly, any money allocated by a city  
9 or town for educational purposes. The courts of this state shall enforce this section by writ of  
10 mandamus.

11 (c) Notwithstanding the calculations in subsection (a), the hospital school at the Hasbro  
12 Children's Hospital shall be reimbursed one hundred percent (100%) of all expenditures approved  
13 by the council on elementary and secondary education in accordance with currently existing rules  
14 and regulations for administering state aid, and subject to annual appropriations by the general  
15 assembly including, but not limited to, expenditures for educational personnel, supplies, and  
16 materials in the prior fiscal year.

17 (d) In the event the computation of the state's share for any local education agency as  
18 outlined in subsection (a) is determined to have been calculated incorrectly after the state budget  
19 for that fiscal year has been enacted, the commissioner of elementary and secondary education shall  
20 notify affected local education agencies, the senate president, and the speaker of the house within  
21 fifteen (15) days of the determination.

22 (e) Realignment of aid payments to the affected local education agencies pursuant to  
23 subsection (d) shall occur in the following fiscal year:

24 (1) If the determination shows aid is underpaid to the local education agency, any amounts  
25 owed shall be paid in equal monthly installments.

26 (2) If the determination shows aid was overpaid, the department of elementary and  
27 secondary education shall recapture some amount of the aid from the overpaid local education  
28 agency. The amount to be withheld shall be equal to the amount of the overpayment prorated to the  
29 number of full months remaining in the fiscal year when the notification required in subsection (d)  
30 was made.

31 (f) The above notwithstanding, in no event shall the total paid to a local education agency  
32 in the 2023 fiscal year pursuant to subsection (a), above, be reduced as a result of the  
33 implementation of subsection (e), above; provided, however, that for the 2022 fiscal year, the full  
34 amount of any payment due to an underpayment and realignment under subsection (e)(1), above,

1 [shall be made for fiscal year 2022.](#)

2 [\(g\) Data used for the calculation of the FY 2022 state share ratio shall also be used for the](#)  
3 [calculation of the FY 2023 state share ratio.](#)

4 **16-7-40. Increased school housing ratio.**

5 (a)(1) In the case of regional school districts, the school housing aid ratio shall be increased  
6 by two percent (2%) for each grade so consolidated.

7 (2) Regional school districts undertaking renovation project(s) shall receive an increased  
8 share ratio of four percent (4%) for those specific project(s) only, in addition to the combined share  
9 ratio calculated in § 16-7-39 and this subsection.

10 (b) In the case of projects undertaken by districts specifically for the purposes of school  
11 safety and security, the school housing aid share ratio shall be increased by five percent (5%) for  
12 these specific projects only, in the calculation of school housing aid. The increased share ratio shall  
13 continue to be applied for as long as the project(s) receives state housing aid. In order to qualify for  
14 the increased share ratio, seventy-five percent (75%) of the project costs must be specifically  
15 directed to school safety and security measures. The council on elementary and secondary  
16 education shall promulgate rules and regulations for the administration and operation of this  
17 section.

18 (c) For purposes of addressing health and safety deficiencies as defined by the school  
19 building authority, including the remediation of hazardous materials, the school housing aid ratio  
20 shall be increased by five percent (5%) so long as the construction of the project commences by  
21 December 30, ~~2022~~ [2023](#), is completed by December 30, ~~2027~~ [2028](#), and a two hundred fifty  
22 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.  
23 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
24 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

25 (d) For purposes of educational enhancement, including projects devoted to the  
26 enhancement of early childhood education and career and technical education, the school housing  
27 aid ratio shall be increased by five percent (5%) so long as construction of the project commences  
28 by December 30, ~~2022~~ [2023](#), is completed by December 30, ~~2027~~ [2028](#), and a two hundred fifty  
29 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.  
30 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
31 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to these  
32 purposes.

33 (e) For replacement of a facility that has a facilities condition index of sixty-five percent  
34 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as



1 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
2 does not receive a bonus pursuant to subsection (f) or subsection (g), and a two hundred fifty million  
3 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order  
4 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
5 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

6 (f) For any new construction or renovation that increases the functional utilization of any  
7 facility from less than sixty percent (60%) to more than eighty percent (80%), including the  
8 consolidation of school buildings within or across districts, the school housing aid ratio shall be  
9 increased by five percent (5%) so long as construction of the project commences by December 30,  
10 2023, is completed by December 30, 2028, and a two hundred fifty million dollar (\$250,000,000)  
11 general obligation bond is approved on the November 2018 ballot. In order to qualify for the  
12 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred  
13 thousand dollars (\$500,000) must be specifically directed to this purpose.

14 (g) For any new construction or renovation that decreases the functional utilization of any  
15 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)  
16 to one hundred five percent (105%), the school housing ratio shall be increased by five percent  
17 (5%) so long as construction of the project commences by December 30, 2023, is completed by  
18 December 30, 2028, and a two hundred fifty million dollar (\$250,000,000) general obligation bond  
19 is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-  
20 five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000)  
21 must be specifically directed to this purpose.

22 (h) For consolidation of two (2) or more school buildings, within or across districts into  
23 one school building, the school housing aid ratio shall be increased by five percent (5%) so long as  
24 construction of the project commences by December 30, 2023, is completed by December 30, 2028,  
25 a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the  
26 November 2018 ballot, and does not receive a bonus pursuant to subsection (f) or subsection (g).  
27 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a  
28 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

29 (i) Any regionalized and/or non-regionalized school district receiving an increased share  
30 ratio for a project approved prior to July 1, 2018, shall continue to receive the increased share ratio  
31 for as long as the project receives state housing aid.

32 SECTION 2. Section 16-7.2-3 of the General Laws in Chapter 16-7.2 entitled "The  
33 Education Equity and Property Tax Relief Act" is hereby amended to read as follows:

34 **16-7.2-3. Permanent foundation education aid established.**

1 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall  
2 take effect. The foundation education aid for each district shall be the sum of the core instruction  
3 amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2),  
4 which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to  
5 determine the foundation aid.

6 (1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-  
7 instruction amount as established by the department of elementary and secondary education,  
8 derived from the average of northeast regional expenditure data for the states of Rhode Island,  
9 Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics  
10 (NCES) that will adequately fund the student instructional needs as described in the basic education  
11 program and multiplied by the district average daily membership as defined in § 16-7-22.  
12 Expenditure data in the following categories: instruction and support services for students,  
13 instruction, general administration, school administration, and other support services from the  
14 National Public Education Financial Survey, as published by NCES, and enrollment data from the  
15 Common Core of Data, also published by NCES, will be used when determining the core-  
16 instruction amount. The core-instruction amount will be updated annually. For the purpose of  
17 calculating this formula, school districts' resident average daily membership shall exclude charter  
18 school and state-operated school students.

19 (2) The amount to support high-need students beyond the core-instruction amount shall be  
20 determined by multiplying a student success factor of forty percent (40%) by the core instruction  
21 per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child  
22 whose family income is at or below one hundred eighty-five percent (185%) of federal poverty  
23 guidelines, hereinafter referred to as "poverty status." [By October 1, 2022, as part of its budget  
24 submission pursuant to § 35-3-4 relative to state fiscal year 2024 and thereafter, the department of  
25 elementary and secondary education shall develop and utilize a poverty measure that in the  
26 department's assessment most accurately serves as a proxy for the poverty status referenced in this  
27 subsection and does not rely on the administration of school nutrition programs. The department  
28 shall utilize this measure in calculations pursuant to this subsection related to the application of the  
29 student success factor, in calculations pursuant to § 16-7.2-4 related to the calculation of the state  
30 share ratio, and in the formulation of estimates pursuant to subsection \(b\) below. The department  
31 may also include any recommendations which seek to mitigate any disruptions associated with the  
32 implementation of this new poverty measure or improve the accuracy of its calculation.](#)

33 (b) The department of elementary and secondary education shall provide an estimate of the  
34 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate

1 shall include the most recent data available as well as an adjustment for average daily membership  
2 growth or decline based on the prior year experience.

3 (c) In addition, the department shall report updated figures based on the average daily  
4 membership as of October 1 by December 1.

5 (d) Local education agencies may set aside a portion of funds received under subsection  
6 (a) to expand learning opportunities such as after school and summer programs, full-day  
7 kindergarten and/or multiple pathway programs, provided that the basic education program and all  
8 other approved programs required in law are funded.

9 (e) The department of elementary and secondary education shall promulgate such  
10 regulations as are necessary to implement fully the purposes of this chapter.

11 SECTION 3. Section 16-87-4 of the General Laws in Chapter 16-87 entitled "Rhode Island  
12 Prekindergarten Education Act" is hereby amended to read as follows:

13 **16-87-4. Early childhood workforce development.**

14 (a) The Rhode Island department of elementary and secondary education shall work with  
15 other state departments and private philanthropy to establish a statewide, comprehensive, research-  
16 based early childhood workforce development scholarship program to expand the numbers of early  
17 childhood educators who have an associate's or bachelor's degree in early childhood education and  
18 who work with children from birth to age five (5).

19 (b)(1) In furtherance of the goals set forth in this chapter, no later than January 1, 2023, the  
20 governor's workforce board shall convene a working group comprised of representatives from the  
21 department of elementary and secondary education, department of human services, office of the  
22 postsecondary commissioner, the RI early learning council, organized labor and early childhood  
23 education industry employers, whose purpose shall be to identify barriers to entry into the early  
24 childhood education workforce, and to design accessible and accelerated pathways into the  
25 workforce, including, but not limited to, registered apprenticeships and postsecondary credit for  
26 prior work experience.

27 (2) No later than April 1, 2023, the working group shall provide the general assembly with  
28 recommendations for addressing the barriers to workforce entry and implementing the solutions  
29 identified by the working group; the recommendations shall outline any administrative and  
30 legislative action that would be required by participating agencies to implement the  
31 recommendations.

32 SECTION 4. Chapter 16-87 of the General Laws entitled "Rhode Island Prekindergarten  
33 Education Act" is hereby amended by adding thereto the following sections:

34 **16-87-6. Planning for prekindergarten expansion.**

1 On or before December 31, 2022, the department of elementary and secondary education,  
2 in collaboration with the department of human services and the children's cabinet, as established  
3 in § 45-72.5, shall submit to the governor, speaker of the house, president of the senate, and chairs  
4 of house and senate finance and education committees, an annual growth plan to expand the state  
5 prekindergarten program to five thousand (5,000) seats, for three- and four-year-old children, over  
6 five (5) years, beginning in FY 2024, as well as recommendations for achieving universal  
7 prekindergarten in the state. The growth plan shall detail annual targets and projected funding  
8 needs, as well as how the state will:

9 (a) Equitably distribute prekindergarten funding to eligible providers;

10 (b) Ensure that access to infant and toddler care is not at risk as the state prekindergarten  
11 program is expanded;

12 (c) Prepare, recruit and retain a highly-qualified early childhood workforce, including  
13 adequate wages for early childhood educators, regardless of setting;

14 (d) Build capacity among new and existing providers to ensure quality standards are met  
15 in all settings; and,

16 (e) Ensure providers in the mixed-delivery system have sufficient facilities to expand  
17 access to high-quality prekindergarten services.

18 **16-87-7. Pre-kindergarten facilities.**

19 (a) No later than December 31, 2022, the department of human services shall provide the  
20 speaker of the house and president of the senate with a report on the status of disbursement and  
21 impact of capital funds made available by the early learning facilities general obligation bond  
22 approved on March 2, 2021.

23 (b) The departments of elementary and secondary education and human services may also  
24 provide recommendations for programs and initiatives to ensure that early childhood education  
25 providers utilize facilities that meet licensing and facilities standards, in order to increase access to  
26 high-quality prekindergarten learning environments. Programs and initiatives may include, but  
27 shall not be limited to:

28 (1) Grant programs for facility planning and/or emergency facility maintenance;

29 (2) Establishing strategic partnerships between local education agencies and community-  
30 based early learning providers to make use of available space in existing facilities; and/or

31 (3) Technical assistance for providers to access capital, navigate licensing standards for  
32 facilities, and/or begin the facility improvement and development processes.

33 SECTION 5. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by  
34 adding thereto the following chapter:

1 CHAPTER 87.1

2 EARLY CHILDHOOD GOVERNANCE WORKING GROUP

3 **16-87.1-1. Early childhood governance working group.**

4 (a) There shall be created an early childhood governance working group (“the working  
5 group”) consisting of:

6 (1) The director of the department of human services, or designee;

7 (2) The commissioner of the department of education, or designee;

8 (3) The commissioner of postsecondary education, or designee;

9 (4) The director of the department of health, or designee;

10 (5) The director of the department of administration, or designee;

11 (6) Chair of the children’s cabinet, who shall be responsible for convening the working  
12 group; and

13 (7) The executive director of RI Kids Count, or designee.

14 (b) The working group shall convene any necessary subgroups of working group members  
15 and other stakeholders to inform and complete the early childhood governance recommendations  
16 required under this section.

17 (c) On or before October 1, 2023, the working group shall submit a report to the governor,  
18 speaker of the house, president of the senate, and chairs of house and senate finance and education  
19 committees, that shall include recommendations regarding the governance of early childhood  
20 programs in the state. The recommendations shall address, but need not be limited to:

21 (1) The coordination and administration of early childhood programs and services;

22 (2) The governance and organizational structure of early childhood programs and services,  
23 including whether, and under what circumstances, the state should consider unifying early  
24 childhood programs under one state agency;

25 (3) The fiscal structure of proposed recommendations; and

26 (4) The implementation of early childhood data systems, for strategic planning, program  
27 implementation and program evaluation.

28 (d) Staff of the children’s cabinet shall provide assistance in completing the duties of the  
29 working group identified in this section.

30 (e) The RI early learning council shall serve as an advisory body to the working group.

31 SECTION 6. Section 16-107-5 of the General Laws in Chapter 16-107 entitled "Rhode  
32 Island Promise Scholarship" is hereby amended to read as follows:

33 **16-107-5. Administration of scholarship program.**

34 (a) The financial aid office, in conjunction with the office of enrollment management or

1 their respective equivalent offices, at the community college of Rhode Island, shall administer the  
2 scholarship program for state residents seeking associate degrees who meet the eligibility  
3 requirements in this chapter.

4 (b) An award of the scholarship program shall cover the cost of two (2) years of tuition and  
5 mandatory fees, less federal and all other financial aid monies available to the recipient student. [No](#)  
6 [grant received by students from the College Crusade Scholarship Act as established in chapter 70](#)  
7 [of title 16 shall be considered federal or financial aid for the purposes of this chapter.](#)

8 (c) The scholarship program is limited to one award per student as required by § 16-107-  
9 6(a)(7).

10 SECTION 7. This Article shall take effect upon passage.

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# ARTICLE 11

## RELATING TO COURTS AND STATE HOSPITALS

SECTION 1. Section 8-8-1 of the General Laws in Chapter 8-8 entitled "District Court" is hereby amended to read as follows:

**8-8-1. District Court established -- Chief and associate justices.**

There is established a district court for the state of Rhode Island which shall consist of a chief judge and ~~thirteen (13)~~ fourteen (14) associate judges. The district court shall be a court of record and shall have a seal with such words and devices as it shall adopt.

SECTION 2. Chapter 8-8 of the General Laws entitled "District Court" is hereby amended by adding thereto the following section:

**8-8-1.2. Mental health treatment calendar.**

(a) Findings and declarations. The general assembly finds and declares as follows:

(1) Mental illness is a prevalent and persistent issue in Rhode Island within the criminal population in general and the incarcerated population in particular. Approximately one-fifth (1/5) of all inmates at the adult correctional institutions have a diagnosed mental illness, while nearly eighty percent (80%) have a history of substance abuse. Many suffer from both maladies.

(2) Mental illness can often go unrecognized and untreated, leaving some individuals to suffer and spiral downward until they are caught in the criminal justice system. These individuals often become trapped in a cycle of repeated prosecution and incarceration.

(3) Individuals with mental illness who are charged with crimes can benefit from alternatives to incarceration when feasible, and when permitted to obtain proper treatment for persistent mental health and substance abuse disorders through a jail diversion treatment program that recognizes their special set of circumstances while at the same time providing accountability for their wrong-doing and providing for the safety of the public.

(b) The district court shall create a voluntary mental health treatment calendar to better address individuals who suffer from mental illness and are charged with a misdemeanor. The district court will provide the tools and skills necessary to address these individuals' unique challenges thus helping them develop the insight needed to reintegrate successfully into society and maintain a productive and law-abiding lifestyle within the community.

(c) There shall be established, funded and staffed a mental health alternative sentencing

1 and treatment calendar within the jurisdiction of the district court for hearing, addressing and  
2 disposing of certain misdemeanor offenses in an effort to direct eligible defendants into a court  
3 program that integrates support and treatment plans with the judicial process, potentially resulting  
4 in alternatives to traditional prosecution, sentencing and incarceration; reducing the risk of  
5 recidivism; realizing cost savings for the state and increasing public safety. Successful completion  
6 may result in a full dismissal of charges or in reduced charges and alternative sentencing. The  
7 mental health treatment calendar shall be overseen by a district court judge to be appointed pursuant  
8 to chapter 16.1 of title 8, subject to an appropriation made by the general assembly.

9 (d) The chief judge of the district court shall create a mental health treatment calendar in  
10 the district court and shall assign a district court judge and associated personnel to the extent  
11 necessary to hear and decide all criminal actions involving offenses committed by defendants  
12 accepted into the program. [The calendar shall be called the mental health treatment calendar.]

13 (e) An eligible defendant is any person who stands charged in a district court complaint  
14 with one or more misdemeanors, and:

15 (1) Suffers from a mental, behavioral or emotional disorder resulting in serious functional  
16 impairment which substantially interferes with or limits one or more major life activities; and

17 (2) Is determined by the court to be appropriate for participation in the mental health  
18 treatment calendar.

19 (3) An individual's history of substance and alcohol abuse may also be considered to the  
20 extent necessary to make a proper diagnosis of a co-occurring disorder.

21 SECTION 3. Section 9-5-9 of the General Laws in Chapter 9-5 entitled "Writs, Summons  
22 and Process" is hereby amended to read as follows:

23 **9-5-9. Warrants for commitment to institutions** **Warrants for commitment to state-**  
24 **operated facilities.**

25 Any warrant or mittimus issued from any superior or district court committing any person  
26 to the ~~institute of mental health~~ Eleanor Slater Hospital or Rhode Island State Psychiatric Hospital  
27 shall be directed to and executed by duly authorized agents of the department of ~~human services~~  
28 behavioral healthcare, developmental disabilities and hospitals, who shall make return thereon, the  
29 provisions of any other law to the contrary notwithstanding.

30 SECTION 4. Sections 40.1-3-7 and 40.1-3-9 of the General Laws in Chapter 40.1-3 entitled  
31 "Curative Services" are hereby amended to read as follows:

32 **40.1-3-7. Rules and regulations for Eleanor Slater hospital.**

33 The director of the department shall establish, in his or her discretion, rules for the  
34 government of the ~~hospital~~ Eleanor Slater Hospital, regulations for the admission of patients, and



1 shall generally be vested with all the powers necessary for the proper carrying on of the work  
2 entrusted to him or her.

3 ~~**40.1-3-9. Staff and employees of the state of Rhode Island medical center**~~ **Staff and**  
4 **employees of the Eleanor Slater Hospital and of the Rhode Island State Psychiatric Hospital.**

5 The director of behavioral healthcare, developmental disabilities and hospitals shall  
6 appoint, or delegate to another employee of the department the authority to appoint, employees, as  
7 he or she may deem necessary for the proper management of the ~~institutions~~ facilities of either or  
8 both the Eleanor Slater Hospital or the Rhode Island State Psychiatric Hospital.

9 SECTION 5. Chapter 40.1-3 of the General Laws entitled "Curative Services" is hereby  
10 amended by adding thereto the following section:

11 **40.1-3-7.1. Rules and regulations for the Rhode Island State Psychiatric Hospital.**

12 The director of the department shall establish, in his or her discretion, rules for the  
13 governance of the Rhode Island State Psychiatric Hospital, regulations for the admission of  
14 patients, and shall generally be vested with all the powers necessary for the proper carrying on of  
15 the work entrusted to him or her.

16 SECTION 6. Section 40.1-3-8 of the General Laws in Chapter 40.1-3 entitled "Curative  
17 Services" is hereby repealed:

18 ~~**40.1-3-8. Change of names of hospital for mental diseases and state infirmary.**~~

19 ~~The name of the state institution at Cranston formerly known as the state asylum for the~~  
20 ~~insane or the state hospital for the insane or the state hospital for mental diseases, and the name of~~  
21 ~~the state institution at Cranston formerly known as the state almshouse or the state infirmary, or~~  
22 ~~the general hospital, shall hereafter be known as the "Eleanor Slater Hospital." In any general law,~~  
23 ~~other public law, or resolution of the general assembly, and in any document, record, instrument,~~  
24 ~~or proceeding authorized by any such law or resolution, unless the context or subject matter~~  
25 ~~otherwise requires, the words "state asylum for the insane" and the words "state hospital for the~~  
26 ~~insane" or "state hospital for mental disease" shall be construed to mean the "Eleanor Slater~~  
27 ~~Hospital."~~

28 SECTION 7. Sections 40.1-5-2, 40.1-5-5, 40.1-5-6, 40.1-5-7, 40.1-5-7.1, 40.1-5-8, 40.1-5-  
29 11, 40.1-5-27.1, 40.1-5-31, 40.1-5-32, 40.1-5-33 and 40.1-5-34 of the General Laws in Chapter  
30 40.1-5 entitled "Mental Health Law" are hereby amended to read as follows:

31 **40.1-5-2. Definitions.**

32 Whenever used in this chapter, or in any order, rule, or regulation made or promulgated  
33 pursuant to this chapter, or in any printed forms prepared by the department or the director, unless  
34 otherwise expressly stated, or unless the context or subject matter otherwise requires:

1 (1) "Alternatives to admission or certification" means alternatives to a particular facility or  
2 treatment program, and shall include, but not be limited to, voluntary or court-ordered outpatient  
3 treatment, day treatment in a hospital, night treatment in a hospital, placement in the custody of a  
4 friend or relative, placement in a nursing home, referral to a community mental health clinic and  
5 home health aide services, or any other services that may be deemed appropriate.

6 (2) "Care and treatment" means psychiatric care, together with such medical, nursing,  
7 psychological, social, rehabilitative, and maintenance services as may be required by a patient in  
8 association with the psychiatric care provided pursuant to an individualized treatment plan recorded  
9 in the patient's medical record.

10 (3) "Department" means the state department of behavioral healthcare, developmental  
11 disabilities and hospitals.

12 (4) "Director" means the director of the state department of behavioral healthcare,  
13 developmental disabilities and hospitals.

14 (5)(i) "Facility" means ~~a state hospital or psychiatric inpatient facility in the department~~  
15 any public or private hospital licensed by the Rhode Island department of health that maintains staff  
16 and facilities, including inpatient units, for the care and treatment of persons with psychiatric  
17 illness, psychiatric disorders, and/or psychiatric disabilities; and in order to operate pursuant to  
18 Mental Health Act as codified in this chapter, such facility and/or inpatient unit must be approved  
19 by the director of the department of behavioral healthcare, developmental disabilities and hospitals  
20 upon application of such facility and/or inpatient unit, a psychiatric inpatient facility maintained by  
21 ~~a political subdivision of the state for the care and/or treatment of the mentally disabled; a general~~  
22 ~~or specialized hospital maintaining staff and facilities for this purpose; and~~ any of the several  
23 community mental health services established pursuant to chapter 8.5 of this title; ~~and any other~~  
24 ~~facility within the state providing inpatient psychiatric care and/or treatment and approved by the~~  
25 ~~director upon application of this facility. Included within this definition shall be all hospitals,~~  
26 ~~institutions, facilities, and services under the control and direction of the director and the~~  
27 ~~department, as provided in this chapter.~~ Nothing contained herein shall be construed to amend or  
28 repeal any of the provisions of chapter 16 of title 23.

29 (ii) The Eleanor Slater Hospital shall be required to apply to the department for approval  
30 from the director to operate pursuant to this chapter.

31 (iii) The Rhode Island State Psychiatric Hospital shall be required to apply to the  
32 department for approval from the director to operate pursuant to this chapter.

33 (6) "Indigent person" means a person who has not sufficient property or income to support  
34 himself or herself, and to support the members of his or her family dependent upon him or her for

1 support, and/or is unable to pay the fees and costs incurred pursuant to any legal proceedings  
2 conducted under the provisions of this chapter.

3 (7) "Likelihood of serious harm" means:

4 (i) A substantial risk of physical harm to the person himself or herself as manifested by  
5 behavior evidencing serious threats of, or attempts at, suicide;

6 (ii) A substantial risk of physical harm to other persons as manifested by behavior or threats  
7 evidencing homicidal or other violent behavior; or

8 (iii) A substantial risk of physical harm to the mentally disabled person as manifested by  
9 behavior that has created a grave, clear, and present risk to his or her physical health and safety.

10 (iv) In determining whether there exists a likelihood of serious harm, the physician and the  
11 court may consider previous acts, diagnosis, words, or thoughts of the patient. If a patient has been  
12 incarcerated, or institutionalized, or in a controlled environment of any kind, the court may give  
13 great weight to such prior acts, diagnosis, words, or thoughts.

14 ~~(9)~~(8) "Mental health professional" means a psychiatrist, psychologist, or social worker  
15 and such other persons, including psychiatric nurse clinicians, as may be defined by rules and  
16 regulations promulgated by the director.

17 ~~(10)~~(9) "NICS database" means the National Instant Criminal Background Check System  
18 as created pursuant to section 103(b) of the Brady Handgun Violence Prevention Act (Brady Act),  
19 Pub. L. No. 103-159, 107 Stat. 1536 as established by 28 C.F.R. 25.1.

20 ~~(11)~~(10) "Patient" means a person admitted voluntarily, certified or re-certified admitted to  
21 a facility according to the provisions of this chapter.

22 ~~(12)~~(11) "Physician" means a person ~~duly~~ licensed by the Rhode Island department of  
23 health to practice medicine ~~or osteopathy in this state~~ pursuant to chapter 37 of title 5.

24 ~~(8)~~(12) ~~"Mental disability"~~ "Psychiatric disability" means a mental disorder in which the  
25 capacity of a person to exercise self-control or judgment in the conduct of his or her affairs and  
26 social relations, or to care for his or her own personal needs, is significantly impaired.

27 (13) "Psychiatric nurse clinician" means a ~~licensed~~, professional registered nurse with a  
28 master's degree in psychiatric nursing or related field who is licensed by the Rhode Island  
29 department of health pursuant to chapter 34 of title 5 and who is currently working in the mental  
30 health field as defined by the American Nurses Association, and/or a licensed advanced practice  
31 registered nurse with a population focus of psychiatric/mental health population focus as defined  
32 in paragraphs (2) and (12)(vi) of § 5-34-3.

33 (14) "Psychiatrist" means a person ~~duly~~ licensed by the Rhode Island department of health  
34 to practice medicine ~~or osteopathy in this state~~ pursuant to chapter 37 of title 5 who has, in addition,

1 completed three (3) years of graduate psychiatric training in a program approved by the American  
2 Medical Association or American Osteopathic Association.

3 (15) "Psychologist" means a person ~~certified~~ [licensed by the Rhode Island department of](#)  
4 [health](#) pursuant to chapter 44 of title 5.

5 (16) "Social worker" means a person ~~with~~ [who has](#) a masters or further advanced degree  
6 from a school of social work, that is accredited by the council of social work education [and who is](#)  
7 [licensed by the Rhode Island department of health pursuant to chapter 39.1 of title 5.](#)

8 **40.1-5-5. Admission of patients generally -- Rights of patients -- Patients' records --**  
9 **Competence of patients.**

10 (a) Admissions. Any person who is in need of care and treatment in a facility, as herein  
11 defined, may be admitted or certified, received, and retained as a patient in a facility by complying  
12 with any one of the following admission procedures applicable to the case:

13 (1) Voluntary admission.

14 (2) Emergency certification.

15 (3) Civil court certification.

16 (b) Forms. The director shall prescribe and furnish forms for use in admissions and patient  
17 notification procedures under this chapter.

18 (c) Exclusions. No ~~defective delinquent,~~ person with a ~~mental~~ [psychiatric](#) disability, or  
19 person under the influence of alcohol or drugs shall be certified to a facility, as herein defined,  
20 solely by reason of that condition, unless the person also qualified for admission or certification  
21 under the provisions of this chapter.

22 (d) Examining physician. For purposes of certification, no examining physician shall be  
23 related by blood or marriage to the person who is applying for the admission of another, or to the  
24 person who is the subject of the application; nor shall he or she have any interest, contractually,  
25 testamentary, or otherwise (other than reasonable and proper charges for professional services  
26 rendered), in or against the estate or assets of the person who is the subject of the application; nor  
27 shall he or she be a manager, trustee, visitor, proprietor, officer, stockholder, or have any pecuniary  
28 interest, directly or indirectly, or, except as otherwise herein expressly provided, be a director,  
29 resident physician, or salaried physician, or employee in any facility to which it is proposed to  
30 admit the person.

31 (e) Certificates. Certificates, as required by this chapter, must provide a factual description  
32 of the person's behavior that indicates that the person concerned is ~~mentally~~ [psychiatrically](#)  
33 disabled, creates a likelihood of serious harm, and is in need of care and treatment in a facility as  
34 defined in this chapter. They shall further set forth such other findings as may be required by the

1 particular certification procedure used. Certificates shall also show that an examination of the  
2 person concerned was made within five (5) days prior to the date of admission or certification,  
3 unless otherwise herein provided. The date of the certificate shall be the date of the commencement  
4 of the examination, and in the event examinations are conducted separately or over a period of  
5 days, then the five-day (5) period above referred to (unless otherwise expressly provided) shall be  
6 measured from the date of the commencement of the first examination. All certificates shall contain  
7 the observations upon which judgments are based, and shall contain other information as the  
8 director may by rule or regulation require.

9 (f) Rights of patients. No patient admitted or certified to any facility under any provision  
10 of this chapter shall be deprived of any constitutional, civil, or legal right, solely by reason of such  
11 admission or certification nor shall the certification or admission modify or vary any constitutional  
12 or civil right, including, but not limited to, the right or rights:

13 (1) To privacy and dignity;

14 (2) To civil service or merit rating or ranking and appointment;

15 (3) Relating to the granting, forfeiture or denial of a license, permit, privilege, or benefit  
16 pursuant to any law;

17 (4) To religious freedom;

18 (5) To be visited privately at all reasonable times by his or her personal physician, attorney,  
19 and clergyperson, and by other persons at all reasonable times unless the official in charge of the  
20 facility determines either that a visit by any of the other persons or a particular visitation time would  
21 not be in the best interests of the patient and he or she incorporates a statement for any denial of  
22 visiting rights in the individualized treatment record of the patient;

23 (6) To be provided with stationery, writing materials, and postage in reasonable amounts  
24 and to have free unrestricted, unopened, and uncensored use of the mails for letters;

25 (7) To wear one's own clothes, keep and use personal possessions, including toilet articles;  
26 to keep and be allowed to spend a reasonable sum of money for canteen expenses and small  
27 purchases; to have access to individual storage space for his or her private use; and reasonable  
28 access to telephones to make and receive confidential calls; provided, however, that any of these  
29 rights may be denied for good cause by the official in charge of a facility or a physician designated  
30 by him or her. A statement of the reasons for any denial shall be entered in the individualized  
31 treatment record of the patient;

32 (8) To seek independent psychiatric examination and opinion from a psychiatrist or mental  
33 health professional of his or her choice;

34 (9) To be employed at a gainful occupation insofar as the patient's condition permits,

1 provided however, that no patient shall be required to perform labor;

2 (10) To vote and participate in political activity;

3 (11) To receive and read literature;

4 (12) To have the least possible restraint imposed upon the person consistent with affording  
5 him or her the care and treatment necessary and appropriate to his or her condition;

6 (13) To have access to the mental health advocate upon request;

7 (14) To prevent release of his or her name to the advocate or next of kin by signing a form  
8 provided to all patients for that purpose at the time of admission.

9 (g) Records. A facility shall maintain for each patient admitted pursuant to this chapter, a  
10 comprehensive medical record. The record shall contain a recorded, individualized treatment plan,  
11 which shall at least monthly be reviewed by the physician of the facility who is chiefly responsible  
12 for the patient's care, notations of the reviews to be entered in the record. The records shall also  
13 contain information indicating at the time of admission or certification what alternatives to  
14 admission or certification are available to the patient; what alternatives have been investigated; and  
15 why the investigated alternatives were not deemed suitable. The medical record shall further  
16 contain other information as the director may by rule or regulation require.

17 (h) Competence. A person shall not, solely by reason of his or her admission or certification  
18 to a facility for examination or care and treatment under the provisions of this chapter, thereby be  
19 deemed incompetent to manage his or her affairs; to contract; to hold, or seek a professional,  
20 occupational, or vehicle operator's license; to make a will; or for any other purpose. Neither shall  
21 any requirement be made, by rule, regulation, or otherwise, as a condition to admission and  
22 retention, that any person applying for admission shall have the legal capacity to contract, it being  
23 sufficient for the purpose, that the person understand the nature and consequence of making the  
24 application.

25 **40.1-5-6. Voluntary admission.**

26 (a)(1) General. Any individual of lawful age may apply for voluntary admission to any  
27 facility provided for by this law seeking care and treatment for alleged ~~mental~~ psychiatric disability.  
28 The application shall be in writing, signed by the applicant in the presence of at least one witness,  
29 who shall attest to the application by placing his or her name and address thereon. If the applicant  
30 has not yet attained his or her eighteenth (18th) birthday, the application shall be signed by him or  
31 her and his or her parent, guardian, or next of kin.

32 (2) Admission of children. Any person who is under the age of eighteen (18) and who  
33 receives medical benefits funded in whole or in part by either the department of children, youth and  
34 families or by the department of human services may be admitted to any facility provided for by

1 this chapter seeking care and treatment for alleged ~~mental~~ psychiatric disability only after an initial  
2 mental health crisis intervention is completed by a provider who is licensed by the department of  
3 children, youth and families for emergency services, has proper credentials, and is contracted with  
4 the RIte Care health plan or the state and the provider, after considering alternative services to  
5 hospitalization with the child, family and other providers, requests prior authorization for the  
6 admission from a representative of the child and family's insurance company or utilization review  
7 organization representing the insurance company. If the inpatient hospital admits a child without  
8 the crisis intervention and prior authorization from the insurance company or utilization review  
9 organization, the hospital will be paid a rate equivalent to an Administratively Necessary Day  
10 (AND) for each day that the insurance company or utilization review organization representing the  
11 insurance company determines that the child did not meet the inpatient level-of-care criteria. The  
12 state shall ensure that this provision is included in all publicly financed contracts and agreements  
13 for behavioral health services. Activities conducted pursuant to this section shall be exempt from  
14 the provisions of § 23-17.12 [repealed], but shall be subject to the provisions of subsection (b) of  
15 this section.

16 (3) The department of human services shall develop regulations for emergency admissions  
17 that would allow the admitting hospital to maintain its compliance with the provisions of the act  
18 while meeting the need of the child.

19 (b) Period of treatment. If it is determined that the applicant is in need of care and treatment  
20 for ~~mental~~ psychiatric disability and no suitable alternatives to admission are available, he or she  
21 shall be admitted for a period not to exceed thirty (30) days. Successive applications for continued  
22 voluntary status may be made for successive periods not to exceed ninety (90) days each, so long  
23 as care and treatment is deemed necessary and documented in accordance with the requirements of  
24 this chapter and no suitable alternatives to admission are available.

25 (c) Discharge.

26 (1) A voluntary patient shall be discharged no later than the end of the business day  
27 following of his or her presenting a written notice of his or her intent to leave the facility to the  
28 medical official in charge or the medical official designated by him or her, unless that official or  
29 another qualified person from the facility files an application for the patient's civil court  
30 certification pursuant to § 40.1-5-8. The notice shall be on a form prescribed by the director and  
31 made available to all patients at all times. If a decision to file an application for civil court  
32 certification is made, the patient concerned and his or her legal guardian(s), if any, shall receive  
33 immediately, but in no event later than twelve (12) hours from the making of the decision, notice  
34 of the intention from the official in charge of the facility, or his or her designee, and the patient

1 may, in the discretion of the official, be detained for an additional period not to exceed two (2)  
2 business days, pending the filing and setting down for hearing of the application under § 40.1-5-8.

3 (2) A voluntary patient who gives notice of his or her intention or desire to leave the facility  
4 may at any time during the period of his or her hospitalization prior to any certification pursuant to  
5 § 40.1-5-8, following the giving of the notice, submit a written communication withdrawing the  
6 notice, whereby his or her voluntary status shall be considered to continue unchanged until the  
7 expiration of thirty (30) or ninety (90) days as provided in subsection (b). In the case of an  
8 individual under eighteen (18) years of age, the notice or withdrawal of notice may be given by  
9 either of the persons who made the application for his or her admission, or by a person of equal or  
10 closer relationship to the patient, who shall, as well, receive notice from the official in charge  
11 indicating a decision to present an application for civil court certification. The official may in his  
12 or her discretion refuse to discharge the patient upon notice given by any person other than the  
13 person who made the application, and in the event of such a refusal, the person giving notice may  
14 apply to a justice of the family court for release of the patient.

15 (d) Examination at facility. The medical official in charge of a facility shall ensure that all  
16 voluntary patients receive preliminary physical and psychiatric examinations within twenty-four  
17 (24) hours of admission. Furthermore, a complete psychiatric examination shall be conducted to  
18 determine whether the person qualifies for care and treatment under the provisions of this chapter.  
19 The examination shall begin within forty-eight (48) hours of admission and shall be concluded as  
20 soon as practicable, but in no case shall extend beyond five (5) days. The examination shall include  
21 an investigation with the prospective patient of (1) What alternatives for admission are available  
22 and (2) Why those alternatives are not suitable. The alternatives for admission investigated and  
23 reasons for unsuitability, if any, shall be recorded on the patient's record. If it is determined that the  
24 patient does not belong to the voluntary class in that a suitable alternative to admission is available,  
25 or is otherwise ineligible for care and treatment, he or she shall be discharged.

26 (e) Rights of voluntary patients. A voluntary patient shall be informed, in writing, of his or  
27 her status and rights as a voluntary patient immediately upon his or her admission, and again at the  
28 time of his or her periodic review(s) as provided in § 40.1-5-10, including his or her rights pursuant  
29 to § 40.1-5-5(f). Blank forms for purposes of indicating an intention or desire to leave a facility  
30 shall be available at all times and on and in all wards and segments of a facility wherein voluntary  
31 patients may reside.

32 **40.1-5-7. Emergency certification.**

33 (a) Applicants.

34 (1) Any physician who, after examining a person, has reason to believe that the person is



1 in need of immediate care and treatment, and is one whose continued unsupervised presence in the  
2 community would create an imminent likelihood of serious harm by reason of ~~mental~~ psychiatric  
3 disability, may apply at a facility for the emergency certification of the person thereto. The medical  
4 director, or any other physician employed by the proposed facility for certification, may apply  
5 under this subsection if no other physician is available and he or she certifies this fact. If an  
6 examination is not possible because of the emergency nature of the case and because of the refusal  
7 of the person to consent to the examination, the applicant on the basis of his or her observation may  
8 determine, in accordance with the above, that emergency certification is necessary and may apply  
9 therefor. In the event that no physician is available, a qualified mental health professional who  
10 believes the person to be in need of immediate care and treatment, and one whose continued  
11 unsupervised presence in the community would create an imminent likelihood of serious harm by  
12 reason of ~~mental~~ psychiatric disability, may make the application for emergency certification to a  
13 facility. Application shall in all cases be made to the facility that, in the judgment of the applicant  
14 at the time of application, would impose the least restraint on the liberty of the person consistent  
15 with affording him or her the care and treatment necessary and appropriate to his or her condition.

16 (2) Whenever an applicant, who is not employed by a community mental health center  
17 established pursuant to chapter 8.5 of this title, has reason to believe that either the ~~institute of~~  
18 ~~mental health~~ Rhode Island State Psychiatric Hospital or the Eleanor Slater Hospital is the  
19 appropriate facility for the person, the application shall be directed to the community mental health  
20 center that serves the area in which the person resides, if the person is a Rhode Island resident, or  
21 the area in which the person is physically present, if a nonresident, and the qualified mental health  
22 professional(s) at the center shall make the final decision on the application to either the ~~institute~~  
23 ~~of mental health~~ Rhode Island State Psychiatric Hospital or the Eleanor Slater Hospital or may  
24 determine whether some other disposition should be made.

25 (b) Applications. An application for certification hereunder shall be in writing and filed  
26 with the facility to which admission is sought. The application shall be executed within five (5)  
27 days prior to the date of filing and shall state that it is based upon a personal observation of the  
28 prospective patient by the applicant within the five-day (5) period. It shall include a description of  
29 the applicant's credentials and the behavior that constitutes the basis for his or her judgment that  
30 the prospective patient is in need of immediate care and treatment and that a likelihood of serious  
31 harm by reason of ~~mental~~ psychiatric disability exists, and shall include, as well, any other relevant  
32 information that may assist the admitting physician at the facility to which application is made.

33 ~~Whenever practicable, prior to transporting or arranging for the transporting of a prospective patient~~  
34 ~~to a facility, the applicant shall telephone or otherwise communicate with the facility to describe~~

1 ~~the circumstances and known clinical history to determine whether it is the proper facility to receive~~  
2 ~~the person, and to give notice of any restraint to be used or to determine whether restraint is~~  
3 ~~necessary.~~ The application shall state whether the facility, in the judgment of the applicant at the  
4 time of application, would impose the least restraint on the liberty of the person consistent with  
5 affording him or her the care and treatment necessary and appropriate to his or her condition.  
6 Whenever practicable, prior to transporting or arranging for the transporting of a prospective patient  
7 to a facility, the applicant shall telephone or otherwise communicate with the facility to describe  
8 the circumstances and known clinical history to determine whether it is the proper facility to receive  
9 the person, and to give notice of any restraint to be used or to determine whether restraint is  
10 necessary.

11 (c) Confirmation; discharge; transfer. Within one hour after reception at a facility, the  
12 person regarding whom an application has been filed under this section shall be seen by a physician.  
13 As soon as possible, but in no event later than twenty-four (24) hours after reception, a preliminary  
14 examination and evaluation of the person by a psychiatrist or a physician under his or her  
15 supervision shall begin. The psychiatrist shall not be an applicant hereunder. The preliminary  
16 examination and evaluation shall be completed within seventy-two (72) hours from its inception  
17 by the psychiatrist. If the psychiatrist determines that the patient is not a candidate for emergency  
18 certification, he or she shall be discharged. If the psychiatrist(s) determines that the person who is  
19 the subject of the application is in need of immediate care and treatment and is one whose continued  
20 unsupervised presence in the community would create an imminent likelihood of serious harm by  
21 reason of ~~mental~~ psychiatric disability, he or she shall confirm the admission for care and treatment  
22 under this section of the person to the facility, provided the facility is one that would impose the  
23 least restraint on the liberty of the person consistent with affording him or her the care and treatment  
24 necessary and appropriate to his or her condition and that no suitable alternatives to certification  
25 are available. If at any time the official in charge of a facility, or his or her designee, determines  
26 that the person is not in need of immediate care and treatment, or is not one whose continued  
27 unsupervised presence in the community would create an imminent likelihood of serious harm by  
28 reason of ~~mental~~ psychiatric disability, or suitable alternatives to certification are available, he or  
29 she shall immediately discharge the person. In addition, the official may arrange to transfer the  
30 person to an appropriate facility if the facility to which he or she has been certified is not one that  
31 imposes the least restraint on the liberty of the person consistent with affording him or her the care  
32 and treatment necessary and appropriate to his or her condition.

33 (d) Custody. Upon the request of an applicant under this section, to be confirmed in writing,  
34 it shall be the duty of any peace officer of this state or of any governmental subdivision thereof to

1 whom request has been made, ~~to take into custody and transport the person to the facility~~  
2 ~~designated, the person to be expeditiously presented for admission thereto~~ to take into custody and  
3 immediately transport the person to the designated facility for admission thereto.

4 (e) Ex parte court order. An applicant under this section may present a petition to any judge  
5 of the district court or any justice of the family court, in the case of a person who is the subject of  
6 an application who has not yet attained his or her eighteenth birthday, for a warrant directed to any  
7 peace officer of the state or any governmental subdivision thereof to take into custody the person  
8 who is the subject of the application and immediately transport the person to a designated facility.  
9 The application shall set forth that the person who is to be certified is in need of immediate care  
10 and treatment and his or her continued unsupervised presence in the community would create an  
11 imminent likelihood of serious harm by reason of ~~mental~~ psychiatric disability, and the reasons  
12 why an order directing a peace officer to transport the person to a designated facility is necessary.

13 (f) Notification of rights. No person shall be certified to a facility under the provisions of  
14 this section unless appropriate opportunity is given to apply for voluntary admission under the  
15 provisions of § 40.1-5-6 and unless he or she, or a parent, guardian, or next of kin, has been  
16 informed, in writing, on a form provided by the department, by the official in charge of the facility:

17 (1) That he or she has a right to the voluntary admission; (2) That a person cannot be certified until  
18 all available alternatives to certification have been investigated and determined to be unsuitable;  
19 and (3) That the period of hospitalization or treatment in a facility cannot exceed ten (10) days  
20 under this section, except as provided in subsection (g) of this section.

21 (g) Period of treatment. A person shall be discharged no later than ten (10) days measured  
22 from the date of his or her admission under this section, unless an application for a civil court  
23 certification has been filed and set down for a hearing under the provisions of § 40.1-5-8, or the  
24 person remains as a voluntary patient pursuant to § 40.1-5-6.

25 **40.1-5-7.1. Emergency transportation by police.**

26 (a) Any police officer may take an individual into protective custody and take or cause the  
27 person to be taken to an emergency room of any hospital, by way of emergency vehicle, if the  
28 officer has reason to believe that:

29 (1) The individual is in need of immediate care and treatment, and is one whose continued  
30 unsupervised presence in the community would create an imminent likelihood of serious harm by  
31 reason of ~~mental~~ psychiatric disability if allowed to be at liberty pending examination by a licensed  
32 physician; or

33 (2) The individual is in need of immediate assistance due to ~~mental~~ psychiatric disability  
34 and requests the assistance.

1 (b) The officer making the determination to transport will document the reason for the  
2 decision in a police report and travel with the individual to the hospital to relay the reason for  
3 transport to the attending medical staff.

4 **40.1-5-8. Civil court certification.**

5 (a) Petitions. A verified petition may be filed in the district court, or family court in the  
6 case of a person who has not reached his or her eighteenth (18th) birthday, for the certification to a  
7 facility of any person who is alleged to be in need of care and treatment in a facility, and whose  
8 continued unsupervised presence in the community would create a likelihood of serious harm by  
9 reason of ~~mental~~ psychiatric disability. The petition may be filed by any person with whom the  
10 subject of the petition may reside; or at whose house he or she may be; or the father or mother,  
11 husband or wife, brother or sister, or the adult child of the person; the nearest relative if none of the  
12 above are available; or his or her guardian; or the attorney general; or a local director of public  
13 welfare; or the director of the department of behavioral healthcare, developmental disabilities and  
14 hospitals; the director of the department of human services; or the director of the department of  
15 corrections; the director of the department of health; the warden of the adult correctional  
16 institutions; the superintendent of the boys training school for youth, or his or her designated agent;  
17 or the director of any facility, or his or her designated agent, whether or not the person shall have  
18 been admitted and is a patient at the time of the petition. A petition under this section shall be filed  
19 only after the petitioner has investigated what alternatives to certification are available and  
20 determined why the alternatives are not deemed suitable.

21 (b) Contents of petition. The petition shall state that it is based upon a personal observation  
22 of the person concerned by the petitioner within a ten-day (10) period prior to filing. It shall include  
23 a description of the behavior that constitutes the basis for the petitioner's judgment that the person  
24 concerned is in need of care and treatment and that a likelihood of serious harm by reason of ~~mental~~  
25 psychiatric disability exists. In addition, the petitioner shall indicate what alternatives to  
26 certification are available; what alternatives have been investigated; and why the investigated  
27 alternatives are not deemed suitable.

28 (c) Certificates and contents thereof. A petition hereunder shall be accompanied by the  
29 certificates of two (2) physicians unless the petitioner is unable to afford, or is otherwise unable to  
30 obtain, the services of a physician or physicians qualified to make the certifications. The certificates  
31 shall be rendered pursuant to the provisions of § 40.1-5-5, except when the patient is a resident in  
32 a facility, the attending physician and one other physician from the facility may sign the certificates,  
33 and shall set forth that the prospective patient is in need of care and treatment in a facility and  
34 would likely benefit therefrom, and is one whose continued unsupervised presence in the

1 community would create a likelihood of serious harm by reason of ~~mental~~ psychiatric disability  
2 together with the reasons therefor. The petitions and accompanying certificates shall be executed  
3 under penalty of perjury, but shall not require the signature of a notary public thereon.

4 (d) Preliminary hearing.

5 (1) Upon a determination that the petition sets forth facts constituting reasonable grounds  
6 to support certification, the court shall summon the person to appear before the court at a  
7 preliminary hearing, scheduled no later than five (5) business days from the date of filing. This  
8 hearing shall be treated as a priority on the court calendar and may be continued only for good  
9 cause shown. In default of an appearance, the court may issue a warrant directing a police officer  
10 to bring the person before the court.

11 (2) At the preliminary hearing, the court shall serve a copy of the petition upon the person  
12 and advise him or her of the nature of the proceedings and of his or her right to counsel. If the  
13 person is unable to afford counsel, the court forthwith shall appoint the mental health advocate for  
14 him or her. If the court finds that there is no probable cause to support certification, the petition  
15 shall be dismissed, and the person shall be discharged unless the person applies for voluntary  
16 admission. However, if the court is satisfied by the testimony that there is probable cause to support  
17 certification, a final hearing shall be held not less than seven (7) days, nor more than twenty-one  
18 (21) days, after the preliminary hearing, unless continued at the request of counsel for the person,  
19 and notice of the date set down for the hearing shall be served on the person. Copies of the petition  
20 and notice of the date set down for the hearing shall also be served immediately upon the person's  
21 nearest relatives or legal guardian, if known, and to any other person designated by the patient, in  
22 writing, to receive copies of notices. The preliminary hearing can be waived by a motion of the  
23 patient to the court if the patient is a resident of a facility.

24 (e) Petition for examination.

25 (1) Upon motion of either the petitioner or the person, or upon its own motion, the court  
26 may order that the person be examined by a psychiatrist appointed by the court. The examination  
27 may be conducted on an outpatient basis and the person shall have the right to the presence of  
28 counsel while it is being conducted. A report of the examination shall be furnished to the court, the  
29 petitioner, and the person and his or her counsel at least forty-eight (48) hours prior to the hearing.

30 (2) If the petition is submitted without two (2) physicians' certificates as required under  
31 subsection (c), the petition shall be accompanied by a motion for a psychiatric examination to be  
32 ordered by the court. The motion shall be heard on the date of the preliminary hearing set by the  
33 court pursuant to subsection (d), or as soon thereafter as counsel for the subject person is engaged,  
34 appointed, and ready to proceed. The motion shall be verified or accompanied by affidavits and

1 shall set forth facts demonstrating the efforts made to secure examination and certification by a  
2 physician or physicians and shall indicate the reasons why the efforts failed.

3 (3) After considering the motion and testimony as may be offered on the date of hearing  
4 the motion, the court may deny the application and dismiss the petition, or upon finding: (i) That  
5 there is a good cause for the failure to obtain one or more physician's certificates in accordance  
6 with subsection (c); and (ii) That there is probable cause to substantiate the allegations of the  
7 petition, the court shall order an immediate examination by two (2) qualified psychiatrists, pursuant  
8 to subsection (e)(1).

9 (f) Professional assistance. A person with respect to whom a court hearing has been ordered  
10 under this section shall have, and be informed of, a right to employ a mental health professional of  
11 his or her choice to assist him or her in connection with the hearing and to testify on his or her  
12 behalf. If the person cannot afford to engage such a professional, the court shall, on application,  
13 allow a reasonable fee for the purpose.

14 (g) Procedure. Upon receipt of the required certificates and/or psychiatric reports as  
15 applicable hereunder, the court shall schedule the petition for final hearing unless, upon review of  
16 the reports and certificates, the court concludes that the certificates and reports do not indicate, with  
17 supporting reasons, that the person who is the subject of the petition is in need of care and treatment;  
18 that his or her unsupervised presence in the community would create a likelihood of serious harm  
19 by reason of ~~mental~~ psychiatric disability; and that all alternatives to certification have been  
20 investigated and are unsuitable, in which event the court may dismiss the petition.

21 (h) Venue. An application for certification under this section shall be made to, and all  
22 proceedings pursuant thereto shall be conducted in, the district court, or family court in the case of  
23 a person who has not yet reached his or her eighteenth (18th) birthday, of the division or county in  
24 which the subject of an application may reside or may be, or when the person is already a patient  
25 in a facility, in the district court or family court of the division or county in which the facility is  
26 located, subject, however, to application by any interested party for change of venue because of  
27 inconvenience of the parties or witnesses or the condition of the subject of the petition or other  
28 valid judicial reason for the change of venue.

29 (i) Hearing. A hearing scheduled under this section shall be conducted pursuant to the  
30 following requirements:

31 (1) All evidence shall be presented according to the usual rules of evidence that apply in  
32 civil, non-jury cases. The subject of the proceedings shall have the right to present evidence in his  
33 or her own behalf and to cross examine all witnesses against him or her, including any physician  
34 who has completed a certificate or filed a report as provided hereunder. The subject of the

1 proceedings shall have the further right to subpoena witnesses and documents, the cost of such to  
2 be borne by the court where the court finds upon an application of the subject that the person cannot  
3 afford to pay for the cost of subpoenaing witnesses and documents.

4 (2) A verbatim transcript or electronic recording shall be made of the hearing that shall be  
5 impounded and obtained or examined only with the consent of the subject thereof (or in the case of  
6 a person who has not yet attained his or her eighteenth (18th) birthday, his or her parent, guardian,  
7 or next of kin) or by order of the court.

8 (3) The hearing may be held at a location other than a court, including any facility where  
9 the subject may currently be a patient, where it appears to the court that holding the hearing at  
10 another location would be in the best interests of the subject thereof.

11 (4) The burden of proceeding and the burden of proof in a hearing held pursuant to this  
12 section shall be upon the petitioner. The petitioner has the burden of demonstrating that the subject  
13 of the hearing is in need of care and treatment in a facility; is one whose continued unsupervised  
14 presence in the community would create a likelihood of serious harm by reason of ~~mental~~  
15 psychiatric disability; and what alternatives to certification are available, what alternatives to  
16 certification were investigated, and why these alternatives were not deemed suitable.

17 (5) The court shall render a decision within forty-eight (48) hours after the hearing is  
18 concluded.

19 (j) Order. If the court at a final hearing finds by clear and convincing evidence that the  
20 subject of the hearing is in need of care and treatment in a facility, and is one whose continued  
21 unsupervised presence in the community would, by reason of ~~mental~~ psychiatric disability, create  
22 a likelihood of serious harm, and that all alternatives to certification have been investigated and  
23 deemed unsuitable, it shall issue an order committing the person to the custody of the director for  
24 care and treatment or to an appropriate facility. In either event, and to the extent practicable, the  
25 person shall be cared for in a facility that imposes the least restraint upon the liberty of the person  
26 consistent with affording him or her the care and treatment necessary and appropriate to his or her  
27 condition. No certification shall be made under this section unless and until full consideration has  
28 been given by the certifying court to the alternatives to in-patient care, including, but not limited  
29 to, a determination of the person's relationship to the community and to his or her family; of his or  
30 her employment possibilities; and of all available community resources, alternate available living  
31 arrangements, foster care, community residential facilities, nursing homes, and other convalescent  
32 facilities. A certificate ordered pursuant to this section shall be valid for a period of six (6) months  
33 from the date of the order. At the end of that period the patient shall be discharged, unless he or she  
34 is discharged prior to that time, in which case the certification shall expire on the date of the

1 discharge.

2 (k) Appeals.

3 (1) A person certified under this section shall have a right to appeal from a final hearing to  
4 the supreme court of the state within thirty (30) days of the entry of an order of certification. The  
5 person shall have the right to be represented on appeal by counsel of his or her choice or by the  
6 mental health advocate if the supreme court finds that he or she cannot afford to retain counsel.  
7 Upon a showing of indigency, the supreme court shall permit an appeal to proceed without payment  
8 of costs, and a copy of the transcript of the proceedings below shall be furnished to the subject of  
9 the proceedings, or to his or her attorney, at the expense of the state. The certifying court shall  
10 advise the person of all his or her rights pursuant to this section immediately upon the entry of an  
11 order of certification.

12 (2) Appeals under this section shall be given precedence, insofar as practicable, on the  
13 supreme court dockets. The district and family courts shall promulgate rules with the approval of  
14 the supreme court to insure the expeditious transmission of the record and transcript in all appeals  
15 pursuant to this chapter.

16 (l) Submission to NICS database.

17 (1) The district court shall submit the name, date of birth, gender, race or ethnicity, and  
18 date of civil commitment to the National Instant Criminal Background Check System (NICS)  
19 database of all persons subject to a civil court certification order pursuant to this section within  
20 forty-eight (48) hours of certification.

21 (2) Any person affected by the provisions of this section, after the lapse of a period of three  
22 (3) years from the date such civil certification is terminated, shall have the right to appear before  
23 the relief from disqualifiers board.

24 (3) Upon notice of a successful appeal pursuant to subsection (k), the district court shall,  
25 as soon as practicable, cause the appellant's record to be updated, corrected, modified, or removed  
26 from any database maintained and made available to the NICS and reflect that the appellant is no  
27 longer subject to a firearms prohibition as it relates to 18 U.S.C. § 922(d)(4) and 18 U.S.C. §  
28 922(g)(4).

29 (m) Equitable authority. In addition to the powers heretofore exercised, the district and  
30 family courts are hereby empowered, in furtherance of their jurisdiction under this chapter, to grant  
31 petitions for instructions for the provision or withholding of treatment as justice and equity may  
32 require.

33 **40.1-5-11. Discharge -- Recertification.**

34 (a) The official in charge of any facility, or his or her designated agent, on having his or



1 her reasons noted on the patient's records, shall discharge any patient certified or admitted pursuant  
2 to the provisions of this chapter, when:

3 (1) Suitable alternatives to certification or admission are available;

4 (2) The patient is, in the judgment of the official, recovered;

5 (3) The patient is not recovered, but discharge, in the judgment of the official, will not  
6 create a likelihood of serious harm by reason of ~~mental~~ psychiatric disability.

7 (b) When a patient discharge is requested and if the discharge is denied, the reasons therefor  
8 shall be stated, in writing, and noted in the patient's record and a copy thereof shall be given to the  
9 person applying for the release.

10 (c) At the expiration of the six-month (6) period set forth in § 40.1-5-8(j), or any subsequent  
11 six-month (6) period following recertification pursuant to this section, the patient shall be  
12 unconditionally released unless a recertification petition is filed by the official in charge of a  
13 facility, or his or her designated agent, within no less than fifteen (15) days and no more than thirty  
14 (30) days prior to the scheduled expiration date of a six-month (6) period. A hearing must be held  
15 pursuant to the petition and a decision rendered before the expiration of the six-month (6) period.  
16 A recertification hearing shall follow all of the procedures set forth in § 40.1-5-8 and recertification  
17 may be ordered only if the petitioner proves by clear and convincing evidence that the conduct and  
18 responses of the patient during the course of the previous six-month (6) period indicate that the  
19 patient is presently in need of care and treatment in a facility; is one whose continued unsupervised  
20 presence in the community would create a likelihood of serious harm by reason of ~~mental~~  
21 psychiatric disability; and that all alternatives to recertification have been investigated and deemed  
22 unsuitable.

23 **40.1-5-27.1. Disclosure by mental health professional.**

24 (a) Notwithstanding §§ 40.1-5-26 and 40.1-5-27, a mental health professional providing  
25 care and treatment to an adult person with a ~~mental~~ psychiatric disability as defined in ~~§ 40.1-5-~~  
26 ~~2(8)~~ § 40.1-5-2(12) may provide certain information to a family member or other person if this  
27 family member or other person lives with and provides direct care to the ~~mentally~~ psychiatrically  
28 disabled person, and without such direct care there would be significant deterioration in the  
29 ~~mentally~~ psychiatrically disabled person's daily functioning, and such disclosure would directly  
30 assist in the care of the ~~mentally~~ psychiatrically disabled person. Disclosure can be made only at  
31 the written request of the family member or person living with the ~~mentally~~ psychiatrically disabled  
32 person.

33 (b) Prior to the disclosure, the ~~mentally~~ psychiatrically disabled person shall be informed,  
34 in writing, of the request, the name of the person requesting the information, the reason for the

1 request, and the specific information being provided. Prior to disclosure, the ~~mentally~~  
2 psychiatrically disabled person shall be provided the opportunity to give or withhold consent. If the  
3 ~~mentally~~ psychiatrically disabled person withholds consent, the information shall not be disclosed  
4 and the family member or other person shall be provided the opportunity to appeal. Disclosures  
5 shall be limited to information regarding diagnosis, admission to or discharge from a treatment  
6 facility, the name of the medication prescribed, and side effects of prescribed medication.

7 (c) On or before April 1, 1993, the department of behavioral healthcare, developmental  
8 disabilities and hospitals shall promulgate rules and regulations to further define and interpret the  
9 provisions of this section. In the development of these rules and regulations, the department shall  
10 work with an advisory committee composed, at a minimum, of proportionate representation from  
11 the following: the Coalition of Consumer Self Advocates, the Alliance for the Mentally Ill, the  
12 Mental Health Association of Rhode Island, the Council of Community Mental Health Centers, the  
13 mental health advocate, and Rhode Island Protection and Advocacy Services. Rules and regulations  
14 by the department shall include the provision of an appeals process, that would serve to protect the  
15 rights of ~~mentally~~ psychiatrically disabled persons under the law.

16 **40.1-5-31. Maintenance of facilities.**

17 Facilities under the jurisdiction, supervision, and control of the department shall be  
18 maintained, and services shall be provided, for the care and treatment of the ~~mentally~~  
19 psychiatrically disabled of the state and for other persons and related purposes as shall be provided  
20 and authorized by law.

21 **40.1-5-32. Transfer of patients.**

22 (a) No transfer of a patient already in a facility shall be made to a facility, or section of a  
23 facility, maintained for patients certified upon an order of a court or judge having criminal  
24 jurisdiction in a proceeding arising out of a criminal offense. The official in charge of a facility, or  
25 his or her designated agent, shall have reasonable discretion to order or permit transfers within a  
26 facility for reason of finances, adequacy of personnel, and upon conditions set forth in rules or  
27 regulations promulgated by the director pursuant hereto.

28 (b) A patient certified to any facility pursuant to the provisions of this chapter may be  
29 transferred, with his or her consent or that of his or her guardian, to any facility within or without  
30 the state or to an institution operated by the Veterans' Administration or to any agency of the United  
31 States government for the treatment of ~~mental~~ psychiatric disability at a facility under its  
32 jurisdiction, within or without the state, when deemed in the interest of the patient and approved  
33 by the transferring and receiving facilities. A transfer as above described may be accomplished  
34 without the consent of a patient, or his or her guardian, only upon prior application to, and a hearing

1 in, the district court (or family court in the case of a patient under eighteen (18) years of age) and a  
2 specific finding by the court that the proposed transfer is in the best interests of the patient and is  
3 to a facility that will afford the patient the care and treatment necessary and appropriate to his or  
4 her condition.

5 (c) A patient received on voluntary admission may be transferred as provided in subsection  
6 (b) with his or her consent; and if the patient shall not yet have attained his or her eighteenth  
7 birthday, with the consent of his or her parent, guardian, next of kin, or person who signed for his  
8 or her admission. A voluntary patient may be transferred to another facility without his or her  
9 consent only upon the filing of a petition for certification to the facility, and a finding of probable  
10 cause at a preliminary hearing in accordance with § 40.1-5-8.

11 (d) Patients transferred to facilities without the state, or to the Veterans' Administration or  
12 the United States Public Health Service, or another agency operated by the United States  
13 government, shall be subject to the rules and regulations of the facility or institution to which they  
14 are transferred, and the person or official in charge thereof, in connection with the care and  
15 treatment of the patient, being vested with the same powers as persons in charge of similar facilities  
16 within the state, provided that no such transfer shall be made to a facility maintained for the purpose  
17 of patients committed upon an order of a court or judge having criminal jurisdiction in a proceeding  
18 arising out of a criminal offense. Transfers of patients between states that have entered into the  
19 interstate compact on mental health shall be pursuant to and in accordance with said compact  
20 whenever applicable.

21 **40.1-5-33. Payment for care and treatment.**

22 For the purposes of this chapter, facilities shall be maintained by the state for the care,  
23 treatment, and maintenance of the ~~mentally~~ psychiatrically disabled, and the patients may be  
24 maintained and treated in the facilities or in foster family care, and may receive the services  
25 conditioned upon prompt and regular payments for the care, maintenance, and treatment or for the  
26 services in amounts as fixed by the director. In the discretion of the director, the rates so fixed may  
27 be the reimbursement rates or in excess thereof. A preference shall be given to persons whose  
28 estate, or the person or persons legally liable for their support, cannot sufficiently pay for the care  
29 and treatment, or for the services in licensed private facilities or from sources outside the  
30 department. The director, in his or her discretion, may accept payments for services at less than the  
31 reimbursement rates, but the acceptance of the lesser payments shall not release the patient, his or  
32 her estate, or relatives, if they have sufficient financial ability, from the obligation to make up the  
33 difference between the amount fixed, accepted, or paid and the full reimbursement rates.

34 **40.1-5-34. Exclusiveness of this chapter.**

1           Where under any provision of any existing law, except in the case of a person held under  
2 criminal process, or under process of the family court for an act that would be considered a crime  
3 if committed by an adult, any person with ~~mental~~ psychiatric disability, as defined in this chapter,  
4 shall have recourse to or be dealt with as provided in this chapter, exclusively. This section shall  
5 prevail notwithstanding the provisions of § 14-1-5(1)(v).

6           SECTION 8. Sections 40.1-5.3-1, 40.1-5.3-2 and 40.1-5.3-3 of the General Laws in  
7 Chapter 40.1-5.3 entitled "Incompetency to Stand Trial and Persons Adjudged Not Guilty by  
8 Reason of Insanity" are hereby amended to read as follows:

9           **40.1-5.3-1. Facility for incompetent persons and others.**

10           (a) The state director of behavioral healthcare, developmental disabilities and hospitals  
11 shall maintain, ~~at the state institution of Cranston, an appropriate facility~~ appropriate facilities,  
12 including the Rhode Island State Psychiatric Hospital and the Eleanor Slater Hospital, for the  
13 confinement of persons committed to his or her custody pursuant to this chapter and shall provide  
14 for the proper care, treatment, and restraint of all such persons. All persons now or hereafter  
15 committed, pursuant to the provisions of §§ 40.1-5.3-3, 40.1-5.3-4, 40.1-5.3-7, or the provisions of  
16 prior law, shall be removed or committed, as the case may be, ~~to the facility~~ to the facility into the  
17 custody of the director, or his or her designee, who in turn shall ensure the admission of the person  
18 to either the Rhode Island State Psychiatric Hospital or the Eleanor Slater Hospital in the discretion  
19 of the director or his or her designee.

20           (b) The cost of care, maintenance, and treatment of persons committed to the custody of  
21 the director of behavioral healthcare, developmental disabilities and hospitals, as provided in §§  
22 40.1-5.3-3 and 40.1-5.3-4, unless otherwise provided for, shall be paid by the person, if he or she  
23 has any estate, or by the person liable for his or her support, if such there be; otherwise, the director  
24 may maintain without charge or defray the expense of care and treatment of the poor or indigent  
25 persons incompetent to stand trial or acquitted on the grounds of insanity.

26           **40.1-5.3-2. ~~Transfers to and from general wards~~ Transfers between state-operated**  
27 **hospitals.**

28           Whenever any person committed, transferred, or removed to either the Rhode Island State  
29 Psychiatric Hospital or the Eleanor Slater Hospital to the facility provided for in § 40.1-5.3-1 shall  
30 have recovered his or her mental health sufficiently, ~~or if any such person requires more intensive~~  
31 ~~treatment or supervision to be cared for in the general wards of the institute of mental health,~~ the  
32 director may, upon request of the ~~superintendent~~ chief executive officer or the chief medical officer  
33 of ~~the state~~ either state-operated hospital, ~~transfer~~ discharge the person ~~to the general wards of the~~  
34 ~~state hospital, and retransfer him or her to the facility provided for in § 40.1-5.3-1 upon a like~~

1 ~~request~~ from the first hospital and then admit the person to the general units of either the Rhode  
2 Island State Psychiatric Hospital or Eleanor Slater Hospital, as the case may be.

3 **40.1-5.3-3. Competency to stand trial.**

4 (a) Definitions. As used in this section:

5 (1) "Attorney for the state" means the attorney general, an authorized assistant attorney  
6 general, or other person as may be authorized by law to act as a representative of the state in a  
7 criminal proceeding;

8 (2) "Competent" or "competency" means mental ability to stand trial. A person is mentally  
9 competent to stand trial if he or she is able to understand the character and consequences of the  
10 proceedings against him or her and is able properly to assist in his or her defense;

11 (3) "Department" means the state department of behavioral healthcare, developmental  
12 disabilities and hospitals.

13 (4) "Director" means the director of the state department of behavioral healthcare,  
14 developmental disabilities and hospitals;

15 (5) "Incompetent" or "incompetency" means mentally incompetent to stand trial. A person  
16 is mentally incompetent to stand trial if he or she is unable to understand the character and  
17 consequences of the proceedings against him or her or is unable properly to assist in his or her  
18 defense.

19 (b) Presumption of competency. A defendant is presumed competent. The burden of  
20 proving that the defendant is not competent shall be by a preponderance of the evidence, and the  
21 burden of going forward with the evidence shall be on the party raising the issue. The burden of  
22 going forward shall be on the state if the court raises the issue.

23 (c) Request for examination. If at any time during a criminal proceeding, prior to the  
24 imposition of sentence, it appears that the defendant is not competent, counsel for the defendant or  
25 the state, or the court, on its own motion, may request an examination to determine the defendant's  
26 competency.

27 (d) Examination of defendant.

28 (1) If the court finds that the request for examination is justified, the court shall order an  
29 examination of the defendant. The scope of the examination shall be limited to the question of  
30 whether the defendant is competent.

31 (2) The examination shall take place on an outpatient basis if the defendant is to be released  
32 on bail or recognizance. If the defendant is ordered confined at the adult correctional institutions,  
33 the examination shall take place at that facility. The department shall appoint or designate the  
34 physician(s) who will conduct the examinations.

1 (3) If the defendant is ordered confined to the adult correctional institutions, the physician  
2 shall complete the examination within five (5) days. If the physician determines that the defendant  
3 is incompetent to stand trial, the defendant shall be immediately transferred ~~for admission to the~~  
4 ~~institute of mental health's forensic unit~~ Rhode Island State Psychiatric Hospital or the Eleanor  
5 Slater Hospital, pending the hearing provided for in subsection (g). At the discretion of the director,  
6 pending the hearing provided for in subsection (g), the defendant may be discharged from one state-  
7 operated hospital for the purpose of contemporaneously admitting the defendant to the other state-  
8 operated hospital pursuant to the procedures enumerated in § 40.1-5.3-2.

9 (e) Bail or recognizance during examination.

10 (1) A defendant for whom a competency examination has been ordered shall be entitled to  
11 release on bail or recognizance to the same extent and on the same terms and conditions as if the  
12 issue of competency had not been raised.

13 (2) The court may order the defendant to appear at a designated time and place for  
14 outpatient examination, and such an appearance may be made a condition of pretrial release.

15 (f) Reports of examining physicians. Each examining physician shall prepare a report, in  
16 writing, in which he or she shall state his or her findings concerning the defendant's competency,  
17 together with the medical and other data upon which his or her findings are based. The report shall  
18 be filed with the court within ten (10) business days if the defendant was ordered confined at the  
19 adult correctional institutions, and as soon as practicable if the defendant was released on bail or  
20 recognizance, and copies given to the attorney for the state and to the defendant or his or her  
21 counsel.

22 (g) Hearing. Upon receipt of the report and appropriate notice to the parties, the court shall  
23 hold a hearing unless the report concludes that the defendant is competent and the defendant and  
24 the attorney for the state in open court state their assent to the findings on the record. At the hearing,  
25 the report shall be introduced, other evidence bearing on the defendant's competence may be  
26 introduced by the parties, and the defendant may testify, confront witnesses, and present evidence  
27 on the issue of his or her competency. On the basis of the evidence introduced at the hearing, the  
28 court shall decide if the defendant is competent.

29 (h) Commitment of the defendant.

30 (1) If the court finds, after the hearing, that a defendant is competent, it shall proceed with  
31 the criminal case.

32 (2) If the court finds that a defendant is incompetent, it shall commit him or her to the  
33 custody of the director for the purpose of determining whether or not the defendant is likely to  
34 imperil the peace and safety of the people of the state or the safety of himself or herself and whether

1 the defendant will regain competency within the maximum period of any placement under this  
2 chapter.

3 (3) Not later than fifteen (15) days from the date of the order of commitment, the director  
4 shall prepare and file with the court a written report in which he or she shall state his or her opinion  
5 regarding the defendant's dangerousness; the likelihood of the defendant becoming competent to  
6 stand trial within the maximum period of any placement order; and the recommendations of the  
7 department regarding appropriate care and treatment of the defendant.

8 (4) In the event the director is unable to complete the examination of the person in time to  
9 render his or her report within the fifteen-day (15) period, he or she shall report that fact, in writing,  
10 to the court with a statement of the reasons why the examination and report could not be completed  
11 within the prescribed period. A copy of the director's statement shall be given to the attorney general  
12 and to the defendant, or his or her counsel, any of whom may respond in writing, or if the court  
13 deems it appropriate, orally, to the director's statement. The court may thereupon enter an order  
14 extending for an additional twenty (20) days the time in which the director is to file his or her report.

15 (i) Hearing.

16 (1) Upon receipt of the report and appropriate notice to the director, the attorney general,  
17 and the defendant, or his or her counsel, the court shall hold a hearing at which the report shall be  
18 introduced, other evidence bearing on the question of the mental condition of the person may be  
19 introduced by the parties, and the person may testify, confront witnesses, and present evidence.

20 (2) If the court finds that a defendant who is incompetent may be placed on outpatient status  
21 without imperiling the peace or safety of the public or the safety of himself or herself, it may  
22 commit the defendant to an appropriate outpatient facility that agrees to provide treatment to the  
23 defendant and to adhere to the requirements of this section, in order that the defendant may receive  
24 treatment to restore or establish his or her competency.

25 (3) If the court finds that a defendant who is incompetent is likely to imperil the peace or  
26 safety of the people of the state or the peace and safety of himself or herself, it may order the  
27 defendant to the ~~facility established~~ [Rhode Island State Psychiatric Hospital or the Eleanor Slater](#)  
28 [Hospital](#), pursuant to § 40.1-5.3-1 ~~or to the general wards of the institute of mental health, if the~~  
29 ~~director agrees that the defendant should be placed on the general wards~~. A person who is ordered  
30 to be treated on inpatient status shall not be paroled, furloughed, placed on outpatient status or  
31 removed from a locked facility, or otherwise released from the institution where he or she is being  
32 treated except upon petition to the court by the director, on notice to the attorney general and the  
33 defendant, or his or her counsel, and after hearing thereon and entry of an order by a judge of the  
34 court authorizing release. The commitment ordered pursuant to this section shall terminate upon

1 the occurrence of any of the following:

2 (i) The defendant is determined by the court to be competent; or

3 (ii) The charges against the defendant are dismissed pursuant to subsection (j); or

4 (iii) The charges against the defendant are dismissed or a nolle prosequi is entered; or

5 (iv) The defendant is civilly committed pursuant to § 40.1-5-8; or

6 (v) The court finds there is no reasonable likelihood that in the foreseeable future the  
7 defendant will become competent and his or her condition is such that he or she cannot properly be  
8 committed under § 40.1-5-8.

9 (j) Period of commitment. When a court commits a defendant pursuant to subsection (i)(2)  
10 or (i)(3), it shall compute, counting from the date of entry to the order of commitment, the date of  
11 the expiration of the period of time equal to two thirds ( $\frac{2}{3}$ ) of the maximum term of imprisonment  
12 for the most serious offense with which the defendant is charged. If the maximum term for the most  
13 serious offense charged is life imprisonment or death, the court shall, for the purpose of  
14 computation, deem the offense to be punishable by a maximum term of thirty (30) years. In the  
15 order of commitment, the court shall provide that if, on the date so computed, the defendant is still  
16 committed under the order, the charges against him or her shall be dismissed.

17 (k) Periodic review. The director shall petition the court to review the state of competency  
18 of a defendant committed pursuant to subsection (i)(2) or (i)(3) not later than six (6) months from  
19 the date of the order of commitment and every six (6) months thereafter, or when the director  
20 believes the defendant is no longer incompetent, whichever occurs first. Outpatient facilities that  
21 are providing treatment to defendants in accordance with subsection (i)(2) shall prepare reports to  
22 be submitted to the director in accordance with the requirements of this section. The director shall  
23 attach to the petition a report on the condition of the defendant. If the report indicates that the  
24 defendant remains incompetent, it shall include a prognosis regarding the likelihood that he or she  
25 will become competent prior to the dismissal of the charges pursuant to subsection (j). Copies of  
26 the report shall be given to the attorney for the state and to the defendant or his or her counsel.

27 (l) Defendant's right to petition. A defendant committed pursuant to subsection (i)(2) or  
28 (i)(3) may at any time petition the court to review the state of his or her competency.

29 (m) Hearing on petition. Upon receipt of a petition pursuant to subsection (k) or (l) and  
30 appropriate notice to the defendant, the state, and the director, the court shall hold a hearing at  
31 which the parties may introduce evidence as to the defendant's competency, including any reports  
32 of the director, and the defendant may testify, confront witnesses, and present evidence as to his or  
33 her competency and prognosis. On the basis of the evidence, the court shall make a finding as to  
34 the defendant's competency and, if he or she is found to be incompetent, whether a reasonable



1 likelihood exists that he or she will become competent prior to the dismissal of the charges pursuant  
2 to subsection (j). If the court finds that the defendant is competent, it shall enter an order to that  
3 effect. If the court finds that the defendant is incompetent and that a reasonable likelihood exists  
4 that he or she will become competent prior to the dismissal of the charges pursuant to subsection  
5 (j), it shall order continuation of the commitment of the defendant. If the court finds that the  
6 defendant is incompetent and that a reasonable likelihood does not exist that he or she will become  
7 competent prior to the dismissal of the charges pursuant to subsection (j), it shall order that thirty  
8 (30) days thereafter the defendant be discharged from detention under the order of commitment.  
9 Upon entry of the order, the state may commence proceedings seeking to commit the defendant  
10 pursuant to § 40.1-5-8.

11 (n) Statements inadmissible. No statements made by a defendant in the course of an  
12 examination conducted pursuant to subsection (d) or during a hearing conducted pursuant to  
13 subsection (i) or (m) shall be admissible in evidence against the defendant in any criminal action  
14 on any issue other than his or her mental condition. The statements shall be admissible on the issue  
15 of his or her mental condition even though they might otherwise be deemed to be privileged  
16 communications.

17 (o) Disposition of charges. The court may, at any time, proceed to a disposition of the  
18 charges pending against a defendant who has been committed pursuant to subsection (i)(2) or (i)(3)  
19 if the factual and legal issues involved can be resolved without regard to the competency of the  
20 defendant.

21 SECTION 9. Sections 42-12.1-4 and 42-12.1-9 of the General Laws in Chapter 42-12.1  
22 entitled "Department of Behavioral Healthcare, Developmental Disabilities and Hospitals" are  
23 hereby amended to read as follows:

24 **42-12.1-4. Management of institutions.**

25 The department of behavioral healthcare, developmental disabilities and hospitals shall  
26 have the management, supervision, and control of both the Eleanor Slater Hospital and the Rhode  
27 Island State Psychiatric Hospital, and such other functions as have been or may be assigned. The  
28 director of the department may delegate to another employee of the department any functions  
29 related to the separate management, supervision and control of the state-operated hospitals. The  
30 department also shall operate, maintain, and repair the buildings, grounds, and other physical  
31 property at those institutions, other than the roads and driveways, which shall be under the care and  
32 supervision of the department of transportation.

33 **42-12.1-9. The Eleanor Slater Hospital.**

34 ~~The facilities known as the general hospital, the institution of mental health and the Dr. U.~~

1 ~~E. Zambarano within the state of Rhode Island shall hereafter be named the "Eleanor Slater~~  
2 ~~Hospital."~~ The hospital known as the Eleanor Slater Hospital shall consist of facilities in Cranston  
3 and/or Burrillville, or any units of such facilities, as licensed by the department of health.

4 SECTION 10. Chapter 42-12.1 of the General Laws entitled "Department of Behavioral  
5 Healthcare, Developmental Disabilities and Hospitals" is hereby amended by adding thereto the  
6 following section:

7 **42-12.1-10. The Rhode Island State Psychiatric Hospital.**

8 (a) A new hospital is hereby established to furnish care to any adult patient in Rhode Island  
9 requiring inpatient psychiatric care, and who meets at least one of the following criteria:

10 (1) The individual has been determined to require specialized mental health care and  
11 psychiatric inpatient services that cannot be provided in a correctional facility as defined in § 40.1-  
12 5.3-7:

13 (2) The individual has been ordered to inpatient care by a court of competent jurisdiction  
14 for the purpose of competency evaluation, competency restoration, if indicated, and treatment;

15 (3) The individual has been ordered to the forensic unit after a finding of not guilty by  
16 reason of insanity until such time, subject to a determination of the director or his/her designee, the  
17 individual may be safely managed in a civil unit of Eleanor Slater Hospital;

18 (4) The individual has been transferred to the Rhode Island State Psychiatric Hospital from  
19 the department of corrections when specialized services are required that are better provided in a  
20 hospital setting and are provided until such time, in the discretion of the director, the patient's  
21 condition has improved to the point at which the patient may be returned to the adult correctional  
22 institutions and to receive sufficient treatment, as approved by a judge of the district court or a  
23 justice of the superior court pursuant the applicable procedures and requirements of sections 6, 7,  
24 8, 9 and/or 9.1 of chapter 5.3 of title 40.1.

25 (b) The new hospital shall be named the Rhode Island State Psychiatric Hospital and shall  
26 consist of facilities, or any units of such facilities, on the grounds of the John O. Pastore Center in  
27 Cranston, Rhode Island, as licensed by the department of health.

28 (c) The Rhode Island State Psychiatric Hospital shall be operated by the department of  
29 behavioral healthcare, developmental disabilities and hospitals and shall be licensed by the  
30 department of health pursuant to chapter 17 of title 23; however, the Rhode Island State Psychiatric  
31 Hospital shall be a separate licensed entity from the Eleanor Slater Hospital; and

32 (d) The director of the department of behavioral healthcare, developmental disabilities and  
33 hospitals is authorized to take such actions as may be necessary or prudent to establish the Rhode  
34 Island State Psychiatric Hospital consistent with this chapter.

1

SECTION 11. This article shall take effect upon passage.

**ARTICLE 12**

RELATING TO MEDICAL ASSISTANCE

SECTION 1. Sections 12-1.6-1 and 12-1.6-2 of the General Laws in Chapter 12-1.6 entitled "National Criminal Records Check System" are hereby amended to read as follows:

**12-1.6-1. Automated fingerprint identification system database.**

The department of attorney general may establish and maintain an automated fingerprint identification system database that would allow the department to store and maintain all fingerprints submitted in accordance with the national criminal records check system. The automated fingerprint identification system database would provide for an automatic notification if, and when, a subsequent criminal arrest fingerprint card is submitted to the system that matches a set of fingerprints previously submitted in accordance with a national criminal records check. If the aforementioned arrest results in a conviction, the department shall immediately notify those individuals and entities with which that individual is associated and who are required to be notified of disqualifying information concerning national criminal records checks as provided in chapters 17, 17.4, 17.7.1 of title 23 or § 23-1-52 [and 42-7.2 of title 42 or §§ 42-7.2-18.2 and 42-7.2-18.4.](#) The information in the database established under this section is confidential and not subject to disclosure under chapter 38-2.

**12-1.6-2. ~~Long-term healthcare workers~~ Long-term healthcare workers -- High-risk Medicaid providers and personal care attendants.**

The department of attorney general shall maintain an electronic, web-based system to assist facilities, licensed under chapters 17, 17.4, 17.7.1 of title 23 or § 23-1-52, [and the executive office of health and human services under §§ 42-7.2-18.1 and 42-7.2-18.3](#), required to check relevant registries and conduct national criminal records checks of routine contact patient employees, [personal care attendants and high-risk providers](#). The department of attorney general shall provide for an automated notice, as authorized in § 12-1.6-1, to those facilities [or to the executive office of health and human services](#) if a routine-contact patient employee, [personal care attendant or high-risk provider](#) is subsequently convicted of a disqualifying offense, as described in the relevant licensing statute [or in §§ 42-7.2-18.2 and 42-7.2-18.4](#). The department of attorney general may charge a facility a one-time, set-up fee of up to one hundred dollars (\$100) for access to the electronic web-based system under this section.

1 SECTION 2. Sections 40-8-13.4 and 40-8-19 of the General Laws in Chapter 40-8 entitled  
2 "Medical Assistance" are hereby amended to read as follows:

3 **40-8-13.4. Rate methodology for payment for in-state and out-of-state hospital**  
4 **services.**

5 (a) The executive office of health and human services ("executive office") shall implement  
6 a new methodology for payment for in-state and out-of-state hospital services in order to ensure  
7 access to, and the provision of, high-quality and cost-effective hospital care to its eligible recipients.

8 (b) In order to improve efficiency and cost-effectiveness, the executive office shall:

9 (1)(i) With respect to inpatient services for persons in fee-for-service Medicaid, which is  
10 non-managed care, implement a new payment methodology for inpatient services utilizing the  
11 Diagnosis Related Groups (DRG) method of payment, which is, a patient-classification method  
12 that provides a means of relating payment to the hospitals to the type of patients cared for by the  
13 hospitals. It is understood that a payment method based on DRG may include cost outlier payments  
14 and other specific exceptions. The executive office will review the DRG-payment method and the  
15 DRG base price annually, making adjustments as appropriate in consideration of such elements as  
16 trends in hospital input costs; patterns in hospital coding; beneficiary access to care; and the Centers  
17 for Medicare and Medicaid Services national CMS Prospective Payment System (IPPS) Hospital  
18 Input Price index. For the twelve-month (12) period beginning July 1, 2015, the DRG base rate for  
19 Medicaid fee-for-service inpatient hospital services shall not exceed ninety-seven and one-half  
20 percent (97.5%) of the payment rates in effect as of July 1, 2014. Beginning July 1, 2019, the DRG  
21 base rate for Medicaid fee-for-service inpatient hospital services shall be 107.2% of the payment  
22 rates in effect as of July 1, 2018. Increases in the Medicaid fee-for-service DRG hospital payments  
23 for the twelve-month (12) period beginning July 1, 2020, shall be based on the payment rates in  
24 effect as of July 1 of the preceding fiscal year, and shall be the Centers for Medicare and Medicaid  
25 Services national Prospective Payment System (IPPS) Hospital Input Price Index. [Beginning July](#)  
26 [1, 2022, the DRG base rate for Medicaid fee-for-service inpatient hospital services shall be one](#)  
27 [hundred five percent \(105%\) of the payment rates in effect as of July 1, 2021. Increases in the](#)  
28 [Medicaid fee-for-service DRG hospital payments for each annual twelve-month \(12\) period](#)  
29 [beginning July 1, 2023, shall be based on the payment rates in effect as of July 1 of the preceding](#)  
30 [fiscal year, and shall be the Centers for Medicare and Medicaid Services national Prospective](#)  
31 [Payment System \(IPPS\) Hospital Input Price Index.](#)

32 (ii) With respect to inpatient services, (A) It is required as of January 1, 2011, until  
33 December 31, 2011, that the Medicaid managed care payment rates between each hospital and  
34 health plan shall not exceed ninety and one-tenth percent (90.1%) of the rate in effect as of June

1 30, 2010. Increases in inpatient hospital payments for each annual twelve-month (12) period  
2 beginning January 1, 2012, may not exceed the Centers for Medicare and Medicaid Services  
3 national CMS Prospective Payment System (IPPS) Hospital Input Price index for the applicable  
4 period; (B) Provided, however, for the twenty-four-month (24) period beginning July 1, 2013, the  
5 Medicaid managed care payment rates between each hospital and health plan shall not exceed the  
6 payment rates in effect as of January 1, 2013, and for the twelve-month (12) period beginning July  
7 1, 2015, the Medicaid managed care payment inpatient rates between each hospital and health plan  
8 shall not exceed ninety-seven and one-half percent (97.5%) of the payment rates in effect as of  
9 January 1, 2013; (C) Increases in inpatient hospital payments for each annual twelve-month (12)  
10 period beginning July 1, 2017, shall be the Centers for Medicare and Medicaid Services national  
11 CMS Prospective Payment System (IPPS) Hospital Input Price Index, less Productivity  
12 Adjustment, for the applicable period and shall be paid to each hospital retroactively to July 1; (D)  
13 Beginning July 1, 2019, the Medicaid managed care payment inpatient rates between each hospital  
14 and health plan shall be 107.2% of the payment rates in effect as of January 1, 2019, and shall be  
15 paid to each hospital retroactively to July 1; (E) Increases in inpatient hospital payments for each  
16 annual twelve-month (12) period beginning July 1, 2020, shall be based on the payment rates in  
17 effect as of January 1 of the preceding fiscal year, and shall be the Centers for Medicare and  
18 Medicaid Services national CMS Prospective Payment System (IPPS) Hospital Input Price Index,  
19 less Productivity Adjustment, for the applicable period and shall be paid to each hospital  
20 retroactively to July 1; the executive office will develop an audit methodology and process to assure  
21 that savings associated with the payment reductions will accrue directly to the Rhode Island  
22 Medicaid program through reduced managed care plan payments and shall not be retained by the  
23 managed care plans; (F) Beginning July 1, 2022, the Medicaid managed care payment inpatient  
24 rates between each hospital and health plan shall be one hundred five percent (105%) of the  
25 payment rates in effect as of January 1, 2022, and shall be paid to each hospital retroactively to July  
26 1 within ninety days of passage; (G) Increases in inpatient hospital payments for each annual  
27 twelve-month (12) period beginning July 1, 2023, shall be based on the payment rates in effect as  
28 of January 1 of the preceding fiscal year, and shall be the Centers for Medicare and Medicaid  
29 Services national CMS Prospective Payment System (IPPS) Hospital Input Price Index, less  
30 Productivity Adjustment, for the applicable period and shall be paid to each hospital retroactively  
31 to July 1 within ninety days of passage; ~~(F)~~(H) All hospitals licensed in Rhode Island shall accept  
32 such payment rates as payment in full; and ~~(G)~~(I) For all such hospitals, compliance with the  
33 provisions of this section shall be a condition of participation in the Rhode Island Medicaid  
34 program.

1 (2) With respect to outpatient services and notwithstanding any provisions of the law to the  
2 contrary, for persons enrolled in fee-for-service Medicaid, the executive office will reimburse  
3 hospitals for outpatient services using a rate methodology determined by the executive office and  
4 in accordance with federal regulations. Fee-for-service outpatient rates shall align with Medicare  
5 payments for similar services. Notwithstanding the above, there shall be no increase in the  
6 Medicaid fee-for-service outpatient rates effective on July 1, 2013, July 1, 2014, or July 1, 2015.  
7 For the twelve-month (12) period beginning July 1, 2015, Medicaid fee-for-service outpatient rates  
8 shall not exceed ninety-seven and one-half percent (97.5%) of the rates in effect as of July 1, 2014.  
9 Increases in the outpatient hospital payments for the twelve-month (12) period beginning July 1,  
10 2016, may not exceed the CMS national Outpatient Prospective Payment System (OPPS) Hospital  
11 Input Price Index. Beginning July 1, 2019, the Medicaid fee-for-service outpatient rates shall be  
12 107.2% of the payment rates in effect as of July 1, 2018. Increases in the outpatient hospital  
13 payments for the twelve-month (12) period beginning July 1, 2020, shall be based on the payment  
14 rates in effect as of July 1 of the preceding fiscal year, and shall be the CMS national Outpatient  
15 Prospective Payment System (OPPS) Hospital Input Price Index. Beginning July 1, 2022, the  
16 Medicaid fee-for-service outpatient rates shall be one hundred five percent (105%) of the payment  
17 rates in effect as of July 1, 2021. Increases in the outpatient hospital payments for each annual  
18 twelve-month (12) period beginning July 1, 2023, shall be based on the payment rates in effect as  
19 of July 1 of the preceding fiscal year, and shall be the CMS national Outpatient Prospective  
20 Payment System (OPPS) Hospital Input Price Index. With respect to the outpatient rate, (i) It is  
21 required as of January 1, 2011, until December 31, 2011, that the Medicaid managed care payment  
22 rates between each hospital and health plan shall not exceed one hundred percent (100%) of the  
23 rate in effect as of June 30, 2010; (ii) Increases in hospital outpatient payments for each annual  
24 twelve-month (12) period beginning January 1, 2012, until July 1, 2017, may not exceed the Centers  
25 for Medicare and Medicaid Services national CMS Outpatient Prospective Payment System OPPS  
26 hospital price index for the applicable period; (iii) Provided, however, for the twenty-four-month  
27 (24) period beginning July 1, 2013, the Medicaid managed care outpatient payment rates between  
28 each hospital and health plan shall not exceed the payment rates in effect as of January 1, 2013,  
29 and for the twelve-month (12) period beginning July 1, 2015, the Medicaid managed care outpatient  
30 payment rates between each hospital and health plan shall not exceed ninety-seven and one-half  
31 percent (97.5%) of the payment rates in effect as of January 1, 2013; (iv) Increases in outpatient  
32 hospital payments for each annual twelve-month (12) period beginning July 1, 2017, shall be the  
33 Centers for Medicare and Medicaid Services national CMS OPPS Hospital Input Price Index, less  
34 Productivity Adjustment, for the applicable period and shall be paid to each hospital retroactively

1 to July 1; (v) Beginning July 1, 2019, the Medicaid managed care outpatient payment rates between  
2 each hospital and health plan shall be one hundred seven and two-tenths percent (107.2%) of the  
3 payment rates in effect as of January 1, 2019 and shall be paid to each hospital retroactively to July  
4 1; (vi) Increases in outpatient hospital payments for each annual twelve-month (12) period  
5 beginning July 1, 2020, shall be based on the payment rates in effect as of January 1 of the preceding  
6 fiscal year, and shall be the Centers for Medicare and Medicaid Services national CMS OPSS  
7 Hospital Input Price Index, less Productivity Adjustment, for the applicable period and shall be  
8 paid to each hospital retroactively to July 1; (vii) Beginning July 1, 2022, the Medicaid managed  
9 care outpatient payment rates between each hospital and health plan shall be one hundred five  
10 percent (105%) of the payment rates in effect as of January 1, 2022 and shall be paid to each hospital  
11 retroactively to July 1 within ninety days of passage; (viii) Increases in outpatient hospital payments  
12 for each annual twelve-month (12) period beginning July 1, 2020, shall be based on the payment  
13 rates in effect as of January 1 of the preceding fiscal year, and shall be the Centers for Medicare  
14 and Medicaid Services national CMS OPSS Hospital Input Price Index, less Productivity  
15 Adjustment, for the applicable period and shall be paid to each hospital retroactively to July 1.

16 (3) "Hospital," as used in this section, shall mean the actual facilities and buildings in  
17 existence in Rhode Island, licensed pursuant to § 23-17-1 et seq. on June 30, 2010, and thereafter  
18 any premises included on that license, regardless of changes in licensure status pursuant to chapter  
19 17.14 of title 23 (hospital conversions) and § 23-17-6(b) (change in effective control), that provides  
20 short-term, acute inpatient and/or outpatient care to persons who require definitive diagnosis and  
21 treatment for injury, illness, disabilities, or pregnancy. Notwithstanding the preceding language,  
22 the Medicaid managed care payment rates for a court-approved purchaser that acquires a hospital  
23 through receivership, special mastership or other similar state insolvency proceedings (which court-  
24 approved purchaser is issued a hospital license after January 1, 2013), shall be based upon the new  
25 rates between the court-approved purchaser and the health plan, and such rates shall be effective as  
26 of the date that the court-approved purchaser and the health plan execute the initial agreement  
27 containing the new rates. The rate-setting methodology for inpatient-hospital payments and  
28 outpatient-hospital payments set forth in subsections (b)(1)(ii)(C) and (b)(2), respectively, shall  
29 thereafter apply to increases for each annual twelve-month (12) period as of July 1 following the  
30 completion of the first full year of the court-approved purchaser's initial Medicaid managed care  
31 contract.

32 (c) It is intended that payment utilizing the DRG method shall reward hospitals for  
33 providing the most efficient care, and provide the executive office the opportunity to conduct value-  
34 based purchasing of inpatient care.



1 (d) The secretary of the executive office is hereby authorized to promulgate such rules and  
2 regulations consistent with this chapter, and to establish fiscal procedures he or she deems  
3 necessary, for the proper implementation and administration of this chapter in order to provide  
4 payment to hospitals using the DRG-payment methodology. Furthermore, amendment of the Rhode  
5 Island state plan for Medicaid, pursuant to Title XIX of the federal Social Security Act, 42 U.S.C.  
6 § 1396 et seq., is hereby authorized to provide for payment to hospitals for services provided to  
7 eligible recipients in accordance with this chapter.

8 (e) The executive office shall comply with all public notice requirements necessary to  
9 implement these rate changes.

10 (f) As a condition of participation in the DRG methodology for payment of hospital  
11 services, every hospital shall submit year-end settlement reports to the executive office within one  
12 year from the close of a hospital's fiscal year. Should a participating hospital fail to timely submit  
13 a year-end settlement report as required by this section, the executive office shall withhold  
14 financial-cycle payments due by any state agency with respect to this hospital by not more than ten  
15 percent (10%) until the report is submitted. For hospital fiscal year 2010 and all subsequent fiscal  
16 years, hospitals will not be required to submit year-end settlement reports on payments for  
17 outpatient services. For hospital fiscal year 2011 and all subsequent fiscal years, hospitals will not  
18 be required to submit year-end settlement reports on claims for hospital inpatient services. Further,  
19 for hospital fiscal year 2010, hospital inpatient claims subject to settlement shall include only those  
20 claims received between October 1, 2009, and June 30, 2010.

21 (g) The provisions of this section shall be effective upon implementation of the new  
22 payment methodology set forth in this section and § 40-8-13.3, which shall in any event be no later  
23 than March 30, 2010, at which time the provisions of §§ 40-8-13.2, 27-19-14, 27-19-15, and 27-  
24 19-16 shall be repealed in their entirety.

25 **40-8-19. Rates of payment to nursing facilities.**

26 (a) **Rate reform.**

27 (1) The rates to be paid by the state to nursing facilities licensed pursuant to chapter 17 of  
28 title 23, and certified to participate in Title XIX of the Social Security Act for services rendered to  
29 Medicaid-eligible residents, shall be reasonable and adequate to meet the costs that must be  
30 incurred by efficiently and economically operated facilities in accordance with 42 U.S.C. §  
31 1396a(a)(13). The executive office of health and human services ("executive office") shall  
32 promulgate or modify the principles of reimbursement for nursing facilities in effect as of July 1,  
33 2011, to be consistent with the provisions of this section and Title XIX, 42 U.S.C. § 1396 et seq.,  
34 of the Social Security Act.

1 (2) The executive office shall review the current methodology for providing Medicaid  
2 payments to nursing facilities, including other long-term-care services providers, and is authorized  
3 to modify the principles of reimbursement to replace the current cost-based methodology rates with  
4 rates based on a price-based methodology to be paid to all facilities with recognition of the acuity  
5 of patients and the relative Medicaid occupancy, and to include the following elements to be  
6 developed by the executive office:

- 7 (i) A direct-care rate adjusted for resident acuity;
- 8 (ii) An indirect-care rate comprised of a base per diem for all facilities;
- 9 (iii) ~~A rearray of costs for all facilities every three (3) years beginning October, 2015, that~~  
10 ~~may or may not result in automatic per diem revisions~~ Revise rates as necessary based on increases  
11 in direct and indirect costs beginning October 2024 utilizing data from the most recent finalized  
12 year of facility cost report. The per diem rate components deferred in subsections (a)(2)(i) and  
13 (a)(2)(ii) of this section shall be adjusted accordingly to reflect changes in direct and indirect care  
14 costs since the previous rate review;

- 15 (iv) Application of a fair-rental value system;
- 16 (v) Application of a pass-through system; and

17 (vi) Adjustment of rates by the change in a recognized national nursing home inflation  
18 index to be applied on October 1 of each year, beginning October 1, 2012. This adjustment will not  
19 occur on October 1, 2013, October 1, 2014, or October 1, 2015, but will occur on April 1, 2015.  
20 The adjustment of rates will also not occur on October 1, 2017, October 1, 2018, ~~and~~ October 1,  
21 2019, and October 2022. Effective July 1, 2018, rates paid to nursing facilities from the rates  
22 approved by the Centers for Medicare and Medicaid Services and in effect on October 1, 2017,  
23 both fee-for-service and managed care, will be increased by one and one-half percent (1.5%) and  
24 further increased by one percent (1%) on October 1, 2018, and further increased by one percent  
25 (1%) on October 1, 2019. Effective October 1, 2022, rates paid to nursing facilities from the rates  
26 approved by the Centers for Medicare and Medicaid Services and in effect on October 1, 2021,  
27 both fee-for-service and managed care, will be increased by three percent (3%). In addition to the  
28 annual nursing home inflation index adjustment, there shall be a base rate staffing adjustment of  
29 one-half percent (0.5%) on October 1, 2021, one percent (1.0%) on October 1, 2022, and one and  
30 one-half percent (1.5%) on October 1, 2023. The inflation index shall be applied without regard for  
31 the transition factors in subsections (b)(1) and (b)(2). For purposes of October 1, 2016, adjustment  
32 only, any rate increase that results from application of the inflation index to subsections (a)(2)(i)  
33 and (a)(2)(ii) shall be dedicated to increase compensation for direct-care workers in the following  
34 manner: Not less than 85% of this aggregate amount shall be expended to fund an increase in wages,

1 benefits, or related employer costs of direct-care staff of nursing homes. For purposes of this  
2 section, direct-care staff shall include registered nurses (RNs), licensed practical nurses (LPNs),  
3 certified nursing assistants (CNAs), certified medical technicians, housekeeping staff, laundry staff,  
4 dietary staff, or other similar employees providing direct-care services; provided, however, that this  
5 definition of direct-care staff shall not include: (i) RNs and LPNs who are classified as "exempt  
6 employees" under the federal Fair Labor Standards Act (29 U.S.C. § 201 et seq.); or (ii) CNAs,  
7 certified medical technicians, RNs, or LPNs who are contracted, or subcontracted, through a third-  
8 party vendor or staffing agency. By July 31, 2017, nursing facilities shall submit to the secretary,  
9 or designee, a certification that they have complied with the provisions of this subsection (a)(2)(vi)  
10 with respect to the inflation index applied on October 1, 2016. Any facility that does not comply  
11 with terms of such certification shall be subjected to a clawback, paid by the nursing facility to the  
12 state, in the amount of increased reimbursement subject to this provision that was not expended in  
13 compliance with that certification.

14 (3) Commencing on October 1, 2021, eighty percent (80%) of any rate increase that results  
15 from application of the inflation index to subsections (a)(2)(i) and (a)(2)(ii) of this section shall be  
16 dedicated to increase compensation for all eligible direct-care workers in the following manner on  
17 October 1, of each year.

18 (i) For purposes of this subsection, compensation increases shall include base salary or  
19 hourly wage increases, benefits, other compensation, and associated payroll tax increases for  
20 eligible direct-care workers. This application of the inflation index shall apply for Medicaid  
21 reimbursement in nursing facilities for both managed care and fee-for-service. For purposes of this  
22 subsection, direct-care staff shall include registered nurses (RNs), licensed practical nurses (LPNs),  
23 certified nursing assistants (CNAs), certified medication technicians, licensed physical therapists,  
24 licensed occupational therapists, licensed speech-language pathologists, mental health workers  
25 who are also certified nurse assistants, physical therapist assistants, housekeeping staff, laundry  
26 staff, dietary staff or other similar employees providing direct-care services; provided, however  
27 that this definition of direct-care staff shall not include:

28 (A) RNs and LPNs who are classified as "exempt employees" under the federal Fair Labor  
29 Standards Act (29 U.S.C. § 201 et seq.); or

30 (B) CNAs, certified medication technicians, RNs or LPNs who are contracted or  
31 subcontracted through a third-party vendor or staffing agency.

32 (4) (i) By July 31, 2021, and July 31 of each year thereafter, nursing facilities shall submit  
33 to the secretary or designee a certification that they have complied with the provisions of subsection  
34 (a)(3) of this section with respect to the inflation index applied on October 1. The executive office

1 of health and human services (EOHHS) shall create the certification form nursing facilities must  
2 complete with information on how each individual eligible employee's compensation increased,  
3 including information regarding hourly wages prior to the increase and after the compensation  
4 increase, hours paid after the compensation increase, and associated increased payroll taxes. A  
5 collective bargaining agreement can be used in lieu of the certification form for represented  
6 employees. All data reported on the compliance form is subject to review and audit by EOHHS.  
7 The audits may include field or desk audits, and facilities may be required to provide additional  
8 supporting documents including, but not limited to, payroll records.

9 (ii) Any facility that does not comply with the terms of certification shall be subjected to a  
10 clawback and twenty-five percent (25%) penalty of the unspent or impermissibly spent funds, paid  
11 by the nursing facility to the state, in the amount of increased reimbursement subject to this  
12 provision that was not expended in compliance with that certification.

13 (iii) In any calendar year where no inflationary index is applied, eighty percent (80%) of  
14 the base rate staffing adjustment in that calendar year pursuant to subsection (a)(2)(vi) of this  
15 section shall be dedicated to increase compensation for all eligible direct-care workers in the  
16 manner referenced in subsections (a)(3)(i), (a)(3)(i)(A), and (a)(3)(i)(B) of this section.

17 (b) **Transition to full implementation of rate reform.** For no less than four (4) years after  
18 the initial application of the price-based methodology described in subsection (a)(2) to payment  
19 rates, the executive office of health and human services shall implement a transition plan to  
20 moderate the impact of the rate reform on individual nursing facilities. The transition shall include  
21 the following components:

22 (1) No nursing facility shall receive reimbursement for direct-care costs that is less than  
23 the rate of reimbursement for direct-care costs received under the methodology in effect at the time  
24 of passage of this act; for the year beginning October 1, 2017, the reimbursement for direct-care  
25 costs under this provision will be phased out in twenty-five-percent (25%) increments each year  
26 until October 1, 2021, when the reimbursement will no longer be in effect; and

27 (2) No facility shall lose or gain more than five dollars (\$5.00) in its total, per diem rate the  
28 first year of the transition. An adjustment to the per diem loss or gain may be phased out by twenty-  
29 five percent (25%) each year; except, however, for the years beginning October 1, 2015, there shall  
30 be no adjustment to the per diem gain or loss, but the phase out shall resume thereafter; and

31 (3) The transition plan and/or period may be modified upon full implementation of facility  
32 per diem rate increases for quality of care-related measures. Said modifications shall be submitted  
33 in a report to the general assembly at least six (6) months prior to implementation.

34 (4) Notwithstanding any law to the contrary, for the twelve-month (12) period beginning

1 July 1, 2015, Medicaid payment rates for nursing facilities established pursuant to this section shall  
2 not exceed ninety-eight percent (98%) of the rates in effect on April 1, 2015. Consistent with the  
3 other provisions of this chapter, nothing in this provision shall require the executive office to restore  
4 the rates to those in effect on April 1, 2015, at the end of this twelve-month (12) period.

5 SECTION 3. Sections 40-8.3-2 and 40-8.3-3 of the General Laws in Chapter 40-8.3 entitled  
6 "Uncompensated Care" are hereby amended to read as follows:

7 **40-8.3-2. Definitions.**

8 As used in this chapter:

9 (1) "Base year" means, for the purpose of calculating a disproportionate share payment for  
10 any fiscal year ending after September 30, ~~2020~~ 2021, the period from October 1, ~~2018~~ 2019,  
11 through September 30, ~~2019~~ 2020, and for any fiscal year ending after September 30, ~~2021~~ 2022,  
12 the period from October 1, 2019, through September 30, 2020.

13 (2) "Medicaid inpatient utilization rate for a hospital" means a fraction (expressed as a  
14 percentage), the numerator of which is the hospital's number of inpatient days during the base year  
15 attributable to patients who were eligible for medical assistance during the base year and the  
16 denominator of which is the total number of the hospital's inpatient days in the base year.

17 (3) "Participating hospital" means any nongovernment and nonpsychiatric hospital that:

18 (i) Was licensed as a hospital in accordance with chapter 17 of title 23 during the base year  
19 and shall mean the actual facilities and buildings in existence in Rhode Island, licensed pursuant to  
20 § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless  
21 of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital conversions) and § 23-  
22 17-6(b) (change in effective control), that provides short-term, acute inpatient and/or outpatient  
23 care to persons who require definitive diagnosis and treatment for injury, illness, disabilities, or  
24 pregnancy. Notwithstanding the preceding language, the negotiated Medicaid managed care  
25 payment rates for a court-approved purchaser that acquires a hospital through receivership, special  
26 mastership, or other similar state insolvency proceedings (which court-approved purchaser is issued  
27 a hospital license after January 1, 2013), shall be based upon the newly negotiated rates between  
28 the court-approved purchaser and the health plan, and the rates shall be effective as of the date that  
29 the court-approved purchaser and the health plan execute the initial agreement containing the newly  
30 negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient  
31 hospital payments set forth in §§ 40-8-13.4(b)(1)(ii)(C) and 40-8-13.4(b)(2), respectively, shall  
32 thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1  
33 following the completion of the first full year of the court-approved purchaser's initial Medicaid  
34 managed care contract;

1 (ii) Achieved a medical assistance inpatient utilization rate of at least one percent (1%)  
2 during the base year; and

3 (iii) Continues to be licensed as a hospital in accordance with chapter 17 of title 23 during  
4 the payment year.

5 (4) "Uncompensated-care costs" means, as to any hospital, the sum of: (i) The cost incurred  
6 by the hospital during the base year for inpatient or outpatient services attributable to charity care  
7 (free care and bad debts) for which the patient has no health insurance or other third-party coverage  
8 less payments, if any, received directly from such patients; and (ii) The cost incurred by the hospital  
9 during the base year for inpatient or outpatient services attributable to Medicaid beneficiaries less  
10 any Medicaid reimbursement received therefor; multiplied by the uncompensated-care index.

11 (5) "Uncompensated-care index" means the annual percentage increase for hospitals  
12 established pursuant to § 27-19-14 [repealed] for each year after the base year, up to and including  
13 the payment year; provided, however, that the uncompensated-care index for the payment year  
14 ending September 30, 2007, shall be deemed to be five and thirty-eight hundredths percent (5.38%),  
15 and that the uncompensated-care index for the payment year ending September 30, 2008, shall be  
16 deemed to be five and forty-seven hundredths percent (5.47%), and that the uncompensated-care  
17 index for the payment year ending September 30, 2009, shall be deemed to be five and thirty-eight  
18 hundredths percent (5.38%), and that the uncompensated-care index for the payment years ending  
19 September 30, 2010, September 30, 2011, September 30, 2012, September 30, 2013, September  
20 30, 2014, September 30, 2015, September 30, 2016, September 30, 2017, September 30, 2018,  
21 September 30, 2019, September 30, 2020, September 30, 2021, ~~and~~ September 30, 2022, [and](#)  
22 [September 30, 2023](#) shall be deemed to be five and thirty hundredths percent (5.30%).

23 **40-8.3-3. Implementation.**

24 ~~(a) For federal fiscal year 2020, commencing on October 1, 2019, and ending September~~  
25 ~~30, 2020, the executive office of health and human services shall submit to the Secretary of the~~  
26 ~~United States Department of Health and Human Services a state plan amendment to the Rhode~~  
27 ~~Island Medicaid DSH Plan to provide:~~

28 ~~(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of~~  
29 ~~\$142.4 million, shall be allocated by the executive office of health and human services to the Pool~~  
30 ~~D component of the DSH Plan; and~~

31 ~~(2) That the Pool D allotment shall be distributed among the participating hospitals in direct~~  
32 ~~proportion to the individual participating hospital's uncompensated care costs for the base year,~~  
33 ~~inflated by the uncompensated care index to the total uncompensated care costs for the base year~~  
34 ~~inflated by the uncompensated care index for all participating hospitals. The disproportionate share~~

1 ~~payments shall be made on or before July 13, 2020, and are expressly conditioned upon approval~~  
2 ~~on or before July 6, 2020, by the Secretary of the United States Department of Health and Human~~  
3 ~~Services, or his or her authorized representative, of all Medicaid state plan amendments necessary~~  
4 ~~to secure for the state the benefit of federal financial participation in federal fiscal year 2020 for~~  
5 ~~the disproportionate share payments.~~

6 ~~(b)~~ (a) For federal fiscal year 2021, commencing on October 1, 2020, and ending  
7 September 30, 2021, the executive office of health and human services shall submit to the Secretary  
8 of the United States Department of Health and Human Services a state plan amendment to the  
9 Rhode Island Medicaid DSH Plan to provide:

10 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of  
11 \$142.5 million, shall be allocated by the executive office of health and human services to the Pool  
12 D component of the DSH Plan; and

13 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct  
14 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
15 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
16 inflated by the uncompensated-care index for all participating hospitals. The disproportionate share  
17 payments shall be made on or before July 12, 2021, and are expressly conditioned upon approval  
18 on or before July 5, 2021, by the Secretary of the United States department of health and human  
19 services, or his or her authorized representative, of all Medicaid state plan amendments necessary  
20 to secure for the state the benefit of federal financial participation in federal fiscal year 2021 for  
21 the disproportionate share payments.

22 ~~(e)~~(b) For federal fiscal year 2022, commencing on October 1, 2021, and ending September  
23 30, 2022, the executive office of health and human services shall submit to the Secretary of the  
24 United States Department of Health and Human Services a state plan amendment to the Rhode  
25 Island Medicaid DSH Plan to provide:

26 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of  
27 ~~\$143.8~~ \$145.1 million, shall be allocated by the executive office of health and human services to  
28 the Pool D component of the DSH Plan; and

29 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct  
30 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
31 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
32 inflated by the uncompensated-care index for all participating hospitals. The disproportionate share  
33 payments shall be made on or before ~~July 12, 2022~~ June 30, 2022, and are expressly conditioned  
34 upon approval on or before July 5, 2022, by the Secretary of the United States Department of Health

1 and Human Services, or his or her authorized representative, of all Medicaid state plan amendments  
2 necessary to secure for the state the benefit of federal financial participation in federal fiscal year  
3 2022 for the disproportionate share payments.

4 (c) For federal fiscal year 2023, commencing on October 1, 2022, and ending September  
5 30, 2023, the executive office of health and human services shall submit to the Secretary of the  
6 United States Department of Health and Human Services a state plan amendment to the Rhode  
7 Island Medicaid DSH Plan to provide:

8 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of  
9 \$145.1 million, shall be allocated by the executive office of health and human services to the Pool  
10 D component of the DSH Plan; and

11 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct  
12 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
13 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
14 inflated by the uncompensated-care index for all participating hospitals. The disproportionate share  
15 payments shall be made on or before June 30, 2023, and are expressly conditioned upon approval  
16 on or before July 5, 2023, by the Secretary of the United States Department of Health and Human  
17 Services, or his or her authorized representative, of all Medicaid state plan amendments necessary  
18 to secure for the state the benefit of federal financial participation in federal fiscal year 2023 for  
19 the disproportionate share payments.

20 (d) No provision is made pursuant to this chapter for disproportionate-share hospital  
21 payments to participating hospitals for uncompensated-care costs related to graduate medical  
22 education programs.

23 (e) The executive office of health and human services is directed, on at least a monthly  
24 basis, to collect patient-level uninsured information, including, but not limited to, demographics,  
25 services rendered, and reason for uninsured status from all hospitals licensed in Rhode Island.

26 (f) [Deleted by P.L. 2019, ch. 88, art. 13, § 6.]

27 SECTION 4. Chapter 40.1-8.5 of the General Laws entitled "Community Mental Health  
28 Services" is hereby amended by adding thereto the following section:

29 **40.1-8.5-8. Certified community behavioral health clinics.**

30 (a) The executive office of health and human services is authorized and directed to submit  
31 to the Secretary of the United States Department of Health and Human Services a state plan  
32 amendment for the purposes of establishing Certified Community Behavioral Health Clinics in  
33 accordance with Section 223 of the federal Protecting Access to Medicare Act of 2014.

34 (b) The executive office of health and human services shall amend its Title XIX state plan



1 pursuant to Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C § 1397 et seq.] of the  
2 Social Security Act as necessary to cover all required services for persons with mental health and  
3 substance use disorders at a certified community behavioral health clinic through a daily or monthly  
4 bundled payment methodology that is specific to each organization’s anticipated costs and inclusive  
5 of all required services within Section 223 of the federal Protecting Access to Medicare Act of  
6 2014. Such certified community behavioral health clinics shall adhere to the federal model,  
7 including payment structures and rates.

8 (c) A certified community behavioral health clinic means any licensed community mental  
9 health center as defined by title 40.1 or a licensed behavioral health organization that meets the  
10 federal certification criteria of Section 223 of the Protecting Access to Medicare Act of 2014 and  
11 additional criteria as defined by the department of behavioral healthcare, developmental disabilities  
12 and hospitals including, but not limited to, these services:

13 (1) Outpatient mental health and substance use services;

14 (2) Twenty-four (24) hour mobile crisis response and hotline services;

15 (3) Screening, assessment, and diagnosis, including risk assessments;

16 (4) Person-centered treatment planning;

17 (5) Primary care screening and monitoring of key indicators of health risks;

18 (6) Targeted case management;

19 (7) Psychiatric rehabilitation services;

20 (8) Peer support and family supports;

21 (9) Medication-assisted treatment;

22 (10) Assertive community treatment; and

23 (11) Community-based mental health care for military service members and veterans.

24 (d) Subject to the approval from the United States Department of Health and Human  
25 Services’ Centers for Medicare and Medicaid Services, the certified community behavioral health  
26 clinic model pursuant to this chapter, shall be established by July 1, 2023, and include any enhanced  
27 Medicaid match for required services or populations served.

28 (e) By August 1, 2022, the executive office of health and human services will issue a  
29 Request for Information for organizations who want to participate in the Certified Community  
30 Behavioral Health Clinic model program.

31 (f) By October 1, 2022, the organizations will submit a detailed cost report developed by  
32 the department of behavioral healthcare, developmental disabilities and hospitals with approval  
33 from the executive office of health and human services, that includes the cost for the organization  
34 to provide the required services.

1 (g) By December 1, 2022, the department of behavioral healthcare, developmental  
2 disabilities and hospitals, in coordination with the executive office of health and human services,  
3 will prepare an analysis of proposals, determine how many behavioral health clinics can be certified  
4 in FY 2024 and the costs for each one. Funding for the Certified Behavioral Health Clinics will be  
5 included in the FY 2024 budget recommended by the Governor.

6 (h) The executive office of health and human services shall apply for the federal Certified  
7 Community Behavioral Health Clinics Demonstration Program if another round of funding  
8 becomes available.

9 SECTION 5. Section 42-7.2-18 of Chapter 42-7.2 the General Laws entitled "Office of  
10 Health and Human Services" is hereby amended by adding thereto the following sections:

11 **42-7.2-18.1. Professional responsibility -- Criminal records check for high- risk**  
12 **providers.**

13 (a) As a condition of enrollment and/or continued participation as a Medicaid provider,  
14 applicants to become and/or remain a provider shall be required to undergo criminal records checks  
15 including a national criminal records check supported by fingerprints by the level of screening  
16 based on risk of fraud, waste or abuse as determined by the executive office of health and human  
17 services for that category of Medicaid provider.

18 (b) Establishment of Risk Categories – The executive office of health and human services  
19 in consultation with the department of attorney general, shall establish through regulation, risk  
20 categories for Medicaid providers and provider categories who pose an increased financial risk of  
21 fraud, waste or abuse to the Medicaid/CHIP program, in accordance with § 42 CFR §§ 455.434 and  
22 455.450.

23 (c) High risk categories, as determined by the executive office health and human services  
24 may include:

25 (1) Newly enrolled home health agencies that have not been medicare certified;

26 (2) Newly enrolled durable medical equipment providers;

27 (3) New or revalidating providers that have been categorized by the executive office of  
28 health and human services as high risk;

29 (4) New or revalidating providers with payment suspension histories;

30 (5) New or revalidating providers with office of inspector general exclusion histories;

31 (6) New or revalidating providers with qualified overpayment histories; and,

32 (7) New or revalidating providers applying for enrollment post debarment or moratorium  
33 (Federal or State-based)

34 (d) Upon the state Medicaid agency determination that a provider or an applicant to become

1 a provider, or a person with a five percent (5%) or more direct or indirect ownership interest in the  
2 provider, meets the executive office of health and human services' criteria for criminal records  
3 checks as a "high" risk to the Medicaid program, the executive office of health and human services  
4 shall require that each such provider or applicant to become a provider undergo a national criminal  
5 records check supported by fingerprints.

6 (e) The executive office of health and human services shall require such a "high risk"  
7 Medicaid provider or applicant to become a provider, or any person with a five percent (5%) or  
8 more direct or indirect ownership interest in the provider, to submit to a national criminal records  
9 check supported by fingerprints within thirty (30) days upon request from the Centers for Medicare  
10 and Medicaid Services or the executive office of health and human services.

11 (f) The Medicaid providers requiring the national criminal records check shall apply to the  
12 department of attorney general, bureau of criminal identification (BCI) to be fingerprinted. The  
13 fingerprints will subsequently be transmitted to the federal bureau of investigation for a national  
14 criminal records check. The results of the national criminal records check shall be made available  
15 to the applicant undergoing a record check and submitting fingerprints.

16 (g) Upon the discovery of any disqualifying information, as defined in § 42-7.2-18.2 and  
17 as in accordance with the regulations promulgated by the executive office of health and human  
18 services, the bureau of criminal identification of the department of the attorney general will inform  
19 the applicant, in writing, of the nature of the disqualifying information; and, without disclosing the  
20 nature of the disqualifying information, will notify the executive office of health and human  
21 services, in writing, that disqualifying information has been discovered.

22 (h) In those situations, in which no disqualifying information has been found, the bureau  
23 of criminal identification of the department of the attorney general shall inform the applicant and  
24 the executive office of health and human services, in writing, of this fact.

25 (i) The applicant shall be responsible for the cost of conducting the national criminal  
26 records check through the bureau of criminal identification of the department of attorney general.

27 **42-7.2-18.2. Professional responsibility -- Criminal records check disqualifying**  
28 **information for high-risk providers.**

29 (a) Information produced by a national criminal records check pertaining to conviction, for  
30 the following crimes will result in a letter to the executive office of health and human services ,  
31 disqualifying the applicant from being a medicaid provider: murder, voluntary manslaughter,  
32 involuntary manslaughter, first degree sexual assault, second degree sexual assault, third degree  
33 sexual assault, assault on persons sixty (60) years of age or older, assault with intent to commit  
34 specified felonies (murder, robbery, rape, burglary, or the abominable and detestable crime against

1 nature) felony assault, patient abuse, neglect or mistreatment of patients, burglary, first degree  
2 arson, robbery, felony drug offenses, felony larceny, or felony banking law violations, felony  
3 obtaining money under false pretenses, felony embezzlement, abuse, neglect and/or exploitation of  
4 adults with severe impairments, exploitation of elders, or a crime under section 1128 (a) of the  
5 Social Security Act (42 U.S.C. 1320a-7(a)). An applicant against whom disqualifying information  
6 has been found, for purposes of appeal, may provide a copy of the national criminal records check  
7 to the executive office of health and human services, who shall make a judgment regarding the  
8 approval of or the continued status of that person as a provider.

9 (b) For purposes of this section, "conviction" means, in addition to judgments of conviction  
10 entered by a court subsequent to a finding of guilty or a plea of guilty, those instances where the  
11 defendant has entered a plea of nolo contendere and has received a sentence of probation and those  
12 instances where a defendant has entered into a deferred sentence agreement with the attorney  
13 general.

14 **42-7.2-18.3. Professional responsibility -- Criminal records check for personal care**  
15 **aides.**

16 (a) Any person seeking employment to provide care to elderly or individuals with  
17 disabilities who is, or may be required to be, licensed, registered, trained or certified with the office  
18 of medicaid if that employment involves routine contact with elderly or individuals with disabilities  
19 without the presence of other employees, shall undergo a national criminal records check supported  
20 by fingerprints. The applicant will report to the office of attorney general, bureau of criminal  
21 identification to submit their fingerprints. The fingerprints will subsequently be submitted to the  
22 federal bureau of investigation (FBI) by the bureau of criminal identification of the office of  
23 attorney general. The national criminal records check shall be initiated prior to, or within one week  
24 of, employment.

25 (b) The director of the office of medicaid may, by rule, identify those positions requiring  
26 criminal records checks. The identified employee, through the executive office of health and human  
27 services, shall apply to the bureau of criminal identification of the department of attorney general  
28 for a national criminal records check. Upon the discovery of any disqualifying information, as  
29 defined in § 42-7.2-18.4 and in accordance with the rule promulgated by the secretary of the  
30 executive office of health and human services, the bureau of criminal identification of the  
31 department of the attorney general will inform the applicant, in writing, of the nature of the  
32 disqualifying information; and, without disclosing the nature of the disqualifying information, will  
33 notify the executive office of health and human services executive office of health and human  
34 services in writing, that disqualifying information has been discovered.

1 (c) An applicant against whom disqualifying information has been found, for purposes of  
2 appeal, may provide a copy of the national criminal history check to the executive office of health  
3 and human services, who shall make a judgment regarding the approval of the applicant.

4 (d) In those situations, in which no disqualifying information has been found, the bureau  
5 of criminal identification of the department of the attorney general shall inform the applicant and  
6 the executive office health and human services, in writing, of this fact.

7 (e) The executive office of health and human services shall maintain on file evidence that  
8 criminal records checks have been initiated on all applicants subsequent to July 1, 2022.

9 (f) The applicant shall be responsible for the cost of conducting the national criminal  
10 records check through the bureau of criminal identification of the department of the attorney  
11 general.

12 **42-7.2-18.4. Professional responsibility -- Criminal records check disqualifying**  
13 **information for personal care aides.**

14 (a) Information produced by a national criminal records check pertaining to conviction, for  
15 the following crimes will result in a letter to the applicant and the executive office of health and  
16 human services, disqualifying the applicant: murder, voluntary manslaughter, involuntary  
17 manslaughter, first degree sexual assault, second degree sexual assault, third degree sexual assault,  
18 assault on persons sixty (60) years of age or older, assault with intent to commit specified felonies  
19 (murder, robbery, rape, burglary, or the abominable and detestable crime against nature) felony  
20 assault, patient abuse, neglect or mistreatment of patients, burglary, first degree arson, robbery,  
21 felony drug offenses, felony larceny, or felony banking law violations, felony obtaining money  
22 under false pretenses, felony embezzlement, abuse, neglect and/or exploitation of adults with severe  
23 impairments, exploitation of elders, or a crime under section 1128(a) of the Social Security Act (42  
24 U.S.C. 1320a-7(a)).

25 (b) For purposes of this section, "conviction" means, in addition to judgments of conviction  
26 entered by a court subsequent to a finding of guilty or a plea of guilty, those instances where the  
27 defendant has entered a plea of nolo contendere and has received a sentence of probation and those  
28 instances where a defendant has entered into a deferred sentence agreement with the attorney  
29 general.

30 SECTION 6. Sections 42-12.3-3, 42-12.3-4 and 42-12.3-15 of the General Laws in Chapter  
31 42-12.3 "Health Care for Children and Pregnant Women" are hereby amended to read as follows:

32 **42-12.3-3. Medical assistance expansion for pregnant women/RItE Start.**

33 (a) The ~~director of the department of human services~~ secretary of the executive office of  
34 health and human services is authorized to amend its Title XIX state plan pursuant to Title XIX of

1 the Social Security Act to provide Medicaid coverage and to amend its Title XXI state plan pursuant  
2 to Title XXI of the Social Security Act to provide medical assistance coverage through expanded  
3 family income disregards for pregnant women whose family income levels are between one  
4 hundred eighty-five percent (185%) and two hundred fifty percent (250%) of the federal poverty  
5 level. The department is further authorized to promulgate any regulations necessary and in accord  
6 with Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. § 1397aa et seq.] of the Social  
7 Security Act necessary in order to implement said state plan amendment. The services provided  
8 shall be in accord with Title XIX [ 42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. § 1397aa  
9 et seq.] of the Social Security Act.

10 (b) The ~~director of the department of human services~~ secretary of health and human  
11 services is authorized and directed to establish a payor of last resort program to cover prenatal,  
12 delivery and postpartum care. The program shall cover the cost of maternity care for any woman  
13 who lacks health insurance coverage for maternity care and who is not eligible for medical  
14 assistance under Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. § 1397aa et seq.]  
15 of the Social Security Act including, but not limited to, a noncitizen pregnant woman lawfully  
16 admitted for permanent residence on or after August 22, 1996, without regard to the availability of  
17 federal financial participation, provided such pregnant woman satisfies all other eligibility  
18 requirements. The ~~director~~ secretary shall promulgate regulations to implement this program. Such  
19 regulations shall include specific eligibility criteria; the scope of services to be covered; procedures  
20 for administration and service delivery; referrals for non-covered services; outreach; and public  
21 education. Excluded services under this subsection will include, but not be limited to, induced  
22 abortion except in cases of rape or incest or to save the life of the pregnant individual.

23 (c) The ~~department of human services~~ secretary of health and human services may enter  
24 into cooperative agreements with the department of health and/or other state agencies to provide  
25 services to individuals eligible for services under subsections (a) and (b) above.

26 (d) The following services shall be provided through the program:

- 27 (1) Ante-partum and postpartum care;
- 28 (2) Delivery;
- 29 (3) Cesarean section;
- 30 (4) Newborn hospital care;
- 31 (5) Inpatient transportation from one hospital to another when authorized by a medical  
32 provider; and
- 33 (6) Prescription medications and laboratory tests.

34 (e) The ~~department of human services~~ secretary of health and human services shall provide

1 enhanced services, as appropriate, to pregnant women as defined in subsections (a) and (b), as well  
2 as to other pregnant women eligible for medical assistance. These services shall include: care  
3 coordination, nutrition and social service counseling, high risk obstetrical care, childbirth and  
4 parenting preparation programs, smoking cessation programs, outpatient counseling for drug-  
5 alcohol use, interpreter services, mental health services, and home visitation. The provision of  
6 enhanced services is subject to available appropriations. In the event that appropriations are not  
7 adequate for the provision of these services, the ~~department~~ executive office has the authority to  
8 limit the amount, scope and duration of these enhanced services.

9 (f) The ~~department of human services~~ executive office of health and human services shall  
10 provide for extended family planning services for up to twenty-four (24) months postpartum. These  
11 services shall be available to women who have been determined eligible for RIte Start or for  
12 medical assistance under Title XIX [42 U.S.C. § 1396 et seq.] or Title XXI [ 42 U.S.C. § 1397aa  
13 et seq.] of the Social Security Act.

14 (g) Effective October 1, 2022, individuals eligible for RIte Start pursuant to this section or  
15 for medical assistance under Title XIX or Title XXI of the Social Security Act while pregnant  
16 (including during a period of retroactive eligibility), are eligible for full Medicaid benefits through  
17 the last day of the month in which their twelve (12) month postpartum period ends. This benefit  
18 will be provided to eligible Rhode Island residents without regard to the availability of federal  
19 financial participation. The executive office of health and human services is directed to ensure that  
20 federal financial participation is used to the maximum extent allowable to provide coverage  
21 pursuant to this section, and that state-only funds will be used only if federal financial participation  
22 is not available.

23 **42-12.3-4. "RIte track" program.**

24 (a) There is hereby established a payor of last resort program for comprehensive health  
25 care for children until they reach nineteen (19) years of age, to be known as "RIte track." The  
26 ~~department of human services~~ executive office of health and human services is hereby authorized  
27 to amend its Title XIX state plan pursuant to Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [  
28 42 U.S.C. § 1397aa et seq.] of the Social Security Act as necessary to provide for expanded  
29 Medicaid coverage through expanded family income disregards for children, until they reach  
30 nineteen (19) years of age, whose family income levels are up to two hundred fifty percent (250%)  
31 of the federal poverty level. Provided, however, that healthcare coverage provided under this  
32 section shall also be provided without regard to the availability of federal financial participation ~~in~~  
33 ~~accordance to Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq.,~~ to a noncitizen child  
34 who is a resident of Rhode Island ~~lawfully residing in the United States~~, and who is otherwise

1 eligible for such assistance. The department is further authorized to promulgate any regulations  
2 necessary, and in accord with Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. §  
3 1397aa et seq.] of the Social Security Act as necessary in order to implement the state plan  
4 amendment. For those children who lack health insurance, and whose family incomes are in excess  
5 of two hundred fifty percent (250%) of the federal poverty level, the department of human services  
6 shall promulgate necessary regulations to implement the program. The department of human  
7 services is further directed to ascertain and promulgate the scope of services that will be available  
8 to those children whose family income exceeds the maximum family income specified in the  
9 approved Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [ 42 U.S.C. § 1397aa et seq.] state  
10 plan amendment.

11 [\(b\) The executive office of health and human services is directed to ensure that federal](#)  
12 [financial participation is used to the maximum extent allowable to provide coverage pursuant to](#)  
13 [this section, and that state-only funds will be used only if federal financial participation is not](#)  
14 [available.](#)

15 **42-12.3-15. Expansion of RIte track program.**

16 [\(a\) The ~~Department of Human Services~~ executive office of health and human services](#) is  
17 hereby authorized and directed to submit to the United States Department of Health and Human  
18 Services an amendment to the "RIte Care" waiver project number 11-W-0004/1-01 to provide for  
19 expanded Medicaid coverage for children until they reach eight (8) years of age, whose family  
20 income levels are to two hundred fifty percent (250%) of the federal poverty level. Expansion of  
21 the RIte track program from the age of six (6) until they reach eighteen (18) years of age in  
22 accordance with this chapter shall be subject to the approval of the amended waiver by the United  
23 States Department of Health and Human Services. Healthcare coverage under this section shall also  
24 be provided to a noncitizen child ~~lawfully residing in the United States~~ [who is a resident of Rhode](#)  
25 [Island](#), and who is otherwise eligible for such assistance under Title XIX [42 U.S.C. § 1396 et seq.]  
26 or Title XXI [ 42 U.S.C. § 1397aa et seq.]

27 [\(b\) The executive office of health and human services is directed to ensure that federal](#)  
28 [financial participation is used to the maximum extent allowable to provide coverage pursuant to](#)  
29 [this section, and that state-only funds will be used only if federal financial participation is not](#)  
30 [available.](#)

31 SECTION 7. Section 42-14.5-3 of the General Laws in Chapter 42-14.5 entitled "The  
32 Rhode Island Health Care Reform Act of 2004 - Health Insurance Oversight" is hereby amended  
33 to read as follows:

34 **42-14.5-3. Powers and duties.**



1 The health insurance commissioner shall have the following powers and duties:

2 (a) To conduct quarterly public meetings throughout the state, separate and distinct from  
3 rate hearings pursuant to § 42-62-13, regarding the rates, services, and operations of insurers  
4 licensed to provide health insurance in the state; the effects of such rates, services, and operations  
5 on consumers, medical care providers, patients, and the market environment in which the insurers  
6 operate; and efforts to bring new health insurers into the Rhode Island market. Notice of not less  
7 than ten (10) days of the hearing(s) shall go to the general assembly, the governor, the Rhode Island  
8 Medical Society, the Hospital Association of Rhode Island, the director of health, the attorney  
9 general, and the chambers of commerce. Public notice shall be posted on the department's website  
10 and given in the newspaper of general circulation, and to any entity in writing requesting notice.

11 (b) To make recommendations to the governor and the house of representatives and senate  
12 finance committees regarding healthcare insurance and the regulations, rates, services,  
13 administrative expenses, reserve requirements, and operations of insurers providing health  
14 insurance in the state, and to prepare or comment on, upon the request of the governor or  
15 chairpersons of the house or senate finance committees, draft legislation to improve the regulation  
16 of health insurance. In making the recommendations, the commissioner shall recognize that it is  
17 the intent of the legislature that the maximum disclosure be provided regarding the reasonableness  
18 of individual administrative expenditures as well as total administrative costs. The commissioner  
19 shall make recommendations on the levels of reserves, including consideration of: targeted reserve  
20 levels; trends in the increase or decrease of reserve levels; and insurer plans for distributing excess  
21 reserves.

22 (c) To establish a consumer/business/labor/medical advisory council to obtain information  
23 and present concerns of consumers, business, and medical providers affected by health insurance  
24 decisions. The council shall develop proposals to allow the market for small business health  
25 insurance to be affordable and fairer. The council shall be involved in the planning and conduct of  
26 the quarterly public meetings in accordance with subsection (a). The advisory council shall develop  
27 measures to inform small businesses of an insurance complaint process to ensure that small  
28 businesses that experience rate increases in a given year may request and receive a formal review  
29 by the department. The advisory council shall assess views of the health provider community  
30 relative to insurance rates of reimbursement, billing, and reimbursement procedures, and the  
31 insurers' role in promoting efficient and high-quality health care. The advisory council shall issue  
32 an annual report of findings and recommendations to the governor and the general assembly and  
33 present its findings at hearings before the house and senate finance committees. The advisory  
34 council is to be diverse in interests and shall include representatives of community consumer

1 organizations; small businesses, other than those involved in the sale of insurance products; and  
2 hospital, medical, and other health provider organizations. Such representatives shall be nominated  
3 by their respective organizations. The advisory council shall be co-chaired by the health insurance  
4 commissioner and a community consumer organization or small business member to be elected by  
5 the full advisory council.

6 (d) To establish and provide guidance and assistance to a subcommittee ("the professional-  
7 provider-health-plan work group") of the advisory council created pursuant to subsection (c),  
8 composed of healthcare providers and Rhode Island licensed health plans. This subcommittee shall  
9 include in its annual report and presentation before the house and senate finance committees the  
10 following information:

11 (1) A method whereby health plans shall disclose to contracted providers the fee schedules  
12 used to provide payment to those providers for services rendered to covered patients;

13 (2) A standardized provider application and credentials verification process, for the  
14 purpose of verifying professional qualifications of participating healthcare providers;

15 (3) The uniform health plan claim form utilized by participating providers;

16 (4) Methods for health maintenance organizations, as defined by § 27-41-2, and nonprofit  
17 hospital or medical-service corporations, as defined by chapters 19 and 20 of title 27, to make  
18 facility-specific data and other medical service-specific data available in reasonably consistent  
19 formats to patients regarding quality and costs. This information would help consumers make  
20 informed choices regarding the facilities and clinicians or physician practices at which to seek care.  
21 Among the items considered would be the unique health services and other public goods provided  
22 by facilities and clinicians or physician practices in establishing the most appropriate cost  
23 comparisons;

24 (5) All activities related to contractual disclosure to participating providers of the  
25 mechanisms for resolving health plan/provider disputes;

26 (6) The uniform process being utilized for confirming, in real time, patient insurance  
27 enrollment status, benefits coverage, including co-pays and deductibles;

28 (7) Information related to temporary credentialing of providers seeking to participate in the  
29 plan's network and the impact of the activity on health plan accreditation;

30 (8) The feasibility of regular contract renegotiations between plans and the providers in  
31 their networks; and

32 (9) Efforts conducted related to reviewing impact of silent PPOs on physician practices.

33 (e) To enforce the provisions of Title 27 and Title 42 as set forth in § 42-14-5(d).

34 (f) To provide analysis of the Rhode Island affordable health plan reinsurance fund. The

1 fund shall be used to effectuate the provisions of §§ 27-18.5-9 and 27-50-17.

2 (g) To analyze the impact of changing the rating guidelines and/or merging the individual  
3 health insurance market, as defined in chapter 18.5 of title 27, and the small-employer health  
4 insurance market, as defined in chapter 50 of title 27, in accordance with the following:

5 (1) The analysis shall forecast the likely rate increases required to effect the changes  
6 recommended pursuant to the preceding subsection (g) in the direct-pay market and small-employer  
7 health insurance market over the next five (5) years, based on the current rating structure and  
8 current products.

9 (2) The analysis shall include examining the impact of merging the individual and small-  
10 employer markets on premiums charged to individuals and small-employer groups.

11 (3) The analysis shall include examining the impact on rates in each of the individual and  
12 small-employer health insurance markets and the number of insureds in the context of possible  
13 changes to the rating guidelines used for small-employer groups, including: community rating  
14 principles; expanding small-employer rate bonds beyond the current range; increasing the employer  
15 group size in the small-group market; and/or adding rating factors for broker and/or tobacco use.

16 (4) The analysis shall include examining the adequacy of current statutory and regulatory  
17 oversight of the rating process and factors employed by the participants in the proposed, new  
18 merged market.

19 (5) The analysis shall include assessment of possible reinsurance mechanisms and/or  
20 federal high-risk pool structures and funding to support the health insurance market in Rhode Island  
21 by reducing the risk of adverse selection and the incremental insurance premiums charged for this  
22 risk, and/or by making health insurance affordable for a selected at-risk population.

23 (6) The health insurance commissioner shall work with an insurance market merger task  
24 force to assist with the analysis. The task force shall be chaired by the health insurance  
25 commissioner and shall include, but not be limited to, representatives of the general assembly, the  
26 business community, small-employer carriers as defined in § 27-50-3, carriers offering coverage in  
27 the individual market in Rhode Island, health insurance brokers, and members of the general public.

28 (7) For the purposes of conducting this analysis, the commissioner may contract with an  
29 outside organization with expertise in fiscal analysis of the private insurance market. In conducting  
30 its study, the organization shall, to the extent possible, obtain and use actual health plan data. Said  
31 data shall be subject to state and federal laws and regulations governing confidentiality of health  
32 care and proprietary information.

33 (8) The task force shall meet as necessary and include its findings in the annual report, and  
34 the commissioner shall include the information in the annual presentation before the house and

1 senate finance committees.

2 (h) To establish and convene a workgroup representing healthcare providers and health  
3 insurers for the purpose of coordinating the development of processes, guidelines, and standards to  
4 streamline healthcare administration that are to be adopted by payors and providers of healthcare  
5 services operating in the state. This workgroup shall include representatives with expertise who  
6 would contribute to the streamlining of healthcare administration and who are selected from  
7 hospitals, physician practices, community behavioral health organizations, each health insurer, and  
8 other affected entities. The workgroup shall also include at least one designee each from the Rhode  
9 Island Medical Society, Rhode Island Council of Community Mental Health Organizations, the  
10 Rhode Island Health Center Association, and the Hospital Association of Rhode Island. The  
11 workgroup shall consider and make recommendations for:

12 (1) Establishing a consistent standard for electronic eligibility and coverage verification.  
13 Such standard shall:

14 (i) Include standards for eligibility inquiry and response and, wherever possible, be  
15 consistent with the standards adopted by nationally recognized organizations, such as the Centers  
16 for Medicare and Medicaid Services;

17 (ii) Enable providers and payors to exchange eligibility requests and responses on a system-  
18 to-system basis or using a payor-supported web browser;

19 (iii) Provide reasonably detailed information on a consumer's eligibility for healthcare  
20 coverage; scope of benefits; limitations and exclusions provided under that coverage; cost-sharing  
21 requirements for specific services at the specific time of the inquiry; current deductible amounts;  
22 accumulated or limited benefits; out-of-pocket maximums; any maximum policy amounts; and  
23 other information required for the provider to collect the patient's portion of the bill;

24 (iv) Reflect the necessary limitations imposed on payors by the originator of the eligibility  
25 and benefits information;

26 (v) Recommend a standard or common process to protect all providers from the costs of  
27 services to patients who are ineligible for insurance coverage in circumstances where a payor  
28 provides eligibility verification based on best information available to the payor at the date of the  
29 request of eligibility.

30 (2) Developing implementation guidelines and promoting adoption of the guidelines for:

31 (i) The use of the National Correct Coding Initiative code-edit policy by payors and  
32 providers in the state;

33 (ii) Publishing any variations from codes and mutually exclusive codes by payors in a  
34 manner that makes for simple retrieval and implementation by providers;

1 (iii) Use of Health Insurance Portability and Accountability Act standard group codes,  
2 reason codes, and remark codes by payors in electronic remittances sent to providers;

3 (iv) The processing of corrections to claims by providers and payors.

4 (v) A standard payor-denial review process for providers when they request a  
5 reconsideration of a denial of a claim that results from differences in clinical edits where no single,  
6 common-standards body or process exists and multiple conflicting sources are in use by payors and  
7 providers.

8 (vi) Nothing in this section, nor in the guidelines developed, shall inhibit an individual  
9 payor's ability to employ, and not disclose to providers, temporary code edits for the purpose of  
10 detecting and deterring fraudulent billing activities. The guidelines shall require that each payor  
11 disclose to the provider its adjudication decision on a claim that was denied or adjusted based on  
12 the application of such edits and that the provider have access to the payor's review and appeal  
13 process to challenge the payor's adjudication decision.

14 (vii) Nothing in this subsection shall be construed to modify the rights or obligations of  
15 payors or providers with respect to procedures relating to the investigation, reporting, appeal, or  
16 prosecution under applicable law of potentially fraudulent billing activities.

17 (3) Developing and promoting widespread adoption by payors and providers of guidelines  
18 to:

19 (i) Ensure payors do not automatically deny claims for services when extenuating  
20 circumstances make it impossible for the provider to obtain a preauthorization before services are  
21 performed or notify a payor within an appropriate standardized timeline of a patient's admission;

22 (ii) Require payors to use common and consistent processes and time frames when  
23 responding to provider requests for medical management approvals. Whenever possible, such time  
24 frames shall be consistent with those established by leading national organizations and be based  
25 upon the acuity of the patient's need for care or treatment. For the purposes of this section, medical  
26 management includes prior authorization of services, preauthorization of services, precertification  
27 of services, post-service review, medical-necessity review, and benefits advisory;

28 (iii) Develop, maintain, and promote widespread adoption of a single, common website  
29 where providers can obtain payors' preauthorization, benefits advisory, and preadmission  
30 requirements;

31 (iv) Establish guidelines for payors to develop and maintain a website that providers can  
32 use to request a preauthorization, including a prospective clinical necessity review; receive an  
33 authorization number; and transmit an admission notification.

34 (4) To provide a report to the house and senate, on or before January 1, 2017, with

1 recommendations for establishing guidelines and regulations for systems that give patients  
2 electronic access to their claims information, particularly to information regarding their obligations  
3 to pay for received medical services, pursuant to 45 C.F.R. 164.524.

4 (i) To issue an anti-cancer medication report. Not later than June 30, 2014, and annually  
5 thereafter, the office of the health insurance commissioner (OHIC) shall provide the senate  
6 committee on health and human services, and the house committee on corporations, with: (1)  
7 Information on the availability in the commercial market of coverage for anti-cancer medication  
8 options; (2) For the state employee's health benefit plan, the costs of various cancer-treatment  
9 options; (3) The changes in drug prices over the prior thirty-six (36) months; and (4) Member  
10 utilization and cost-sharing expense.

11 (j) To monitor the adequacy of each health plan's compliance with the provisions of the  
12 federal Mental Health Parity Act, including a review of related claims processing and  
13 reimbursement procedures. Findings, recommendations, and assessments shall be made available  
14 to the public.

15 (k) To monitor the transition from fee-for-service and toward global and other alternative  
16 payment methodologies for the payment for healthcare services. Alternative payment  
17 methodologies should be assessed for their likelihood to promote access to affordable health  
18 insurance, health outcomes, and performance.

19 (l) To report annually, no later than July 1, 2014, then biannually thereafter, on hospital  
20 payment variation, including findings and recommendations, subject to available resources.

21 (m) Notwithstanding any provision of the general or public laws or regulation to the  
22 contrary, provide a report with findings and recommendations to the president of the senate and the  
23 speaker of the house, on or before April 1, 2014, including, but not limited to, the following  
24 information:

25 (1) The impact of the current, mandated healthcare benefits as defined in §§ 27-18-48.1,  
26 27-18-60, 27-18-62, 27-18-64, similar provisions in chapters 19, 20 and 41 of title 27, and §§ 27-  
27 18-3(c), 27-38.2-1 et seq., or others as determined by the commissioner, on the cost of health  
28 insurance for fully insured employers, subject to available resources;

29 (2) Current provider and insurer mandates that are unnecessary and/or duplicative due to  
30 the existing standards of care and/or delivery of services in the healthcare system;

31 (3) A state-by-state comparison of health insurance mandates and the extent to which  
32 Rhode Island mandates exceed other states benefits; and

33 (4) Recommendations for amendments to existing mandated benefits based on the findings  
34 in (m)(1), (m)(2), and (m)(3) above.

1 (n) On or before July 1, 2014, the office of the health insurance commissioner, in  
2 collaboration with the director of health and lieutenant governor's office, shall submit a report to  
3 the general assembly and the governor to inform the design of accountable care organizations  
4 (ACOs) in Rhode Island as unique structures for comprehensive health-care delivery and value-  
5 based payment arrangements, that shall include, but not be limited to:

- 6 (1) Utilization review;
- 7 (2) Contracting; and
- 8 (3) Licensing and regulation.

9 (o) On or before February 3, 2015, the office of the health insurance commissioner shall  
10 submit a report to the general assembly and the governor that describes, analyzes, and proposes  
11 recommendations to improve compliance of insurers with the provisions of § 27-18-76 with regard  
12 to patients with mental health and substance use disorders.

13 (p) To work to ensure the health insurance coverage of behavioral health care under the  
14 same terms and conditions as other health care, and to integrate behavioral health parity  
15 requirements into the office of the health insurance commissioner insurance oversight and health  
16 care transformation efforts.

17 (q) To work with other state agencies to seek delivery system improvements that enhance  
18 access to a continuum of mental health and substance use disorder treatment in the state; and  
19 integrate that treatment with primary and other medical care to the fullest extent possible.

20 (r) To direct insurers toward policies and practices that address the behavioral health needs  
21 of the public and greater integration of physical and behavioral healthcare delivery.

22 (s) The office of the health insurance commissioner shall conduct an analysis of the impact  
23 of the provisions of § 27-38.2-1(i) on health insurance premiums and access in Rhode Island and  
24 submit a report of its findings to the general assembly on or before June 1, 2023.

25 (t) To undertake the analyses, reports, and studies contained in this section:

26 (1) The office shall prepare a request for proposal for a qualified and competent firm or  
27 firms to undertake the following analyses, reports, and studies;

28 (i) The firm shall undertake a comprehensive review of all social and human service  
29 programs having a contract with or licensed by the state or any subdivision of the department of  
30 children, youth and families (DCYF), the department of behavioral healthcare, developmental  
31 disabilities, and hospitals (BHDDH), the department of human services (DHS), the department of  
32 health (DOH), and Medicaid for the purposes of:

33 (A) Establishing a baseline of the eligibility factors for receiving services;

34 (B) Establishing a baseline of the service offering through each agency for those

1 determined eligible;

2 (C) Establishing a baseline understanding of reimbursement rates for all social and human  
3 service programs including rates currently being paid, the date of the last increase, and a proposed  
4 model which the state may use to conduct future studies and analyses;

5 (D) Ensuring accurate and adequate reimbursement to social and human service providers  
6 that facilitate the availability of high-quality services to individuals receiving home and  
7 community-based long-term services and supports provided by social and human service providers;

8 (E) Ensuring the general assembly is provided accurate financial projections on social and  
9 human service program costs, demand for services, and workforce needs to ensure access to entitled  
10 beneficiaries and services;

11 (F) Establishing a baseline and determining the relationship between state government and  
12 the provider network including functions, responsibilities and duties;

13 (G) Determining a set of measures and accountability standards to be used by EOHHS and  
14 the general assembly to measure the outcomes of the provision of services including budgetary  
15 reporting requirements, transparency portals and other methods; and

16 (H) Reporting the findings of human services analyses and reports to the speaker of the  
17 house, senate president, chairs of the house and senate finance committees, chairs of the house and  
18 senate health and human services committees and the governor.

19 (2) The analyses, reports, and studies required pursuant to this section shall be  
20 accomplished and published as follows and shall provide:

21 (i) An assessment and detailed reporting on all social and human service program rates to  
22 be completed by October 1, 2022, including rates currently being paid and the date of the last  
23 increase;

24 (ii) An assessment and detailed reporting on eligibility standards and processes of all  
25 mandatory and discretionary social and human service programs to be completed by October 1,  
26 2022;

27 (iii) An assessment and detailed reporting on utilization trends from the period of January  
28 1, 2017 through December 31, 2021 for social and human service programs to be completed by  
29 October 31, 2022;

30 (iv) An assessment and detailed reporting on the structure of the state government as it  
31 relates to the provision of services by social and human service providers including eligibility and  
32 functions of the provider network to be completed by October 31, 2022;

33 (v) An assessment and detailed reporting on accountability standards for services for social  
34 and human service programs to be completed by October 31, 2022;



1 (vi) An assessment and detailed reporting by January 1, 2023 on all professional licensed  
2 and unlicensed personnel requirements for established rates for social and human service programs  
3 pursuant to a contract or established fee schedule;

4 (vii) An assessment and reporting on access to social and human service programs, to  
5 include any wait lists and length of time on wait lists, in each service category by January 1, 2023;

6 (viii) An assessment and reporting of national and regional Medicaid rates in comparison  
7 to Rhode Island social and human service provider rates by January 1, 2023; and

8 (ix) An assessment and reporting on usual and customary rates paid by private insurers and  
9 private pay for similar social and human service providers, both nationally and regionally, by  
10 January 1, 2023;

11 (x) Completion of the development of an assessment and review process that includes the  
12 following components: eligibility, scope of services, relationship of social and human service  
13 provider and the state, national and regional rate comparisons and accountability standards that  
14 result in recommended rate adjustments, and this process shall be completed by September 1, 2023  
15 and conducted biennially hereafter. The biennial rate setting shall be consistent with payment  
16 requirements established in §1902(a)(30)(A) of the Social Security Act and all federal, and state  
17 law, regulations and quality and safety standards. The results and findings of this process shall be  
18 transparent, and public meetings shall be conducted to allow providers, recipients and other  
19 interested parties an opportunity to ask questions and provide comment beginning in September  
20 2023 and biennially thereafter.

21 (u) Annually, each department (namely EOHHS, DCYF, DOH, DHS, and BHDDH) shall  
22 include the corresponding components of the assessment and review (i.e. eligibility, scope of  
23 services, relationship of social and human service provider and the state, national and regional rate  
24 comparisons and accountability standards including any changes or substantive issues between  
25 biennial reviews) including the recommended rates from the most recent assessment and review  
26 with their annual budget submission to the office of management and budget and provide a detailed  
27 explanation and impact statement if any rate variances exist between submitted recommended  
28 budget and the corresponding recommended rate from the most recent assessment and review  
29 process starting October 1, 2023, and biennially thereafter.

30 (v) The general assembly shall appropriate adequate funding as it deems necessary to  
31 undertake the analyses, reports, and studies contained in this section relating to the powers and  
32 duties of the office of the health insurance commissioner.

33 SECTION 8. Chapter 42-14.5 of the General Laws entitled "The Rhode Island Health Care  
34 Reform Act of 2004 - Health Insurance Oversight" is hereby amended by adding thereto the

1 following sections:

2 **42-14.5-2.1. Definitions.**

3 As used in this chapter:

4 (1) "Accountability standards" means measures including service processes, client and  
5 population outcomes, practice standard compliance and fiscal integrity of social and human service  
6 providers on the individual contractual level and service type for all state contracts of the state or  
7 any subdivision or agency to include, but not limited to, the department of children, youth and  
8 families (DCYF), the department of behavioral healthcare, developmental disabilities and hospitals  
9 (BHDDH), the department of human services (DHS), the department of health (DOH), and  
10 Medicaid. This may include mandatory reporting, consolidated, standardized reporting, audits  
11 regardless of organizational tax status and accountability dashboards of aforementioned state  
12 departments or subdivisions that are regularly shared with public.

13 (2) "Executive Office of Health and Human Services (EOHHS)" means the department that  
14 serves as "principal agency of the executive branch of state government" (RIGL § 42-7.2-2)  
15 responsible for managing the departments and offices of: health (RIDOH); human services (DHS);  
16 healthy aging (OHA); veterans services (VETS); children, youth and families (DCYF); and  
17 behavioral healthcare, developmental disabilities and hospitals (BHDDH). EOHHS is also  
18 designated at the single state agency with authority to administer the Medicaid program in Rhode  
19 Island.

20 (3) "Rate review" means the process of reviewing and reporting of specific trending factors  
21 that influence the cost of service that informs rate setting.

22 (4) "Rate setting" means the process of establishing rates for social and human service  
23 programs that are based on a thorough rate review process.

24 (5) "Social and human service program" means a social, mental health, developmental  
25 disability, child welfare, juvenile justice, prevention services, habilitative, rehabilitative, substance  
26 use disorder treatment, residential care, adult or adolescent day services, vocational, employment  
27 and training, or aging service program or accommodations purchased by the state.

28 (6) "Social and human service provider" means a provider of social and human service  
29 programs pursuant to a contract with the state or any subdivision or agency to include, but not be  
30 limited to, the department of children, youth and families (DCYF), the department of behavioral  
31 healthcare, developmental disabilities and hospitals (BHDDH), the department of human services  
32 (DHS), the department of health (DOH), and Medicaid.

33 (7) "State government and the provider network" refers to the contractual relationship  
34 between a state agency or subdivision of state agency and private companies the stat contracts with

1 [to provide the network of mandated and discretionary social and human services.](#)

2 **42-14.5-5. Severability.**

3 [If any provision of this chapter or the application thereof to any person or circumstance is](#)  
4 [held invalid, such invalidity shall not affect other provisions or applications of the chapter, which](#)  
5 [can be given effect without the invalid provision or application, and to this end the provisions of](#)  
6 [this chapter are declared to be severable.](#)

7 SECTION 9. Section 42-66.3-4 of the General Laws in Chapter 42-66.3 entitled "Home  
8 and Community Care Services to the Elderly" is hereby amended to read as follows:

9 **42-66.3-4. Persons eligible.**

10 (a) To be eligible for this program the client must be determined, through a functional  
11 assessment, to be in need of assistance with activities of daily living or and/or must meet a required  
12 level of care as defined in rules and regulations promulgated by the department;

13 (b) Medicaid eligible individuals age sixty-five (65) or older of the state who meet the  
14 financial guidelines of the Rhode Island medical assistance program, as defined in rules and  
15 regulations promulgated by the department, shall be provided the services without charge; or

16 (c) Persons eligible for assistance under the provisions of this section, subject to the annual  
17 appropriations deemed necessary by the general assembly to carry out the provisions of this chapter,  
18 include: (1) any homebound unmarried resident or homebound married resident of the state living  
19 separate and apart, who is [ineligible for Medicaid](#), at least sixty-five (65) years of age [or, if under](#)  
20 [sixty-five \(65\) years of age, has a diagnosis of Alzheimer's disease or a related dementia, confirmed](#)  
21 [by a licensed physician](#), ~~ineligible for Medicaid~~, and whose income does not exceed ~~the income~~  
22 ~~eligibility limits as defined by rules and regulations promulgated by the department~~ [two hundred](#)  
23 [fifty percent \(250%\) of the federal poverty level](#); and (2) any married resident of the state who is  
24 [ineligible for Medicaid](#), at least sixty-five (65) years of age, ~~ineligible for Medicaid~~, [or, if under](#)  
25 [sixty-five \(65\) years of age, has a diagnosis of Alzheimer's disease or a related dementia confirmed](#)  
26 [by a licensed physician](#) and whose income when combined with any income of that person's spouse  
27 does not exceed [two hundred fifty percent \(250%\) of the federal poverty level](#) ~~the income eligibility~~  
28 ~~limits as defined in rules and regulations promulgated by the department~~. Persons who meet the  
29 eligibility requirement of this subsection shall be eligible for the co-payment portion as set forth in  
30 § 42-66.3-5.

31 SECTION 10. Rhode Island Medicaid Reform Act of 2008 Resolution.

32 WHEREAS, the General Assembly enacted Chapter 12.4 of Title 42 entitled "The Rhode  
33 Island Medicaid Reform Act of 2008"; and

34 WHEREAS, a legislative enactment is required pursuant to Rhode Island General Laws

1 42-12.4-1, et seq.; and

2 WHEREAS, Rhode Island General Laws section 42-7.2-5(3)(i) provides that the Secretary  
3 of the Executive Office of Health and Human Services ("Executive Office") is responsible for the  
4 review and coordination of any Medicaid section 1115 demonstration waiver requests and renewals  
5 as well as any initiatives and proposals requiring amendments to the Medicaid state plan or category  
6 II or III changes as described in the demonstration, "with potential to affect the scope, amount, or  
7 duration of publicly-funded health care services, provider payments or reimbursements, or access  
8 to or the availability of benefits and services provided by Rhode Island general and public laws";  
9 and

10 WHEREAS, in pursuit of a more cost-effective consumer choice system of care that is  
11 fiscally sound and sustainable, the Secretary requests legislative approval of the following  
12 proposals to amend the demonstration; and

13 WHEREAS, implementation of adjustments may require amendments to the Rhode  
14 Island's Medicaid state plan and/or section 1115 waiver under the terms and conditions of the  
15 demonstration. Further, adoption of new or amended rules, regulations and procedures may also be  
16 required:

17 (a) *Section 1115 Demonstration Waiver – Extension Request.* The Executive Office  
18 proposes to seek approval from the federal centers for Medicare and Medicaid services ("CMS")  
19 to extend the Medicaid section 1115 demonstration waiver as authorized in Rhode Island General  
20 Laws § 42-12.4. In the Medicaid section 1115 demonstration waiver extension request due to CMS  
21 by December 31, 2022, in addition to maintaining existing Medicaid section 1115 demonstration  
22 waiver authorities, the Executive Office proposes to seek additional federal authorities including  
23 but not limited to promoting choice and community integration.

24 (b) *Meals on Wheels.* The Executive Office proposes an increase to existing fee-for-service  
25 and managed care rates to account for growing utilization and rising food and delivery costs.  
26 Additionally, the Executive Office of Health and Human Services will offer new Medicaid  
27 reimbursement for therapeutic and cultural meals that are specifically tailored to improve health  
28 through nutrition, provide post discharge support, and bolster complex care management for those  
29 with chronic health conditions. To ensure the continued adequacy of rates, effective July 1, 2022,  
30 and annually thereafter, the Executive Office proposes an annual rate increase based on the CPI-U  
31 for New England: Food at Home, March release (containing the February data).

32 (c) *American Rescue Plan Act.* The Executive Office proposes to seek approval from CMS  
33 for any necessary amendments to the Rhode Island State Plan or the 1115 Demonstration Waiver  
34 to implement the spending plan approved by CMS under section 9817 of the American Rescue Plan

1 Act of 2021.

2 (d) *HealthSource RI automatic enrollment*: The Executive Office shall work with  
3 HealthSource RI to establish a program for automatically enrolling qualified individuals who lose  
4 Medicaid coverage at the end of the COVID-19 Public Health Emergency into Qualified Health  
5 Plans ("QHP"). HealthSource RI may use funds available through the American Rescue Plan Act  
6 to pay the first two (2) month's premium for individuals who qualify for this program.  
7 HealthSource RI may promulgate regulations establishing the scope and parameters of this  
8 program.

9 (e) *Increase Nursing Facility Rates*. The Executive Office proposes to increase rates, both  
10 fee-for-service and managed care, paid to nursing facilities by three percent (3.0%) on October 1,  
11 2022, in lieu of the adjustment of rates by the change in a recognized national home inflation index  
12 as defined in § 40-8-19 (2)(vi) and in addition to the one percent (1.0%) increase required for the  
13 minimum wage pass through as defined in § 40-8-19 (2)(vi).

14 (f) *Extend Post-Partum Medicaid Coverage*. The Executive Office proposes extending the  
15 continuous coverage of full benefit medical assistance from sixty (60) days to twelve (12) months  
16 postpartum to women who are (1) not eligible for Medicaid under another Medicaid eligibility  
17 category, or (2) do not have qualified immigrant status for Medicaid whose births are financed by  
18 Medicaid through coverage of the child and currently only receive state-only extended family  
19 planning benefits postpartum.

20 (g) *Extending Medical Coverage to Children Previously Ineligible*. The executive office of  
21 health and human services will maximize federal financial participation if and when available,  
22 though state-only funds will be used if federal financial participation is not available.

23 (h) *Federal Financing Opportunities*. The Executive Office proposes to review Medicaid  
24 requirements and opportunities under the U.S. Patient Protection and Affordable Care Act of 2010  
25 (PPACA) and various other recently enacted federal laws and pursue any changes in the Rhode  
26 Island Medicaid program that promote service quality, access and cost-effectiveness that may  
27 warrant a Medicaid state plan amendment or amendment under the terms and conditions of Rhode  
28 Island's section 1115 waiver, its successor, or any extension thereof. Any such actions by the  
29 Executive Office shall not have an adverse impact on beneficiaries or cause there to be an increase  
30 in expenditures beyond the amount appropriated for state fiscal year 2023.

31 (i) *Increase Adult Dental Rates*. To ensure better access to dental care for adults, the  
32 Executive Office proposes to increase rates in both fee-for-service and managed care.

33 (j) *Increase Pediatric Provider Rates*. To ensure better access to pediatric providers, the  
34 Executive Office proposes to increase rates in both fee-for-service and managed care to be equal to

1 Medicare primary care rates.

2           (k) *Increase Early Intervention Rates.* To ensure better access to Early Intervention  
3 Services, the Executive Office proposes to increase rates in both fee-for-service and managed care  
4 by forty-five percent (45%).

5           (l) *Increase Hospital Rates.* The Executive Office proposes to increase inpatient and  
6 outpatient rates, both fee-for-service and managed care, paid to hospitals by five percent (5%) on  
7 July 1, 2022, in lieu of the adjustment of rates by the change in the recognized inflation index as  
8 defined in § 40-8-13.4(1)(i).

9           (m) *Nursing Facility Rate Setting.* The Executive Office proposes to seek approval from  
10 the federal Centers for Medicare and Medicaid Services ("CMS") for amendments to the Rhode  
11 Island State Plan to eliminate references to the rate review process and audit requirements for  
12 nursing facilities.

13           (n) *Public Health Emergency Unwinding.* The Executive Office proposes to seek approval  
14 from the federal Centers for Medicare and Medicaid Services ("CMS") for section 1115  
15 demonstration waivers and State Plan Amendments as necessary to: (1) continue some of the  
16 temporary federal authorities granted during the Public Health Emergency ("PHE") for a period not  
17 to extend 14 months beyond the termination of the PHE; and (2) ensure minimum adverse impact  
18 on beneficiaries and state operations at the end of the PHE, including temporary authorities where  
19 applicable, provided that such temporary authorities shall not extend beyond 14 months following  
20 the termination of the PHE.

21           (o) *Labor and Delivery Rates.* The Executive Office proposes to increase rates paid for  
22 labor and delivery services by 20 percent.

23           (p) *Increase Rates for Home Based Services.* To ensure better access to home care services  
24 for children, the elderly and disabled adults, the Executive Office proposes to increase  
25 reimbursement rates in both fee-for-service and managed care to a minimum of \$15 an hour for  
26 direct care workers.

27           (q) *Certified Behavioral Healthcare Clinics.* The Executive Office proposes to seek  
28 approval from the federal Centers for Medicare and Medicaid Service for any necessary  
29 amendments to the Rhode Island State Plan or 1115 Demonstration Waiver to implement the  
30 Certified Behavioral Health Clinics federal model.

31 Now, therefore, be it:

32 RESOLVED, that the General Assembly hereby approves the proposals stated above in the  
33 recitals; and be it further;

34 RESOLVED, that the Secretary of the Executive Office of Health and Human Services is

1 authorized to pursue and implement any waiver amendments, state plan amendments, and/or  
2 changes to the applicable department's rules, regulations and procedures approved herein and as  
3 authorized by 42-12.4; and be it further;

4           RESOLVED, that this Joint Resolution shall take effect upon passage.

5           SECTION 11. Sections 1 through 6 and 9 of this Article shall take effect as of July 1, 2022.

6           Sections 7, 8 and 10 shall take effect upon passage.





1 cash assistance for himself or herself as well as for the minor child(ren), in the context of an  
2 eligibility determination. If a parent or non-parent caretaker relative is unemployed or under-  
3 employed, the department shall conduct an initial assessment, taking into account:

4 (A) The physical capacity, skills, education, work experience, health, safety, family  
5 responsibilities, and place of residence of the individual; and

6 (B) The child care and supportive services required by the applicant to avail himself or  
7 herself of employment opportunities and/or work readiness programs.

8 (2) On the basis of this assessment, the department of human services and the department  
9 of labor and training, as appropriate, in consultation with the applicant, shall develop an individual  
10 employment plan for the family that requires the individual to participate in the intensive  
11 employment services. Intensive employment services shall be defined as the work requirement  
12 activities in § 40-5.2-12(g) and (i).

13 (3) The director, or his or her designee, may assign a case manager to an  
14 applicant/participant, as appropriate.

15 (4) The department of labor and training and the department of human services in  
16 conjunction with the participant shall develop a revised individual employment plan that shall  
17 identify employment objectives, taking into consideration factors above, and shall include a  
18 strategy for immediate employment and for preparing for, finding, and retaining employment  
19 consistent, to the extent practicable, with the individual's career objectives.

20 (5) The individual employment plan must include the provision for the participant to  
21 engage in work requirements as outlined in § 40-5.2-12.

22 (6)(i) The participant shall attend and participate immediately in intensive assessment and  
23 employment services as the first step in the individual employment plan, unless temporarily exempt  
24 from this requirement in accordance with this chapter. Intensive assessment and employment  
25 services shall be defined as the work requirement activities in § 40-5.2-12(g) and (i).

26 (ii) Parents under age twenty (20) without a high school diploma or general equivalency  
27 diploma (GED) shall be referred to special teen-parent programs that will provide intensive services  
28 designed to assist teen parents to complete high school education or GED, and to continue approved  
29 work plan activities in accord with Rhode Island works program requirements.

30 (7) The applicant shall become a participant in accordance with this chapter at the time the  
31 individual employment plan is signed and entered into.

32 (8) Applicants and participants of the Rhode Island works program shall agree to comply  
33 with the terms of the individual employment plan, and shall cooperate fully with the steps  
34 established in the individual employment plan, including the work requirements.

1 (9) The department of human services has the authority under the chapter to require  
2 attendance by the applicant/participant, either at the department of human services or at the  
3 department of labor and training, at appointments deemed necessary for the purpose of having the  
4 applicant enter into and become eligible for assistance through the Rhode Island works program.  
5 The appointments include, but are not limited to: the initial interview, orientation and assessment;  
6 job readiness; and job search. Attendance is required as a condition of eligibility for cash assistance  
7 in accordance with rules and regulations established by the department.

8 (10) As a condition of eligibility for assistance pursuant to this chapter, the  
9 applicant/participant shall be obligated to keep appointments; attend orientation meetings at the  
10 department of human services and/or the Rhode Island department of labor and training; participate  
11 in any initial assessments or appraisals; and comply with all the terms of the individual employment  
12 plan in accordance with department of human services rules and regulations.

13 (11) A participant, including a parent or non-parent caretaker relative included in the cash  
14 assistance payment, shall not voluntarily quit a job or refuse a job unless there is good cause as  
15 defined in this chapter or the department's rules and regulations.

16 (12) A participant who voluntarily quits or refuses a job without good cause, as defined in  
17 § 40-5.2-12(l), while receiving cash assistance in accordance with this chapter, shall be sanctioned  
18 in accordance with rules and regulations promulgated by the department.

19 (f) Resources.

20 (1) The family or assistance unit's countable resources shall be less than the allowable  
21 resource limit established by the department in accordance with this chapter.

22 (2) No family or assistance unit shall be eligible for assistance payments if the combined  
23 value of its available resources (reduced by any obligations or debts with respect to such resources)  
24 exceeds ~~one~~ five thousand dollars ~~(\$1,000)~~ (\$5,000).

25 (3) For purposes of this subsection, the following shall not be counted as resources of the  
26 family/assistance unit in the determination of eligibility for the works program:

27 (i) The home owned and occupied by a child, parent, relative, or other individual;

28 (ii) Real property owned by a husband and wife as tenants by the entirety, if the property  
29 is not the home of the family and if the spouse of the applicant refuses to sell his or her interest in  
30 the property;

31 (iii) Real property that the family is making a good faith effort to dispose of, however, any  
32 cash assistance payable to the family for any such period shall be conditioned upon such disposal  
33 of the real property within six (6) months of the date of application and any payments of assistance  
34 for that period shall (at the time of disposal) be considered overpayments to the extent that they

1 would not have occurred at the beginning of the period for which the payments were made. All  
2 overpayments are debts subject to recovery in accordance with the provisions of the chapter;

3 (iv) Income-producing property other than real estate including, but not limited to,  
4 equipment such as farm tools, carpenter's tools, and vehicles used in the production of goods or  
5 services that the department determines are necessary for the family to earn a living;

6 (v) One vehicle for each adult household member, but not to exceed two (2) vehicles per  
7 household, and in addition, a vehicle used primarily for income-producing purposes such as, but  
8 not limited to, a taxi, truck, or fishing boat; a vehicle used as a family's home; a vehicle that annually  
9 produces income consistent with its fair market value, even if only used on a seasonal basis; a  
10 vehicle necessary to transport a family member with a disability where the vehicle is specially  
11 equipped to meet the specific needs of the person with a disability or if the vehicle is a special type  
12 of vehicle that makes it possible to transport the person with a disability;

13 (vi) Household furnishings and appliances, clothing, personal effects, and keepsakes of  
14 limited value;

15 (vii) Burial plots (one for each child, relative, and other individual in the assistance unit)  
16 and funeral arrangements;

17 (viii) For the month of receipt and the following month, any refund of federal income taxes  
18 made to the family by reason of § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32 (relating  
19 to earned income tax credit), and any payment made to the family by an employer under § 3507 of  
20 the Internal Revenue Code of 1986, 26 U.S.C. § 3507 [repealed] (relating to advance payment of  
21 such earned income credit);

22 (ix) The resources of any family member receiving supplementary security income  
23 assistance under the Social Security Act, 42 U.S.C. § 301 et seq.;

24 (x) Any veteran's disability pension benefits received as a result of any disability sustained  
25 by the veteran while in the military service.

26 (g) Income.

27 (1) Except as otherwise provided for herein, in determining eligibility for and the amount  
28 of cash assistance to which a family is entitled under this chapter, the income of a family includes  
29 all of the money, goods, and services received or actually available to any member of the family.

30 (2) In determining the eligibility for and the amount of cash assistance to which a  
31 family/assistance unit is entitled under this chapter, income in any month shall not include the first  
32 ~~one~~ three hundred ~~seventy~~ dollars ~~(\$170)~~ (\$300) of gross earnings plus fifty percent (50%) of the  
33 gross earnings of the family in excess of ~~one~~ three hundred ~~seventy~~ dollars ~~(\$170)~~ (\$300) earned  
34 during the month.

- 1           (3) The income of a family shall not include:
- 2           (i) The first fifty dollars (\$50.00) in child support received in any month from each  
3 noncustodial parent of a child plus any arrearages in child support (to the extent of the first fifty  
4 dollars (\$50.00) per month multiplied by the number of months in which the support has been in  
5 arrears) that are paid in any month by a noncustodial parent of a child;
- 6           (ii) Earned income of any child;
- 7           (iii) Income received by a family member who is receiving Supplemental Security Income  
8 (SSI) assistance under Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq.;
- 9           (iv) The value of assistance provided by state or federal government or private agencies to  
10 meet nutritional needs, including: value of USDA-donated foods; value of supplemental food  
11 assistance received under the Child Nutrition Act of 1966, as amended, and the special food service  
12 program for children under Title VII, nutrition program for the elderly, of the Older Americans Act  
13 of 1965 as amended, and the value of food stamps;
- 14           (v) Value of certain assistance provided to undergraduate students, including any grant or  
15 loan for an undergraduate student for educational purposes made or insured under any loan program  
16 administered by the United States Commissioner of Education (or the Rhode Island council on  
17 postsecondary education or the Rhode Island division of higher education assistance);
- 18           (vi) Foster care payments;
- 19           (vii) Home energy assistance funded by state or federal government or by a nonprofit  
20 organization;
- 21           (viii) Payments for supportive services or reimbursement of out-of-pocket expenses made  
22 to foster grandparents, senior health aides, or senior companions and to persons serving in SCORE  
23 and ACE and any other program under Title II and Title III of the Domestic Volunteer Service Act  
24 of 1973, 42 U.S.C. § 5000 et seq.;
- 25           (ix) Payments to volunteers under AmeriCorps VISTA as defined in the department's rules  
26 and regulations;
- 27           (x) Certain payments to native Americans; payments distributed per capita to, or held in  
28 trust for, members of any Indian Tribe under P.L. 92-254, 25 U.S.C. § 1261 et seq., P.L. 93-134,  
29 25 U.S.C. § 1401 et seq., or P.L. 94-540; receipts distributed to members of certain Indian tribes  
30 which are referred to in § 5 of P.L. 94-114, 25 U.S.C. § 459d, that became effective October 17,  
31 1975;
- 32           (xi) Refund from the federal and state earned income tax credit;
- 33           (xii) The value of any state, local, or federal government rent or housing subsidy, provided  
34 that this exclusion shall not limit the reduction in benefits provided for in the payment standard

1 section of this chapter;

2 (xiii) The earned income of any adult family member who gains employment while an  
3 active RI Works household member. This income is excluded for the first six (6) months of  
4 employment in which the income is earned, or until the household's total gross income exceeds one  
5 hundred eighty-five percent (185%) of the federal poverty level, unless the household reaches its  
6 forty-eight-month (48) time limit first;

7 (xiv) Any veteran's disability pension benefits received as a result of any disability  
8 sustained by the veteran while in the military service.

9 (4) The receipt of a lump sum of income shall affect participants for cash assistance in  
10 accordance with rules and regulations promulgated by the department.

11 (h) Time limit on the receipt of cash assistance.

12 (1) On or after January 1, 2020, no cash assistance shall be provided, pursuant to this  
13 chapter, to a family or assistance unit that includes an adult member who has received cash  
14 assistance for a total of forty-eight (48) months (whether or not consecutive), to include any time  
15 receiving any type of cash assistance in any other state or territory of the United States of America  
16 as defined herein. Provided further, in no circumstances other than provided for in subsection (h)(3)  
17 with respect to certain minor children, shall cash assistance be provided pursuant to this chapter to  
18 a family or assistance unit that includes an adult member who has received cash assistance for a  
19 total of a lifetime limit of forty-eight (48) months.

20 (2) Cash benefits received by a minor dependent child shall not be counted toward their  
21 lifetime time limit for receiving benefits under this chapter should that minor child apply for cash  
22 benefits as an adult.

23 (3) Certain minor children not subject to time limit. This section regarding the lifetime time  
24 limit for the receipt of cash assistance, shall not apply only in the instances of a minor child(ren)  
25 living with a parent who receives SSI benefits and a minor child(ren) living with a responsible adult  
26 non-parent caretaker relative who is not in the cash assistance payment.

27 (4) Receipt of family cash assistance in any other state or territory of the United States of  
28 America shall be determined by the department of human services and shall include family cash  
29 assistance funded in whole or in part by Temporary Assistance for Needy Families (TANF) funds  
30 [Title IV-A of the federal Social Security Act, 42 U.S.C. § 601 et seq.] and/or family cash assistance  
31 provided under a program similar to the Rhode Island families work and opportunity program or  
32 the federal TANF program.

33 (5) (i) The department of human services shall mail a notice to each assistance unit when  
34 the assistance unit has six (6) months of cash assistance remaining and each month thereafter until

1 the time limit has expired. The notice must be developed by the department of human services and  
2 must contain information about the lifetime time limit, the number of months the participant has  
3 remaining, the hardship extension policy, the availability of a post-employment-and-closure bonus;  
4 and any other information pertinent to a family or an assistance unit nearing the forty-eight-month  
5 (48) lifetime time limit.

6 (ii) For applicants who have less than six (6) months remaining in the forty-eight-month  
7 (48) lifetime time limit because the family or assistance unit previously received cash assistance in  
8 Rhode Island or in another state, the department shall notify the applicant of the number of months  
9 remaining when the application is approved and begin the process required in subsection (h)(5)(i).

10 (6) If a cash assistance recipient family was closed pursuant to Rhode Island's Temporary  
11 Assistance for Needy Families Program (federal TANF described in Title IV-A of the Federal  
12 Social Security Act, 42 U.S.C. § 601 et seq.), formerly entitled the Rhode Island family  
13 independence program, more specifically under § 40-5.1-9(2)(c) [repealed], due to sanction  
14 because of failure to comply with the cash assistance program requirements; and that recipient  
15 family received forty-eight (48) months of cash benefits in accordance with the family  
16 independence program, then that recipient family is not able to receive further cash assistance for  
17 his/her family, under this chapter, except under hardship exceptions.

18 (7) The months of state or federally funded cash assistance received by a recipient family  
19 since May 1, 1997, under Rhode Island's Temporary Assistance for Needy Families Program  
20 (federal TANF described in Title IV-A of the Federal Social Security Act, 42 U.S.C. § 601 et seq.),  
21 formerly entitled the Rhode Island family independence program, shall be countable toward the  
22 time-limited cash assistance described in this chapter.

23 (i) Time limit on the receipt of cash assistance.

24 (1) No cash assistance shall be provided, pursuant to this chapter, to a family assistance  
25 unit in which an adult member has received cash assistance for a total of sixty (60) months (whether  
26 or not consecutive) to include any time receiving any type of cash assistance in any other state or  
27 territory of the United States as defined herein effective August 1, 2008. Provided further, that no  
28 cash assistance shall be provided to a family in which an adult member has received assistance for  
29 twenty-four (24) consecutive months unless the adult member has a rehabilitation employment plan  
30 as provided in § 40-5.2-12(g)(5).

31 (2) Effective August 1, 2008, no cash assistance shall be provided pursuant to this chapter  
32 to a family in which a child has received cash assistance for a total of sixty (60) months (whether  
33 or not consecutive) if the parent is ineligible for assistance under this chapter pursuant to subsection  
34 (a)(2) to include any time they received any type of cash assistance in any other state or territory

1 of the United States as defined herein.

2 (j) Hardship exceptions.

3 (1) The department may extend an assistance unit's or family's cash assistance beyond the  
4 time limit, by reason of hardship; provided, however, that the number of families to be exempted  
5 by the department with respect to their time limit under this subsection shall not exceed twenty  
6 percent (20%) of the average monthly number of families to which assistance is provided for under  
7 this chapter in a fiscal year; provided, however, that to the extent now or hereafter permitted by  
8 federal law, any waiver granted under § 40-5.2-34, for domestic violence, shall not be counted in  
9 determining the twenty percent (20%) maximum under this section.

10 (2) Parents who receive extensions to the time limit due to hardship must have and comply  
11 with employment plans designed to remove or ameliorate the conditions that warranted the  
12 extension.

13 (k) Parents under eighteen (18) years of age.

14 (1) A family consisting of a parent who is under the age of eighteen (18), and who has  
15 never been married, and who has a child; or a family consisting of a woman under the age of  
16 eighteen (18) who is at least six (6) months pregnant, shall be eligible for cash assistance only if  
17 the family resides in the home of an adult parent, legal guardian, or other adult relative. The  
18 assistance shall be provided to the adult parent, legal guardian, or other adult relative on behalf of  
19 the individual and child unless otherwise authorized by the department.

20 (2) This subsection shall not apply if the minor parent or pregnant minor has no parent,  
21 legal guardian, or other adult relative who is living and/or whose whereabouts are unknown; or the  
22 department determines that the physical or emotional health or safety of the minor parent, or his or  
23 her child, or the pregnant minor, would be jeopardized if he or she was required to live in the same  
24 residence as his or her parent, legal guardian, or other adult relative (refusal of a parent, legal  
25 guardian, or other adult relative to allow the minor parent or his or her child, or a pregnant minor,  
26 to live in his or her home shall constitute a presumption that the health or safety would be so  
27 jeopardized); or the minor parent or pregnant minor has lived apart from his or her own parent or  
28 legal guardian for a period of at least one year before either the birth of any child to a minor parent  
29 or the onset of the pregnant minor's pregnancy; or there is good cause, under departmental  
30 regulations, for waiving the subsection; and the individual resides in a supervised supportive-living  
31 arrangement to the extent available.

32 (3) For purposes of this section, "supervised supportive-living arrangement" means an  
33 arrangement that requires minor parents to enroll and make satisfactory progress in a program  
34 leading to a high school diploma or a general education development certificate, and requires minor

1 parents to participate in the adolescent parenting program designated by the department, to the  
2 extent the program is available; and provides rules and regulations that ensure regular adult  
3 supervision.

4 (1) Assignment and cooperation. As a condition of eligibility for cash and medical  
5 assistance under this chapter, each adult member, parent, or caretaker relative of the  
6 family/assistance unit must:

7 (1) Assign to the state any rights to support for children within the family from any person  
8 that the family member has at the time the assignment is executed or may have while receiving  
9 assistance under this chapter;

10 (2) Consent to and cooperate with the state in establishing the paternity and in establishing  
11 and/or enforcing child support and medical support orders for all children in the family or assistance  
12 unit in accordance with title 15 of the general laws, as amended, unless the parent or caretaker  
13 relative is found to have good cause for refusing to comply with the requirements of this subsection.

14 (3) Absent good cause, as defined by the department of human services through the  
15 rulemaking process, for refusing to comply with the requirements of subsections (1)(1) and (1)(2),  
16 cash assistance to the family shall be reduced by twenty-five percent (25%) until the adult member  
17 of the family who has refused to comply with the requirements of this subsection consents to and  
18 cooperates with the state in accordance with the requirements of this subsection.

19 (4) As a condition of eligibility for cash and medical assistance under this chapter, each  
20 adult member, parent, or caretaker relative of the family/assistance unit must consent to and  
21 cooperate with the state in identifying and providing information to assist the state in pursuing any  
22 third party who may be liable to pay for care and services under Title XIX of the Social Security  
23 Act, 42 U.S.C. § 1396 et seq.

24 **40-5.2-12. Work requirements for receipt of cash assistance.**

25 (a) The department of human services and the department of labor and training shall assess  
26 the applicant/parent or non-parent caretaker relative's work experience, educational, and vocational  
27 abilities, and the department, together with the parent, shall develop and enter into a mandatory,  
28 individual employment plan in accordance with § 40-5.2-10(e).

29 (b) In the case of a family including two (2) parents, at least one of the parents shall be  
30 required to participate in an employment plan leading to full-time employment. The department  
31 may also require the second parent in a two-parent (2) household to develop an employment plan  
32 if, and when, the youngest child reaches six (6) years of age or older.

33 (c) The written, individual employment plan shall specify, at minimum, the immediate  
34 steps necessary to support a goal of long-term, economic independence.



1 (d) All applicants and participants in the Rhode Island works employment program must  
2 attend and participate in required appointments, employment plan development, and employment-  
3 related activities, unless temporarily exempt for reasons specified in this chapter.

4 (e) A recipient/participant temporarily exempted from the work requirements may  
5 participate in an individual employment plan on a voluntary basis, however, the individual remains  
6 subject to the same program compliance requirements as a participant without a temporary  
7 exemption.

8 (f) The individual employment plan shall specify the participant's work activity(ies) and  
9 the supportive services that will be provided by the department to enable the participant to engage  
10 in the work activity(ies).

11 (g) Work requirements for single-parent families. In single-parent households, the  
12 participant parent or non-parent caretaker relative in the cash assistance payment, shall participate  
13 as a condition of eligibility, for a minimum of twenty (20) hours per week if the youngest child in  
14 the home is under the age of six (6), and for a minimum of thirty (30) hours per week if the youngest  
15 child in the home is six (6) years of age or older, in one or more of their required work activities,  
16 as appropriate, in order to help the parent obtain stable, full-time, paid employment, as determined  
17 by the department of human services and the department of labor and training; provided, however,  
18 that he or she shall begin with intensive employment services as the first step in the individual  
19 employment plan. Required work activities are as follows:

20 (1) At least twenty (20) hours per week must come from participation in one or more of  
21 the following ten (10) work activities:

22 (i) Unsubsidized employment;

23 (ii) Subsidized private-sector employment;

24 (iii) Subsidized public-sector employment;

25 (iv) Work experience;

26 (v) On-the-job training;

27 (vi) Job search and job readiness;

28 (vii) Community service programs;

29 (viii) Vocational educational training not to exceed twelve (12) months; provided,  
30 however, that a participant who successfully completes their first year of education at the  
31 community college of Rhode Island, may participate in vocational education training for an  
32 additional twelve (12) months;

33 (ix) Providing childcare services to another participant parent who is participating in an  
34 approved community service program; and

1 (x) Adult education in an intensive work-readiness program.

2 (2) Above twenty (20) hours per week, the parent may participate in one or more of the  
3 following three (3) activities in order to satisfy a thirty-hour (30) requirement:

4 (i) Job skills training directly related to employment;

5 (ii) Education directly related to employment; and

6 (iii) Satisfactory attendance at a secondary school or in a course of study leading to a  
7 certificate of general equivalence if it is a teen parent under the age of twenty (20) who is without  
8 a high school diploma or General Equivalence Diploma (GED).

9 (3) In the case of a parent under the age of twenty (20), attendance at a secondary school  
10 or the equivalent during the month, or twenty (20) hours per week on average for the month in  
11 education directly related to employment, will be counted as engaged in work.

12 (4) A parent who participates in a work experience or community service program for the  
13 maximum number of hours per week allowable by the Fair Labor Standards Act (FLSA) is deemed  
14 to have participated in his or her required minimum hours per week in core activities if actual  
15 participation falls short of his or her required minimum hours per week.

16 (5) A parent who has been determined to have a physical or mental impairment affecting  
17 employment, but who has not been found eligible for Social Security Disability benefits or  
18 Supplemental Security Income must participate in his or her rehabilitation employment plan as  
19 developed with the office of rehabilitation services that leads to employment and/or to receipt of  
20 disability benefits through the Social Security Administration.

21 (6) A required work activity may be any other work activity permissible under federal  
22 TANF provisions or state-defined Rhode Island works program activity, including up to ten (10)  
23 hours of activities required by a parent's department of children, youth and families service plan.

24 (h) Exemptions from work requirements for the single-parent family. Work requirements  
25 outlined in subsection (g) shall not apply to a single parent if (and for so long as) the department  
26 finds that he or she is:

27 (1) Caring for a child below the age of one; provided, however, that a parent may opt for  
28 the deferral from an individual employment plan for a maximum of twelve (12) months during the  
29 twenty-four (24) months of eligibility for cash assistance and provided, further, that a minor parent  
30 without a high school diploma or the equivalent, and who is not married, shall not be exempt for  
31 more than twelve (12) weeks from the birth of the child;

32 (2) Caring for a disabled family member who resides in the home and requires full-time  
33 care;

34 (3) A recipient of Social Security Disability benefits or Supplemental Security Income or

1 other disability benefits that have the same standard of disability as defined by the Social Security  
2 Administration;

3 (4) An individual receiving assistance who is a victim of domestic violence as determined  
4 by the department in accordance with rules and regulations;

5 (5) An applicant for assistance in her third trimester or a pregnant woman in her third  
6 trimester who is a recipient of assistance and has medical documentation that she cannot work;

7 (6) An individual otherwise exempt by the department as defined in rules and regulations  
8 promulgated by the department.

9 (i) Work requirement for two-parent families.

10 (1) In families consisting of two (2) parents, one or both parents are required, and shall be  
11 engaged in, work activities as defined below, for an individual or combined total of at least thirty-  
12 five (35) hours per week during the month, not fewer than thirty (30) hours per week of that are  
13 attributable to one or more of the following listed work activities; provided, however, that he or she  
14 shall begin with intensive employment services as the first step in the individual employment plan.  
15 Two-parent work requirements shall be defined as the following:

16 (i) Unsubsidized employment;

17 (ii) Subsidized private-sector employment;

18 (iii) Subsidized public-sector employment;

19 (iv) Work experience;

20 (v) On-the-job training;

21 (vi) Job search and job readiness;

22 (vii) Community service program;

23 (viii) Vocational educational training not to exceed twelve (12) months; provided,  
24 however, that a participant who successfully completes their first year of education at the  
25 community college of Rhode Island, may participate in vocational education training for an  
26 additional twelve (12) months;

27 (ix) The provision of childcare services to a participant individual who is participating in a  
28 community service program; and

29 (x) Adult education in an intensive work-readiness program.

30 (2) Above thirty (30) hours per week, the following three (3) activities may also count for  
31 participation:

32 (i) Job skills training directly related to employment;

33 (ii) Education directly related to employment; and

34 (iii) Satisfactory attendance at secondary school or in a course of study leading to a

1 certificate of general equivalence.

2 (3) A family with two (2) parents, in which one or both parents participate in a work  
3 experience or community service program, shall be deemed to have participated in core work  
4 activities for the maximum number of hours per week allowable by the Fair Labor Standards Act  
5 (FLSA) if actual participation falls short of his or her required minimum hours per week.

6 (4) If the family receives childcare assistance and an adult in the family is not disabled or  
7 caring for a severely disabled child, then the work-eligible individuals must be participating in work  
8 activities for an average of at least fifty-five (55) hours per week to count as a two-parent family  
9 engaged in work for the month.

10 (5) At least fifty (50) of the fifty-five (55) hours per week must come from participation in  
11 the activities listed in subsection (i)(1).

12 Above fifty (50) hours per week, the three (3) activities listed in subsection (i)(2) may also  
13 count as participation.

14 (6) A family with two (2) parents receiving child care in which one or both parents  
15 participate in a work experience or community service program for the maximum number of hours  
16 per week allowable by the Fair Labor Standards Act (FLSA) will be considered to have met their  
17 required core hours if actual participation falls short of the required minimum hours per week. For  
18 families that need additional hours beyond the core activity requirement, these hours must be  
19 satisfied in some other TANF work activity.

20 (j) Exemptions from work requirements for two-parent families. Work requirements  
21 outlined in subsection (i) shall not apply to two-parent families if (and for so long as) the department  
22 finds that:

23 (1) Both parents receive Supplemental Security Income (SSI);

24 (2) One parent receives SSI, and the other parent is caring for a disabled family member  
25 who resides in the home and who requires full-time care; or

26 (3) The parents are otherwise exempt by the department as defined in rules and regulations.

27 (k) Failure to comply with work requirements -- Sanctions and terminations.

28 (1) The cash assistance to which an otherwise eligible family/assistance unit is entitled  
29 under this chapter shall be reduced for three (3) months, whether or not consecutive, in accordance  
30 with rules and regulations promulgated by the department, whenever any participant, without good  
31 cause as defined by the department in its rules and regulations, has failed to enter into an individual  
32 employment plan; has failed to attend a required appointment; has refused or quit employment; or  
33 has failed to comply with any other requirements for the receipt of cash assistance under this  
34 chapter. If the family's benefit has been reduced, benefits shall be restored to the full amount

1 beginning with the initial payment made on the first of the month following the month in which the  
2 parent: (i) Enters into an individual employment plan or rehabilitation plan and demonstrates  
3 compliance with the terms thereof; or (ii) Demonstrates compliance with the terms of his or her  
4 existing individual employment plan or rehabilitation plan, as such plan may be amended by  
5 agreement of the parent and the department.

6 (2) In the case where appropriate child care has been made available in accordance with  
7 this chapter, a participant's failure, without good cause, to accept a bona fide offer of work,  
8 including full-time, part-time, and/or temporary employment, or unpaid work experience or  
9 community service, shall be deemed a failure to comply with the work requirements of this section  
10 and shall result in reduction or termination of cash assistance, as defined by the department in rules  
11 and regulations duly promulgated.

12 (3) If the family/assistance unit's benefit has been reduced for a total of three (3) months,  
13 whether or not consecutive in accordance with this section due to the failure by one or more parents  
14 to enter into an individual employment plan, or failure to comply with the terms of his or her  
15 individual employment plan, or the failure to comply with the requirements of this chapter, cash  
16 assistance to the entire family shall end. The family/assistance unit may reapply for benefits, and  
17 the benefits shall be restored to the family/assistance unit in the full amount the family/assistance  
18 unit is otherwise eligible for under this chapter beginning on the first of the month following the  
19 month in which all parents in the family/assistance unit who are subject to the employment or  
20 rehabilitation plan requirements under this chapter: (i) Enter into an individual employment or  
21 rehabilitation plan as applicable, and demonstrate compliance with the terms thereof, or (ii)  
22 Demonstrate compliance with the terms of the parent's individual employment or rehabilitation  
23 employment plan in effect at the time of termination of benefits, as such plan may be amended by  
24 agreement of the parent and the department.

25 (4) Up to ten (10) days following a notice of adverse action to reduce or terminate benefits  
26 under this subsection, the client may request the opportunity to meet with a social worker to identify  
27 the reasons for non-compliance, establish good cause, and seek to resolve any issues that have  
28 prevented the parent from complying with the employment plan requirements.

29 (5) Participants whose cases had closed in sanction status pursuant to Rhode Island's prior  
30 Temporary Assistance for Needy Families Program (federal TANF described in Title IV-A of the  
31 federal Social Security Act, 42 U.S.C. § 601 et seq.), the family independence program, more  
32 specifically, § 40-5.1-9(2)(c) [repealed], due to failure to comply with the cash assistance program  
33 requirements, but who had received less than forty-eight (48) months of cash assistance at the time  
34 of closure, and who reapply for cash assistance under the Rhode Island works program, must

1 demonstrate full compliance, as defined by the department in its rules and regulations, before they  
2 shall be eligible for cash assistance pursuant to this chapter.

3 (l) Good cause. Good cause for failing to meet any program requirements including leaving  
4 employment, and failure to fulfill documentation requirements, shall be outlined in rules and  
5 regulations promulgated by the department of human services.

6 **40-5.2-20. Childcare assistance -- Families or assistance units eligible.**

7 (a) The department shall provide appropriate child care to every participant who is eligible  
8 for cash assistance and who requires child care in order to meet the work requirements in  
9 accordance with this chapter.

10 (b) Low-income child care. The department shall provide child care to all other working  
11 families with incomes at or below ~~one hundred eighty percent (180%)~~ two hundred percent (200%)  
12 of the federal poverty level if, and to the extent, these other families require child care in order to  
13 work at paid employment as defined in the department's rules and regulations. ~~Beginning October~~  
14 ~~1, 2013, the~~ The department shall also provide child care to families with incomes below ~~one~~  
15 ~~hundred eighty percent (180%)~~ two hundred percent (200%) of the federal poverty level if, and to  
16 the extent, these families require child care to participate on a short-term basis, as defined in the  
17 department's rules and regulations, in training, apprenticeship, internship, on-the-job training, work  
18 experience, work immersion, or other job-readiness/job-attachment program sponsored or funded  
19 by the human resource investment council (governor's workforce board) or state agencies that are  
20 part of the coordinated program system pursuant to § 42-102-11. Effective from January 1, 2021,  
21 through June 30, 2022, the department shall also provide childcare assistance to families with  
22 incomes below one hundred eighty percent (180%) of the federal poverty level when such  
23 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode  
24 Island public institution of higher education provided that eligibility to receive funding is capped  
25 when expenditures reach \$200,000 for this provision. Effective July 1, 2022, the department shall  
26 also provide childcare assistance to families with incomes below two hundred percent (200%) of  
27 the federal poverty level when such assistance is necessary for a member of these families to enroll  
28 or maintain enrollment in a Rhode Island public institution of higher education.

29 (c) No family/assistance unit shall be eligible for childcare assistance under this chapter if  
30 the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which  
31 corresponds to the amount permitted by the federal government under the state plan and set forth  
32 in the administrative rulemaking process by the department. Liquid resources are defined as any  
33 interest(s) in property in the form of cash or other financial instruments or accounts that are readily  
34 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit

1 union, or other financial institution savings, checking, and money market accounts; certificates of  
2 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments  
3 or accounts. These do not include educational savings accounts, plans, or programs; retirement  
4 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.  
5 The department is authorized to promulgate rules and regulations to determine the ownership and  
6 source of the funds in the joint account.

7 (d) As a condition of eligibility for childcare assistance under this chapter, the parent or  
8 caretaker relative of the family must consent to, and must cooperate with, the department in  
9 establishing paternity, and in establishing and/or enforcing child support and medical support  
10 orders for any children in the family receiving appropriate child care under this section in  
11 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker  
12 relative is found to have good cause for refusing to comply with the requirements of this subsection.

13 (e) For purposes of this section, "appropriate child care" means child care, including infant,  
14 toddler, preschool, nursery school, and school-age, that is provided by a person or organization  
15 qualified, approved, and authorized to provide the care by the state agency or agencies designated  
16 to make the determinations in accordance with the provisions set forth herein.

17 (f) (1) Families with incomes below one hundred percent (100%) of the applicable federal  
18 poverty level guidelines shall be provided with free child care. Families with incomes greater than  
19 one hundred percent (100%) and less than ~~one hundred eighty percent (180%)~~ two hundred percent  
20 (200%) of the applicable federal poverty guideline shall be required to pay for some portion of the  
21 child care they receive, according to a sliding-fee scale adopted by the department in the  
22 department's rules, not to exceed seven percent (7%) of income as defined in subsection (h) of this  
23 section.

24 (2) Families who are receiving childcare assistance and who become ineligible for  
25 childcare assistance as a result of their incomes exceeding ~~one hundred eighty percent (180%)~~ two  
26 hundred percent (200%) of the applicable federal poverty guidelines shall continue to be eligible  
27 for childcare assistance until their incomes exceed ~~two hundred twenty five percent (225%)~~ three  
28 hundred percent (300%) of the applicable federal poverty guidelines. To be eligible, the families  
29 must continue to pay for some portion of the child care they receive, as indicated in a sliding-fee  
30 scale adopted in the department's rules, not to exceed seven percent (7%) of income as defined in  
31 subsection (h) of this section, and in accordance with all other eligibility standards.

32 (g) In determining the type of child care to be provided to a family, the department shall  
33 take into account the cost of available childcare options; the suitability of the type of care available  
34 for the child; and the parent's preference as to the type of child care.

1 (h) For purposes of this section, "income" for families receiving cash assistance under §  
2 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in  
3 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and  
4 unearned income as determined by departmental regulations.

5 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast  
6 the expenditures for child care in accordance with the provisions of § 35-17-1.

7 (j) In determining eligibility for childcare assistance for children of members of reserve  
8 components called to active duty during a time of conflict, the department shall freeze the family  
9 composition and the family income of the reserve component member as it was in the month prior  
10 to the month of leaving for active duty. This shall continue until the individual is officially  
11 discharged from active duty.

12 SECTION 2. Chapter 40-6 of the General Laws entitled "Public Assistance Act" is hereby  
13 amended by adding thereto the following section:

14 **40-6-8.2. Establishment of retail SNAP incentives pilot program.**

15 (a) There shall be established a retail supplemental nutrition assistance program (SNAP)  
16 incentives pilot program to be administered by the department of human services. Funds  
17 appropriated for the program shall be expended first for the implementation and administration of  
18 the retail SNAP incentives program to promote healthy food access and nutrition among Rhode  
19 Island SNAP recipients.

20 (1) SNAP households will receive fifty cents (\$0.50) credit on their electronic benefit  
21 transfer (EBT) card for each one dollar (\$1.00) spent on eligible fruits and vegetables at  
22 participating retailers, up to a monthly limit as determined by the department.

23 (2) This pilot program shall take effect on January 1, 2023, and operate until appropriated  
24 funds are expended.

25 (b) The department of human services shall promulgate rules, regulations, and procedures  
26 necessary for the implementation of this section including, but not limited to the following:

- 27 (1) Eligibility for pilot participation;
- 28 (2) Purchases eligible to earn incentive payments;
- 29 (3) Monthly incentive limits that may be earned by participating households; and
- 30 (4) Eligible uses of earned incentive payments.

31 (c) The department shall report to the speaker of the house, president of the senate, and  
32 chairpersons of the house and senate finance committees regarding the amount of credits issued  
33 pursuant to this section and administrative expenses, no later than February 15, 2024.

34 SECTION 3. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Childcare-



1 State Subsidies” is hereby amended to read as follows:

2 **40-6.2-1.1. Rates established.**

3 (a) Through June 30, 2015, subject to the payment limitations in subsection (c), the  
4 maximum reimbursement rates to be paid by the departments of human services and children, youth  
5 and families for licensed childcare centers and licensed family childcare providers shall be based  
6 on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the  
7 average of the 75th percentile of the 2002 and the 2004 weekly market rates:

8	LICENSED CHILDCARE CENTERS	75th PERCENTILE OF WEEKLY
9		MARKET RATE
10	INFANT	\$182.00
11	PRESCHOOL	\$150.00
12	SCHOOL-AGE	\$135.00
13	LICENSED FAMILY CHILDCARE	75th PERCENTILE OF WEEKLY
14	PROVIDERS	MARKET RATE
15	INFANT	\$150.00
16	PRESCHOOL	\$150.00
17	SCHOOL-AGE	\$135.00

18 Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum  
19 reimbursement rates to be paid by the departments of human services and children, youth and  
20 families for licensed childcare centers and licensed family childcare providers shall be based on the  
21 above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of  
22 the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased by  
23 ten dollars (\$10.00) per week for infant/toddler care provided by licensed family childcare  
24 providers and license-exempt providers and then the rates for all providers for all age groups shall  
25 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare  
26 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-  
27 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one  
28 cents (\$161.71) for preschool-age children.

29 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the  
30 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of  
31 human services and children, youth and families for licensed childcare centers shall be  
32 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
33 the state's quality rating system outlined in § 42-12-23.1.

34 (1) For infant/toddler child care, tier one shall be reimbursed two and one-half percent

1 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above  
2 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY  
3 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly  
4 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly  
5 amount.

6 (2) For preschool reimbursement rates, tier one shall be reimbursed two and one-half  
7 (2.5%) percent above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%)  
8 above the FY 2018 weekly amount, tier three shall be reimbursed ten percent (10%) above the FY  
9 2018 weekly amount, tier four shall be reimbursed thirteen percent (13%) above the FY 2018  
10 weekly amount, and tier five shall be reimbursed twenty-one percent (21%) above the FY 2018  
11 weekly amount.

12 (c) [Deleted by P.L. 2019, ch. 88, art. 13, § 4.]

13 (d) By June 30, 2004, and biennially through June 30, 2014, the department of labor and  
14 training shall conduct an independent survey or certify an independent survey of the then-current  
15 weekly market rates for child care in Rhode Island and shall forward the weekly market rate survey  
16 to the department of human services. The next survey shall be conducted by June 30, 2016, and  
17 triennially thereafter. The departments of human services and labor and training will jointly  
18 determine the survey criteria including, but not limited to, rate categories and sub-categories.

19 (e) In order to expand the accessibility and availability of quality child care, the department  
20 of human services is authorized to establish, by regulation, alternative or incentive rates of  
21 reimbursement for quality enhancements, innovative or specialized child care, and alternative  
22 methodologies of childcare delivery, including nontraditional delivery systems and collaborations.

23 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two  
24 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of  
25 reimbursement payments.

26 (g) Effective July 1, 2019, the maximum infant/toddler reimbursement rates to be paid by  
27 the departments of human services and children, youth and families for licensed family childcare  
28 providers shall be implemented in a tiered manner, reflective of the quality rating the provider has  
29 achieved within the state's quality rating system outlined in § 42-12-23.1. Tier one shall be  
30 reimbursed two percent (2%) above the prevailing base rate for step 1 and step 2 providers, three  
31 percent (3%) above prevailing base rate for step 3 providers, and four percent (4%) above the  
32 prevailing base rate for step 4 providers; tier two shall be reimbursed five percent (5%) above the  
33 prevailing base rate; tier three shall be reimbursed eleven percent (11%) above the prevailing base  
34 rate; tier four shall be reimbursed fourteen percent (14%) above the prevailing base rate; and tier

1 five shall be reimbursed twenty-three percent (23%) above the prevailing base rate.

2 (h) Through December 31, 2021, the maximum reimbursement rates paid by the  
3 departments of human services, and children, youth and families to licensed childcare centers shall  
4 be consistent with the enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
5 Infant/Toddler	\$257.54	\$257.54	\$257.54	\$257.54	\$273.00
6 Preschool Age	\$195.67	\$195.67	\$195.67	\$195.67	\$260.00
7 School Age	\$200.00	\$200.00	\$200.00	\$200.00	\$245.00

8  
9 The maximum reimbursement rates paid by the departments of human services, and  
10 children, youth and families to licensed family childcare providers shall be consistent with the  
11 enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
12 Infant/Toddler	\$224.43	\$224.43	\$224.43	\$224.43	\$224.43
13 Preschool Age	\$171.45	\$171.45	\$171.45	\$171.45	\$171.45
14 School Age	\$162.30	\$162.30	\$162.30	\$162.30	\$162.30

15  
16 (i) Effective January 1, 2022, the maximum reimbursement rates to be paid by the  
17 departments of human services and children, youth and families for licensed childcare centers shall  
18 be implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
19 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
20 reimbursed as follows:

21 LICENSED CHILDCARE

CENTERS	Tier One	Tier Two	Tier Three	Tier Four	Tier Five
22 Infant/Toddler	\$236.36	\$244.88	\$257.15	\$268.74	\$284.39
23 Preschool	\$207.51	\$212.27	\$218.45	\$223.50	\$231.39
24 School-Age	\$180.38	\$182.77	\$185.17	\$187.57	\$189.97

25  
26 The maximum reimbursement rates for licensed family childcare providers paid by the  
27 departments of human services, and children, youth and families is determined through collective  
28 bargaining. The maximum reimbursement rates for infant/toddler and preschool age children paid  
29 to licensed family childcare providers by both departments is implemented in a tiered manner that  
30 reflects the quality rating the provider has achieved in accordance with § 42-12-23.1.

31 (j) Effective July 1, 2022, the maximum reimbursement rates to be paid by the departments  
32 of human services and children, youth and families for licensed childcare centers shall be  
33 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
34 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be

1 reimbursed as follows:

2 LICENSED CHILDCARE

3 <u>CENTERS</u>	<u>Tier One</u>	<u>Tier Two</u>	<u>Tier Three</u>	<u>Tier Four</u>	<u>Tier Five</u>
4 <u>Infant/Toddler</u>	<u>\$265</u>	<u>\$270</u>	<u>\$282</u>	<u>\$289</u>	<u>\$300</u>
5 <u>Preschool</u>	<u>\$225</u>	<u>\$235</u>	<u>\$243</u>	<u>\$250</u>	<u>\$260</u>
6 <u>School-Age</u>	<u>\$200</u>	<u>\$205</u>	<u>\$220</u>	<u>\$238</u>	<u>\$250</u>

7 SECTION 4. This Article shall take effect July 1, 2022.

1

## **ARTICLE 14**

2

### RELATING TO EFFECTIVE DATE

3

SECTION 1. This act shall take effect as of July 1, 2022, except as otherwise provided

4

herein.

5

SECTION 2. This article shall take effect upon passage.