

2010 -- H 7178

LC00767

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO EDUCATION - - MANDATES

Introduced By: Representatives DaSilva, and Martin

Date Introduced: January 21, 2010

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended  
2 by adding thereto the following chapter:

3 CHAPTER 91

4 STATE EDUCATIONAL MANDATES

5 **16-91-1. Mandate defined.** – For the purpose of this chapter, "an educational mandate"  
6 shall mean any requirement or dictate enacted by the general assembly or promulgated by a  
7 regulator of a state agency addressed to any school district.

8 **16-91-2. Future mandates.** – (a) No educational mandate shall be enacted or  
9 promulgated after the effective date of this chapter, unless the body enacting or promulgating the  
10 same shall first, after public hearing, determine the cost of the proposed mandate to each of the  
11 school districts of the state. No rule, regulation or policy adopted by state departments, agencies  
12 or quasi-state departments or agencies which requires any new expenditure of money or increased  
13 expenditure of money by a city or town shall take effect unless full and adequate funding, as  
14 determined by public hearing, is included as a portion of the language of the mandate document.

15 (b) The lack of full and adequate funding as a provision of an educational mandate shall  
16 be an absolute defense against any legal action filed by any party for the purpose of enforcing the  
17 provisions of the mandate.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1 This act would require that educational mandates be fully funded or else unenforceable.
- 2 This act would take effect upon passage.

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