

2022 -- H 7123 SUBSTITUTE A AS AMENDED

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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 AS AMENDED

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

Federal Funds - Capital Projects Fund

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 & 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	Business Regulation	
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	Executive Office of Commerce	
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	Labor and Training	
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	Department of Revenue	
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	230,954,881
21	Property Revaluation Program	414,947
22	Restricted Receipts	995,120
23	Total - State Aid	293,182,997
24	<i>Collections</i>	
25	General Revenues	887,668
26	Grand Total - Revenue	947,718,512
27	Legislature	
28	General Revenues	48,542,952
29	Restricted Receipts	1,919,241
30	Grand Total - Legislature	50,462,193
31	Lieutenant Governor	
32	General Revenues	1,353,568
33	Secretary of State	
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	General Treasurer	
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	Board of Elections	
11	General Revenues	6,249,463
12	Rhode Island Ethics Commission	
13	General Revenues	2,035,145
14	Office of Governor	
15	General Revenues	
16	General Revenues	7,002,280
17	Contingency Fund	150,000
18	Grand Total - Office of Governor	7,152,280
19	Commission for Human Rights	
20	General Revenues	1,744,334
21	Federal Funds	408,411
22	Grand Total - Commission for Human Rights	2,152,745
23	Public Utilities Commission	
24	Federal Funds	582,689
25	Restricted Receipts	12,987,076
26	Grand Total - Public Utilities Commission	13,569,765
27	Office of Health and Human Services	
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	407,943,888
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	is for the new residential training program at Landmark Hospital.	
16	Nursing Facilities	137,967,876
17	Home and Community Based Services	61,054,127
18	Other Services	145,886,477
19	Pharmacy	87,283,555
20	Rhody Health	221,113,381
21	Federal Funds	
22	Managed Care	552,913,884
23	Hospitals	128,123,193
24	Nursing Facilities	173,656,008
25	Home and Community Based Services	76,711,843
26	Other Services	865,746,927
27	Pharmacy	116,445
28	Rhody Health	275,851,622
29	Other Programs	44,798,580
30	Restricted Receipts	24,750,000
31	Total - Medical Assistance	3,290,073,082
32	Grand Total - Office of Health and Human Services	3,614,437,518
33	Children, Youth and Families	
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	Health	
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 & 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	Human Services	
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
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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	94,595,896
18	Total - Rhode Island Works	103,277,833
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	12,996,855
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	21,375,702
2	Restricted Receipts	61,000
3	Other Funds	
4	Intermodal Surface Transportation Fund	4,593,213
5	Total - Office of Healthy Aging	39,026,770
6	Grand Total - Human Services	902,135,264

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 Provided that \$500,000 from the Opioid Stewardship Fund is distributed equally to the
2 seven Regional Substance Abuse Prevention Task Forces to fund priorities determined by each
3 Task Force.

4	Total - Behavioral Healthcare Services	54,737,109
5	<i>Hospital and Community Rehabilitative Services</i>	
6	General Revenues	88,307,069
7	Federal Funds	30,232,988
8	Restricted Receipts	25,000
9	Other Funds	
10	Rhode Island Capital Plan Funds	
11	Hospital Equipment	300,000
12	Total - Hospital and Community Rehabilitative Services	118,865,057
13	<i>State of RI Psychiatric Hospital</i>	
14	General Revenue	30,662,874
15	Grand Total - Behavioral Healthcare,	
16	Developmental Disabilities and Hospitals	597,062,033

17 **Office of the Child Advocate**

18	General Revenues	1,494,065
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19 The Department of Administration shall hold a public hearing, in accordance with Rhode
20 Island General Law, Sections 36-4-16 and 36-4-16.2, by September 1, 2022 to consider revisions
21 to the Office's unclassified service classification and pay plan consistent with the additional
22 appropriation provided.

23 **Commission on the Deaf and Hard of Hearing**

24	General Revenues	716,876
25	Restricted Receipts	100,000
26	Grand Total - Comm. On Deaf and Hard-of-Hearing	816,876

27 **Governor's Commission on Disabilities**

28	General Revenues	
29	General Revenues	766,858
30	Livable Home Modification Grant Program	985,743

31 Provided that this will be used for home modification and accessibility enhancements to
32 construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.
33 This will be in consultation with the Executive Office of Health and Human Services. 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	378,658
3	Restricted Receipts	84,235
4	Grand Total - Governor's Commission on Disabilities	2,215,494
5	Office of the Mental Health Advocate	
6	General Revenues	973,329
7	Elementary and Secondary Education	
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	14,774,827
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	29,322,796
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	1,063,437,756
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	1,300,499,236
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	2,018,452,386
8	Public Higher Education	
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	91,270,252
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, \$100,000 shall be allocated
 2 to the Institute for Labor Studies & Research and that \$50,000 shall be allocated to Special
 3 Olympics Rhode Island to support its mission of providing athletic opportunities for individuals
 4 with intellectual and developmental disabilities.

5	Debt Service	29,049,378
6	RI State Forensics Laboratory	1,516,015
7	Other Funds	
8	University and College Funds	707,626,466
9	Debt - Dining Services	999,983
10	Debt - Education and General	5,402,219
11	Debt - Health Services	991,794
12	Debt - Housing Loan Funds	12,965,597
13	Debt - Memorial Union	2,053,787
14	Debt - Ryan Center	2,375,073
15	Debt - Parking Authority	1,294,923
16	URI Restricted Debt Service - Energy Conservation	546,271
17	URI Debt Service - Energy Conservation	2,071,504
18	Rhode Island Capital Plan Funds	
19	Asset Protection	11,350,000
20	Mechanical, Electric, and Plumbing Improvements	4,694,533
21	Fire Protection Academic Buildings	1,706,802
22	Bay Campus	6,000,000
23	Total - University of Rhode Island	881,914,597

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

27 *Rhode Island College*

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

1	Debt - Student Center and Dining	155,000
2	Debt - Student Union	208,800
3	Debt - G.O. Debt Service	1,640,931
4	Debt - Energy Conservation	699,575
5	Rhode Island Capital Plan Funds	
6	Asset Protection	9,618,000
7	Infrastructure Modernization	4,900,000
8	Total - Rhode Island College	195,401,161
9	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or	
10	unencumbered balances as of June 30, 2023 relating to Rhode Island College are hereby	
11	reappropriated to fiscal year 2024.	
12	<i>Community College of Rhode Island</i>	
13	General Revenues	
14	General Revenues	55,693,282
15	Debt Service	1,405,299
16	Federal Funds	1,818,835
17	Restricted Receipts	804,787
18	Other Funds	
19	University and College Funds	121,625,011
20	Rhode Island Capital Plan Funds	
21	Asset Protection	3,246,000
22	Knight Campus Renewal	2,896,182
23	Data, Cabling, and Power Infrastructure	1,803,000
24	Flanagan Campus Renovations	1,982,000
25	CCRI Renovation and Modernization Phase I	5,000,000
26	Total - Community College of RI	196,274,396
27	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or	
28	unencumbered balances as of June 30, 2023 relating to the Community College of Rhode Island	
29	are hereby reappropriated to fiscal year 2024.	
30	Grand Total - Public Higher Education	1,317,956,820
31	RI State Council on the Arts	
32	General Revenues	
33	Operating Support	1,033,276
34	Grants	1,165,000

1	Provided that \$375,000 be provided to support the operational costs of WaterFire	
2	Providence art installations.	
3	Federal Funds	1,331,719
4	Restricted Receipts	50,000
5	Other Funds	
6	Art for Public Facilities	585,000
7	Grand Total - RI State Council on the Arts	4,164,995
8	RI Atomic Energy Commission	
9	General Revenues	1,146,763
10	Restricted Receipts	25,036
11	Other Funds	
12	URI Sponsored Research	314,597
13	Rhode Island Capital Plan Funds	
14	Asset Protection	50,000
15	Grand Total - RI Atomic Energy Commission	1,536,396
16	RI Historical Preservation and Heritage Commission	
17	General Revenues	1,572,452
18	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration	
19	activities.	
20	Federal Funds	1,359,283
21	Restricted Receipts	424,100
22	Other Funds	
23	RIDOT Project Review	156,901
24	Grand Total - RI Historical Preservation and Heritage Comm.	3,512,736
25	Attorney General	
26	<i>Criminal</i>	
27	General Revenues	20,115,052
28	Federal Funds	2,884,123
29	Restricted Receipts	603,772
30	Total - Criminal	23,602,947
31	<i>Civil</i>	
32	General Revenues	6,778,199
33	Restricted Receipts	1,431,698
34	Total - Civil	8,209,897

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

1 data on the past ninety (90) days regarding program participation, changes made in programming
 2 to more closely align with industry needs, new or terminated partnerships with employers,
 3 nonprofits, and advocacy groups, current program expenses and revenues, and the employment
 4 status of all persons on the day of discharge from department care who participated in the
 5 correctional industries program.

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

19 **Judiciary**

20 *Supreme Court*

21 General Revenues

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

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

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

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

1	Other Funds	
2	Airport Corporation Assistance	168,211
3	Road Construction Reimbursement	2,871,108
4	Weight and Measurement Reimbursement	437,860
5	Rhode Island Capital Plan Funds	
6	DPS Asset Protection	1,000,000
7	Portsmouth Barracks	1,650,000
8	Southern Barracks	13,000,000
9	Training Academy Upgrades	1,386,380
10	Statewide Communications System Network	230,929
11	Total - State Police	117,821,546
12	Grand Total - Public Safety	188,003,493
13	Office of Public Defender	
14	General Revenues	14,708,807
15	Federal Funds	65,665
16	Grand Total - Office of Public Defender	14,774,472
17	Emergency Management Agency	
18	General Revenues	4,308,154
19	Federal Funds	29,462,797
20	Restricted Receipts	457,420
21	Other Funds	
22	Rhode Island Capital Plan Funds	
23	RI Statewide Communications Network	1,494,400
24	State Emergency Ops Center	524,657
25	RI Statewide Communications Infrastructure	1,134,400
26	Grand Total - Emergency Management Agency	37,381,828
27	Environmental Management	
28	<i>Office of the Director</i>	
29	General Revenues	8,957,872
30	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts and	
31	\$100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a	
32	veterinarian at the Wildlife Clinic of Rhode Island.	
33	Federal Funds	65,100
34	Restricted Receipts	4,126,794

1	Total - Office of the Director	13,149,766
2	<i>Natural Resources</i>	
3	General Revenues	29,057,514
4	Federal Funds	23,181,039
5	Restricted Receipts	5,699,215
6	Other Funds	
7	DOT Recreational Projects	762,000
8	Blackstone Bike Path Design	1,000,000
9	Rhode Island Capital Plan Funds	
10	Blackstone Park Improvements	244,191
11	Dam Repair	824,238
12	Fort Adams Rehabilitation	300,000
13	Port of Galilee	9,348,461
14	Recreation Facility Asset Protection	500,000
15	Recreational Facilities Improvement	3,400,000
16	Natural Resources Office and Visitor's Center	250,000
17	Fish & Wildlife Maintenance Facilities	100,000
18	Total - Natural Resources	74,666,658
19	<i>Environmental Protection</i>	
20	General Revenues	15,081,859
21	Federal Funds	11,503,721
22	Restricted Receipts	7,569,654
23	Other Funds	
24	Transportation MOU	30,986
25	Total - Environmental Protection	34,186,220
26	Grand Total - Environmental Management	122,002,644
27	Coastal Resources Management Council	
28	General Revenues	3,327,275
29	Federal Funds	1,980,304
30	Restricted Receipts	250,000
31	Other Funds	
32	Rhode Island Capital Plan Funds	
33	South Coast Restoration Project	1,900,000
34	Pawcatuck Resiliency	50,000

1	Little Narragansett Bay	50,000
2	Grand Total - Coastal Resources Mgmt. Council	7,557,579
3	Transportation	
4	<i>Central Management</i>	
5	Federal Funds	16,577,046
6	Other Funds	
7	Gasoline Tax	9,118,769
8	Total - Central Management	25,695,815
9	<i>Management and Budget</i>	
10	Other Funds	
11	Gasoline Tax	3,761,946
12	<i>Infrastructure Engineering</i>	
13	Federal Funds	
14	Federal Funds	415,019,330
15	Federal Funds – State Fiscal Recovery Fund	
16	RI Turnpike and Bridge Authority – Safety Barriers Study	1,000,000
17	RI Public Transit Authority – R-Line Free Service Pilot	2,500,000
18	Restricted Receipts	5,949,070
19	Other Funds	
20	Gasoline Tax	74,241,610
21	Of this amount, \$75,000 is appropriated for the Rhode Island Public Transit Authority to	
22	study current operations and paratransit bus services and to design of a statewide program that	
23	addresses the transportation needs of seniors and individuals whose disability prevents independent	
24	use of the fixed route system and who do not fall within the three quarter of a mile of a fixed route	
25	as required by ADA paratransit services. This study must include input from riders with	
26	disabilities, seniors, and the Human Services Transportation Coordinating Council, as established	
27	in 39-18.1-5(e). On or before January 1, 2023, the Rhode Island Public Transit Authority must	
28	submit a report to the speaker of the house and the president of the senate summarizing the study	
29	and design of a statewide program, including cost estimates for the implementation and ongoing	
30	service that address the transportation needs of seniors and individuals with disabilities.	
31	Toll Revenue	33,614,329
32	Land Sale Revenue	9,260,141
33	Rhode Island Capital Plan Funds	
34	Highway Improvement Program	55,645,000

1	Bike Path Asset Protection	400,000
2	RIPTA - Land and Buildings	12,889,628
3	RIPTA - URI Mobility Hub	250,000
4	RIPTA – Pawtucket/Central Falls Bus Hub Passenger Facility	4,000,000
5	RIPTA - Providence High-Capacity Transit Corridor Study	225,000
6	Total - Infrastructure Engineering	614,994,108
7	<i>Infrastructure Maintenance</i>	
8	Federal Funds	21,456,198
9	Other Funds	
10	Gasoline Tax	23,708,688
11	Rhode Island Highway Maintenance Account	102,647,711
12	Rhode Island Capital Plan Funds	
13	Maintenance Capital Equipment Replacement	1,500,000
14	Maintenance Facilities Improvements	500,000
15	Welcome Center	200,000
16	Salt Storage Facilities	1,900,000
17	Train Station Asset Protection	350,000
18	Total - Infrastructure Maintenance	152,262,597
19	Grand Total - Transportation	796,714,466
20	Statewide Totals	
21	General Revenues	5,042,159,928
22	Federal Funds	5,708,365,308
23	Restricted Receipts	453,536,893
24	Other Funds	2,398,392,497
25	Statewide Grand Total	13,602,454,626

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

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

1 be authorized.

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

10 SECTION 5. The general assembly authorizes the state controller to establish the internal
11 service accounts shown below, and no other, to finance and account for the operations of state
12 agencies that provide services to other agencies, institutions and other governmental units on a cost
13 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in
14 a businesslike manner, promote efficient use of services by making agencies pay the full costs
15 associated with providing the services, and allocate the costs of central administrative services
16 across all fund types, so that federal and other non-general fund programs share in the costs of
17 general government support. The controller is authorized to reimburse these accounts for the cost
18 of work or services performed for any other department or agency subject to the following
19 expenditure limitations:

20 Account	Expenditure Limit
21 State Assessed Fringe Benefit Internal Service Fund	37,370,321
22 Administration Central Utilities Internal Service Fund	27,355,205
23 State Central Mail Internal Service Fund	7,303,550
24 State Telecommunications Internal Service Fund	3,513,931
25 State Automotive Fleet Internal Service Fund	12,869,107
26 Surplus Property Internal Service Fund	3,000
27 Health Insurance Internal Service Fund	272,697,174
28 Other Post-Employment Benefits Fund	63,858,483
29 Capitol Police Internal Service Fund	1,380,836
30 Corrections Central Distribution Center Internal Service Fund	7,524,912
31 Correctional Industries Internal Service Fund	8,472,206
32 Secretary of State Record Center Internal Service Fund	1,143,730
33 Human Resources Internal Service Fund	15,991,654
34 DCAMM Facilities Internal Service Fund	47,011,910

1 Information Technology Internal Service Fund 50,789,409

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

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

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

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

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

22 SECTION 10. Appropriation of CollegeBoundSaver Funds - There is hereby appropriated
23 to the Office of the General Treasurer designated funds received under the CollegeBoundSaver
24 program for transfer to the Division of Higher Education Assistance within the Office of the
25 Postsecondary Commissioner to support student financial aid for the fiscal year ending June 30,
26 2023.

27 SECTION 11. Departments and agencies listed below may not exceed the number of full-
28 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do
29 not include limited period positions or, seasonal or intermittent positions whose scheduled period
30 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not
31 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor
32 do they include individuals engaged in training, the completion of which is a prerequisite of
33 employment. Provided, however, that the Governor or designee, Speaker of the House of
34 Representatives or designee, and the President of the Senate or designee may authorize an

1 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a
 2 detailed written recommendation to the Governor, the Speaker of the House, and the President of
 3 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the
 4 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor,
 5 and the Senate Fiscal Advisor.

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

9 FY 2023 FTE POSITION AUTHORIZATION

10 Departments and Agencies	Full-Time Equivalent
11 Administration	662.7
12 Provided that no more than 429.5 of the total authorization would be limited to positions	
13 that support internal service fund programs.	
14 Business Regulation	181.0
15 Executive Office of Commerce	20.0
16 Labor and Training	461.7
17 Revenue	575.5
18 Legislature	298.5
19 Office of the Lieutenant Governor	8.0
20 Office of the Secretary of State	59.0
21 Office of the General Treasurer	89.0
22 Board of Elections	13.0
23 Rhode Island Ethics Commission	12.0
24 Office of the Governor	45.0
25 Commission for Human Rights	15.0
26 Public Utilities Commission	54.0
27 Office of Health and Human Services	204.0
28 Children, Youth and Families	702.5
29 Health	535.4
30 Human Services	773.0
31 Office of Veterans Services	263.0
32 Office of Healthy Aging	31.0
33 Behavioral Healthcare, Developmental Disabilities and Hospitals	1,200.4
34 Office of the Child Advocate	10.0

1	Commission on the Deaf and Hard of Hearing	4.0
2	Governor’s Commission on Disabilities	5.0
3	Office of the Mental Health Advocate	6.0
4	Elementary and Secondary Education	143.1
5	School for the Deaf	60.0
6	Davies Career and Technical School	123.0
7	Office of Postsecondary Commissioner	34.0
8	Provided that 1.0 of the total authorization would be available only for positions that are	
9	supported by third-party funds, 11.0 would be available only for positions at the State’s Higher	
10	Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for	
11	positions at the Nursing Education Center.	
12	University of Rhode Island	2,555.0
13	Provided that 357.8 of the total authorization would be available only for positions that are	
14	supported by third-party funds.	
15	Rhode Island College	949.2
16	Provided that 76.0 of the total authorization would be available only for positions that are	
17	supported by third-party funds.	
18	Community College of Rhode Island	849.1
19	Provided that 89.0 of the total authorization would be available only for positions that are	
20	supported by third-party funds.	
21	Rhode Island State Council on the Arts	9.6
22	RI Atomic Energy Commission	8.6
23	Historical Preservation and Heritage Commission	15.6
24	Office of the Attorney General	249.1
25	Corrections	1,427.0
26	Judicial	739.3
27	Military Staff	93.0
28	Emergency Management Agency	35.0
29	Public Safety	632.2
30	Office of the Public Defender	100.0
31	Environmental Management	417.0
32	Coastal Resources Management Council	32.0
33	Transportation	755.0
34	Total	15,455.5

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

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

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

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

16 For the purposes and functions hereinafter mentioned, the State Controller is hereby
 17 authorized and directed to draw his or her orders upon the General Treasurer for the payment of
 18 such sums and such portions thereof as may be required by him or her upon receipt of properly
 19 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

1	DOA - RI Convention Center Authority	10,237,500	3,340,000	2,500,000	2,500,000
2	DOA - Shepard Building	1,500,000	0	0	0
3	DOA - State House Renovations	3,079,000	16,629,000	15,379,000	15,379,000
4	DOA - William Powers Building	2,750,000	2,400,000	2,200,000	2,000,000
5	DOA - Zambarano Buildings and Campus	1,515,000	1,040,000	1,300,000	1,275,000
6	DOA - Zambarano Long Term				
7	Acute Care Hospital	6,569,677	26,185,740	26,067,041	23,804,439
8	DBR - Fire Academy Expansion	5,715,500	1,940,500	0	0
9	EOC - I-195 Commission	805,000	0	0	0
10	DCYF - Female Youth Facility	15,000,000	15,000,000	15,000,000	0
11	DOH - Health Laboratories and Medical				
12	Examiner Equipment	400,000	400,000	400,000	400,000
13	DHS - Veterans Cemetery Asset Protection	750,000	250,000	300,000	250,000
14	ELSEC - MET School Asset Protection	2,000,000	2,000,000	250,000	250,000
15	URI - Asset Protection	11,494,395	12,006,225	12,606,536	13,236,863
16	URI - Mechanical, Electric, and Plumbing				
17	Improvements	13,205,467	0	0	0
18	URI - Bay Campus	6,000,000	0	12,500,000	12,500,000
19	URI - Fire Protection				
20	Academic Phase II	3,081,532	3,311,666	0	0
21	URI — Fine Arts Center Renovations &				
22	Addition Phase I	0	8,000,000	8,000,000	0
23	RIC - Asset Protection	5,431,657	5,785,000	5,950,000	6,025,000
24	RIC - Infrastructure Modernization	5,275,000	5,675,000	5,675,000	5,675,000
25	RIC - Clarke Science	0	10,000,000	5,000,000	0
26	CCRI - Asset Protection	2,653,124	2,719,452	2,719,452	2,719,452
27	CCRI - Data, Cabling, and				
28	Power Infrastructure	3,300,000	3,700,000	4,650,000	0
29	CCRI - Flanagan Campus Renewal	2,000,000	6,000,000	2,500,000	0
30	CCRI - Knight Campus Renewal	1,390,000	0	0	0
31	CCRI - Renovation and Modernization	9,000,000	14,000,000	12,000,000	0
32	DOC - Asset Protection	4,100,000	4,100,000	4,100,000	4,100,000
33	Military Staff - Aviation Readiness	0	1,125,800	1,599,115	0
34	Military Staff - Quonset Airport				

1	Runway Reconstruction	1,663,612	926,505	0	0
2	EMA - RI Statewide				
3	Communications Network	1,494,400	1,494,400	0	0
4	DPS - Southern Barracks	13,000,000	0	0	0
5	DPS - Training Academy Upgrades	900,000	1,920,000	715,000	150,000
6	DPS - RISCOON Microwave				
7	Replacement	230,929	230,929	230,929	0
8	DEM - Dam Repair	1,805,000	3,065,000	2,000,000	2,000,000
9	DEM - Port of Galilee	5,491,817	11,500,000	17,500,000	11,500,000
10	DEM - Natural Resources Offices				
11	and Visitor's Center	250,000	2,500,000	2,000,000	0
12	DEM - Recreational Facilities				
13	Improvements	4,745,578	4,050,000	2,290,000	3,050,000
14	DOT - Highway Improvement				
15	Program	94,308,800	32,404,560	27,200,000	27,200,000
16	DOT - Salt Storage Facilities				
17	Improvement	1,000,000	1,150,000	1,150,000	1,150,000
18	DOT - Maintenance				
19	Capital Equipment Replacement	1,800,000	1,800,000	1,800,000	1,800,000
20	DOT - RIPTA				
21	Land and Building Enhancements	12,627,012	500,000	500,000	500,000
22	DOT - RIPTA - Pawtucket/Central Falls				
23	Bus Hub Passenger Facility	1,000,000	0	0	0

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

30 SECTION 14. For the Fiscal Year ending June 30, 2023, the Rhode Island Housing and
31 Mortgage Finance Corporation shall provide from its resources such sums as appropriate in support
32 of the Neighborhood Opportunities Program. The Corporation shall provide a report detailing the
33 amount of funding provided to this program, as well as information on the number of units of
34 housing provided as a result to the Director of Administration, the Chair of the Housing Resources

1 Commission, the Chair of the House Finance Committee, the Chair of the Senate Finance
 2 Committee and the State Budget Officer.

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

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

18 The following amounts are hereby appropriated out of any money available in the State
 19 Fiscal Recovery Fund and Capital Projects Fund for the fiscal years ending June 30, 2024, June 30,
 20 2025, June 30, 2026, and June 30, 2027.

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

	FY Ending	FY Ending	FY Ending	FY Ending
	06/30/2024	06/30/2025	06/30/2026	06/30/2027
27 State Fiscal Recovery Fund - Federal Funds				
28 Project				
29 DOA - Administration	1,621,728	1,621,728	1,621,728	125,449
30 DOA - Electric Heat Pump Grant				
31 Program	10,000,000	10,000,000	0	0
32 DOA - Ongoing COVID-19 Response	75,052,439	38,819,129	0	0
33 DLT - Enhanced Real Jobs	10,000,000	10,000,000	0	0
34 EOC - Minority Business Accelerator	4,000,000	0	0	0

1	EOC - Destination Marketing	1,500,000	0	0	0
2	EOC - Blue Economy Investments	40,000,000	20,000,000	0	0
3	EOC - Bioscience Investments	15,000,000	9,000,000	1,000,000	0
4	EOC - South Quay Marine Terminal	23,000,000	0	0	0
5	RIH - Development of Affordable				
6	Housing	30,000,000	25,000,000	0	0
7	RIH - Site Acquisition	5,000,000	5,000,000	0	0
8	RIH - Down Payment Assistance	10,000,000	10,000,000	0	0
9	RIH - Workforce Housing	8,000,000	0	0	0
10	RIH - Affordable Housing				
11	Predevelopment Program	2,500,000	2,500,000	2,500,000	0
12	RIH - Home Repair and Community				
13	Revitalization	10,000,000	0	0	0
14	OHCD - Predevelopment and Capacity				
15	Building	500,000	0	0	0
16	OHCD - Homelessness Assistance				
17	Program	7,000,000	6,000,000	0	0
18	QDC - Port of Davisville	19,360,000	27,000,000	7,640,000	0
19	DCYF - Foster Home Lead Abatement				
20	& Fire Safety	375,000	0	0	0
21	DHS - Childcare Support	1,217,000	500,000	0	0
22	BHDDH - Crisis Intervention				
23	Trainings	550,000	550,000	550,000	0
24	ELSEC - Adult Education	1,500,000	1,500,000	0	0
25	DPS - Support for Survivors of				
26	Domestic Violence	3,500,000	3,500,000	0	0
27	Capital Projects Fund - Federal Funds				
28	Project				
29	DOA - CPF Administration	2,807,250	2,442,616	0	0
30	DOA - Municipal and Higher Ed				
31	Matching Grant Program	23,360,095	0	0	0
32	DOA - RIC Student Services Center	15,000,000	15,000,000	0	0
33	EOC - Broadband	5,160,500	4,413,000	0	0
34	The State Fiscal Recovery Fund and Capital Projects Fund appropriations herein shall be				

1 made in support of the following projects:

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

3 **Department of Administration (DOA)**

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

6 DOA - Electric Heat Pump Grant Program. These funds shall support a grant program
7 within the office of energy resources to assist homeowners and small-to-mid-size business owners
8 with the purchase and installation of high-efficiency electric heat pumps, with an emphasis on
9 families in environmental justice communities, minority-owned businesses, and community
10 organizations who otherwise cannot afford this technology. The office of energy resources shall
11 report to the Speaker of the House and Senate President no later than April 1 of each year the results
12 of this program, including but not limited to, the number of grants issued, amount of each grant and
13 the average grant amount, and the expected cumulative carbon emissions reductions associated
14 with heat pumps that received a grant.

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

17 DOA - Ongoing COVID-19 Response. These funds shall be allocated to continue COVID-
18 19 mitigation activities and to address the public health impacts of the pandemic in Rhode Island,
19 to be administered by the director of administration, in consultation with the director of health and
20 the secretary of health and human services.

21 DOA - Health Care Facilities. These funds shall address the ongoing staffing needs of
22 hospitals, nursing facilities and community health centers related to the COVID-19 public health
23 emergency totaling \$77.5 million. This includes \$45.0 million that shall be allocated to hospitals,
24 or systems if hospitals are members of one, to include a base payment equivalent to \$1.0 million
25 per hospital with the remaining based on a hospital’s pro rata share of operating expenses from the
26 2021 cost reports and \$30.0 million for distribution to nursing facilities based on the number of
27 Medicaid beds days from the 2020 facility cost reports, provided at least 80 percent is dedicated to
28 direct care workers. There is \$2.5 million to be distributed to the community health centers
29 through the Rhode Island Health Center Association to support direct care staffing needs.

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

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

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

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

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

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

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

13 EOC - Destination Marketing. These funds shall be used for destination tourism marketing
14 in support of airline routes to T.F. Green Airport. The Commerce Corporation is required to supply
15 equivalent matching funds out of its portion of the state hotel tax.

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

20 EOC - Minority Business Accelerator. These funds shall support a program to invest
21 additional resources to enhance the growth of minority business enterprises as defined in chapter
22 14.1 of title 37. The initiative will support a range of assistance and programming, including
23 financial and technical assistance, entrepreneurship training, space for programming and co-
24 working, and assistance accessing low-interest loans. Commerce shall work with minority small
25 business associations, including the Rhode Island Black Business Association (RIBBA), to advance
26 this program. Of the amount allocated for FY 2023, five hundred thousand dollars (\$500,000) shall
27 support the Rhode Island Black Business Association and three hundred thousand dollars
28 (\$300,000) shall support the Roger Williams University Business Start-Up Clinic.

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

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

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

12 **Rhode Island Housing (RIH)**

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

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

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

34 RIH - Workforce Housing. These funds shall be allocated to the Rhode Island housing and

1 mortgage finance corporation to support a program to increase the housing supply for families
2 earning up to 120 percent of area median income.

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

7 RIH - Home Repair and Community Revitalization. These funds shall expand the
8 acquisition and revitalization program administered by the Rhode Island housing and mortgage
9 finance corporation to finance the acquisition and redevelopment of blighted properties to increase
10 the number of commercial and community spaces in disproportionately impacted communities and
11 or to increase the development of affordable housing. Residential development will serve
12 households earning no more than 80 percent of area median income. Commercial and community
13 spaces must serve or meet the needs of residents of a census tract where at least 51 percent of the
14 residents are low-and moderate-income persons. The program will also support critical home
15 repairs within the same communities.

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

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

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

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

31 OHCD - Statewide Housing Plan. These funds shall be allocated to the development of a
32 statewide comprehensive housing plan to assess current and future housing needs, consider barriers
33 to home ownership and affordability, and identify services needed for increased investments toward
34 disproportionately impacted individuals and communities. These funds shall be used to support

1 municipal planning efforts to identify and cultivate viable sites and housing projects.

2 **Quonset Development Corporation (QDC)**

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

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

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

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

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

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

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

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

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

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

33 **Department of Health (DOH)**

34 DOH - Public Health Clinics. Of these funds, \$2.0 million shall be allocated to the RI

1 Free Clinic to improve statewide access and quality of primary care for uninsured adults; to increase
2 access to dental care for uninsured adults integrated into medical care at the clinic; and, to build
3 infrastructure for telehealth and electronic medical records, and \$2.0 million shall be allocated to
4 Open Door Health to expand services to address issues for people who are disproportionately
5 impacted by the COVID-19 pandemic.

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

7 DHS - Child Care Support. To address the adverse impact the pandemic has had on the
8 child care sector, the funds allocated to this program will provide retention bonuses for direct care
9 staff at child care centers and licensed family providers in response to pandemic-related staffing
10 shortages and start up and technical assistance grants for family child care providers. Retention
11 bonuses shall be paid monthly or as often as administratively feasible, but not less than quarterly.
12 The director of the department of human services and the director of the department of children,
13 youth and families may waive any fees otherwise assessed upon child care provider applicants who
14 have been awarded the family child care provider incentive grant. The allocation to this program
15 will also support quality improvements, the creation of a workforce registry and additional funds
16 for educational opportunities for direct care staff.

17 **Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**
18 **(BHDDH)**

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

23 BHDDH - 9-8-8 Hotline. These funds shall be allocated for the creation of a 9-8-8 hotline
24 to maintain compliance with the National Suicide Hotline Designation Act of 2020 and the Federal
25 Communications Commission-adopted rules to assure that all citizens receive a consistent level of
26 9-8-8 and crisis behavioral health services.

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

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

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

32 DPS - Support for Survivors of Domestic Violence. These funds shall be allocated to invest
33 in the nonprofit community to provide additional housing, clinical and mental health services to
34 victims of domestic violence and sexual assault. This includes increased investments for therapy

1 and counseling, housing assistance, job training, relocation aid and case management.

2 **Department of Transportation**

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

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

12 **Federal Funds - Capital Projects Fund**

13 **Department of Administration (DOA)**

14 DOA - CPF Administration. These funds shall be allocated to the department of
15 administration to oversee the implementation of the Capital Projects Fund award from the
16 American Rescue Plan Act.

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

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

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

24 EOC - Broadband. These funds shall be allocated to the executive office of commerce to
25 invest in broadband projects to provide high-speed, reliable internet to all Rhode Islanders. The
26 secretary of commerce, in partnership with the director of business regulation, will run a series of
27 requests for proposals for broadband infrastructure projects, providing funds to municipalities,
28 public housing authorities, business cooperatives and local internet service providers for projects
29 targeted at those unserved and underserved by the current infrastructure as defined by national
30 telecommunications and information administration standards. This investment shall be used to
31 augment or provide a match for federal funds for broadband investment made available through the
32 Infrastructure Investment and Jobs Act. These funds shall be used in accordance with the statewide
33 broadband strategic plan and may not be obligated nor expended prior to its submission in
34 accordance with the requirements of the Rhode Island Broadband Development Program set forth

1 in Chapter 42-162.

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

8 SECTION 18. State Fiscal Recovery Fund and Capital Projects Fund Compliance and
9 Reporting. The pandemic recovery office shall be established within the department of
10 administration to oversee all programs financed by the State Fiscal Recovery Fund or Capital
11 Projects Fund to ensure compliance with the rules, regulations, and other guidance issued by the
12 U.S. Department of the Treasury in accordance with the provisions of Section 9901, Subsections
13 602 and 604 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2. The pandemic recovery
14 office shall be responsible for submission of all reports required by the U.S. Department of the
15 Treasury for the State Fiscal Recovery Fund and Capital Projects Fund.

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

20 SECTION 19. This article shall take effect as of July 1, 2022, except as otherwise provided
21 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 AS AMENDED

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, t~~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.

1 **ARTICLE 5**

2 RELATING TO CAPITAL DEVELOPMENT PROGRAM

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

4 At the general election to be held on the Tuesday next after the first Monday in November
5 2022, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for
6 their approval or rejection, the following proposition:

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

12 Project

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

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

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

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

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

23 Approval of this question will allow the State of Rhode Island to issue general obligation
24 bonds, refunding bonds, and/or temporary notes in an amount not to exceed fifty million dollars
25 (\$50,000,000) for environmental and recreational purposes, to be allocated as follows:

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

27 Provides sixteen million dollars (\$16,000,000) for up to seventy-five percent (75%)
28 matching grants to municipalities for restoring and/or improving resiliency of infrastructure,
29 vulnerable coastal habitats, and restoring rivers and stream floodplains. These funds are expected
30 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.

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ARTICLE 6 AS AMENDED

RELATING TO TAXES AND REVENUES

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

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

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

(b) (a) There is ~~also~~ imposed a hospital licensing fee for state fiscal year 2021 against each hospital in the state. The hospital licensing fee is equal to five percent (5.0%) of the net patient-services revenue of every hospital for the hospital's first fiscal year ending on or after January 1, 2019, except that the license fee for all hospitals located in Washington County, Rhode Island shall be discounted by thirty-seven percent (37%). The discount for Washington County hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human Services of a state plan amendment submitted by the executive office of health and human services for the purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This 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 June 30, 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 May 25, 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, 2021, 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 ~~(a)~~ (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 ~~(b)~~ (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(l)(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 collection and storage supplies" means items of tangible personal
30 property used in conjunction with a breast pump to collect milk expressed from a human breast and
31 to store collected milk until it is ready for consumption. "Breast pump collection and storage
32 supplies" include, but are not limited to, breast shields and breast shield connectors; breast pump
33 tubes and tubing adapters; breast pump valves and membranes; backflow protectors and backflow
34 protector adaptors; bottles and bottle caps specific to the operation of the breast pump; breast milk

1 storage bags; and related items sold as part of a breast pump kit pre-packaged by the breast pump
2 manufacturer. "Breast pump collection and storage supplies" does not include: bottles and bottle
3 caps not specific to the operation of the breast pump; breast pump travel bags and other similar
4 carrying accessories, including ice packs, labels, and other similar products, unless sold as part of
5 a breast pump kit pre-packed by the breast pump manufacturer; breast pump cleaning supplies,
6 unless sold as part of a breast pump kit pre-packaged by the breast pump manufacturer; nursing
7 bras, bra pads, breast shells, and other similar products; and creams, ointments, and other similar
8 products that relieve breastfeeding-related symptoms or conditions of the breasts or nipples.

9 (68) Trade-in value of motorcycles. From the sale and from the storage, use, or other
10 consumption in this state of so much of the purchase price paid for a new or used motorcycle as is
11 allocated for a trade- in allowance on the motorcycle of the buyer given in trade to the seller, or of
12 the proceeds applicable only to the motorcycle as are received from the manufacturer of
13 motorcycles for the repurchase of the motorcycle whether the repurchase was voluntary or not
14 towards the purchase of a new or used motorcycle by the buyer. For the purpose of this subsection,
15 the word "motorcycle" means a motorcycle not used for hire and does not refer to any other type
16 of motor vehicle.

17 SECTION 9. Section 44-30-12 of the General Laws in Chapter 44-30 entitled "Personal
18 Income Tax" is hereby amended to read as follows:

19 **44-30-12 Rhode Island income of a resident individual.**

20 (a) General. The Rhode Island income of a resident individual means his or her adjusted
21 gross income for federal income tax purposes, with the modifications specified in this section.

22 (b) Modifications increasing federal adjusted gross income. There shall be added to federal
23 adjusted gross income:

24 (1) Interest income on obligations of any state, or its political subdivisions, other than
25 Rhode Island or its political subdivisions;

26 (2) Interest or dividend income on obligations or securities of any authority, commission,
27 or instrumentality of the United States, but not of Rhode Island or its political subdivisions, to the
28 extent exempted by the laws of the United States from federal income tax but not from state income
29 taxes;

30 (3) The modification described in § 44-30-25(g);

31 (4) (i) The amount defined below of a nonqualified withdrawal made from an account in
32 the tuition savings program pursuant to § 16-57-6.1. For purposes of this section, a nonqualified
33 withdrawal is:

34 (A) A transfer or rollover to a qualified tuition program under Section 529 of the Internal

1 Revenue Code, 26 U.S.C. § 529, other than to the tuition savings program referred to in § 16-57-
2 6.1; and

3 (B) A withdrawal or distribution that is:

4 (I) Not applied on a timely basis to pay "qualified higher education expenses" as defined
5 in § 16-57-3(12) of the beneficiary of the account from which the withdrawal is made;

6 (II) Not made for a reason referred to in § 16-57-6.1(e); or

7 (III) Not made in other circumstances for which an exclusion from tax made applicable by
8 Section 529 of the Internal Revenue Code, 26 U.S.C. § 529, pertains if the transfer, rollover,
9 withdrawal, or distribution is made within two (2) taxable years following the taxable year for
10 which a contributions modification pursuant to subsection (c)(4) of this section is taken based on
11 contributions to any tuition savings program account by the person who is the participant of the
12 account at the time of the contribution, whether or not the person is the participant of the account
13 at the time of the transfer, rollover, withdrawal or distribution;

14 (ii) In the event of a nonqualified withdrawal under subsection (b)(4)(i)(A) or (b)(4)(i)(B)
15 of this section, there shall be added to the federal adjusted gross income of that person for the
16 taxable year of the withdrawal an amount equal to the lesser of:

17 (A) The amount equal to the nonqualified withdrawal reduced by the sum of any
18 administrative fee or penalty imposed under the tuition savings program in connection with the
19 nonqualified withdrawal plus the earnings portion thereof, if any, includible in computing the
20 person's federal adjusted gross income for the taxable year; and

21 (B) The amount of the person's contribution modification pursuant to subsection (c)(4) of
22 this section for the person's taxable year of the withdrawal and the two (2) prior taxable years less
23 the amount of any nonqualified withdrawal for the two (2) prior taxable years included in
24 computing the person's Rhode Island income by application of this subsection for those years. Any
25 amount added to federal adjusted gross income pursuant to this subdivision shall constitute Rhode
26 Island income for residents, nonresidents and part-year residents;

27 (5) The modification described in § 44-30-25.1(d)(3)(i);

28 (6) The amount equal to any unemployment compensation received but not included in
29 federal adjusted gross income;

30 (7) The amount equal to the deduction allowed for sales tax paid for a purchase of a
31 qualified motor vehicle as defined by the Internal Revenue Code § 164(a)(6); and

32 (8) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck
33 Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus
34 Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or

1 any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount
2 of the loan forgiven exceeds \$250,000, including an individual's distributive share of the amount
3 of a pass-through entity's loan forgiveness in excess of \$250,000.

4 (c) Modifications reducing federal adjusted gross income. There shall be subtracted from
5 federal adjusted gross income:

6 (1) Any interest income on obligations of the United States and its possessions to the extent
7 includible in gross income for federal income tax purposes, and any interest or dividend income on
8 obligations, or securities of any authority, commission, or instrumentality of the United States to
9 the extent includible in gross income for federal income tax purposes but exempt from state income
10 taxes under the laws of the United States; provided, that the amount to be subtracted shall in any
11 case be reduced by any interest on indebtedness incurred or continued to purchase or carry
12 obligations or securities the income of which is exempt from Rhode Island personal income tax, to
13 the extent the interest has been deducted in determining federal adjusted gross income or taxable
14 income;

15 (2) A modification described in § 44-30-25(f) or § 44-30-1.1(c)(1);

16 (3) The amount of any withdrawal or distribution from the "tuition savings program"
17 referred to in § 16-57-6.1 that is included in federal adjusted gross income, other than a withdrawal
18 or distribution or portion of a withdrawal or distribution that is a nonqualified withdrawal;

19 (4) Contributions made to an account under the tuition savings program, including the
20 "contributions carryover" pursuant to subsection (c)(4)(iv) of this section, if any, subject to the
21 following limitations, restrictions and qualifications:

22 (i) The aggregate subtraction pursuant to this subdivision for any taxable year of the
23 taxpayer shall not exceed five hundred dollars (\$500) or one thousand dollars (\$1,000) if a joint
24 return;

25 (ii) The following shall not be considered contributions:

26 (A) Contributions made by any person to an account who is not a participant of the account
27 at the time the contribution is made;

28 (B) Transfers or rollovers to an account from any other tuition savings program account or
29 from any other "qualified tuition program" under section 529 of the Internal Revenue Code, 26
30 U.S.C. § 529; or

31 (C) A change of the beneficiary of the account;

32 (iii) The subtraction pursuant to this subdivision shall not reduce the taxpayer's federal
33 adjusted gross income to less than zero (0);

34 (iv) The contributions carryover to a taxable year for purpose of this subdivision is the

1 excess, if any, of the total amount of contributions actually made by the taxpayer to the tuition
2 savings program for all preceding taxable years for which this subsection is effective over the sum
3 of:

4 (A) The total of the subtractions under this subdivision allowable to the taxpayer for all
5 such preceding taxable years; and

6 (B) That part of any remaining contribution carryover at the end of the taxable year which
7 exceeds the amount of any nonqualified withdrawals during the year and the prior two (2) taxable
8 years not included in the addition provided for in this subdivision for those years. Any such part
9 shall be disregarded in computing the contributions carryover for any subsequent taxable year;

10 (v) For any taxable year for which a contributions carryover is applicable, the taxpayer
11 shall include a computation of the carryover with the taxpayer's Rhode Island personal income tax
12 return for that year, and if for any taxable year on which the carryover is based the taxpayer filed a
13 joint Rhode Island personal income tax return but filed a return on a basis other than jointly for a
14 subsequent taxable year, the computation shall reflect how the carryover is being allocated between
15 the prior joint filers;

16 (5) The modification described in § 44-30-25.1(d)(1);

17 (6) Amounts deemed taxable income to the taxpayer due to payment or provision of
18 insurance benefits to a dependent, including a domestic partner pursuant to chapter 12 of title 36 or
19 other coverage plan;

20 (7) Modification for organ transplantation.

21 (i) An individual may subtract up to ten thousand dollars (\$10,000) from federal adjusted
22 gross income if he or she, while living, donates one or more of his or her human organs to another
23 human being for human organ transplantation, except that for purposes of this subsection, "human
24 organ" means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract
25 modification that is claimed hereunder may be claimed in the taxable year in which the human
26 organ transplantation occurs.

27 (ii) An individual may claim that subtract modification hereunder only once, and the
28 subtract modification may be claimed for only the following unreimbursed expenses that are
29 incurred by the claimant and related to the claimant's organ donation:

30 (A) Travel expenses.

31 (B) Lodging expenses.

32 (C) Lost wages.

33 (iii) The subtract modification hereunder may not be claimed by a part-time resident or a
34 nonresident of this state;

1 (8) Modification for taxable Social Security income.

2 (i) For tax years beginning on or after January 1, 2016:

3 (A) For a person who has attained the age used for calculating full or unreduced social
4 security retirement benefits who files a return as an unmarried individual, head of household, or
5 married filing separate whose federal adjusted gross income for the taxable year is less than eighty
6 thousand dollars (\$80,000); or

7 (B) A married individual filing jointly or individual filing qualifying widow(er) who has
8 attained the age used for calculating full or unreduced social security retirement benefits whose
9 joint federal adjusted gross income for the taxable year is less than one hundred thousand dollars
10 (\$100,000), an amount equal to the social security benefits includible in federal adjusted gross
11 income.

12 (ii) Adjustment for inflation. The dollar amount contained in subsections (c)(8)(i)(A) and
13 (c)(8)(i)(B) of this section shall be increased annually by an amount equal to:

14 (A) Such dollar amount contained in subsections (c)(8)(i)(A) and (c)(8)(i)(B) of this section
15 adjusted for inflation using a base tax year of 2000, multiplied by;

16 (B) The cost-of-living adjustment with a base year of 2000.

17 (iii) For the purposes of this section the cost-of-living adjustment for any calendar year is
18 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds
19 the consumer price index for the base year. The consumer price index for any calendar year is the
20 average of the consumer price index as of the close of the twelve-month (12) period ending on
21 August 31, of such calendar year.

22 (iv) For the purpose of this section the term "consumer price index" means the last
23 consumer price index for all urban consumers published by the department of labor. For the purpose
24 of this section the revision of the consumer price index which is most consistent with the consumer
25 price index for calendar year 1986 shall be used.

26 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),
27 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a
28 married individual filing separate return, if any increase determined under this section is not a
29 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple
30 of twenty-five dollars (\$25.00);

31 (9) Modification ~~for up to fifteen thousand dollars (\$15,000)~~ of taxable retirement income
32 from certain pension plans or annuities.

33 (i) For tax years beginning on or after January 1, 2017 until tax year beginning January 1,
34 2022, a modification shall be allowed for up to fifteen thousand dollars (\$15,000), and for tax years

1 [beginning on or after January 1, 2023 a modification shall be allowed for up to twenty thousand](#)
2 [dollars \(\\$20,000\)](#), of taxable pension and/or annuity income that is included in federal adjusted
3 gross income for the taxable year:

4 (A) For a person who has attained the age used for calculating full or unreduced social
5 security retirement benefits who files a return as an unmarried individual, head of household, or
6 married filing separate whose federal adjusted gross income for such taxable year is less than the
7 amount used for the modification contained in subsection (c)(8)(i)(A) of this section an amount not
8 to exceed \$15,000 [for tax years beginning on or after January 1, 2017 until tax year beginning](#)
9 [January 1, 2022, and an amount not to exceed twenty thousand dollars \(\\$20,000\) for tax years](#)
10 [beginning on or after January 1, 2023](#), of taxable pension and/or annuity income includible in
11 federal adjusted gross income; or

12 (B) For a married individual filing jointly or individual filing qualifying widow(er) who
13 has attained the age used for calculating full or unreduced social security retirement benefits whose
14 joint federal adjusted gross income for such taxable year is less than the amount used for the
15 modification contained in subsection (c)(8)(i)(B) of this section an amount not to exceed \$15,000
16 [for tax years beginning on or after January 1, 2017 until tax year beginning January 1, 2022, and](#)
17 [an amount not to exceed twenty thousand dollars \(\\$20,000\) for tax years beginning on or after](#)
18 [January 1, 2023](#), of taxable pension and/or annuity income includible in federal adjusted gross
19 income.

20 (ii) Adjustment for inflation. The dollar amount contained by reference in subsections
21 (c)(9)(i)(A) and (c)(9)(i)(B) of this section shall be increased annually for tax years beginning on
22 or after January 1, 2018, by an amount equal to:

23 (A) Such dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B)
24 of this section adjusted for inflation using a base tax year of 2000, multiplied by;

25 (B) The cost-of-living adjustment with a base year of 2000.

26 (iii) For the purposes of this section, the cost-of-living adjustment for any calendar year is
27 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds
28 the consumer price index for the base year. The consumer price index for any calendar year is the
29 average of the consumer price index as of the close of the twelve-month (12) period ending on
30 August 31, of such calendar year.

31 (iv) For the purpose of this section, the term "consumer price index" means the last
32 consumer price index for all urban consumers published by the department of labor. For the purpose
33 of this section, the revision of the consumer price index which is most consistent with the consumer
34 price index for calendar year 1986 shall be used.

1 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),
2 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a
3 married individual filing a separate return, if any increase determined under this section is not a
4 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple
5 of twenty-five dollars (\$25.00); and

6 (vi) For tax years beginning on or after January 1, 2022, the dollar amount contained by
7 reference in subsection (c)(9)(i)(A) shall be adjusted to equal the dollar amount contained in
8 subsection (c)(8)(i)(A), as adjusted for inflation, and the dollar amount contained by reference in
9 subsection(c)(9)(i)(B) shall be adjusted to equal the dollar amount contained in subsection
10 (c)(8)(i)(B), as adjusted for inflation.

11 (10) Modification for Rhode Island investment in opportunity zones. For purposes of a
12 taxpayer's state tax liability, in the case of any investment in a Rhode Island opportunity zone by
13 the taxpayer for at least seven (7) years, a modification to income shall be allowed for the
14 incremental difference between the benefit allowed under 26 U.S.C. § 1400Z-2(b)(2)(B)(iv) and
15 the federal benefit allowed under 26 U.S.C. § 1400Z-2(c): and

16 (11) Modification for military service pensions.

17 (i) For purposes of a taxpayer's state tax liability, a modification to income shall be allowed
18 as follows:

19 (A) For the tax years beginning on January 1, 2023, a taxpayer may subtract from federal
20 adjusted gross income the taxpayer's military service pension benefits included in federal adjusted
21 gross income;

22 (ii) As used in this subsection, the term "military service" shall have the same meaning as
23 set forth in 20 CFR Section 212.2.

24 (iii) At no time shall the modification allowed under this subsection alone or in conjunction
25 with subsection (c)(9) exceed the amount of the military service pension received in the tax year
26 for which the modification is claimed.

27 (12) Any rebate issued to the taxpayer pursuant to § 44-30-103 to the extent included in
28 gross income for federal tax purposes.

29 (d) Modification for Rhode Island fiduciary adjustment. There shall be added to, or
30 subtracted from, federal adjusted gross income (as the case may be) the taxpayer's share, as
31 beneficiary of an estate or trust, of the Rhode Island fiduciary adjustment determined under § 44-
32 30-17.

33 (e) Partners. The amounts of modifications required to be made under this section by a
34 partner, which relate to items of income or deduction of a partnership, shall be determined under §

1 44-30-15.

2 SECTION 10. Chapter 30 of Title 44 of the General Laws entitled "Personal Income Tax"
3 is amended to add Section 103 as follows:

4 **44-30-103. Child Tax Rebates.**

5 (a) As used in this section, (1) "child" means an individual who is eighteen years of age or
6 under as of December 31, 2021, and (2) "eligible taxpayer" means any natural person domiciled in
7 this state who filed a Rhode Island state personal income tax return for the 2021 taxable year by
8 the due date for filing said return either as a:

9 (1) Single, married filing separately, head of household, or qualifying widow/widower
10 taxpayer with a federal adjusted gross income of \$100,000.00 or less for the 2021 taxable year; or

11 (2) Married filing jointly with a federal adjusted gross income of \$200,000.00 or less for
12 the 2021 taxable year.

13 (b) (1) An eligible taxpayer will be issued a rebate payment in the amount of two hundred
14 fifty dollars for each child, up to a maximum of three children, who the eligible taxpayer validly
15 claims as a dependent on such taxpayer's Rhode Island state personal income tax return properly
16 filed with this state for the 2021 taxable year by the due date for filing said return.

17 (2) The rebate amount shall be determined by the division of taxation based on the eligible
18 taxpayer's Rhode Island state personal income tax return filed for the 2021 taxable year in
19 accordance with this section and no determination shall be based on amended filings received by
20 the division of taxation after August 31, 2022.

21 (3) In the case of a married couple filing separately, the rebate payment will be made to the
22 eligible taxpayer making the filing and in the case of a married couple filing jointly, the rebate
23 payment will be made jointly to the eligible taxpayers.

24 (4) Rebate payments made under this subsection shall not be subject to offset pursuant to
25 chapter 44-30.1 and shall not be considered income for the purposes of state personal income tax
26 under chapter 44-30 or for determining eligibility for any state program.

27 (5) In no event shall the rebate amount provided for in this section accrue interest for the
28 benefit of any eligible taxpayer.

29 (6) In addition to all other penalties provided under Rhode Island state law, any eligible
30 taxpayer that fraudulently claims a dependent on the taxpayer's Rhode Island state personal income
31 tax return shall pay a ten thousand dollar (\$10,000) penalty for each dependent fraudulently claimed
32 and shall pay any rebate amount fraudulently received. The tax administrator shall have the same
33 powers to collect payment under this subsection as under title 44 of the general laws.

34 SECTION 11. Section 44-33-9 of the General Laws in Chapter 44-33 entitled "Property

1 Tax Relief" is hereby amended to read as follows:

2 **44-33-9. Computation of credit.**

3 The amount of any claim made pursuant to this chapter shall be determined as follows:

4 (1) For any taxable year, a claimant is entitled to a credit against his or her tax liability
5 equal to the amount by which the property taxes accrued or rent constituting property taxes accrued
6 upon the claimant's homestead for the taxable year exceeds a certain percentage of the claimant's
7 total household income for that taxable year, which percentage is based upon income level and
8 household size. The credit shall be computed in accordance with the following table:

9 Income Range	1 Person	2 or More Persons
10 less than \$6000	3%	3%
11 \$6001-9000	4%	4%
12 \$9001-12000	5%	5%
13 \$12001-15000	6%	5%
14 \$15001- 30000 <u>35000</u>	6%	6%

15 (2) The maximum amount of the credit granted under this chapter will be as follows:

16 Year	Credit Maximum
17 Commencing July 1977	\$55.00
18 Commencing July 1978	\$150.00
19 Commencing July 1979	\$175.00
20 Commencing July 1980	\$200.00
21 Commencing on July 1997 and subsequent years	\$250.00
22 Commencing on July 2006	\$300.00

23 Commencing July 2007 ~~and subsequent years~~ and subsequent tax years ending on or before
24 December 31, 2021 the credit shall be increased, at a minimum, to the maximum amount to the
25 nearest five dollars (\$5.00) increment within the allocation of five one-hundredths of one percent
26 (0.05%) of net terminal income derived from video lottery games up to a maximum of five million
27 dollars (\$5,000,000) until a maximum credit of five hundred dollars (\$500) is obtained pursuant to
28 the provisions of § 42-61-15. In no event shall the exemption in any fiscal year be less than the
29 prior fiscal year.

30 For tax years beginning on or after January 1, 2022 the maximum credit shall be six
31 hundred dollars (\$600).

32 For tax years beginning on or after January 1, 2023 the income range provided pursuant to
33 subsection (1) of this section and the maximum credit granted pursuant to subsection (2) of this
34 section shall be adjusted by the percentage increase in the Consumer Price Index for all Urban

1 Consumers (CPI-U) as published by the United States Department of Labor Statistics determined
2 as of September 30 of the prior calendar years. Said adjustment shall be compounded annually and
3 shall be rounded up to the nearest five dollar (\$5.00) increment. In no event shall the income range
4 or the maximum credit in any tax year be less than the prior tax year.

5 SECTION 12. Chapter 44-34.1 of the General Laws entitled "Motor Vehicle and Trailer
6 Excise Tax Elimination Act of 1998" is hereby amended by adding thereto the following section:

7 **44-34.1-5. Excise tax elimination.**

8 (a) Notwithstanding any provisions of the general or public laws to the contrary, for each
9 city, town, and fire district, except for the city of East Providence:

10 (1) The motor vehicle and trailer excise tax established by § 44-34-1 shall be repealed
11 effective July 1, 2022. For fiscal year 2023 and thereafter, no tax shall be levied.

12 (2) For fiscal year 2023, each city, town, and fire district shall receive a reimbursement
13 equal to the amount it received in fiscal year 2017 plus its FY 2018 baseline amount ("FY 2023
14 reimbursement amount"). A city, town, or fire district is entitled to receive additional
15 reimbursement in fiscal year 2023 as follows:

16 (i) If the department of revenue certifies that a city, town, or fire district's budgeted motor
17 vehicle levy for the assessment date of December 31, 2021 is in excess of its FY 2023
18 reimbursement amount, the city, town, or fire district shall be reimbursed the difference between
19 such motor vehicle levy and its FY2023 reimbursement amount.

20 (3) Any fire district reimbursement amounts outstanding as of the effective date of this act
21 shall be distributed by August 1, 2022.

22 (4) For fiscal year 2024 and thereafter, cities, towns, and fire districts shall receive
23 reimbursements in accordance with § 44-34.1-2.

24 (b) Notwithstanding any provisions of the general or public laws to the contrary, for the
25 city of East Providence the following shall apply:

26 (1) It shall levy the excise tax in its fiscal year 2022 because its implementation of the
27 phase out was delayed by one year to match its fiscal year; provided, however, it shall apply the
28 phase-out parameters for fiscal year 2023 as set forth in §§ 44-34-11 and 44-34.1-1.

29 (2) The motor vehicle and trailer excise tax established by § 44-34-1 shall be repealed
30 effective July 1, 2023.

31 (3) For its fiscal year 2023 and thereafter, no tax shall be levied, and the city of East
32 Providence shall receive reimbursements in accordance with § 44-34.1-2.

33 SECTION 13. Section 45-13-14 of the General Laws in Chapter 45-13 entitled "State Aid"
34 is hereby amended to read as follows:

1 **45-13-14. Adjustments to tax levy, assessed value, and full value when computing state**
2 **aid.**

3 (a) Whenever the director of revenue computes the relative wealth of municipalities for the
4 purpose of distributing state aid in accordance with title 16 and the provisions of § 45-13-12, he or
5 she shall base it on the full value of all property except:

6 (1) That exempted from taxation by acts of the general assembly and reimbursed under §
7 45-13-5.1 of the general laws, which shall have its value calculated as if the payment in lieu of tax
8 revenues received pursuant to § 45-13-5.1, has resulted from a tax levy;

9 (2) That whose tax levy or assessed value is based on a tax treaty agreement authorized by
10 a special public law or by reason of agreements between a municipality and the economic
11 development corporation in accordance with § 42-64-20 prior to May 15, 2005, which shall not
12 have its value included;

13 (3) That whose tax levy or assessed value is based on tax treaty agreements or tax
14 stabilization agreements in force prior to May 15, 2005, which shall not have its value included;

15 (4) That which is subject to a payment in lieu of tax agreement in force prior to May 15,
16 2005;

17 (5) Any other property exempt from taxation under state law; ~~or~~

18 (6) Any property subject to chapter 27 of title 44, taxation of Farm, Forest, and Open Space
19 Land; or

20 (7) Any property exempt from taxation, in whole or in part, under the provisions of
21 subsections (a)(51), (a)(66), or (c) of § 44-3-3, § 44-3-47, § 44-3-65, or any other provision of law
22 that enables a city, town, or fire district to establish a tangible personal property exemption, which
23 shall have its value calculated as the full value of the property minus the exemption amount.

24 (b) The tax levy of each municipality and fire district shall be adjusted for any real estate
25 and personal property exempt from taxation by act of the general assembly by the amount of
26 payment in lieu of property tax revenue anticipated to be received pursuant to § 45-13-5.1 relating
27 to property tax from certain exempt private and state properties, and for any property subject to any
28 payment in lieu of tax agreements, any tax treaty agreements or tax stabilization agreements in
29 force after May 15, 2005, by the amount of the payment in lieu of taxes pursuant to such
30 agreements.

31 (c) Fire district tax levies within a city or town shall be included as part of the total levy
32 attributable to that city or town.

33 (d) The changes as required by subsections (a) through (c) of this section shall be
34 incorporated into the computation of entitlements effective for distribution in fiscal year 2007-2008

1 and thereafter.

2 SECTION 14. Section 8 of this article shall take effect on October 1, 2022. Sections 1
3 through 7 and Sections 9 through 13 shall take effect upon passage.

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ARTICLE 7 AS AMENDED

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.

	FY 2022	FY 2022	FY 2022
	Enacted	Change	FINAL
Administration			
<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	<u>Provided that of this general revenue amount, \$75,000,000 shall be transferred to the</u>			
20	<u>Information Technology Investment Fund by June 30, 2022.</u>			
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 & 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	Business Regulation			
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	<u>Provided that any unexpended or unencumbered balances, at the end of the fiscal year, from</u>			
26	<u>the \$592,780 provided for municipal firefighting foam replacement, shall be reappropriated to the</u>			
27	<u>ensuing fiscal year, and made immediately available for the same purpose.</u>			
28	Federal Funds	186,000	548,611	734,611
29	Restricted Receipts	1,844,025	721,516	2,565,541
30	Other Funds			
31	Quonset Development Corporation	67,928	3,292	71,220
32	Total - Building, Design and Fire Professionals	8,795,911	2,630,638	11,426,549
33	<i>Office of Cannabis Regulation</i>			
34	Restricted Receipts	1,165,441	521,103	1,686,544

1	Grand Total - Business Regulation	26,133,043	4,105,510	30,238,553
2	Executive Office of Commerce			
3	<i>Central Management</i>			
4	General Revenues	2,202,211	(273,047)	1,929,164
5	Federal Funds	7,311,225	(236,612)	7,074,613
6	Total - Central Management	9,513,436	(509,659)	9,003,777
7	<i>Housing and Community Development</i>			
8	General Revenues	26,046,591	13,194,711	39,241,302
9	Federal Funds			
10	Federal Funds	16,066,986	10,928,934	26,995,920
11	Federal Funds - State Fiscal Recovery Fund			
12	OHIC – Predevelopment & Capacity Bldg.	0	500,000	500,000
13	Development of Affordable Housing	0	15,000,000	15,000,000
14	Homelessness Assistance Program	0	1,500,000	1,500,000
15	Site Acquisition	0	12,000,000	12,000,000
16	Restricted Receipts	7,698,884	(33,952)	7,664,932
17	Total - Housing and Community Development	49,812,461	53,089,693	102,902,154
18	<i>Quasi-Public Appropriations</i>			
19	General Revenues			
20	Rhode Island Commerce Corporation	7,659,565	0	7,659,565
21	Airport Impact Aid	1,010,036	0	1,010,036
22	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be			
23	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the			
24	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)			
25	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2021			
26	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,			
27	T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation			
28	shall make an impact payment to the towns or cities in which the airport is located based on this			
29	calculation. Each community upon which any part of the above airports is located shall receive at			
30	least \$25,000.			
31	STAC Research Alliance	900,000	0	900,000
32	Innovative Matching Grants/Internships	1,000,000	0	1,000,000
33	I-195 Redevelopment District Commission	761,000	0	761,000
34	Polaris Manufacturing Grant	350,000	0	350,000

1	East Providence Waterfront Commission	50,000	0	50,000
2	Urban Ventures	140,000	0	140,000
3	Chafee Center at Bryant	476,200	0	476,200
4	Quonset Development Corporation	1,200,000	0	1,200,000
5	Municipal Infrastructure Grant Program	1,000,000	0	1,000,000
6	Other Funds			
7	Rhode Island Capital Plan Funds			
8	Quonset Point Infrastructure	6,000,000	0	6,000,000
9	I-195 Redevelopment District Commission	578,000	246,117	824,117
10	Quonset Point Davisville Pier	0	20,274	20,274
11	Total - Quasi-Public Appropriations	21,124,801	266,391	21,391,192
12	<i>Economic Development Initiatives Fund</i>			
13	General Revenues			
14	Innovation Initiative	1,000,000	0	1,000,000
15	Rebuild RI Tax Credit Fund	52,500,000	0	52,500,000
16	Small Business Promotion	300,000	0	300,000
17	Small Business Assistance	650,000	0	650,000
18	Federal Funds			
19	State Small Business Credit Initiative	56,234,176	(31,536,441)	24,697,735
20	Federal Funds - State Fiscal Recovery Fund			
21	Assistance to Impacted Industries	0	13,000,000	13,000,000
22	Total - Economic Development Initiatives Fund	110,684,176	(18,536,441)	92,147,735
23	<i>Commerce Programs</i>			
24	General Revenues			
25	Wavemaker Fellowship	1,600,000	0	1,600,000
26	Federal Funds - State Fiscal Recovery Fund			
27	Small Business Financial and Technical			
28	Assistance	0	32,000,000	32,000,000
29	Statewide Broadband Planning and Mapping	0	500,000	500,000
30	Total - Commerce Programs	1,600,000	32,500,000	34,100,000
31	Grand Total - Executive Office of Commerce	192,734,874	66,809,984	259,544,858
32	Labor and Training			
33	<i>Central Management</i>			
34	General Revenues	712,826	491,438	1,204,264

1	Restricted Receipts	126,519	239,325	365,844
2	Total - Central Management	839,345	730,763	1,570,108
3	<i>Workforce Development Services</i>			
4	General Revenues	904,898	(145,623)	759,275
5	Federal Funds	18,817,837	6,928,345	25,746,182
6	Other Funds	82,525	(74,717)	7,808
7	Total - Workforce Development Services	19,805,260	6,708,005	26,513,265
8	<i>Workforce Regulation and Safety</i>			
9	General Revenues	3,489,965	445,290	3,935,255
10	<i>Income Support</i>			
11	General Revenues	3,801,667	432,637	4,234,304
12	Federal Funds	407,411,048	(18,966,273)	388,444,775
13	Restricted Receipts	2,770,811	374,166	3,144,977
14	Other Funds			
15	Temporary Disability Insurance Fund	205,490,965	3,795,691	209,286,656
16	Employment Security Fund	284,125,000	(65,950,000)	218,175,000
17	Total - Income Support	903,599,491	(80,313,779)	823,285,712
18	<i>Injured Workers Services</i>			
19	Restricted Receipts	11,172,336	(90,028)	11,082,308
20	<i>Labor Relations Board</i>			
21	General Revenues	407,364	43,414	450,778
22	<i>Governor's Workforce Board</i>			
23	General Revenues	6,050,000	0	6,050,000
24	Provided that \$600,000 of these funds shall be used for enhanced training for direct care			
25	and support services staff to improve resident quality of care and address the changing health care			
26	needs of nursing facility residents due to higher acuity and increased cognitive impairments			
27	pursuant to Rhode Island General Laws, Section 23-17.5-36.			
28	Federal Funds	9,536,150	(2,348,437)	7,187,713
29	Restricted Receipts	13,849,054	4,229,823	18,078,877
30	Total - Governor's Workforce Board	29,435,204	1,881,386	31,316,590
31	Grand Total - Labor and Training	968,748,965	(70,594,949)	898,154,016
32	Department of Revenue			
33	<i>Director of Revenue</i>			
34	General Revenues	1,792,985	214,524	2,007,509

1	<i>Office of Revenue Analysis</i>			
2	General Revenues	889,151	(58,420)	830,731
3	<i>Lottery Division</i>			
4	Other Funds	434,215,853	(67,571,040)	366,644,813
5	<i>Municipal Finance</i>			
6	General Revenues	1,718,168	(60,262)	1,657,906
7	Federal Funds	131,957,594	0	131,957,594
8	Total - Municipal Finance	133,675,762	(60,262)	133,615,500
9	<i>Taxation</i>			
10	General Revenues	32,673,073	2,019,962	34,693,035
11	Restricted Receipts	2,221,812	0	2,221,812
12	Other Funds			
13	Motor Fuel Tax Evasion	155,000	2,419	157,419
14	Total - Taxation	35,049,885	2,022,381	37,072,266
15	<i>Registry of Motor Vehicles</i>			
16	General Revenues	30,331,973	1,485,718	31,817,691
17	Federal Funds	462,404	(227,223)	235,181
18	Restricted Receipts	1,692,587	(200,000)	1,492,587
19	Total - Registry of Motor Vehicles	32,486,964	1,058,495	33,545,459
20	<i>State Aid</i>			
21	General Revenues			
22	Distressed Communities Relief Fund	12,384,458	0	12,384,458
23	Payment in Lieu of Tax Exempt			
24	Properties	46,089,504	0	46,089,504
25	Motor Vehicle Excise Tax Payments	139,656,362	(9,959,698)	129,696,664
26	<u>An additional appropriation of \$3,296,695 for the Town of Cumberland to be utilized in the</u>			
27	<u>Town's fiscal year 2022 to backfill revenue that would have been recognized in the Town's fiscal</u>			
28	<u>year 2022 had the motor vehicle excise tax not been repealed effective July 1, 2022.</u>			
29	Property Revaluation Program	1,503,677	0	1,503,677
30	Restricted Receipts	995,120	0	995,120
31	Total - State Aid	200,629,121	(9,959,698)	190,669,423
32	<i>Collections</i>			
33	General Revenues	828,769	(36,566)	792,203
34	Grand Total - Revenue	839,568,490	(74,390,586)	765,177,904

1	Legislature			
2	General Revenues	44,844,662	7,169,866	52,014,528
3	Restricted Receipts	1,782,425	119,192	1,901,617
4	Grand Total - Legislature	46,627,087	7,289,058	53,916,145
5	Lieutenant Governor			
6	General Revenues	1,199,161	64,193	1,263,354
7	Secretary of State			
8	<i>Administration</i>			
9	General Revenues	3,633,858	320,272	3,954,130
10	<i>Corporations</i>			
11	General Revenues	2,539,285	5,589	2,544,874
12	<i>State Archives</i>			
13	General Revenues	243,954	(73,903)	170,051
14	Federal Funds	0	12,000	12,000
15	Restricted Receipts	447,148	167,724	614,872
16	Total - State Archives	691,102	105,821	796,923
17	<i>Elections and Civics</i>			
18	General Revenues	2,067,371	131,371	2,198,742
19	Federal Funds	1,810,000	190,835	2,000,835
20	Total - Elections and Civics	3,877,371	322,206	4,199,577
21	<i>State Library</i>			
22	General Revenues	768,685	57,915	826,600
23	Provided that \$125,000 be allocated to support the Rhode Island Historical Society			
24	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the			
25	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.			
26	<i>Office of Public Information</i>			
27	General Revenues	521,918	48,395	570,313
28	Receipted Receipts	25,000	0	25,000
29	Total - Office of Public Information	546,918	48,395	595,313
30	Grand Total - Secretary of State	12,057,219	860,198	12,917,417
31	General Treasurer			
32	<i>Treasury</i>			
33	General Revenues	2,582,131	(13,169)	2,568,962
34	Federal Funds	308,416	43,838	352,254

1	Other Funds			
2	Temporary Disability Insurance Fund	263,421	26,469	289,890
3	Tuition Savings Program - Administration	382,476	19,650	402,126
4	Total -Treasury	3,536,444	76,788	3,613,232
5	<i>State Retirement System</i>			
6	Restricted Receipts			
7	Admin Expenses - State Retirement System	11,427,273	741,282	12,168,555
8	Retirement - Treasury Investment Operations	1,871,467	132,032	2,003,499
9	Defined Contribution - Administration	300,234	11,681	311,915
10	Total - State Retirement System	13,598,974	884,995	14,483,969
11	<i>Unclaimed Property</i>			
12	Restricted Receipts	28,902,766	(26,340,120)	2,562,646
13	<i>Crime Victim Compensation Program</i>			
14	General Revenues	646,179	197,986	844,165
15	Federal Funds	422,493	16	422,509
16	Restricted Receipts	713,007	(155,013)	557,994
17	Total - Crime Victim Compensation Program	1,781,679	42,989	1,824,668
18	Grand Total - General Treasurer	47,819,863	(25,335,348)	22,484,515
19	Board of Elections			
20	General Revenues	2,671,768	112,128	2,783,896
21	Rhode Island Ethics Commission			
22	General Revenues	1,867,351	102,295	1,969,646
23	Office of Governor			
24	General Revenues	6,553,626	432,260	6,985,886
25	Contingency Fund	150,000	0	150,000
26	Federal Funds	0	24,840	24,840
27	Grand Total - Office of Governor	6,703,626	457,100	7,160,726
28	Commission for Human Rights			
29	General Revenues	1,486,581	93,527	1,580,108
30	Federal Funds	422,418	(17,097)	405,321
31	Grand Total - Commission for Human Rights	1,908,999	76,430	1,985,429
32	Public Utilities Commission			
33	Federal Funds	540,253	25,871	566,124
34	Restricted Receipts	11,926,093	1,135,262	13,061,355

1	Grand Total - Public Utilities Commission	12,466,346	1,161,133	13,627,479
2	Office of Health and Human Services			
3	<i>Central Management</i>			
4	General Revenues	44,961,144	153,975	45,115,119
5	Federal Funds			
6	Federal Funds	121,027,873	22,486,948	143,514,821
7	Federal Funds - State Fiscal Recovery Fund			
8	Pediatric Recovery	0	7,500,000	7,500,000
9	Early Intervention Recovery	0	5,500,000	5,500,000
10	Restricted Receipts	22,897,651	(3,222,251)	19,675,400
11	Total - Central Management	188,886,668	32,418,672	221,305,340
12	<i>Medical Assistance</i>			
13	General Revenues			
14	Managed Care	344,346,294	(26,915,101)	317,431,193
15	Hospitals	94,772,895	44,724,663	139,497,558
16	Of the general revenue funding, \$2.0 million shall be provided for Graduate Medical			
17	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center			
18	and \$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care.			
19	Nursing Facilities	147,255,515	(24,301,355)	122,954,160
20	Home and Community Based Services	43,405,421	(4,833,101)	38,572,320
21	Other Services	128,944,587	(5,756,473)	123,188,114
22	Pharmacy	69,142,220	(250,000)	68,892,220
23	Rhody Health	188,362,579	(16,385,299)	171,977,280
24	Other Programs	39,000,000	(39,000,000)	0
25	Federal Funds			
26	Managed Care	509,180,803	26,288,004	535,468,807
27	Hospitals	120,363,721	97,712,580	218,076,301
28	Nursing Facilities	201,490,261	(10,144,421)	191,345,840
29	Home and Community Based Services	59,310,041	717,639	60,027,680
30	Other Services	751,902,189	6,894,697	758,796,886
31	Pharmacy	57,780	(50,000)	7,780
32	Rhody Health	255,260,108	9,662,612	264,922,720
33	Other Programs	36,288,580	109,110,000	145,398,580
34	Restricted Receipts	17,792,796	23,562,204	41,355,000

1	Total - Medical Assistance	3,006,875,790	191,036,649	3,197,912,439
2	Grand Total - Office of Health and Human			
3	Services	3,195,762,458	223,455,321	3,419,217,779
4	Children, Youth, and Families			
5	<i>Central Management</i>			
6	General Revenues	14,120,765	344,452	14,465,217
7	The director of the department of children, youth and families shall provide to the speaker			
8	of the house and president of the senate at least every sixty (60) days beginning September 1, 2021,			
9	a report on its progress implementing the accreditation plan filed in accordance with Rhode Island			
10	General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The			
11	report shall, at minimum, provide data regarding recruitment and retention efforts including			
12	attaining and maintaining a diverse workforce, documentation of newly filled and vacated			
13	positions, and progress towards reducing worker caseloads.			
14	Federal Funds			
15	Federal Funds	4,914,204	(439,524)	4,474,680
16	Federal Funds - State Fiscal Recovery Fund			
17	Provider Workforce Stabilization	0	12,500,000	12,500,000
18	Total - Central Management	19,034,969	12,404,928	31,439,897
19	<i>Children's Behavioral Health Services</i>			
20	General Revenues	7,579,739	(480,373)	7,099,366
21	Federal Funds	6,718,331	2,765,911	9,484,242
22	Total - Children's Behavioral Health Services	14,298,070	2,285,538	16,583,608
23	<i>Juvenile Correctional Services</i>			
24	General Revenues	21,401,081	768,354	22,169,435
25	Federal Funds	274,541	138,226	412,767
26	Restricted Receipts	0	314,298	314,298
27	Other Funds			
28	Rhode Island Capital Plan Funds			
29	Training School Asset Protection	250,000	0	250,000
30	Total - Juvenile Correctional Services	21,925,622	1,220,878	23,146,500
31	<i>Child Welfare</i>			
32	General Revenues	149,983,357	2,072,010	152,055,367
33	Federal Funds	69,549,337	(2,452,218)	67,097,119
34	Restricted Receipts	1,487,111	(40,841)	1,446,270

1	Total - Child Welfare	221,019,805	(421,049)	220,598,756
2	<i>Higher Education Incentive Grants</i>			
3	General Revenues	200,000	0	200,000
4	Grand Total - Children, Youth, and Families	276,478,466	15,490,295	291,968,761
5	Health			
6	<i>Central Management</i>			
7	General Revenues	3,232,283	59,509	3,291,792
8	Federal Funds	4,631,858	(37,633)	4,594,225
9	Restricted Receipts	27,871,484	(1,616,371)	26,255,113
10	Provided that the disbursement of any indirect cost recoveries on federal grants budgeted			
11	in this line item that are derived from grants authorized under The Coronavirus Preparedness and			
12	Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus			
13	Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-			
14	136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and			
15	the Consolidated Appropriations Act, 2021 (P.L. 116-260); and the American Rescue Plan Act of			
16	2021 (P.L. 117-2) , are hereby subject to the review and prior approval of the Director of			
17	Management and Budget. No obligation or expenditure of these funds shall take place without such			
18	approval.			
19	Total - Central Management	35,735,625	(1,594,495)	34,141,130
20	<i>Community Health and Equity</i>			
21	General Revenues	1,325,578	(678,224)	647,354
22	Federal Funds	72,626,719	4,767,979	77,394,698
23	Restricted Receipts	39,122,956	624,905	39,747,861
24	Total - Community Health and Equity	113,075,253	4,714,660	117,789,913
25	<i>Environmental Health</i>			
26	General Revenues	5,744,839	71,935	5,816,774
27	Federal Funds	7,382,886	1,774,821	9,157,707
28	Restricted Receipts	738,436	217,031	955,467
29	Total - Environmental Health	13,866,161	2,063,787	15,929,948
30	<i>Health Laboratories and Medical Examiner</i>			
31	General Revenues	10,149,765	1,015,293	11,165,058
32	Federal Funds	2,398,469	448,312	2,846,781
33	Other Funds			
34	Rhode Island Capital Plan Funds			

1	Health Laboratories & Medical			
2	Examiner Equipment	600,000	0	600,000
3	Total - Health Laboratories and Medical Examiner	13,148,234	1,463,605	14,611,839
4	<i>Customer Services</i>			
5	General Revenues	7,729,808	414,753	8,144,561
6	Federal Funds	5,158,613	1,183,696	6,342,309
7	Restricted Receipts	2,094,387	180,419	2,274,806
8	Total - Customer Services	14,982,808	1,778,868	16,761,676
9	<i>Policy, Information and Communications</i>			
10	General Revenues	908,676	51,531	960,207
11	Federal Funds	2,934,574	573,587	3,508,161
12	Restricted Receipts	1,103,113	45,008	1,148,121
13	Total - Policy, Information and Communications	4,946,363	670,126	5,616,489
14	<i>Preparedness, Response, Infectious Disease & Emergency Services</i>			
15	General Revenues	1,939,241	101,356	2,040,597
16	Federal Funds	31,159,763	(10,751,462)	20,408,301
17	Total - Preparedness, Response, Infectious Disease			
18	& Emergency Services	33,099,004	(10,650,106)	22,448,898
19	<i>COVID-19</i>			
20	General Revenues	0	245,509,915	245,509,915
21	Federal Funds	241,991,855	(135,192,646)	106,799,209
22	Total - COVID-19	241,991,855	110,317,269	352,309,124
23	Grand Total - Health	470,845,303	108,763,714	579,609,017
24	Human Services			
25	<i>Central Management</i>			
26	General Revenues	5,119,898	51,800	5,171,698
27	Of this amount, \$300,000 is to support the Domestic Violence Prevention Fund to provide			
28	direct services through the Coalition Against Domestic Violence, \$250,000 to support Project			
29	Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$217,000 is for outreach and			
30	supportive services through Day One, \$350,000 is for food collection and distribution through the			
31	Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads			
32	Rhode Island, \$600,000 for the Community Action Fund and \$200,000 is for the Institute for the			
33	Study and Practice of Nonviolence's Reduction Strategy.			
34	Federal Funds	7,961,909	1,237,174	9,199,083

1	Restricted Receipts	150,000	550,000	700,000
2	Total - Central Management	13,231,807	1,838,974	15,070,781
3	<i>Child Support Enforcement</i>			
4	General Revenues	2,933,192	169,170	3,102,362
5	Federal Funds	8,889,388	(206,785)	8,682,603
6	Restricted Receipts	4,100,000	(63,961)	4,036,039
7	Total - Child Support Enforcement	15,922,580	(101,576)	15,821,004
8	<i>Individual and Family Support</i>			
9	General Revenues	39,411,638	203,946	39,615,584
10	Federal Funds			
11	Federal Funds	204,300,917	(1,209,215)	203,091,702
12	Federal Funds - State Fiscal Recovery Fund			
13	Child Care Support	0	19,000,000	19,000,000
14	Restricted Receipts	255,255	1,256,086	1,511,341
15	Other Funds			
16	Rhode Island Capital Plan Funds			
17	Blind Vending Facilities	165,000	108,062	273,062
18	Total - Individual and Family Support	244,132,810	19,358,879	263,491,689
19	<i>Office of Veterans Services</i>			
20	General Revenues	28,573,995	2,612,031	31,186,026
21	Of this amount, \$200,000 is to provide support services through Veterans' organizations.			
22	Federal Funds	11,296,289	2,003,311	13,299,600
23	Restricted Receipts	1,571,061	107,180	1,678,241
24	Other Funds			
25	Rhode Island Capital Plan Funds			
26	Veterans Home Asset Protection	350,000	0	350,000
27	Veterans Cemetery			
28	Crypt Installation/Expansion	380,000	(220,000)	160,000
29	Total - Office of Veterans Services	42,171,345	4,502,522	46,673,867
30	<i>Health Care Eligibility</i>			
31	General Revenues	8,265,046	(116,526)	8,148,520
32	Federal Funds	13,473,195	375,206	13,848,401
33	Total - Health Care Eligibility	21,738,241	258,680	21,996,921
34	<i>Supplemental Security Income Program</i>			

1	General Revenues	17,950,819	(210,919)	17,739,900
2	<i>Rhode Island Works</i>			
3	General Revenues	8,659,085	(597,687)	8,061,398
4	Federal Funds	86,375,347	(20,035,835)	66,339,512
5	Total - Rhode Island Works	95,034,432	(20,633,522)	74,400,910
6	<i>Other Programs</i>			
7	General Revenues	851,704	25,496	877,200
8	Of this appropriation, \$90,000 shall be used for hardship contingency payments.			
9	Federal Funds	254,157,901	171,000,000	425,157,901
10	Restricted Receipts	8,000	0	8,000
11	Total - Other Programs	255,017,605	171,025,496	426,043,101
12	<i>Office of Healthy Aging</i>			
13	General Revenues	12,130,918	(131,713)	11,999,205
14	Of this amount, \$325,000 is to provide elder services, including respite, through the			
15	Diocese of Providence, \$40,000 for ombudsman services provided by the Alliance for Long Term			
16	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 for security for			
17	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, \$800,000			
18	for Senior Services Support and \$580,000 for elderly nutrition, of which \$530,000 is for Meals on			
19	Wheels.			
20	Federal Funds	20,607,297	4,406,646	25,013,943
21	Restricted Receipts	106,161	(45,434)	60,727
22	Other Funds			
23	Intermodal Surface Transportation Fund	4,269,970	115,741	4,385,711
24	Total - Office of Healthy Aging	37,114,346	4,345,240	41,459,586
25	Grand Total - Human Services	742,313,985	180,383,774	922,697,759
26	Behavioral Healthcare, Developmental Disabilities, and Hospitals			
27	<i>Central Management</i>			
28	General Revenues	5,000,299	(2,213,054)	2,787,245
29	Federal Funds	1,352,665	(621,192)	731,473
30	Total - Central Management	6,352,964	(2,834,246)	3,518,718
31	<i>Hospital and Community System Support</i>			
32	General Revenues	3,433,367	(2,024,752)	1,408,615
33	Federal Funds	9,899	830,273	840,172
34	Restricted Receipts	300,000	(43,710)	256,290

1	Total - Hospital and Community System Support	3,743,266	(1,238,189)	2,505,077
2	<i>Services for the Developmentally Disabled</i>			
3	General Revenues	145,293,304	(3,379,136)	141,914,168

4 ~~Of this general revenue funding, \$16,780,500 shall be expended on certain community-~~
5 ~~based department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)~~
6 ~~developmental disability private provider and self-directed consumer direct care service worker~~
7 ~~raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff~~
8 ~~and residential or other community-based setting must first receive the approval of BHDDH. A~~
9 ~~total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance~~
10 ~~with most recent consent decree initiatives of which all unexpended or unencumbered balances, at~~
11 ~~the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately~~
12 ~~available for the same purposes.~~

13 Provided that of this general revenue funding, \$18,451,626 shall be expended on certain
14 community-based department of behavioral healthcare, developmental disabilities and hospitals
15 (BHDDH) developmental disability private provider and self-directed consumer direct care service
16 worker raises and associated payroll costs as authorized by BHDDH. Any increase for direct
17 support staff and residential or other community-based setting must first receive the approval of
18 BHDDH.

19 Provided further that of this general revenue funding, a total of \$1,000,000 shall be
20 expended on state infrastructure to implement and manage compliance with most recent consent
21 decree initiatives and a total of \$406,700 shall be expended on technology acquisition for
22 individuals within the developmental disabilities system. For these two designations of general
23 revenue funding, all unexpended or unencumbered balances at the end of the fiscal year shall be
24 reappropriated to the ensuing fiscal year and made immediately available for the same purpose.

25	Federal Funds	189,882,388	(977,448)	188,904,940
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26 ~~Of this federal funding, \$22,964,880 shall be expended on certain community-based~~
27 ~~department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)~~
28 ~~developmental disability private provider and self-directed consumer direct care service worker~~
29 ~~raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff~~
30 ~~and residential or other community-based setting must first receive the approval of BHDDH. A~~
31 ~~total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance~~
32 ~~with most recent consent decree initiatives of which all unexpended or unencumbered balances, at~~
33 ~~the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately~~
34 ~~available for the same purposes.~~

1 Provided that of this federal funding, \$26,917,505 shall be expended on certain
2 community-based department of behavioral healthcare, developmental disabilities and hospitals
3 (BHDDH) developmental disability private provider and self-directed consumer direct care service
4 worker raises and associated payroll costs as authorized by BHDDH. Any increase for direct
5 support staff and residential or other community-based setting must first receive the approval of
6 BHDDH.

7 Provided further that of this federal funding, a total of \$1,000,000 shall be expended on
8 state infrastructure to implement and manage compliance with most recent consent decree
9 initiatives and a total of \$593,300 shall be expended on technology acquisition for individuals
10 within the developmental disabilities system. For these two designations of federal funding, all
11 unexpended or unencumbered balances at the end of the fiscal year shall be reappropriated to the
12 ensuing fiscal year and made immediately available for the same purpose.

13	Restricted Receipts	1,410,300	(134,600)	1,275,700
14	Other Funds			
15	Rhode Island Capital Plan Funds			
16	DD Residential Development	100,000	98,802	198,802
17	Total - Services for the Developmentally Disabled	336,685,992	(4,392,382)	332,293,610

18 *Behavioral Healthcare Services*

19	General Revenues	2,245,753	1,047,974	3,293,727
20	Federal Funds	53,811,306	(8,312,045)	45,499,261
21	Restricted Receipts	2,476,600	(8,718)	2,467,882
22	Total - Behavioral Healthcare Services	58,533,659	(7,272,789)	51,260,870

23 *Hospital and Community Rehabilitative Services*

24	General Revenues	115,970,100	(12,134,073)	103,836,027
25	Federal Funds	2,003,522	22,217,912	24,221,434
26	Restricted Receipts	9,750	25,000	34,750
27	Other Funds			
28	Rhode Island Capital Plan Funds			
29	Hospital Equipment	300,000	300,000	600,000
30	Total - Hospital and Community Rehabilitative			

31	Services	118,283,372	10,408,839	128,692,211
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32 **Grand Total - Behavioral Healthcare,**

33	Developmental Disabilities, and Hospitals	523,599,253	(5,328,767)	518,270,486
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34 **Office of the Child Advocate**

1	General Revenues	1,036,219	68,338	1,104,557
2	Federal Funds	207,307	(145,333)	61,974
3	Grand Total - Office of the Child Advocate	1,243,526	(76,995)	1,166,531
4	Commission on the Deaf and Hard of Hearing			
5	General Revenues	655,862	83,903	739,765
6	Restricted Receipts	162,802	(82,482)	80,320
7	Grand Total - Comm. On Deaf and Hard-of-Hearing	818,664	1,421	820,085
8	Governor's Commission on Disabilities			
9	General Revenues	582,860	(12,061)	570,799
10	Livable Home Modification Grant Program	507,850	39,474	547,324
11	Provided that this will be used for home modification and accessibility enhancements to			
12	construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.			
13	This will be in consultation with the Executive Office of Health and Human Services. All			
14	unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the			
15	ensuing fiscal year, and made immediately available for the same purpose.			
16	Federal Funds	380,316	(1,658)	378,658
17	Restricted Receipts	59,455	10,970	70,425
18	Total - Governor's Commission on Disabilities	1,530,481	36,725	1,567,206
19	Office of the Mental Health Advocate			
20	General Revenues	680,190	41,144	721,334
21	Elementary and Secondary Education			
22	<i>Administration of the Comprehensive Education Strategy</i>			
23	General Revenues	24,339,679	944,855	25,284,534
24	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's			
25	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to			
26	support child opportunity zones through agreements with the Department of Elementary and			
27	Secondary Education to strengthen education, health and social services for students and their			
28	families as a strategy to accelerate student achievement.			
29	Federal Funds	324,772,666	(8,083,897)	316,688,769
30	Provided that \$684,000 from the Department's administrative share of Individuals with			
31	Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to			
32	support the Rhode Island Vision Education and Services Program.			
33	Restricted Receipts			
34	Restricted Receipts	1,766,808	1,247,785	3,014,593

1	HRIC Adult Education Grants	3,500,000	0	3,500,000
2	Total - Admin. of the Comprehensive Ed. Strategy	354,379,153	(5,891,257)	348,487,896
3	<i>Davies Career and Technical School</i>			
4	General Revenues	14,437,904	78,953	14,516,857
5	Federal Funds	4,546,489	(3,144,232)	1,402,257
6	Restricted Receipts	4,819,592	(300,217)	4,519,375
7	Other Funds			
8	Rhode Island Capital Plan Funds			
9	Davies School HVAC	900,000	(873,500)	26,500
10	Davies School Asset Protection	665,000	150,000	815,000
11	Davies School Healthcare Classroom			
12	Renovations	500,000	0	500,000
13	Total - Davies Career and Technical School	25,868,985	(4,088,996)	21,779,989
14	<i>RI School for the Deaf</i>			
15	General Revenues	7,402,627	324,699	7,727,326
16	Federal Funds	581,126	3,759	584,885
17	Restricted Receipts	469,779	149,953	619,732
18	Other Funds			
19	School for the Deaf Transformation Grants	59,000	0	59,000
20	Rhode Island Capital Plan Funds			
21	School for the Deaf Asset Protection	250,000	0	250,000
22	Total - RI School for the Deaf	8,762,532	478,411	9,240,943
23	<i>Metropolitan Career and Technical School</i>			
24	General Revenues	9,342,007	0	9,342,007
25	Federal Funds	4,667,210	(4,167,210)	500,000
26	Other Funds			
27	Rhode Island Capital Plan Funds			
28	MET School Asset Protection	250,000	0	250,000
29	Total - Metropolitan Career and			
30	Technical School	14,259,217	(4,167,210)	10,092,007
31	<i>Education Aid</i>			
32	General Revenues	1,023,707,116	625,163	1,024,332,279

33 Provided that the criteria for the allocation of early childhood funds shall prioritize
34 prekindergarten seats and classrooms for four-year-olds whose family income is at or below one

1 hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities
 2 with higher concentrations of low performing schools.

3	Federal Funds	508,943,494	(462,553,844)	46,389,650
4	Restricted Receipts	36,146,758	(577,289)	35,569,469
5	Other Funds			
6	Permanent School Fund	300,000	0	300,000
7	Total - Education Aid	1,569,097,368	(462,505,970)	1,106,591,398

8 *Central Falls School District*

9	General Revenues	47,702,746	0	47,702,746
10	Federal Funds	22,041,316	(21,041,316)	1,000,000
11	Total - Central Falls School District	69,744,062	(21,041,316)	48,702,746

12 *School Construction Aid*

13	General Revenues			
14	School Housing Aid	79,409,186	(8,371,145)	71,038,041
15	School Building Authority Capital Fund	590,814	8,371,145	8,961,959
16	Total - School Construction Aid	80,000,000	0	80,000,000

17 *Teachers' Retirement*

18	General Revenues	123,916,166	71,488	123,987,654
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19 Grand Total - Elementary and

20	Secondary Education	2,246,027,483	(497,144,850)	1,748,882,633
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21 **Public Higher Education**

22 *Office of Postsecondary Commissioner*

23	General Revenues	26,979,920	(1,437,953)	25,541,967
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24 Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to
 25 the Rhode Island General Law, Section 16-70-5 and that \$75,000 shall be allocated to Best Buddies
 26 Rhode Island to support its programs for children with developmental and intellectual disabilities.
 27 It is also provided that ~~\$7,680,838~~ \$6,118,892 shall be allocated to the Rhode Island Promise
 28 Scholarship program, \$9,595,000 shall be allocated to the Last Dollar Scholarship program, and
 29 \$147,000 shall be used to support Rhode Island's membership in the New England Board of Higher
 30 Education.

31	Federal Funds			
32	Federal Funds	6,780,470	3,193,123	9,973,593
33	Guaranty Agency Administration	400,000	0	400,000
34	Restricted Receipts	3,485,642	296,980	3,782,622

1	Other Funds			
2	Tuition Savings Program - Dual Enrollment	2,300,000	0	2,300,000
3	Nursing Education Center - Operating	2,589,674	(7,752)	2,581,922
4	Rhode Island Capital Plan Funds			
5	Higher Education Centers	3,932,500	(2,932,500)	1,000,000
6	Provided that the state fund no more than 50.0 percent of the total project cost.			
7	Total - Office of Postsecondary Commissioner	46,468,206	(888,102)	45,580,104
8	<i>University of Rhode Island</i>			
9	General Revenues			
10	General Revenues	84,177,615	4,890,660	89,068,275
11	Provided that in order to leverage federal funding and support economic development,			
12	\$700,000 shall be allocated to the Small Business Development Center and that \$50,000 shall be			
13	allocated to Special Olympics Rhode Island to support its mission of providing athletic			
14	opportunities for individuals with intellectual and developmental disabilities.			
15	Debt Service	29,837,239	(28,653)	29,808,586
16	RI State Forensics Laboratory	1,317,901	0	1,317,901
17	Federal Funds	31,102,250	(31,102,250)	0
18	Other Funds			
19	University and College Funds	685,449,813	35,047,269	720,497,082
20	Debt - Dining Services	979,827	13,000	992,827
21	Debt - Education and General	4,833,788	(69,085)	4,764,703
22	Debt - Health Services	119,246	2,000	121,246
23	Debt - Housing Loan Funds	12,771,303	201,001	12,972,304
24	Debt - Memorial Union	322,507	3,100	325,607
25	Debt - Ryan Center	2,734,158	(355,455)	2,378,703
26	Debt - Parking Authority	1,311,087	81,786	1,392,873
27	Debt - Restricted Energy Conservation	530,994	7,245	538,239
28	Debt - URI Energy Conservation	2,039,606	(7,245)	2,032,361
29	Rhode Island Capital Plan Funds			
30	Asset Protection	9,900,000	(28,114)	9,871,886
31	Fine Arts Center Renovation	0	1,072,878	1,072,878
32	Total - University of Rhode Island	867,427,334	9,728,137	877,155,471

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 University of Rhode Island are hereby

1	reappropriated to fiscal year 2023.			
2	<i>Rhode Island College</i>			
3	General Revenues			
4	General Revenues	58,108,155	1,842,652	59,950,807
5	Debt Service	6,024,998	149,155	6,174,153
6	Federal Funds	34,573,206	(34,573,206)	0
7	Other Funds			
8	University and College Funds	113,860,455	9,261,091	123,121,546
9	Debt - Education and General	881,355	0	881,355
10	Debt - Housing	366,667	2,935	369,602
11	Debt - Student Center and Dining	155,000	0	155,000
12	Debt - Student Union	208,800	0	208,800
13	Debt - G.O. Debt Service	1,642,434	0	1,642,434
14	Debt - Energy Conservation	674,475	0	674,475
15	Rhode Island Capital Plan Funds			
16	Asset Protection	4,733,000	(2,306,634)	2,426,366
17	Infrastructure Modernization	4,550,000	956,173	5,506,173
18	Total - Rhode Island College	225,778,545	(24,667,834)	201,110,711
19	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
20	unencumbered balances as of June 30, 2022 relating to Rhode Island College are hereby			
21	reappropriated to fiscal year 2023.			
22	<i>Community College of Rhode Island</i>			
23	General Revenues			
24	General Revenues	52,427,080	1,409,612	53,836,692
25	Debt Service	1,095,685	27,838	1,123,523
26	Federal Funds	67,577,643	(64,143,274)	3,434,369
27	Restricted Receipts	660,191	121,312	781,503
28	Other Funds			
29	University and College Funds	99,556,679	21,464,293	121,020,972
30	Rhode Island Capital Plan Funds			
31	Asset Protection	3,037,615	0	3,037,615
32	Knight Campus Renewal	3,000,000	(2,894,266)	105,734
33	Knight Campus Lab Renovation	887,902	60,414	948,316
34	Data, Cabling, and			

1	Power Infrastructure	1,500,000	(1,500,000)	0
2	Flanagan Campus Renovation and			
3	Modernization	2,000,000	(1,982,000)	18,000
4	Total - Community College of RI	231,742,795	(47,436,071)	184,306,724

5 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
6 unencumbered balances as of June 30, 2022 relating to the Community College of Rhode Island
7 are hereby reappropriated to fiscal year 2023.

8	Grand Total - Public Higher Education	1,371,416,880	(63,263,870)	1,308,153,010
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9 **RI State Council on the Arts**

10 General Revenues

11	Operating Support	883,651	62,742	946,393
12	Grants	1,165,000	914	1,165,914

13 Provided that \$375,000 be provided to support the operational costs of WaterFire
14 Providence art installations.

15	Federal Funds	2,677,642	(724,587)	1,953,055
16	Restricted Receipts	40,000	(20,000)	20,000
17	Other Funds			
18	Art for Public Facilities	495,000	0	495,000
19	Grand Total - RI State Council on the Arts	5,261,293	(680,931)	4,580,362

20 **RI Atomic Energy Commission**

21	General Revenues	1,076,170	63,181	1,139,351
22	Federal Funds	477,000	0	477,000
23	Restricted Receipts	25,036	0	25,036
24	Other Funds			
25	URI Sponsored Research	331,367	(15,401)	315,966
26	Rhode Island Capital Plan Funds			
27	RINSC Asset Protection	50,000	5,063	55,063
28	Grand Total - RI Atomic Energy Commission	1,959,573	52,843	2,012,416

29 **RI Historical Preservation and Heritage Commission**

30	General Revenues	1,390,704	(103,645)	1,287,059
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31 Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration
32 activities.

33	Federal Funds	697,162	44,727	741,889
34	Restricted Receipts	424,100	488	424,588

1	Other Funds			
2	RIDOT Project Review	150,379	7,233	157,612
3	Grand Total - RI Historical Preservation and Heritage			
4	Comm.	2,662,345	(51,197)	2,611,148
5	Attorney General			
6	<i>Criminal</i>			
7	General Revenues	17,949,759	1,098,972	19,048,731
8	Federal Funds	3,206,560	195,329	3,401,889
9	Restricted Receipts	204,734	61,209	265,943
10	Total - Criminal	21,361,053	1,355,510	22,716,563
11	<i>Civil</i>			
12	General Revenues	5,897,317	570,912	6,468,229
13	Restricted Receipts	1,172,929	323,454	1,496,383
14	Total - Civil	7,070,246	894,366	7,964,612
15	<i>Bureau of Criminal Identification</i>			
16	General Revenues	1,836,927	160,277	1,997,204
17	Federal Funds	238,000	0	238,000
18	Restricted Receipts	1,005,774	125,148	1,130,922
19	Total - Bureau of Criminal Identification	3,080,701	285,425	3,366,126
20	<i>General</i>			
21	General Revenues	4,136,361	371,620	4,507,981
22	Other Funds			
23	Rhode Island Capital Plan Funds			
24	Building Renovations and Repairs	150,000	3,532	153,532
25	Total - General	4,286,361	375,152	4,661,513
26	Grand Total - Attorney General	35,798,361	2,910,453	38,708,814
27	Corrections			
28	<i>Central Management</i>			
29	General Revenues	15,823,807	2,792,384	18,616,191
30	Restricted Receipts	0	346	346
31	Total - Central Management	15,823,807	2,792,730	18,616,537
32	<i>Parole Board</i>			
33	General Revenues	1,402,115	31,524	1,433,639
34	Federal Funds	77,534	(35,702)	41,832

1	Total - Parole Board	1,479,649	(4,178)	1,475,471
2	<i>Custody and Security</i>			
3	General Revenues	138,679,834	7,403,102	146,082,936
4	Federal Funds	1,044,858	78,177	1,123,035
5	Total - Custody and Security	139,724,692	7,481,279	147,205,971
6	<i>Institutional Support</i>			
7	General Revenues	24,292,177	1,517,615	25,809,792
8	Other Funds			
9	Rhode Island Capital Plan Funds			
10	Asset Protection	5,125,000	0	5,125,000
11	Correctional Facilities - Renovations	0	3,063,154	3,063,154
12	Total - Institutional Support	29,417,177	4,580,769	33,997,946
13	<i>Institutional Based Rehab./Population Management</i>			
14	General Revenues	11,727,119	(14,909)	11,712,210
15	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender			
16	discharge planning.			
17	Federal Funds	832,927	37,750	870,677
18	Restricted Receipts	49,600	15,000	64,600
19	Total - Institutional Based Rehab/Population			
20	Management	12,609,646	37,841	12,647,487
21	<i>Healthcare Services</i>			
22	General Revenues	25,847,217	1,167,383	27,014,600
23	Of this general revenue funding, \$750,000 shall be expended to expand access to			
24	behavioral healthcare for individuals with severe and persistent mental illnesses incarcerated at the			
25	Adult Correctional Institutions. Funds shall be dedicated to planning for and, as practicable,			
26	creation of a Transitional Care Unit <u>Behavioral Management Unit</u> to provide robust behavioral			
27	healthcare to individuals in this population whose needs do not rise to the level of requiring care at			
28	the existing Residential Treatment Unit at the High Security facility but who nonetheless would			
29	require or benefit from a level of care beyond that which is delivered to the general population. All			
30	disbursements from this fund must occur in pursuit of collaborative development by the Department			
31	of Corrections, the Office of the Governor, and the Office of Management and Budget of a final			
32	approved long-term strategy for meeting the needs of the severely and persistently mentally ill			
33	population, or in furtherance of the needs and goals identified in the final approved long-term			
34	strategy, potentially including but not limited to creation of a Transitional Care Unit <u>Behavioral</u>			

1 [Management Unit](#) and expansion of programming. All unexpended or unencumbered balances of
 2 this fund, at the end of any fiscal year, shall be reappropriated to the ensuing fiscal year and made
 3 immediately available for the same purposes.

4	Federal Funds	54,000	(54,000)	0
5	Restricted Receipts	2,274,537	0	2,274,537
6	Total - Healthcare Services	28,175,754	1,113,383	29,289,137
7	<i>Community Corrections</i>			
8	General Revenues	18,577,675	1,015,641	19,593,316
9	Federal Funds	97,867	271,550	369,417
10	Restricted Receipts	14,883	(3,603)	11,280
11	Total - Community Corrections	18,690,425	1,283,588	19,974,013
12	Grand Total - Corrections	245,921,150	17,285,412	263,206,562

13 **Judiciary**

14 *Supreme Court*

15	General Revenues	29,988,350	2,132,961	32,121,311
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16 Provided however, that no more than \$1,435,110 in combined total shall be offset to the
 17 Public Defender's Office, the Attorney General's Office, the Department of Corrections, the
 18 Department of Children, Youth, and Families, and the Department of Public Safety for square-
 19 footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to
 20 the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy
 21 project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to
 22 Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.

23	Defense of Indigents	5,075,432	53	5,075,485
24	Federal Funds	138,354	503,340	641,694
25	Restricted Receipts	3,861,095	205,911	4,067,006
26	Other Funds			
27	Rhode Island Capital Plan Funds			
28	Garrahy Courtroom Restoration	250,000	0	250,000
29	Murray Courtroom Restoration	700,000	0	700,000
30	Judicial Complexes - HVAC	1,000,000	143,149	1,143,149
31	Judicial Complexes Asset Protection	1,500,000	0	1,500,000
32	Judicial Complexes Fan			
33	Coil Unit Replacements	750,000	0	750,000
34	Licht Judicial Complex Restoration	750,000	42,193	792,193

1	Total - Supreme Court	44,013,231	3,027,607	47,040,838
2	<i>Judicial Tenure and Discipline</i>			
3	General Revenues	155,863	14,765	170,628
4	<i>Superior Court</i>			
5	General Revenues	25,022,380	1,211,678	26,234,058
6	Federal Funds	111,553	14,698	126,251
7	Restricted Receipts	407,207	(82,190)	325,017
8	Total - Superior Court	25,541,140	1,144,186	26,685,326
9	<i>Family Court</i>			
10	General Revenues	23,507,538	1,468,944	24,976,482
11	Federal Funds	3,106,857	221,411	3,328,268
12	Total - Family Court	26,614,395	1,690,355	28,304,750
13	<i>District Court</i>			
14	General Revenues	14,443,083	769,637	15,212,720
15	Federal Funds	571,495	(189,176)	382,319
16	Restricted Receipts	60,000	0	60,000
17	Total - District Court	15,074,578	580,461	15,655,039
18	<i>Traffic Tribunal</i>			
19	General Revenues	9,716,034	587,320	10,303,354
20	<i>Workers' Compensation Court</i>			
21	Restricted Receipts	9,310,113	416,057	9,726,170
22	Grand Total - Judiciary	130,425,354	7,460,751	137,866,105
23	Military Staff			
24	General Revenues	2,723,714	333,567	3,057,281
25	Federal Funds	36,614,294	3,761,534	40,375,828
26	Restricted Receipts			
27	RI Military Family Relief Fund	55,000	0	55,000
28	Other Funds			
29	Rhode Island Capital Plan Funds			
30	Aviation Readiness Center	535,263	(535,263)	0
31	AMC Roof Replacement	366,500	(366,500)	0
32	Asset Protection	930,000	197,526	1,127,526
33	Joint Force Headquarters Building	0	906,004	906,004
34	Grand Total - Military Staff	41,224,771	4,296,868	45,521,639

1	Public Safety			
2	<i>Central Management</i>			
3	General Revenues	15,917,162	(14,935,869)	981,293
4	Provided that \$15,000,000 shall be allocated as the state contribution for the Statewide			
5	Body worn Camera Program, subject to all program and reporting rules, regulations, policies, and			
6	guidelines prescribed in the Rhode Island General Laws. No money appropriated shall be			
7	distributed for Rhode Island police department body worn camera expenses prior to the			
8	promulgation of rules and regulations. Notwithstanding the provisions of section 35-3-15 of the			
9	general laws, all unexpended or unencumbered balances as of June 30, 2022 from this appropriation			
10	are hereby reappropriated to fiscal year 2023.			
11	Federal Funds	10,902,596	2,525,171	13,427,767
12	Restricted Receipts	189,556	87,208	276,764
13	Total - Central Management	27,009,314	(12,323,490)	14,685,824
14	<i>E-911 Emergency Telephone System</i>			
15	Restricted Receipts	7,469,769	1,193,318	8,663,087
16	<i>Security Services</i>			
17	General Revenues	27,319,253	(417,643)	26,901,610
18	<i>Municipal Police Training Academy</i>			
19	General Revenues	262,575	15,949	278,524
20	Federal Funds	451,295	94,011	545,306
21	Total - Municipal Police Training Academy	713,870	109,960	823,830
22	<i>State Police</i>			
23	General Revenues	77,105,322	4,996,045	82,101,367
24	Federal Funds	6,110,439	3,452,457	9,562,896
25	Restricted Receipts	856,000	69,441	925,441
26	Other Funds			
27	Airport Corporation Assistance	150,000	15,300	165,300
28	Road Construction Reimbursement	2,500,000	790,951	3,290,951
29	Weight and Measurement Reimbursement	400,000	222,997	622,997
30	Rhode Island Capital Plan Funds			
31	DPS Asset Protection	791,000	7,498	798,498
32	Portsmouth Barracks	350,000	0	350,000
33	Southern Barracks	2,100,000	0	2,100,000
34	Training Academy Upgrades	750,000	(556,380)	193,620

1	Statewide Communications System			
2	Network	237,370	(6,441)	230,929
3	Headquarters Roof Replacement	0	998,259	998,259
4	Total-State Police	91,350,131	9,990,127	101,340,258
5	Grand Total - Public Safety	153,862,337	(1,447,728)	152,414,609
6	Office of Public Defender			
7	General Revenues	13,431,599	786,051	14,217,650
8	Federal Funds	75,665	19,387	95,052
9	Grand Total - Office of Public Defender	13,507,264	805,438	14,312,702
10	Emergency Management Agency			
11	General Revenues	2,710,290	5,216,141	7,926,431
12	Federal Funds	17,552,433	12,010,469	29,562,902
13	Restricted Receipts	527,563	(68,108)	459,455
14	Other Funds			
15	Rhode Island Capital Plan Funds			
16	RI Statewide Communications Network	1,494,400	0	1,494,400
17	Emergency Management Building	250,000	0	250,000
18	Grand Total - Emergency Management Agency	22,534,686	17,158,502	39,693,188
19	Environmental Management			
20	<i>Office of the Director</i>			
21	General Revenues			
22	General Revenues	7,551,252	173,917	7,725,169
23	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts.			
24	Clean and Drinking Water Match	0	21,915,120	21,915,120
25	<u>Provided that these funds are used to support the state match for the Clean Water State</u>			
26	<u>Revolving Fund and Drinking Water State Revolving Fund through the Rhode Island Infrastructure</u>			
27	<u>Bank and that the Infrastructure Bank provide acceptable documentation to the Office of</u>			
28	<u>Management and Budget showing the need for the funding to be used as state match.</u>			
29	Federal Funds	0	65,100	65,100
30	Restricted Receipts	4,189,798	708,116	4,897,914
31	Total - Office of the Director	11,741,050	22,862,253	34,603,303
32	<i>Natural Resources</i>			
33	General Revenues	25,272,202	2,046,235	27,318,437
34	Federal Funds	21,635,240	2,416,356	24,051,596

1	Restricted Receipts	5,454,434	405,546	5,859,980
2	Other Funds			
3	DOT Recreational Projects	762,000	0	762,000
4	Blackstone Bike Path Design	1,000,000	0	1,000,000
5	Transportation MOU	10,286	(10,286)	0
6	Rhode Island Capital Plan Funds			
7	Blackstone Valley Park Improvement	500,000	489,717	989,717
8	Dam Repair	90,000	865,315	955,315
9	Fort Adams Rehabilitation	300,000	223,880	523,880
10	Galilee Pier Upgrades	5,420,000	3,562,563	8,982,563
11	Newport Pier Upgrades	150,000	108,820	258,820
12	Recreation Facility Asset Protection	750,000	79,693	829,693
13	Recreational Facilities Improvement	3,200,000	157,990	3,357,990
14	Total - Natural Resources	64,544,162	10,345,829	74,889,991
15	<i>Environmental Protection</i>			
16	General Revenues	13,360,386	605,317	13,965,703
17	<u>Provided that any unexpended or unencumbered balances, at the end of the fiscal year, from</u>			
18	<u>the \$132,486 provided for municipal firefighting foam disposal, shall be reappropriated to the</u>			
19	<u>ensuing fiscal year, and made immediately available for the same purpose.</u>			
20	Federal Funds	10,753,650	668,948	11,422,598
21	Restricted Receipts	7,457,559	113,787	7,571,346
22	Other Funds			
23	Transportation MOU	63,565	(31,544)	32,021
24	Total - Environmental Protection	31,635,160	1,356,508	32,991,668
25	Grand Total - Environmental Management	107,920,372	34,564,590	142,484,962
26	Coastal Resources Management Council			
27	General Revenues	2,809,533	179,339	2,988,872
28	Federal Funds	1,850,628	446,274	2,296,902
29	Restricted Receipts	250,000	0	250,000
30	Other Funds			
31	Rhode Island Capital Plan Funds			
32	Narragansett Bay SAMP	75,115	69,309	144,424
33	RI Coastal Storm Risk Study	475,000	0	475,000
34	Grand Total - Coastal Resources Management			

1	Council	5,460,276	694,922	6,155,198
2	Transportation			
3	<i>Central Management</i>			
4	Federal Funds	16,066,910	627,845	16,694,755
5	Other Funds			
6	Gasoline Tax	8,917,792	727,132	9,644,924
7	Total - Central Management	24,984,702	1,354,977	26,339,679
8	<i>Management and Budget</i>			
9	Other Funds			
10	Gasoline Tax	5,380,580	53,487	5,434,067
11	<i>Infrastructure Engineering</i>			
12	Federal Funds	416,941,030	3,601,089	420,542,119
13	Restricted Receipts	2,589,202	2,103,452	4,692,654
14	Other Funds			
15	Gasoline Tax	70,347,728	1,298,457	71,646,185
16	Toll Revenue	35,089,593	(4,000,000)	31,089,593
17	Land Sale Revenue	5,979,719	5,302,754	11,282,473
18	Rhode Island Capital Plan Funds			
19	Highway Improvement Program	63,451,346	0	63,451,346
20	Bike Path Facilities Maintenance	400,000	(15,951)	384,049
21	RIPTA - Land and Buildings	1,330,000	(74,950)	1,255,050
22	RIPTA - Providence Transit Connector	0	35,726	35,726
23	RIPTA - Pawtucket Bus Hub & Transit Connector	0	598,180	598,180
24	RIPTA - Warwick Bus Hub	260,000	0	260,000
25	RIPTA - URI Mobility Hub	600,000	0	600,000
26	Total - Infrastructure Engineering	596,988,618	8,848,757	605,837,375
27	<i>Infrastructure Maintenance</i>			
28	Federal Funds	18,038,585	14,800,000	32,838,585
29	Other Funds			
30	Gasoline Tax	29,781,566	5,630,898	35,412,464
31	Non-Land Surplus Property	50,000	(50,000)	0
32	Rhode Island Highway Maintenance			
33	Account	87,157,485	12,327,899	99,485,384
34	Rhode Island Capital Plan Funds			

1	Maintenance Capital Equipment			
2	Replacement	1,499,462	0	1,499,462
3	Maintenance Facilities Improvements	900,000	179,400	1,079,400
4	Welcome Center	150,000	0	150,000
5	Salt Storage Facilities	2,500,000	(500,000)	2,000,000
6	Train Station Maintenance and Repairs	450,000	230,179	680,179
7	Total - Infrastructure Maintenance	140,527,098	32,618,376	173,145,474
8	Grand Total - Transportation	767,880,998	42,875,597	810,756,595
9	Statewide Totals			
10	General Revenues	4,550,811,637	941,952,582	5,492,764,219
11	Federal Funds	5,862,690,503	(158,402,175)	5,704,288,328
12	Restricted Receipts	372,695,155	10,531,511	383,226,666
13	Other Funds	2,334,615,011	(38,613,148)	2,296,001,863
14	Statewide Grand Total	13,120,812,306	755,468,770	13,876,281,076

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

17 SECTION 3. The general assembly authorizes the state controller to establish the internal
18 service accounts shown below, and no other, to finance and account for the operations of state
19 agencies that provide services to other agencies, institutions and other governmental units on a cost
20 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in
21 a businesslike manner, promote efficient use of services by making agencies pay the full costs
22 associated with providing the services, and allocate the costs of central administrative services
23 across all fund types, so that federal and other non-general fund programs share in the costs of
24 general government support. The controller is authorized to reimburse these accounts for the cost
25 of work or services performed for any other department or agency subject to the following
26 expenditure limitations:

27	Account	Expenditure Limit		
		FY2022	FY2022	FY2022
28		FY2022	FY2022	FY2022
29		Enacted	Change	FINAL
30	State Assessed Fringe Benefit Internal Service Fund	37,626,944	(149,771)	37,477,173
31	Administration Central Utilities			
32	Internal Service Fund	27,345,573	10,931	27,356,504
33	State Central Mail Internal Service Fund	6,736,424	382,893	7,119,317
34	State Telecommunications Internal Service Fund	3,100,546	769,721	3,870,267

1	Executive Office of Commerce	16.0
2	Labor and Training	462.7 <u>461.7</u>
3	Revenue	570.5
4	Legislature	298.5
5	Office of the Lieutenant Governor	8.0
6	Office of the Secretary of State	59.0
7	Office of the General Treasurer	89.0
8	Board of Elections	13.0
9	Rhode Island Ethics Commission	12.0
10	Office of the Governor	45.0
11	Commission for Human Rights	14.0
12	Public Utilities Commission	54.0
13	Office of Health and Human Services	190.0
14	Children, Youth, and Families	702.5
15	Health	530.6 <u>530.4</u>
16	Human Services	753.0
17	Office of Veterans Services	263.1 <u>263.0</u>
18	Office of Healthy Aging	31.0
19	Behavioral Healthcare, Developmental Disabilities, and Hospitals	1,190.4
20	Office of the Child Advocate	10.0
21	Commission on the Deaf and Hard of Hearing	4.0
22	Governor's Commission on Disabilities	4.0
23	Office of the Mental Health Advocate	4.0
24	Elementary and Secondary Education	143.1
25	School for the Deaf	60.0
26	Davies Career and Technical School	123.0
27	Office of Postsecondary Commissioner	33.0
28	Provided that 1.0 of the total authorization would be available only for positions that are	
29	supported by third-party funds, 10.0 would be available only for positions at the State's Higher	
30	Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for	
31	positions at the Nursing Education Center.	
32	University of Rhode Island	2,555.0
33	Provided that 357.8 of the total authorization would be available only for positions that are	
34	supported by third-party funds.	

1	Rhode Island College	949.2
2	Provided that 76.0 of the total authorization would be available only for positions that are	
3	supported by third-party funds.	
4	Community College of Rhode Island	849.1
5	Provided that 89.0 of the total authorization would be available only for positions that are	
6	supported by third-party funds.	
7	Rhode Island State Council on the Arts	9.6
8	RI Atomic Energy Commission	8.6
9	Historical Preservation and Heritage Commission	15.6
10	Office of the Attorney General	247.1
11	Corrections	1,424.0
12	Judicial	726.3
13	Military Staff	92.0
14	Emergency Management Agency	33.0
15	Public Safety	622.6 628.6
16	Office of the Public Defender	99.0
17	Environmental Management	401.0
18	Coastal Resources Management Council	30.0
19	Transportation	755.0
20	Total	15,313.2 15,317.9

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

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

29 SECTION 5. Reappropriation of Funding for State Fiscal Recovery Fund and Capital
30 Projects Fund. Notwithstanding any provision of general law, any unexpended and unencumbered
31 federal funds from the State Fiscal Recovery Fund and Capital Projects Fund shall be
32 reappropriated in the ensuing fiscal year and made available for the same purposes. However, any
33 such reappropriations are subject to final approval by the General Assembly as part of the
34 supplemental appropriations act.

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SECTION 6. This article shall take effect upon passage.

ARTICLE 8

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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.

1 **ARTICLE 9**

2 RELATING TO ECONOMIC DEVELOPMENT

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

5 **21-27-1. Definitions.**

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

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

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

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

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

21 ~~(3)~~ (5) "Department" means the department of health.

22 ~~(4)~~ (6) "Director" means the director of health or the director's duly appointed agents.

23 ~~(5)~~ (7) "Farmers market" means a market where two (2) or more farmers are selling produce
24 exclusively grown on their own farms on a retail basis to consumers. Excluded from this term is
25 any market where farmers or others are selling produce at wholesale and/or any market in which
26 any individual is selling produce not grown on his or her own farm.

27 ~~(6)~~ (8) "Farm home food manufacture" means the production in accordance with the
28 requirements of § 21-27-6.1 of food for retail sale in a residential kitchen on a farm which produces
29 agricultural products for human consumption and the operator of which is eligible for exemption
30 from the sales and use tax in accordance with § 44-18-30(32).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 resale purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (vi) An affixed label that contains:

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

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

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

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

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

22 (i) Double crust pies;

23 (ii) Yeast breads;

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

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

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

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

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

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

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

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

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

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

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

28 Fees payable to the department shall be as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 As used in this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **CHAPTER 162**

22 **THE RHODE ISLAND BROADBAND DEVELOPMENT PROGRAM**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 chapter.

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

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

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

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

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

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

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

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

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

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

14 (b) Tax credit.

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

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

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

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

1 or economic attributes of such entity.

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

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

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

20 (c) Certification and administration.

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

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

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

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

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

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

26 (d) Information requests.

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

1 administrator.

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

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

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

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

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

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

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

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

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

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ARTICLE 10 AS AMENDED

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 (iv) Notwithstanding subsection (2)(iii) above, for FY 2023 only, for any local education
24 agency in which the calculation of aid under subsection (2)(i) of this section and § 16-7-20(a) would
25 be greater than the calculation of aid under subsection (2)(iii) of this section, such local education
26 agency shall receive an additional appropriation equivalent to twenty percent (20%) of the
27 difference in aid that would have been received under subsection (2)(i) of this section. The
28 additional appropriation shall be as follows:

29 Barrington - \$302,169

30 East Greenwich - \$148,478

31 Exeter - \$106,335

32 North Smithfield - \$30,508

33 Richmond - \$502

34 Smithfield - \$75,374

1 [Beacon Charter School -\\$22,731](#)

2 [Blackstone Academy - \\$11,212](#)

3 [Village Green Charter School - \\$1,073](#)

4 [Davies Career and Technical School - \\$2,808](#)

5 (3) "Basic education program" means the cost of education of resident pupils in grades
6 twelve (12) and below in average daily membership for the reference year as determined by the
7 mandated minimum program level.

8 (4) "Certified personnel" means all persons who are required to hold certificates issued by
9 or under the authority of the council on elementary and secondary education.

10 (5) "Community" means any city, town, or regional school district established pursuant to
11 law and/or the department of children, youth and families; provided, however, that the department
12 of children, youth and families shall not have those administrative responsibilities and obligations
13 as set forth in chapter 2 of this title; provided, however, that the member towns of the Chariho
14 regional high school district, created by P.L. 1958, ch. 55 as amended, shall constitute separate and
15 individual communities for the purpose of determining and distributing the foundation level school
16 support including state aid for noncapital excess expenses for the special education of children with
17 disabilities provided for in § 16-24-6 for all grades financed in whole or in part by the towns
18 irrespective of any regionalization and any school operated by the state department of elementary
19 and secondary education.

20 (6) "Department of children, youth and families" means that department created pursuant
21 to chapter 72 of title 42. For purposes of this section, §§ 16-7-20, 16-24-2, and 42-72-5(b)(22),
22 "children" means those children who are placed, assigned, or otherwise accommodated for
23 residence by the department of children, youth and families in a state operated or supported
24 community residence licensed by a state agency and the residence operates an educational program
25 approved by the department of elementary and secondary education.

26 (7) "Equalized weighted assessed valuation" means the equalized weighted assessed
27 valuation for a community as determined by the division of property valuation pursuant to the
28 provisions of § 16-7-21.

29 (8) "Full time equivalency students" means the time spent in a particular activity divided
30 by the amount of time in a normal school day.

31 (9) "Incentive entitlement" means the sum payable to a local school district under the
32 formula used.

33 (10) "Mandated minimum program level" means the amount that shall be spent by a
34 community for every pupil in average daily membership as determined pursuant to the provisions

1 of § 16-7-18.

2 (11) "Reference year" means the next year prior to the school year immediately preceding
3 that in which the aid is to be paid. For the purposes of calculating the permanent foundation
4 education formula aid as described in § 16-7.2-3, the reference date shall be one year prior to the
5 year in which aid is paid.

6 (12) "Regularly employed" and "service" as applied to certified personnel have the same
7 meaning as defined in chapter 16 of this title.

8 **16-7-20. Determination of state's share.**

9 (a) For each community the state's share shall be computed as follows: Let

10 R =state share ratio for the community.

11 v =adjusted equalized weighted assessed valuation for the community, as defined in § 16-
12 7-21(3).

13 V =sum of the values of v for all communities.

14 m =average daily membership of pupils in the community as defined in § 16-7-22(3).

15 M =total average daily membership of pupils in the state.

16 E =approved reimbursable expenditures for the community for the reference year minus the
17 excess costs of special education, tuitions, federal and state receipts, and other income.

18 Then the state share entitlement for the community shall be RE where

19 $R = 1 - 0.5vM/(Vm)$ through June 30, 2011, and $R = 1 - 0.475 vM/(Vm)$ beginning on
20 July 1, 2011 and thereafter. Except that in no case shall R be less than zero percent (0%).

21 (b) Whenever any funds are appropriated for educational purposes, the funds shall be used
22 for educational purposes only and all state funds appropriated for educational purposes must be
23 used to supplement any and all money allocated by a city or town for educational purposes and in
24 no event shall state funds be used to supplant, directly or indirectly, any money allocated by a city
25 or town for educational purposes. The courts of this state shall enforce this section by writ of
26 mandamus.

27 (c) Notwithstanding the calculations in subsection (a), the hospital school at the Hasbro
28 Children's Hospital shall be reimbursed one hundred percent (100%) of all expenditures approved
29 by the council on elementary and secondary education in accordance with currently existing rules
30 and regulations for administering state aid, and subject to annual appropriations by the general
31 assembly including, but not limited to, expenditures for educational personnel, supplies, and
32 materials in the prior fiscal year.

33 (d) In the event the computation of the state's share for any local education agency as
34 outlined in subsection (a) is determined to have been calculated incorrectly after the state budget

1 for that fiscal year has been enacted, the commissioner of elementary and secondary education shall
2 notify affected local education agencies, the senate president, and the speaker of the house within
3 fifteen (15) days of the determination.

4 (e) Realignment of aid payments to the affected local education agencies pursuant to
5 subsection (d) shall occur in the following fiscal year:

6 (1) If the determination shows aid is underpaid to the local education agency, any amounts
7 owed shall be paid in equal monthly installments.

8 (2) If the determination shows aid was overpaid, the department of elementary and
9 secondary education shall recapture some amount of the aid from the overpaid local education
10 agency. The amount to be withheld shall be equal to the amount of the overpayment prorated to the
11 number of full months remaining in the fiscal year when the notification required in subsection (d)
12 was made.

13 (f) The above notwithstanding, in no event shall the total paid to a local education agency
14 in the 2023 fiscal year pursuant to subsection (a), above, be reduced as a result of the
15 implementation of subsection (e), above; provided, however, that for the 2022 fiscal year, the full
16 amount of any payment due to an underpayment and realignment under subsection (e)(1), above,
17 shall be made for fiscal year 2022.

18 (g) Data used for the calculation of the FY 2022 state share ratio shall also be used for the
19 calculation of the FY 2023 state share ratio.

20 **16-7-40. Increased school housing ratio.**

21 (a)(1) In the case of regional school districts, the school housing aid ratio shall be increased
22 by two percent (2%) for each grade so consolidated.

23 (2) Regional school districts undertaking renovation project(s) shall receive an increased
24 share ratio of four percent (4%) for those specific project(s) only, in addition to the combined share
25 ratio calculated in § 16-7-39 and this subsection.

26 (b) In the case of projects undertaken by districts specifically for the purposes of school
27 safety and security, the school housing aid share ratio shall be increased by five percent (5%) for
28 these specific projects only, in the calculation of school housing aid. The increased share ratio shall
29 continue to be applied for as long as the project(s) receives state housing aid. In order to qualify for
30 the increased share ratio, seventy-five percent (75%) of the project costs must be specifically
31 directed to school safety and security measures. The council on elementary and secondary
32 education shall promulgate rules and regulations for the administration and operation of this
33 section.

34 (c) For purposes of addressing health and safety deficiencies as defined by the school

1 building authority, including the remediation of hazardous materials, the school housing aid ratio
2 shall be increased by five percent (5%) so long as the construction of the project commences by
3 December 30, ~~2022~~ 2023, is completed by December 30, ~~2027~~ 2028, and a two hundred fifty
4 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.

5 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a
6 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

7 (d) For purposes of educational enhancement, including projects devoted to the
8 enhancement of early childhood education and career and technical education, the school housing
9 aid ratio shall be increased by five percent (5%) so long as construction of the project commences
10 by December 30, ~~2022~~ 2023, is completed by December 30, ~~2027~~ 2028, and a two hundred fifty
11 million dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot.
12 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a
13 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to these
14 purposes.

15 (e) For replacement of a facility that has a facilities condition index of sixty-five percent
16 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as
17 construction of the project commences by December 30, 2023, is completed by December 30, 2028,
18 does not receive a bonus pursuant to subsection (f) or subsection (g), and a two hundred fifty million
19 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order
20 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum
21 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

22 (f) For any new construction or renovation that increases the functional utilization of any
23 facility from less than sixty percent (60%) to more than eighty percent (80%), including the
24 consolidation of school buildings within or across districts, the school housing aid ratio shall be
25 increased by five percent (5%) so long as construction of the project commences by December 30,
26 2023, is completed by December 30, 2028, and a two hundred fifty million dollar (\$250,000,000)
27 general obligation bond is approved on the November 2018 ballot. In order to qualify for the
28 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred
29 thousand dollars (\$500,000) must be specifically directed to this purpose.

30 (g) For any new construction or renovation that decreases the functional utilization of any
31 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)
32 to one hundred five percent (105%), the school housing ratio shall be increased by five percent
33 (5%) so long as construction of the project commences by December 30, 2023, is completed by
34 December 30, 2028, and a two hundred fifty million dollar (\$250,000,000) general obligation bond

1 is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-
2 five percent (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000)
3 must be specifically directed to this purpose.

4 (h) For consolidation of two (2) or more school buildings, within or across districts into
5 one school building, the school housing aid ratio shall be increased by five percent (5%) so long as
6 construction of the project commences by December 30, 2023, is completed by December 30, 2028,
7 a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the
8 November 2018 ballot, and does not receive a bonus pursuant to subsection (f) or subsection (g).
9 In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a
10 minimum of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

11 (i) Any regionalized and/or non-regionalized school district receiving an increased share
12 ratio for a project approved prior to July 1, 2018, shall continue to receive the increased share ratio
13 for as long as the project receives state housing aid.

14 SECTION 2. Section 16-7.2-3 of the General Laws in Chapter 16-7.2 entitled "The
15 Education Equity and Property Tax Relief Act" is hereby amended to read as follows:

16 **16-7.2-3. Permanent foundation education aid established.**

17 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall
18 take effect. The foundation education aid for each district shall be the sum of the core instruction
19 amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2),
20 which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to
21 determine the foundation aid.

22 (1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-
23 instruction amount as established by the department of elementary and secondary education,
24 derived from the average of northeast regional expenditure data for the states of Rhode Island,
25 Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics
26 (NCES) that will adequately fund the student instructional needs as described in the basic education
27 program and multiplied by the district average daily membership as defined in § 16-7-22.
28 Expenditure data in the following categories: instruction and support services for students,
29 instruction, general administration, school administration, and other support services from the
30 National Public Education Financial Survey, as published by NCES, and enrollment data from the
31 Common Core of Data, also published by NCES, will be used when determining the core-
32 instruction amount. The core-instruction amount will be updated annually. For the purpose of
33 calculating this formula, school districts' resident average daily membership shall exclude charter
34 school and state-operated school students.

1 (2) The amount to support high-need students beyond the core-instruction amount shall be
2 determined by multiplying a student success factor of forty percent (40%) by the core instruction
3 per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child
4 whose family income is at or below one hundred eighty-five percent (185%) of federal poverty
5 guidelines, hereinafter referred to as "poverty status." By October 1, 2022, as part of its budget
6 submission pursuant to § 35-3-4 relative to state fiscal year 2024 and thereafter, the department of
7 elementary and secondary education shall develop and utilize a poverty measure that in the
8 department's assessment most accurately serves as a proxy for the poverty status referenced in this
9 subsection and does not rely on the administration of school nutrition programs. The department
10 shall utilize this measure in calculations pursuant to this subsection related to the application of the
11 student success factor, in calculations pursuant to § 16-7.2-4 related to the calculation of the state
12 share ratio, and in the formulation of estimates pursuant to subsection (b) below. The department
13 may also include any recommendations which seek to mitigate any disruptions associated with the
14 implementation of this new poverty measure or improve the accuracy of its calculation.

15 (b) The department of elementary and secondary education shall provide an estimate of the
16 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate
17 shall include the most recent data available as well as an adjustment for average daily membership
18 growth or decline based on the prior year experience.

19 (c) In addition, the department shall report updated figures based on the average daily
20 membership as of October 1 by December 1.

21 (d) Local education agencies may set aside a portion of funds received under subsection
22 (a) to expand learning opportunities such as after school and summer programs, full-day
23 kindergarten and/or multiple pathway programs, provided that the basic education program and all
24 other approved programs required in law are funded.

25 (e) The department of elementary and secondary education shall promulgate such
26 regulations as are necessary to implement fully the purposes of this chapter.

27 SECTION 3. Section 16-87-4 of the General Laws in Chapter 16-87 entitled "Rhode Island
28 Prekindergarten Education Act" is hereby amended to read as follows:

29 **16-87-4. Early childhood workforce development.**

30 (a) The Rhode Island department of elementary and secondary education shall work with
31 other state departments and private philanthropy to establish a statewide, comprehensive, research-
32 based early childhood workforce development scholarship program to expand the numbers of early
33 childhood educators who have an associate's or bachelor's degree in early childhood education and
34 who work with children from birth to age five (5).

1 (b)(1) In furtherance of the goals set forth in this chapter, no later than January 1, 2023, the
2 governor's workforce board shall convene a working group comprised of representatives from the
3 department of elementary and secondary education, department of human services, office of the
4 postsecondary commissioner, the RI early learning council, organized labor and early childhood
5 education industry employers, whose purpose shall be to identify barriers to entry into the early
6 childhood education workforce, and to design accessible and accelerated pathways into the
7 workforce, including, but not limited to, registered apprenticeships and postsecondary credit for
8 prior work experience.

9 (2) No later than April 1, 2023, the working group shall provide the general assembly with
10 recommendations for addressing the barriers to workforce entry and implementing the solutions
11 identified by the working group; the recommendations shall outline any administrative and
12 legislative action that would be required by participating agencies to implement the
13 recommendations.

14 SECTION 4. Chapter 16-87 of the General Laws entitled "Rhode Island Prekindergarten
15 Education Act" is hereby amended by adding thereto the following sections:

16 **16-87-6. Planning for prekindergarten expansion.**

17 On or before December 31, 2022, the department of elementary and secondary education,
18 in collaboration with the department of human services and the children's cabinet, as established
19 in § 45-72.5, shall submit to the governor, speaker of the house, president of the senate, and chairs
20 of house and senate finance and education committees, an annual growth plan to expand the state
21 prekindergarten program to five thousand (5,000) seats, for three- and four-year-old children, over
22 five (5) years, beginning in FY 2024, as well as recommendations for achieving universal
23 prekindergarten in the state. The growth plan shall detail annual targets and projected funding
24 needs, as well as how the state will:

25 (a) Equitably distribute prekindergarten funding to eligible providers;

26 (b) Ensure that access to infant and toddler care is not at risk as the state prekindergarten
27 program is expanded;

28 (c) Prepare, recruit and retain a highly-qualified early childhood workforce, including
29 adequate wages for early childhood educators, regardless of setting;

30 (d) Build capacity among new and existing providers to ensure quality standards are met
31 in all settings; and,

32 (e) Ensure providers in the mixed-delivery system have sufficient facilities to expand
33 access to high-quality prekindergarten services.

34 **16-87-7. Pre-kindergarten facilities.**

1 (a) No later than December 31, 2022, the department of human services shall provide the
2 speaker of the house and president of the senate with a report on the status of disbursement and
3 impact of capital funds made available by the early learning facilities general obligation bond
4 approved on March 2, 2021.

5 (b) The departments of elementary and secondary education and human services may also
6 provide recommendations for programs and initiatives to ensure that early childhood education
7 providers utilize facilities that meet licensing and facilities standards, in order to increase access to
8 high-quality prekindergarten learning environments. Programs and initiatives may include, but
9 shall not be limited to:

10 (1) Grant programs for facility planning and/or emergency facility maintenance;

11 (2) Establishing strategic partnerships between local education agencies and community-
12 based early learning providers to make use of available space in existing facilities; and/or

13 (3) Technical assistance for providers to access capital, navigate licensing standards for
14 facilities, and/or begin the facility improvement and development processes.

15 SECTION 5. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by
16 adding thereto the following chapter:

17 CHAPTER 87.1

18 EARLY CHILDHOOD GOVERNANCE WORKING GROUP

19 **16-87.1-1. Early childhood governance working group.**

20 (a) There shall be created an early childhood governance working group ("the working
21 group") consisting of:

22 (1) The director of the department of human services, or designee;

23 (2) The commissioner of the department of education, or designee;

24 (3) The commissioner of postsecondary education, or designee;

25 (4) The director of the department of health, or designee;

26 (5) The director of the department of administration, or designee;

27 (6) Chair of the children's cabinet, who shall be responsible for convening the working
28 group; and

29 (7) The executive director of RI Kids Count, or designee.

30 (b) The working group shall convene any necessary subgroups of working group members
31 and other stakeholders to inform and complete the early childhood governance recommendations
32 required under this section.

33 (c) On or before October 1, 2023, the working group shall submit a report to the governor,
34 speaker of the house, president of the senate, and chairs of house and senate finance and education

1 committees, that shall include recommendations regarding the governance of early childhood
2 programs in the state. The recommendations shall address, but need not be limited to:

3 (1) The coordination and administration of early childhood programs and services;

4 (2) The governance and organizational structure of early childhood programs and services,
5 including whether, and under what circumstances, the state should consider unifying early
6 childhood programs under one state agency;

7 (3) The fiscal structure of proposed recommendations; and

8 (4) The implementation of early childhood data systems, for strategic planning, program
9 implementation and program evaluation.

10 (d) Staff of the children's cabinet shall provide assistance in completing the duties of the
11 working group identified in this section.

12 (e) The RI early learning council shall serve as an advisory body to the working group.

13 SECTION 6. Section 16-107-5 of the General Laws in Chapter 16-107 entitled "Rhode
14 Island Promise Scholarship" is hereby amended to read as follows:

15 **16-107-5. Administration of scholarship program.**

16 (a) The financial aid office, in conjunction with the office of enrollment management or
17 their respective equivalent offices, at the community college of Rhode Island, shall administer the
18 scholarship program for state residents seeking associate degrees who meet the eligibility
19 requirements in this chapter.

20 (b) An award of the scholarship program shall cover the cost of two (2) years of tuition and
21 mandatory fees, less federal and all other financial aid monies available to the recipient student. No
22 grant received by students from the College Crusade Scholarship Act as established in chapter 70
23 of title 16 shall be considered federal or financial aid for the purposes of this chapter.

24 (c) The scholarship program is limited to one award per student as required by § 16-107-
25 6(a)(7).

26 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 AS AMENDED

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 15, 2023, and are expressly conditioned upon approval
16 on or before June 23, 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 behavioral health
9 organization that meets the federal certification criteria of Section 223 of the Protecting Access to
10 Medicare Act of 2014. The department of behavioral healthcare, developmental disabilities and
11 hospitals shall define additional criteria to certify the clinics including, but not limited to the
12 provision of, 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 the
29 appropriate Purchasing process and vehicle for organizations who want to participate in the
30 Certified Community Behavioral Health Clinic model program.

31 (f) By December 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 January 15, 2023, 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 hire the necessary staff and prepare a request for proposal for a qualified
27 and competent firm or 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 January 1, 2023, 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 January 1,
26 2023;

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 January 1, 2023;

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 January 1, 2023;

33 (v) An assessment and detailed reporting on accountability standards for services for social
34 and human service programs to be completed by January 1, 2023;

1 (vi) An assessment and detailed reporting by April 1, 2023 on all professional licensed and
2 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 April 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 April 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 April
10 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. (3) In fulfillment of the responsibilities defined in section (t), the
21 office of the health insurance commissioner shall consult with the Executive Office of Health and
22 Human Services.

23 (u) Annually, each department (namely EOHHS, DCYF, DOH, DHS, and BHDDH) shall
24 include the corresponding components of the assessment and review (i.e. eligibility, scope of
25 services, relationship of social and human service provider and the state, national and regional rate
26 comparisons and accountability standards including any changes or substantive issues between
27 biennial reviews) including the recommended rates from the most recent assessment and review
28 with their annual budget submission to the office of management and budget and provide a detailed
29 explanation and impact statement if any rate variances exist between submitted recommended
30 budget and the corresponding recommended rate from the most recent assessment and review
31 process starting October 1, 2023, and biennially thereafter.

32 (v) The general assembly shall appropriate adequate funding as it deems necessary to
33 undertake the analyses, reports, and studies contained in this section relating to the powers and
34 duties of the office of the health insurance commissioner.

1 SECTION 8. Chapter 42-14.5 of the General Laws entitled "The Rhode Island Health Care
2 Reform Act of 2004 - Health Insurance Oversight" is hereby amended by adding thereto the
3 following sections:

4 **42-14.5-2.1. Definitions.**

5 As used in this chapter:

6 (1) "Accountability standards" means measures including service processes, client and
7 population outcomes, practice standard compliance and fiscal integrity of social and human service
8 providers on the individual contractual level and service type for all state contracts of the state or
9 any subdivision or agency to include, but not limited to, the department of children, youth and
10 families (DCYF), the department of behavioral healthcare, developmental disabilities and hospitals
11 (BHDDH), the department of human services (DHS), the department of health (DOH), and
12 Medicaid. This may include mandatory reporting, consolidated, standardized reporting, audits
13 regardless of organizational tax status and accountability dashboards of aforementioned state
14 departments or subdivisions that are regularly shared with public.

15 (2) "Executive Office of Health and Human Services (EOHHS)" means the department that
16 serves as "principal agency of the executive branch of state government" (RIGL § 42-7.2-2)
17 responsible for managing the departments and offices of: health (RIDOH); human services (DHS);
18 healthy aging (OHA); veterans services (VETS); children, youth and families (DCYF); and
19 behavioral healthcare, developmental disabilities and hospitals (BHDDH). EOHHS is also
20 designated at the single state agency with authority to administer the Medicaid program in Rhode
21 Island.

22 (3) "Rate review" means the process of reviewing and reporting of specific trending factors
23 that influence the cost of service that informs rate setting.

24 (4) "Rate setting" means the process of establishing rates for social and human service
25 programs that are based on a thorough rate review process.

26 (5) "Social and human service program" means a social, mental health, developmental
27 disability, child welfare, juvenile justice, prevention services, habilitative, rehabilitative, substance
28 use disorder treatment, residential care, adult or adolescent day services, vocational, employment
29 and training, or aging service program or accommodations purchased by the state.

30 (6) "Social and human service provider" means a provider of social and human service
31 programs pursuant to a contract with the state or any subdivision or agency to include, but not be
32 limited to, the department of children, youth and families (DCYF), the department of behavioral
33 healthcare, developmental disabilities and hospitals (BHDDH), the department of human services
34 (DHS), the department of health (DOH), and Medicaid.

1 (7) "State government and the provider network" refers to the contractual relationship
2 between a state agency or subdivision of state agency and private companies the state contracts
3 with to provide the network of mandated and discretionary social and human services.

4 **42-14.5-5. Severability.**

5 If any provision of this chapter or the application thereof to any person or circumstance is
6 held invalid, such invalidity shall not affect other provisions or applications of the chapter, which
7 can be given effect without the invalid provision or application, and to this end the provisions of
8 this chapter are declared to be severable.

9 SECTION 9. Section 42-66.3-4 of the General Laws in Chapter 42-66.3 entitled "Home
10 and Community Care Services to the Elderly" is hereby amended to read as follows:

11 **42-66.3-4. Persons eligible.**

12 (a) To be eligible for this program the client must be determined, through a functional
13 assessment, to be in need of assistance with activities of daily living or and/or must meet a required
14 level of care as defined in rules and regulations promulgated by the department;

15 (b) Medicaid eligible individuals age sixty-five (65) or older of the state who meet the
16 financial guidelines of the Rhode Island medical assistance program, as defined in rules and
17 regulations promulgated by the department, shall be provided the services without charge; or

18 (c) Persons eligible for assistance under the provisions of this section, subject to the annual
19 appropriations deemed necessary by the general assembly to carry out the provisions of this chapter,
20 include: (1) any homebound unmarried resident or homebound married resident of the state living
21 separate and apart, who is ineligible for Medicaid, at least sixty-five (65) years of age or, if under
22 sixty-five (65) years of age, has a diagnosis of Alzheimer's disease or a related dementia, confirmed
23 by a licensed physician, ~~ineligible for Medicaid~~, and whose income does not exceed ~~the income~~
24 ~~eligibility limits as defined by rules and regulations promulgated by the department~~ two hundred
25 fifty percent (250%) of the federal poverty level; and (2) any married resident of the state who is
26 ineligible for Medicaid, at least sixty-five (65) years of age, ~~ineligible for Medicaid~~, or, if under
27 sixty-five (65) years of age, has a diagnosis of Alzheimer's disease or a related dementia confirmed
28 by a licensed physician and whose income when combined with any income of that person's spouse
29 does not exceed two hundred fifty percent (250%) of the federal poverty level ~~the income eligibility~~
30 ~~limits as defined in rules and regulations promulgated by the department~~. Persons who meet the
31 eligibility requirement of this subsection shall be eligible for the co-payment portion as set forth in
32 § 42-66.3-5.

33 SECTION 10. Rhode Island Medicaid Reform Act of 2008 Resolution.

34 WHEREAS, the General Assembly enacted Chapter 12.4 of Title 42 entitled "The Rhode

1 Island Medicaid Reform Act of 2008"; and

2 WHEREAS, a legislative enactment is required pursuant to Rhode Island General Laws
3 42-12.4-1, et seq.; and

4 WHEREAS, Rhode Island General Laws section 42-7.2-5(3)(i) provides that the Secretary
5 of the Executive Office of Health and Human Services ("Executive Office") is responsible for the
6 review and coordination of any Medicaid section 1115 demonstration waiver requests and renewals
7 as well as any initiatives and proposals requiring amendments to the Medicaid state plan or category
8 II or III changes as described in the demonstration, "with potential to affect the scope, amount, or
9 duration of publicly-funded health care services, provider payments or reimbursements, or access
10 to or the availability of benefits and services provided by Rhode Island general and public laws";
11 and

12 WHEREAS, in pursuit of a more cost-effective consumer choice system of care that is
13 fiscally sound and sustainable, the Secretary requests legislative approval of the following
14 proposals to amend the demonstration; and

15 WHEREAS, implementation of adjustments may require amendments to the Rhode
16 Island's Medicaid state plan and/or section 1115 waiver under the terms and conditions of the
17 demonstration. Further, adoption of new or amended rules, regulations and procedures may also be
18 required:

19 (a) *Section 1115 Demonstration Waiver – Extension Request.* The Executive Office
20 proposes to seek approval from the federal centers for Medicare and Medicaid services ("CMS")
21 to extend the Medicaid section 1115 demonstration waiver as authorized in Rhode Island General
22 Laws § 42-12.4. In the Medicaid section 1115 demonstration waiver extension request due to CMS
23 by December 31, 2022, in addition to maintaining existing Medicaid section 1115 demonstration
24 waiver authorities, the Executive Office proposes to seek additional federal authorities including
25 but not limited to promoting choice and community integration.

26 (b) *Meals on Wheels.* The Executive Office proposes an increase to existing fee-for-service
27 and managed care rates to account for growing utilization and rising food and delivery costs.
28 Additionally, the Executive Office of Health and Human Services will offer new Medicaid
29 reimbursement for therapeutic and cultural meals that are specifically tailored to improve health
30 through nutrition, provide post discharge support, and bolster complex care management for those
31 with chronic health conditions. To ensure the continued adequacy of rates, effective July 1, 2022,
32 and annually thereafter, the Executive Office proposes an annual rate increase based on the CPI-U
33 for New England: Food at Home, March release (containing the February data).

34 (c) *American Rescue Plan Act.* The Executive Office proposes to seek approval from CMS

1 for any necessary amendments to the Rhode Island State Plan or the 1115 Demonstration Waiver
2 to implement the spending plan approved by CMS under section 9817 of the American Rescue Plan
3 Act of 2021.

4 (d) *HealthSource RI automatic enrollment*: The Executive Office shall work with
5 HealthSource RI to establish a program for automatically enrolling qualified individuals who lose
6 Medicaid coverage at the end of the COVID-19 Public Health Emergency into Qualified Health
7 Plans ("QHP"). HealthSource RI may use funds available through the American Rescue Plan Act
8 to pay the first two (2) month's premium for individuals who qualify for this program.
9 HealthSource RI may promulgate regulations establishing the scope and parameters of this
10 program.

11 (e) *Increase Nursing Facility Rates*. The Executive Office proposes to increase rates, both
12 fee-for-service and managed care, paid to nursing facilities by three percent (3.0%) on October 1,
13 2022, in lieu of the adjustment of rates by the change in a recognized national home inflation index
14 as defined in § 40-8-19 (2)(vi) and in addition to the one percent (1.0%) increase required for the
15 minimum wage pass through as defined in § 40-8-19 (2)(vi).

16 (f) *Extend Post-Partum Medicaid Coverage*. The Executive Office proposes extending the
17 continuous coverage of full benefit medical assistance from sixty (60) days to twelve (12) months
18 postpartum to women who are (1) not eligible for Medicaid under another Medicaid eligibility
19 category, or (2) do not have qualified immigrant status for Medicaid whose births are financed by
20 Medicaid through coverage of the child and currently only receive state-only extended family
21 planning benefits postpartum.

22 (g) *Extending Medical Coverage to Children Previously Ineligible*. The executive office of
23 health and human services will maximize federal financial participation if and when available,
24 though state-only funds will be used if federal financial participation is not available.

25 (h) *Federal Financing Opportunities*. The Executive Office proposes to review Medicaid
26 requirements and opportunities under the U.S. Patient Protection and Affordable Care Act of 2010
27 (PPACA) and various other recently enacted federal laws and pursue any changes in the Rhode
28 Island Medicaid program that promote service quality, access and cost-effectiveness that may
29 warrant a Medicaid state plan amendment or amendment under the terms and conditions of Rhode
30 Island's section 1115 waiver, its successor, or any extension thereof. Any such actions by the
31 Executive Office shall not have an adverse impact on beneficiaries or cause there to be an increase
32 in expenditures beyond the amount appropriated for state fiscal year 2023.

33 (i) *Increase Adult Dental Rates*. To ensure better access to dental care for adults, the
34 Executive Office proposes to increase rates in ~~both~~ fee-for-service ~~and managed care~~.

1 (j) *Increase Pediatric Provider Rates.* To ensure better access to pediatric providers, the
2 Executive Office proposes to increase rates in both fee-for-service and managed care to be equal to
3 Medicare primary care rates.

4 (k) *Increase Early Intervention Rates.* To ensure better access to Early Intervention
5 Services, the Executive Office proposes to increase rates in both fee-for-service and managed care
6 by forty-five percent (45%).

7 (l) *Increase Hospital Rates.* The Executive Office proposes to increase inpatient and
8 outpatient rates, both fee-for-service and managed care, paid to hospitals by five percent (5%) on
9 July 1, 2022, in lieu of the adjustment of rates by the change in the recognized inflation index as
10 defined in § 40-8-13.4(1)(i). The Executive Office proposes amendments, as needed, to the
11 inpatient and outpatient supplemental payment methodology to incorporate the five percent (5%)
12 rate increase into the upper payment limit demonstration modeling.

13 (m) *Nursing Facility Rate Setting.* The Executive Office proposes to seek approval from
14 the federal Centers for Medicare and Medicaid Services ("CMS") for amendments to the Rhode
15 Island State Plan to eliminate references to the rate review process and audit requirements for
16 nursing facilities.

17 (n) *Public Health Emergency Unwinding.* The Executive Office proposes to seek approval
18 from the federal Centers for Medicare and Medicaid Services ("CMS") for section 1115
19 demonstration waivers and State Plan Amendments as necessary to: (1) continue some of the
20 temporary federal authorities granted during the Public Health Emergency ("PHE") for a period not
21 to extend 14 months beyond the termination of the PHE; and (2) ensure minimum adverse impact
22 on beneficiaries and state operations at the end of the PHE, including temporary authorities where
23 applicable, provided that such temporary authorities shall not extend beyond 14 months following
24 the termination of the PHE.

25 ~~(o) *Labor and Delivery Rates.* The Executive Office proposes to increase rates paid for~~
26 ~~labor and delivery services by 20 percent.~~

27 (o) *Managed Care Payment for Antepartum, Delivery, and Postpartum Care.* The
28 Executive Office proposes to increase the payment it makes to the managed care plans by twenty
29 percent (20%) to reimburse hospitals that provide antepartum, delivery, postpartum, newborn care,
30 and to pay for other authorized services.

31 (p) *Increase Rates for Home Based Services.* To ensure better access to home care services
32 for children, the elderly and disabled adults, the Executive Office proposes to increase
33 reimbursement rates in both fee-for-service and managed care to a minimum of \$15 an hour for
34 direct care workers.

1 (q) *Certified Behavioral Healthcare Clinics.* The Executive Office proposes to seek
2 approval from the federal Centers for Medicare and Medicaid Service for any necessary
3 amendments to the Rhode Island State Plan or 1115 Demonstration Waiver to implement the
4 Certified Behavioral Health Clinics federal model.

5 Now, therefore, be it:

6 (r) *Palliative Care.* The Executive Office of Health and Human Services proposes to seek
7 approval from the federal Centers for Medicare and Medicaid Services for an amendment to the
8 Rhode Island State Plan that ensures palliative care coverage to those age nineteen (19) to under
9 twenty-six (26) who are either covered by an individual or family health insurance plan but have
10 aged out of the option to receive services through the Katie Beckett coverage category. The services
11 offered shall be determined by the Executive Office and may include, but are not limited to,
12 consultations for pain and symptom management, case management and assessment, social
13 services, counseling, volunteer support services, and respite services.

14 (s) *Biomarker Testing.* The Executive Office of Health and Human Services proposes to
15 seek approval from the federal Centers for Medicare and Medicaid Services for an amendment to
16 the Rhode Island State Plan to provide coverage for biomarker testing that must be covered for the
17 purposes of diagnosis, treatment, appropriate management, or ongoing monitoring of a Medicaid
18 beneficiary's disease or condition when the test is supported by medical and scientific evidence.

19 RESOLVED, that the General Assembly hereby approves the proposals stated above in the
20 recitals; and be it further;

21 RESOLVED, that the Secretary of the Executive Office of Health and Human Services is
22 authorized to pursue and implement any waiver amendments, state plan amendments, and/or
23 changes to the applicable department's rules, regulations and procedures approved herein and as
24 authorized by 42-12.4; and be it further;

25 RESOLVED, that this Joint Resolution shall take effect upon passage.

26 SECTION 11. Sections 1 through 6 and 9 of this Article shall take effect as of July 1, 2022.
27 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 [and any federal or state](#)
33 [child tax credits or rebates](#);
- 34 (xii) The value of any state, local, or federal government rent or housing subsidy, provided

1 that this exclusion shall not limit the reduction in benefits provided for in the payment standard
2 section of this chapter;

3 (xiii) The earned income of any adult family member who gains employment while an
4 active RI Works household member. This income is excluded for the first six (6) months of
5 employment in which the income is earned, or until the household's total gross income exceeds one
6 hundred eighty-five percent (185%) of the federal poverty level, unless the household reaches its
7 ~~forty-eight month (48)~~ sixty (60) month time limit first;

8 (xiv) Any veteran's disability pension benefits received as a result of any disability
9 sustained by the veteran while in the military service.

10 (4) The receipt of a lump sum of income shall affect participants for cash assistance in
11 accordance with rules and regulations promulgated by the department.

12 (h) Time limit on the receipt of cash assistance.

13 (1) On or after January 1, 2020, no cash assistance shall be provided, pursuant to this
14 chapter, to a family or assistance unit that includes an adult member who has received cash
15 assistance for a total of ~~forty-eight (48)~~ sixty (60) months (whether or not consecutive), to include
16 any time receiving any type of cash assistance in any other state or territory of the United States of
17 America as defined herein. Provided further, in no circumstances other than provided for in
18 subsection (h)(3) with respect to certain minor children, shall cash assistance be provided pursuant
19 to this chapter to a family or assistance unit that includes an adult member who has received cash
20 assistance for a total of a lifetime limit of ~~forty-eight (48)~~ sixty (60) months.

21 (2) Cash benefits received by a minor dependent child shall not be counted toward their
22 lifetime time limit for receiving benefits under this chapter should that minor child apply for cash
23 benefits as an adult.

24 (3) Certain minor children not subject to time limit. This section regarding the lifetime time
25 limit for the receipt of cash assistance, shall not apply only in the instances of a minor child(ren)
26 living with a parent who receives SSI benefits and a minor child(ren) living with a responsible adult
27 non-parent caretaker relative who is not in the cash assistance payment.

28 (4) Receipt of family cash assistance in any other state or territory of the United States of
29 America shall be determined by the department of human services and shall include family cash
30 assistance funded in whole or in part by Temporary Assistance for Needy Families (TANF) funds
31 [Title IV-A of the federal Social Security Act, 42 U.S.C. § 601 et seq.] and/or family cash assistance
32 provided under a program similar to the Rhode Island families work and opportunity program or
33 the federal TANF program.

34 (5) (i) The department of human services shall mail a notice to each assistance unit when

1 the assistance unit has six (6) months of cash assistance remaining and each month thereafter until
2 the time limit has expired. The notice must be developed by the department of human services and
3 must contain information about the lifetime time limit, the number of months the participant has
4 remaining, the hardship extension policy, the availability of a post-employment-and-closure bonus;
5 and any other information pertinent to a family or an assistance unit nearing the ~~forty-eight month~~
6 ~~(48)~~ sixty (60) month lifetime time limit.

7 (ii) For applicants who have less than six (6) months remaining in the ~~forty-eight month~~
8 ~~(48)~~ sixty (60) month lifetime time limit because the family or assistance unit previously received
9 cash assistance in Rhode Island or in another state, the department shall notify the applicant of the
10 number of months remaining when the application is approved and begin the process required in
11 subsection (h)(5)(i).

12 (6) If a cash assistance recipient family was closed pursuant to Rhode Island's Temporary
13 Assistance for Needy Families Program (federal TANF described in Title IV-A of the Federal
14 Social Security Act, 42 U.S.C. § 601 et seq.), formerly entitled the Rhode Island family
15 independence program, more specifically under § 40-5.1-9(2)(c) [repealed], due to sanction
16 because of failure to comply with the cash assistance program requirements; and that recipient
17 family received ~~forty-eight (48)~~ sixty (60) months of cash benefits in accordance with the family
18 independence program, then that recipient family is not able to receive further cash assistance for
19 his/her family, under this chapter, except under hardship exceptions.

20 (7) The months of state or federally funded cash assistance received by a recipient family
21 since May 1, 1997, under Rhode Island's Temporary Assistance for Needy Families Program
22 (federal TANF described in Title IV-A of the Federal Social Security Act, 42 U.S.C. § 601 et seq.),
23 formerly entitled the Rhode Island family independence program, shall be countable toward the
24 time-limited cash assistance described in this chapter.

25 (i) Time limit on the receipt of cash assistance.

26 (1) No cash assistance shall be provided, pursuant to this chapter, to a family assistance
27 unit in which an adult member has received cash assistance for a total of sixty (60) months (whether
28 or not consecutive) to include any time receiving any type of cash assistance in any other state or
29 territory of the United States as defined herein effective August 1, 2008. Provided further, that no
30 cash assistance shall be provided to a family in which an adult member has received assistance for
31 twenty-four (24) consecutive months unless the adult member has a rehabilitation employment plan
32 as provided in § 40-5.2-12(g)(5).

33 (2) Effective August 1, 2008, no cash assistance shall be provided pursuant to this chapter
34 to a family in which a child has received cash assistance for a total of sixty (60) months (whether

1 or not consecutive) if the parent is ineligible for assistance under this chapter pursuant to subsection
2 (a)(2) to include any time they received any type of cash assistance in any other state or territory
3 of the United States as defined herein.

4 (j) Hardship exceptions.

5 (1) The department may extend an assistance unit's or family's cash assistance beyond the
6 time limit, by reason of hardship; provided, however, that the number of families to be exempted
7 by the department with respect to their time limit under this subsection shall not exceed twenty
8 percent (20%) of the average monthly number of families to which assistance is provided for under
9 this chapter in a fiscal year; provided, however, that to the extent now or hereafter permitted by
10 federal law, any waiver granted under § 40-5.2-34, for domestic violence, shall not be counted in
11 determining the twenty percent (20%) maximum under this section.

12 (2) Parents who receive extensions to the time limit due to hardship must have and comply
13 with employment plans designed to remove or ameliorate the conditions that warranted the
14 extension.

15 (k) Parents under eighteen (18) years of age.

16 (1) A family consisting of a parent who is under the age of eighteen (18), and who has
17 never been married, and who has a child; or a family consisting of a woman under the age of
18 eighteen (18) who is at least six (6) months pregnant, shall be eligible for cash assistance only if
19 the family resides in the home of an adult parent, legal guardian, or other adult relative. The
20 assistance shall be provided to the adult parent, legal guardian, or other adult relative on behalf of
21 the individual and child unless otherwise authorized by the department.

22 (2) This subsection shall not apply if the minor parent or pregnant minor has no parent,
23 legal guardian, or other adult relative who is living and/or whose whereabouts are unknown; or the
24 department determines that the physical or emotional health or safety of the minor parent, or his or
25 her child, or the pregnant minor, would be jeopardized if he or she was required to live in the same
26 residence as his or her parent, legal guardian, or other adult relative (refusal of a parent, legal
27 guardian, or other adult relative to allow the minor parent or his or her child, or a pregnant minor,
28 to live in his or her home shall constitute a presumption that the health or safety would be so
29 jeopardized); or the minor parent or pregnant minor has lived apart from his or her own parent or
30 legal guardian for a period of at least one year before either the birth of any child to a minor parent
31 or the onset of the pregnant minor's pregnancy; or there is good cause, under departmental
32 regulations, for waiving the subsection; and the individual resides in a supervised supportive-living
33 arrangement to the extent available.

34 (3) For purposes of this section, "supervised supportive-living arrangement" means an

1 arrangement that requires minor parents to enroll and make satisfactory progress in a program
2 leading to a high school diploma or a general education development certificate, and requires minor
3 parents to participate in the adolescent parenting program designated by the department, to the
4 extent the program is available; and provides rules and regulations that ensure regular adult
5 supervision.

6 (1) Assignment and cooperation. As a condition of eligibility for cash and medical
7 assistance under this chapter, each adult member, parent, or caretaker relative of the
8 family/assistance unit must:

9 (1) Assign to the state any rights to support for children within the family from any person
10 that the family member has at the time the assignment is executed or may have while receiving
11 assistance under this chapter;

12 (2) Consent to and cooperate with the state in establishing the paternity and in establishing
13 and/or enforcing child support and medical support orders for all children in the family or assistance
14 unit in accordance with title 15 of the general laws, as amended, unless the parent or caretaker
15 relative is found to have good cause for refusing to comply with the requirements of this subsection.

16 (3) Absent good cause, as defined by the department of human services through the
17 rulemaking process, for refusing to comply with the requirements of subsections (1)(1) and (1)(2),
18 cash assistance to the family shall be reduced by twenty-five percent (25%) until the adult member
19 of the family who has refused to comply with the requirements of this subsection consents to and
20 cooperates with the state in accordance with the requirements of this subsection.

21 (4) As a condition of eligibility for cash and medical assistance under this chapter, each
22 adult member, parent, or caretaker relative of the family/assistance unit must consent to and
23 cooperate with the state in identifying and providing information to assist the state in pursuing any
24 third party who may be liable to pay for care and services under Title XIX of the Social Security
25 Act, 42 U.S.C. § 1396 et seq.

26 **40-5.2-12. Work requirements for receipt of cash assistance.**

27 (a) The department of human services and the department of labor and training shall assess
28 the applicant/parent or non-parent caretaker relative's work experience, educational, and vocational
29 abilities, and the department, together with the parent, shall develop and enter into a mandatory,
30 individual employment plan in accordance with § 40-5.2-10(e).

31 (b) In the case of a family including two (2) parents, at least one of the parents shall be
32 required to participate in an employment plan leading to full-time employment. The department
33 may also require the second parent in a two-parent (2) household to develop an employment plan
34 if, and when, the youngest child reaches six (6) years of age or older.

1 (c) The written, individual employment plan shall specify, at minimum, the immediate
2 steps necessary to support a goal of long-term, economic independence.

3 (d) All applicants and participants in the Rhode Island works employment program must
4 attend and participate in required appointments, employment plan development, and employment-
5 related activities, unless temporarily exempt for reasons specified in this chapter.

6 (e) A recipient/participant temporarily exempted from the work requirements may
7 participate in an individual employment plan on a voluntary basis, however, the individual remains
8 subject to the same program compliance requirements as a participant without a temporary
9 exemption.

10 (f) The individual employment plan shall specify the participant's work activity(ies) and
11 the supportive services that will be provided by the department to enable the participant to engage
12 in the work activity(ies).

13 (g) Work requirements for single-parent families. In single-parent households, the
14 participant parent or non-parent caretaker relative in the cash assistance payment, shall participate
15 as a condition of eligibility, for a minimum of twenty (20) hours per week if the youngest child in
16 the home is under the age of six (6), and for a minimum of thirty (30) hours per week if the youngest
17 child in the home is six (6) years of age or older, in one or more of their required work activities,
18 as appropriate, in order to help the parent obtain stable, full-time, paid employment, as determined
19 by the department of human services and the department of labor and training; provided, however,
20 that he or she shall begin with intensive employment services as the first step in the individual
21 employment plan. Required work activities are as follows:

22 (1) At least twenty (20) hours per week must come from participation in one or more of
23 the following ten (10) work activities:

24 (i) Unsubsidized employment;

25 (ii) Subsidized private-sector employment;

26 (iii) Subsidized public-sector employment;

27 (iv) Work experience;

28 (v) On-the-job training;

29 (vi) Job search and job readiness;

30 (vii) Community service programs;

31 (viii) Vocational educational training not to exceed twelve (12) months; provided,
32 however, that a participant who successfully completes their first year of education at the
33 community college of Rhode Island, may participate in vocational education training for an
34 additional twelve (12) months;

1 (ix) Providing childcare services to another participant parent who is participating in an
2 approved community service program; and

3 (x) Adult education in an intensive work-readiness program.

4 (2) Above twenty (20) hours per week, the parent may participate in one or more of the
5 following three (3) activities in order to satisfy a thirty-hour (30) requirement:

6 (i) Job skills training directly related to employment;

7 (ii) Education directly related to employment; and

8 (iii) Satisfactory attendance at a secondary school or in a course of study leading to a
9 certificate of general equivalence if it is a teen parent under the age of twenty (20) who is without
10 a high school diploma or General Equivalence Diploma (GED).

11 (3) In the case of a parent under the age of twenty (20), attendance at a secondary school
12 or the equivalent during the month, or twenty (20) hours per week on average for the month in
13 education directly related to employment, will be counted as engaged in work.

14 (4) A parent who participates in a work experience or community service program for the
15 maximum number of hours per week allowable by the Fair Labor Standards Act (FLSA) is deemed
16 to have participated in his or her required minimum hours per week in core activities if actual
17 participation falls short of his or her required minimum hours per week.

18 (5) A parent who has been determined to have a physical or mental impairment affecting
19 employment, but who has not been found eligible for Social Security Disability benefits or
20 Supplemental Security Income must participate in his or her rehabilitation employment plan as
21 developed with the office of rehabilitation services that leads to employment and/or to receipt of
22 disability benefits through the Social Security Administration.

23 (6) A required work activity may be any other work activity permissible under federal
24 TANF provisions or state-defined Rhode Island works program activity, including up to ten (10)
25 hours of activities required by a parent's department of children, youth and families service plan.

26 (h) Exemptions from work requirements for the single-parent family. Work requirements
27 outlined in subsection (g) shall not apply to a single parent if (and for so long as) the department
28 finds that he or she is:

29 (1) Caring for a child below the age of one; provided, however, that a parent may opt for
30 the deferral from an individual employment plan for a maximum of twelve (12) months during the
31 twenty-four (24) months of eligibility for cash assistance and provided, further, that a minor parent
32 without a high school diploma or the equivalent, and who is not married, shall not be exempt for
33 more than twelve (12) weeks from the birth of the child;

34 (2) Caring for a disabled family member who resides in the home and requires full-time

1 care;

2 (3) A recipient of Social Security Disability benefits or Supplemental Security Income or
3 other disability benefits that have the same standard of disability as defined by the Social Security
4 Administration;

5 (4) An individual receiving assistance who is a victim of domestic violence as determined
6 by the department in accordance with rules and regulations;

7 (5) An applicant for assistance in her third trimester or a pregnant woman in her third
8 trimester who is a recipient of assistance and has medical documentation that she cannot work;

9 (6) An individual otherwise exempt by the department as defined in rules and regulations
10 promulgated by the department.

11 (i) Work requirement for two-parent families.

12 (1) In families consisting of two (2) parents, one or both parents are required, and shall be
13 engaged in, work activities as defined below, for an individual or combined total of at least thirty-
14 five (35) hours per week during the month, not fewer than thirty (30) hours per week of that are
15 attributable to one or more of the following listed work activities; provided, however, that he or she
16 shall begin with intensive employment services as the first step in the individual employment plan.

17 Two-parent work requirements shall be defined as the following:

18 (i) Unsubsidized employment;

19 (ii) Subsidized private-sector employment;

20 (iii) Subsidized public-sector employment;

21 (iv) Work experience;

22 (v) On-the-job training;

23 (vi) Job search and job readiness;

24 (vii) Community service program;

25 (viii) Vocational educational training not to exceed twelve (12) months; provided,
26 however, that a participant who successfully completes their first year of education at the
27 community college of Rhode Island, may participate in vocational education training for an
28 additional twelve (12) months;

29 (ix) The provision of childcare services to a participant individual who is participating in a
30 community service program; and

31 (x) Adult education in an intensive work-readiness program.

32 (2) Above thirty (30) hours per week, the following three (3) activities may also count for
33 participation:

34 (i) Job skills training directly related to employment;

1 (ii) Education directly related to employment; and
2 (iii) Satisfactory attendance at secondary school or in a course of study leading to a
3 certificate of general equivalence.

4 (3) A family with two (2) parents, in which one or both parents participate in a work
5 experience or community service program, shall be deemed to have participated in core work
6 activities for the maximum number of hours per week allowable by the Fair Labor Standards Act
7 (FLSA) if actual participation falls short of his or her required minimum hours per week.

8 (4) If the family receives childcare assistance and an adult in the family is not disabled or
9 caring for a severely disabled child, then the work-eligible individuals must be participating in work
10 activities for an average of at least fifty-five (55) hours per week to count as a two-parent family
11 engaged in work for the month.

12 (5) At least fifty (50) of the fifty-five (55) hours per week must come from participation in
13 the activities listed in subsection (i)(1).

14 Above fifty (50) hours per week, the three (3) activities listed in subsection (i)(2) may also
15 count as participation.

16 (6) A family with two (2) parents receiving child care in which one or both parents
17 participate in a work experience or community service program for the maximum number of hours
18 per week allowable by the Fair Labor Standards Act (FLSA) will be considered to have met their
19 required core hours if actual participation falls short of the required minimum hours per week. For
20 families that need additional hours beyond the core activity requirement, these hours must be
21 satisfied in some other TANF work activity.

22 (j) Exemptions from work requirements for two-parent families. Work requirements
23 outlined in subsection (i) shall not apply to two-parent families if (and for so long as) the department
24 finds that:

25 (1) Both parents receive Supplemental Security Income (SSI);
26 (2) One parent receives SSI, and the other parent is caring for a disabled family member
27 who resides in the home and who requires full-time care; or

28 (3) The parents are otherwise exempt by the department as defined in rules and regulations.

29 (k) Failure to comply with work requirements -- Sanctions and terminations.

30 (1) The cash assistance to which an otherwise eligible family/assistance unit is entitled
31 under this chapter shall be reduced for three (3) months, whether or not consecutive, in accordance
32 with rules and regulations promulgated by the department, whenever any participant, without good
33 cause as defined by the department in its rules and regulations, has failed to enter into an individual
34 employment plan; has failed to attend a required appointment; has refused or quit employment; or

1 has failed to comply with any other requirements for the receipt of cash assistance under this
2 chapter. If the family's benefit has been reduced, benefits shall be restored to the full amount
3 beginning with the initial payment made on the first of the month following the month in which the
4 parent: (i) Enters into an individual employment plan or rehabilitation plan and demonstrates
5 compliance with the terms thereof; or (ii) Demonstrates compliance with the terms of his or her
6 existing individual employment plan or rehabilitation plan, as such plan may be amended by
7 agreement of the parent and the department.

8 (2) In the case where appropriate child care has been made available in accordance with
9 this chapter, a participant's failure, without good cause, to accept a bona fide offer of work,
10 including full-time, part-time, and/or temporary employment, or unpaid work experience or
11 community service, shall be deemed a failure to comply with the work requirements of this section
12 and shall result in reduction or termination of cash assistance, as defined by the department in rules
13 and regulations duly promulgated.

14 (3) If the family/assistance unit's benefit has been reduced for a total of three (3) months,
15 whether or not consecutive in accordance with this section due to the failure by one or more parents
16 to enter into an individual employment plan, or failure to comply with the terms of his or her
17 individual employment plan, or the failure to comply with the requirements of this chapter, cash
18 assistance to the entire family shall end. The family/assistance unit may reapply for benefits, and
19 the benefits shall be restored to the family/assistance unit in the full amount the family/assistance
20 unit is otherwise eligible for under this chapter beginning on the first of the month following the
21 month in which all parents in the family/assistance unit who are subject to the employment or
22 rehabilitation plan requirements under this chapter: (i) Enter into an individual employment or
23 rehabilitation plan as applicable, and demonstrate compliance with the terms thereof, or (ii)
24 Demonstrate compliance with the terms of the parent's individual employment or rehabilitation
25 employment plan in effect at the time of termination of benefits, as such plan may be amended by
26 agreement of the parent and the department.

27 (4) Up to ten (10) days following a notice of adverse action to reduce or terminate benefits
28 under this subsection, the client may request the opportunity to meet with a social worker to identify
29 the reasons for non-compliance, establish good cause, and seek to resolve any issues that have
30 prevented the parent from complying with the employment plan requirements.

31 (5) Participants whose cases had closed in sanction status pursuant to Rhode Island's prior
32 Temporary Assistance for Needy Families Program (federal TANF described in Title IV-A of the
33 federal Social Security Act, 42 U.S.C. § 601 et seq.), the family independence program, more
34 specifically, § 40-5.1-9(2)(c) [repealed], due to failure to comply with the cash assistance program

1 requirements, but who had received less than forty-eight (48) months of cash assistance at the time
2 of closure, and who reapply for cash assistance under the Rhode Island works program, must
3 demonstrate full compliance, as defined by the department in its rules and regulations, before they
4 shall be eligible for cash assistance pursuant to this chapter.

5 (l) Good cause. Good cause for failing to meet any program requirements including leaving
6 employment, and failure to fulfill documentation requirements, shall be outlined in rules and
7 regulations promulgated by the department of human services.

8 **40-5.2-20. Childcare assistance -- Families or assistance units eligible.**

9 (a) The department shall provide appropriate child care to every participant who is eligible
10 for cash assistance and who requires child care in order to meet the work requirements in
11 accordance with this chapter.

12 (b) Low-income child care. The department shall provide child care to all other working
13 families with incomes at or below ~~one hundred eighty percent (180%)~~ two hundred percent (200%)
14 of the federal poverty level if, and to the extent, these other families require child care in order to
15 work at paid employment as defined in the department's rules and regulations. ~~Beginning October~~
16 ~~1, 2013, the~~ The department shall also provide child care to families with incomes below ~~one~~
17 ~~hundred eighty percent (180%)~~ two hundred percent (200%) of the federal poverty level if, and to
18 the extent, these families require child care to participate on a short-term basis, as defined in the
19 department's rules and regulations, in training, apprenticeship, internship, on-the-job training, work
20 experience, work immersion, or other job-readiness/job-attachment program sponsored or funded
21 by the human resource investment council (governor's workforce board) or state agencies that are
22 part of the coordinated program system pursuant to § 42-102-11. Effective from January 1, 2021,
23 through June 30, 2022, the department shall also provide childcare assistance to families with
24 incomes below one hundred eighty percent (180%) of the federal poverty level when such
25 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode
26 Island public institution of higher education provided that eligibility to receive funding is capped
27 when expenditures reach \$200,000 for this provision. Effective July 1, 2022, the department shall
28 also provide childcare assistance to families with incomes below two hundred percent (200%) of
29 the federal poverty level when such assistance is necessary for a member of these families to enroll
30 or maintain enrollment in a Rhode Island public institution of higher education.

31 (c) No family/assistance unit shall be eligible for childcare assistance under this chapter if
32 the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which
33 corresponds to the amount permitted by the federal government under the state plan and set forth
34 in the administrative rulemaking process by the department. Liquid resources are defined as any

1 interest(s) in property in the form of cash or other financial instruments or accounts that are readily
2 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit
3 union, or other financial institution savings, checking, and money market accounts; certificates of
4 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments
5 or accounts. These do not include educational savings accounts, plans, or programs; retirement
6 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.
7 The department is authorized to promulgate rules and regulations to determine the ownership and
8 source of the funds in the joint account.

9 (d) As a condition of eligibility for childcare assistance under this chapter, the parent or
10 caretaker relative of the family must consent to, and must cooperate with, the department in
11 establishing paternity, and in establishing and/or enforcing child support and medical support
12 orders for any children in the family receiving appropriate child care under this section in
13 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker
14 relative is found to have good cause for refusing to comply with the requirements of this subsection.

15 (e) For purposes of this section, "appropriate child care" means child care, including infant,
16 toddler, preschool, nursery school, and school-age, that is provided by a person or organization
17 qualified, approved, and authorized to provide the care by the state agency or agencies designated
18 to make the determinations in accordance with the provisions set forth herein.

19 (f) (1) Families with incomes below one hundred percent (100%) of the applicable federal
20 poverty level guidelines shall be provided with free child care. Families with incomes greater than
21 one hundred percent (100%) and less than ~~one hundred eighty percent (180%)~~ two hundred percent
22 (200%) of the applicable federal poverty guideline shall be required to pay for some portion of the
23 child care they receive, according to a sliding-fee scale adopted by the department in the
24 department's rules, not to exceed seven percent (7%) of income as defined in subsection (h) of this
25 section.

26 (2) Families who are receiving childcare assistance and who become ineligible for
27 childcare assistance as a result of their incomes exceeding ~~one hundred eighty percent (180%)~~ two
28 hundred percent (200%) of the applicable federal poverty guidelines shall continue to be eligible
29 for childcare assistance until their incomes exceed ~~two hundred twenty five percent (225%)~~ three
30 hundred percent (300%) of the applicable federal poverty guidelines. To be eligible, the families
31 must continue to pay for some portion of the child care they receive, as indicated in a sliding-fee
32 scale adopted in the department's rules, not to exceed seven percent (7%) of income as defined in
33 subsection (h) of this section, and in accordance with all other eligibility standards.

34 (g) In determining the type of child care to be provided to a family, the department shall

1 take into account the cost of available childcare options; the suitability of the type of care available
2 for the child; and the parent's preference as to the type of child care.

3 (h) For purposes of this section, "income" for families receiving cash assistance under §
4 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in
5 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and
6 unearned income as determined by departmental regulations.

7 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast
8 the expenditures for child care in accordance with the provisions of § 35-17-1.

9 (j) In determining eligibility for childcare assistance for children of members of reserve
10 components called to active duty during a time of conflict, the department shall freeze the family
11 composition and the family income of the reserve component member as it was in the month prior
12 to the month of leaving for active duty. This shall continue until the individual is officially
13 discharged from active duty.

14 SECTION 2. Chapter 40-6 of the General Laws entitled "Public Assistance Act" is hereby
15 amended by adding thereto the following section:

16 **40-6-8.2. Establishment of retail SNAP incentives pilot program.**

17 (a) There shall be established a retail supplemental nutrition assistance program (SNAP)
18 incentives pilot program to be administered by the department of human services. Funds
19 appropriated for the program shall be expended first for the implementation and administration of
20 the retail SNAP incentives program to promote healthy food access and nutrition among Rhode
21 Island SNAP recipients.

22 (1) SNAP households will receive fifty cents (\$0.50) credit on their electronic benefit
23 transfer (EBT) card for each one dollar (\$1.00) spent on eligible fruits and vegetables at
24 participating retailers, up to a monthly limit as determined by the department.

25 (2) This pilot program shall take effect on January 1, 2023, and operate until appropriated
26 funds are expended.

27 (b) The department of human services shall promulgate rules, regulations, and procedures
28 necessary for the implementation of this section including, but not limited to the following:

- 29 (1) Eligibility for pilot participation;
30 (2) Purchases eligible to earn incentive payments;
31 (3) Monthly incentive limits that may be earned by participating households; and
32 (4) Eligible uses of earned incentive payments.

33 (c) The department shall report to the speaker of the house, president of the senate, and
34 chairpersons of the house and senate finance committees regarding the amount of credits issued

1 [pursuant to this section and administrative expenses, no later than February 15, 2024.](#)

2 SECTION 3. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled “Childcare-
3 State Subsidies” is hereby amended to read as follows:

4 **40-6.2-1.1. Rates established.**

5 (a) Through June 30, 2015, subject to the payment limitations in subsection (c), the
6 maximum reimbursement rates to be paid by the departments of human services and children, youth
7 and families for licensed childcare centers and licensed family childcare providers shall be based
8 on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the
9 average of the 75th percentile of the 2002 and the 2004 weekly market rates:

10	LICENSED CHILDCARE CENTERS	75th PERCENTILE OF WEEKLY
11		MARKET RATE
12	INFANT	\$182.00
13	PRESCHOOL	\$150.00
14	SCHOOL-AGE	\$135.00
15	LICENSED FAMILY CHILDCARE	75th PERCENTILE OF WEEKLY
16	PROVIDERS	MARKET RATE
17	INFANT	\$150.00
18	PRESCHOOL	\$150.00
19	SCHOOL-AGE	\$135.00

20 Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum
21 reimbursement rates to be paid by the departments of human services and children, youth and
22 families for licensed childcare centers and licensed family childcare providers shall be based on the
23 above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of
24 the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased by
25 ten dollars (\$10.00) per week for infant/toddler care provided by licensed family childcare
26 providers and license-exempt providers and then the rates for all providers for all age groups shall
27 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare
28 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-
29 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one
30 cents (\$161.71) for preschool-age children.

31 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the
32 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of
33 human services and children, youth and families for licensed childcare centers shall be
34 implemented in a tiered manner, reflective of the quality rating the provider has achieved within

1 the state's quality rating system outlined in § 42-12-23.1.

2 (1) For infant/toddler child care, tier one shall be reimbursed two and one-half percent
3 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above
4 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY
5 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly
6 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly
7 amount.

8 (2) For preschool reimbursement rates, tier one shall be reimbursed two and one-half
9 (2.5%) percent above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%)
10 above the FY 2018 weekly amount, tier three shall be reimbursed ten percent (10%) above the FY
11 2018 weekly amount, tier four shall be reimbursed thirteen percent (13%) above the FY 2018
12 weekly amount, and tier five shall be reimbursed twenty-one percent (21%) above the FY 2018
13 weekly amount.

14 (c) [Deleted by P.L. 2019, ch. 88, art. 13, § 4.]

15 (d) By June 30, 2004, and biennially through June 30, 2014, the department of labor and
16 training shall conduct an independent survey or certify an independent survey of the then-current
17 weekly market rates for child care in Rhode Island and shall forward the weekly market rate survey
18 to the department of human services. The next survey shall be conducted by June 30, 2016, and
19 triennially thereafter. The departments of human services and labor and training will jointly
20 determine the survey criteria including, but not limited to, rate categories and sub-categories.

21 (e) In order to expand the accessibility and availability of quality child care, the department
22 of human services is authorized to establish, by regulation, alternative or incentive rates of
23 reimbursement for quality enhancements, innovative or specialized child care, and alternative
24 methodologies of childcare delivery, including nontraditional delivery systems and collaborations.

25 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two
26 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of
27 reimbursement payments.

28 (g) Effective July 1, 2019, the maximum infant/toddler reimbursement rates to be paid by
29 the departments of human services and children, youth and families for licensed family childcare
30 providers shall be implemented in a tiered manner, reflective of the quality rating the provider has
31 achieved within the state's quality rating system outlined in § 42-12-23.1. Tier one shall be
32 reimbursed two percent (2%) above the prevailing base rate for step 1 and step 2 providers, three
33 percent (3%) above prevailing base rate for step 3 providers, and four percent (4%) above the
34 prevailing base rate for step 4 providers; tier two shall be reimbursed five percent (5%) above the

1 prevailing base rate; tier three shall be reimbursed eleven percent (11%) above the prevailing base
 2 rate; tier four shall be reimbursed fourteen percent (14%) above the prevailing base rate; and tier
 3 five shall be reimbursed twenty-three percent (23%) above the prevailing base rate.

4 (h) Through December 31, 2021, the maximum reimbursement rates paid by the
 5 departments of human services, and children, youth and families to licensed childcare centers shall
 6 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
7 Infant/Toddler	\$257.54	\$257.54	\$257.54	\$257.54	\$273.00
8 Preschool Age	\$195.67	\$195.67	\$195.67	\$195.67	\$260.00
9 School Age	\$200.00	\$200.00	\$200.00	\$200.00	\$245.00

11 The maximum reimbursement rates paid by the departments of human services, and
 12 children, youth and families to licensed family childcare providers shall be consistent with the
 13 enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
14 Infant/Toddler	\$224.43	\$224.43	\$224.43	\$224.43	\$224.43
15 Preschool Age	\$171.45	\$171.45	\$171.45	\$171.45	\$171.45
16 School Age	\$162.30	\$162.30	\$162.30	\$162.30	\$162.30

17 (i) Effective January 1, 2022, the maximum reimbursement rates to be paid by the
 18 departments of human services and children, youth and families for licensed childcare centers shall
 19 be implemented in a tiered manner, reflective of the quality rating the provider has achieved within
 20 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be
 21 reimbursed as follows:

22 LICENSED CHILDCARE

23 CENTERS	Tier One	Tier Two	Tier Three	Tier Four	Tier Five
24 Infant/Toddler	\$236.36	\$244.88	\$257.15	\$268.74	\$284.39
25 Preschool	\$207.51	\$212.27	\$218.45	\$223.50	\$231.39
26 School-Age	\$180.38	\$182.77	\$185.17	\$187.57	\$189.97

27 The maximum reimbursement rates for licensed family childcare providers paid by the
 28 departments of human services, and children, youth and families is determined through collective
 29 bargaining. The maximum reimbursement rates for infant/toddler and preschool age children paid
 30 to licensed family childcare providers by both departments is implemented in a tiered manner that
 31 reflects the quality rating the provider has achieved in accordance with § 42-12-23.1.
 32

33 (j) Effective July 1, 2022, the maximum reimbursement rates to be paid by the departments
 34 of human services and children, youth and families for licensed childcare centers shall be

1 implemented in a tiered manner, reflective of the quality rating the provider has achieved within
2 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be
3 reimbursed as follows:

4 LICENSED CHILDCARE

5 <u>CENTERS</u>	<u>Tier One</u>	<u>Tier Two</u>	<u>Tier Three</u>	<u>Tier Four</u>	<u>Tier Five</u>
6 <u>Infant/Toddler</u>	<u>\$265</u>	<u>\$270</u>	<u>\$282</u>	<u>\$289</u>	<u>\$300</u>
7 <u>Preschool</u>	<u>\$225</u>	<u>\$235</u>	<u>\$243</u>	<u>\$250</u>	<u>\$260</u>
8 <u>School-Age</u>	<u>\$200</u>	<u>\$205</u>	<u>\$220</u>	<u>\$238</u>	<u>\$250</u>

9 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.