

2025 -- H 5941

LC002302

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- PORTABLE BENEFIT PLAN

Introduced By: Representatives Place, Santucci, Quattrocchi, and Paplauskas

Date Introduced: February 28, 2025

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 28 of the General Laws entitled "LABOR AND LABOR RELATIONS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 61

4 PORTABLE BENEFIT PLAN

5 **28-61-1. Definitions.**

6 As used in this chapter, the following terms have the meaning ascribed to them in this
7 section, except when the context clearly indicates a different meaning:

8 (1) "Hiring party" means a person who hires or enters into a contract with an independent
9 contractor.

10 (2) "Independent contractor" means any person determined to be an independent contractor
11 pursuant to the provisions of § 28-42-7.

12 (3) "Portable benefit plan" means a group that offers an insurance product regulated by title
13 27 ("insurance"), or chapters 42 through 44 of title 28 ("employment security") and is assigned to
14 an individual beneficiary and is not associated with a specific employer or hiring party.

15 **28-61-2. Administration -- Assignment of benefits -- Portability.**

16 (a) A governmental entity or private entity voluntarily may offer a portable benefit plan.

17 (b) Contributions to a portable benefit plan shall be voluntary and may not be used as a
18 criterion for determining a person's employment classification.

19 (c) A portable benefit plan for the benefit of an individual beneficiary shall not be construed

1 as evidence of employer liability, and a court may not construe the contribution as an element of
2 an employment relationship for purposes of employer liability to include, but not be limited to, the
3 provisions of workers' compensation, employment security or the provisions of title 28.

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

=====
LC002302
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LABOR AND LABOR RELATIONS -- PORTABLE BENEFIT PLAN

- 1 This act would establish a voluntary portable benefit plan for independent contractors.
- 2 This act would take effect upon passage.

=====
LC002302
=====