

**2026 -- H 7127 SUBSTITUTE A**

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LC004134/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2026**

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**A N A C T**

**MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL  
YEAR ENDING JUNE 30, 2027**

Introduced By: Representative Marvin L. Abney

Date Introduced: January 15, 2026

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 2027
- 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 FEES
- 7 ARTICLE 7 RELATING TO EDUCATION
- 8 ARTICLE 8 RELATING TO MEDICAL ASSISTANCE
- 9 ARTICLE 9 RELATING TO LEASES
- 10 ARTICLE 10 RELATING TO HEALTH AND HUMAN SERVICES
- 11 ARTICLE 11 RELATING TO ENERGY
- 12 ARTICLE 12 RELATING TO HEALTH CARE
- 13 ARTICLE 13 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT
- 14 OF FY 2026
- 15 ARTICLE 14 RELATING TO EFFECTIVE DATE

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LC004134/SUB A  
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**ARTICLE 1**

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2027

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, 2027. The amounts identified for federal funds and restricted receipts shall be made available pursuant to § 35-4-22 and chapter 41 of title 42. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw the state controller's 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 the state controller of properly authenticated vouchers.

**Administration**

*Central Management*

General Revenues	4,006,929
Restricted Receipts	853,701
Total - Central Management	4,860,630

*Legal Services*

General Revenues	2,998,750
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*Accounts and Control*

General Revenues	650,061
Restricted Receipts	
OPEB Board Administration	100,000
Grants Management Administration	1,726,550
Total - Accounts and Control	2,476,611

*Office of Management and Budget*

General Revenues	11,156,879
Federal Funds	
Federal Funds	151,778
Federal Funds – Capital Projects Fund	
CPF Administration	669,389
Federal Funds – State Fiscal Recovery Fund	

1	Pandemic Recovery Office	682,668
2	Restricted Receipts	300,000
3	Other Funds	1,191,363
4	Total - Office of Management and Budget	14,152,077
5	<i>Purchasing</i>	
6	General Revenues	1,911,346
7	Restricted Receipts	3,680,152
8	Other Funds	670,572
9	Total - Purchasing	6,262,070
10	<i>Human Resources</i>	
11	General Revenues	701,698
12	<i>Personnel Appeal Board</i>	
13	General Revenues	152,228
14	<i>Information Technology</i>	
15	General Revenues	998,042
16	Restricted Receipts	1,124,485
17	Total - Information Technology	2,122,527
18	<i>Library and Information Services</i>	
19	General Revenues	2,214,102
20	Federal Funds	1,639,564
21	Restricted Receipts	6,990
22	Total - Library and Information Services	3,860,656
23	<i>Planning</i>	
24	General Revenues	1,126,048
25	Restricted Receipts	50,000
26	Other Funds	
27	Air Quality Modeling	24,000
28	Federal Highway - PL Systems Planning	3,851,173
29	State Transportation Planning Match	670,918
30	FTA - Metro Planning Grant	1,571,094
31	Total - Planning	7,293,233
32	<i>General</i>	
33	General Revenues	
34	Miscellaneous Grants/Payments	3,980,821

1	Torts Court Awards	1,850,000
2	Wrongful Conviction Awards	900,000
3	Resource Sharing and State Library Aid	12,545,904
4	Library Construction Aid	2,097,515
5	Restricted Receipts	700,000
6	Other Funds	
7	Rhode Island Capital Plan Funds	
8	Security Measures State Buildings	950,000
9	Cranston Street Armory	100,000
10	State House Renovations	17,379,000
11	Zambarano Buildings and Campus	2,300,000
12	Replacement of Fueling Tanks	620,000
13	Environmental Compliance	225,000
14	Big River Management Area - Watershed	153,000
15	Shepard Building Upgrades	3,920,000
16	RI Convention Center Authority	2,825,000
17	Pastore Center Power Plant	3,500,000
18	DoIT Enterprise Operations Center	6,700,000
19	Cannon Building	3,925,000
20	Old State House	600,000
21	State Office Building	975,000
22	State Office Reorganization & Relocation	250,000
23	William Powers Building	2,600,000
24	Pastore Center Non-Hospital Buildings Asset Protection	6,250,000
25	Washington County Government Center	200,000
26	Chapin Health Laboratory	300,000
27	560 Jefferson Blvd Asset Protection	50,000
28	Arrigan Center	100,000
29	Civic Center	1,250,000
30	Veterans Auditorium	275,000
31	Pastore Center Hospital Buildings Asset Protection	1,750,000
32	Pastore Campus Infrastructure	20,000,000
33	Community Facilities Asset Protection	2,025,043
34	Medical Examiners Office	1,050,000

1	Group Home Replacement & Rehabilitation	5,000,000
2	Zambarano LTAC Hospital	2,000,000
3	Total - General	109,346,283
4	<i>Debt Service Payments</i>	
5	General Revenues	174,878,354
6	Other Funds	
7	Transportation Debt Service	27,630,704
8	Investment Receipts - Bond Funds	100,000
9	Total - Debt Service Payments	202,609,058
10	<i>Rhode Island Health Benefits Exchange</i>	
11	General Revenues	
12	General Revenues	1,389,227
13	Individual Market Affordability	18,994,393
14	Federal Funds	12,244,211
15	Restricted Receipts	18,863,602
16	Total - Rhode Island Health Benefits Exchange	51,491,433
17	<i>Division of Equity, Diversity &amp; Inclusion</i>	
18	General Revenues	2,198,317
19	Other Funds	116,324
20	Total - Division of Equity, Diversity & Inclusion	2,314,641
21	<i>Capital Asset Management and Maintenance</i>	
22	General Revenues	12,140,265
23	<i>Statewide Personnel and Operations</i>	
24	General Revenues	
25	General Officer Transition Costs	464,000
26	Grand Total - Administration	423,246,160
27	<b>Office of Energy Resources</b>	
28	Federal Funds	32,548,662
29	Restricted Receipts	38,536,799
30	Other Funds	
31	National Electric Vehicle Infrastructure Formula Program	14,570,364
32	Rhode Island Capital Plan Funds	
33	Energy Efficiency Improvements	1,000,000
34	Grand Total - Office of Energy Resources	86,655,825

1	<b>Business Regulation</b>	
2	<i>Central Management</i>	
3	General Revenues	4,138,236
4	Restricted Receipts	39,014
5	Total - Central Management	4,177,250
6	<i>Banking Regulation</i>	
7	General Revenues	2,038,094
8	Restricted Receipts	100,000
9	Total - Banking Regulation	2,138,094
10	<i>Securities Regulation</i>	
11	General Revenues	1,031,168
12	<i>Insurance Regulation</i>	
13	General Revenues	5,406,581
14	Restricted Receipts	2,417,538
15	Total - Insurance Regulation	7,824,119
16	<i>Office of the Health Insurance Commissioner</i>	
17	General Revenues	3,179,163
18	Federal Funds	
19	Federal Funds	547,446
20	Rural Health Transformation Program	21,373,640
21	Restricted Receipts	612,142
22	Total - Office of the Health Insurance Commissioner	25,712,391
23	<i>Board of Accountancy</i>	
24	General Revenues	5,490
25	<i>Commercial Licensing and Gaming and Athletics Licensing</i>	
26	General Revenues	1,301,739
27	Restricted Receipts	1,277,843
28	Total - Commercial Licensing and Gaming and Athletics Licensing	2,579,582
29	<i>Building, Design and Fire Professionals</i>	
30	General Revenues	9,490,874
31	Federal Funds	344,288
32	Restricted Receipts	2,763,579
33	Other Funds	
34	Quonset Development Corporation	68,580

1	Rhode Island Capital Plan Funds	
2	Fire Academy Expansion	962,000
3	Total - Building, Design and Fire Professionals	13,629,321
4	Grand Total - Business Regulation	57,097,415
5	<b>RI Cannabis Control Commission</b>	
6	Restricted Receipts	7,619,341
7	<b>Executive Office of Commerce</b>	
8	<i>Central Management</i>	
9	General Revenues	1,917,540
10	<i>Quasi-Public Appropriations</i>	
11	General Revenues	
12	Rhode Island Commerce Corporation	8,506,041
13	Airport Impact Aid	1,010,036
14	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be	
15	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the	
16	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)	
17	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2026	
18	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,	
19	T.F. Green International Airport and Westerly Airport, respectively. The Rhode Island commerce	
20	corporation shall make an impact payment to the towns or cities in which the airport is located	
21	based on this calculation. Each community upon which any part of the above airports is located	
22	shall receive at least \$25,000.	
23	STAC Research Alliance	900,000
24	I-195 Redevelopment District Commission	1,245,050
25	Polaris Manufacturing Grant	500,000
26	East Providence Waterfront Commission	50,000
27	Urban Ventures	140,000
28	Chafee Center at Bryant	476,200
29	Blackstone Valley Visitor Center	75,000
30	Industrial Recreational Building Authority Obligations	105,094
31	Other Funds	
32	Rhode Island Capital Plan Funds	
33	I-195 Redevelopment District Commission	1,000,000
34	I-195 Park Improvements	500,000

1	Quonset Infrastructure	2,500,000
2	Total - Quasi-Public Appropriations	17,007,421
3	<i>Economic Development Initiatives Fund</i>	
4	General Revenues	
5	Rebuild RI Tax Credit Fund	6,100,000
6	Destination Marketing	1,500,000
7	Innovation Initiative	1,000,000
8	Federal Funds	21,292,601
9	Total - Economic Development Initiatives Fund	29,892,601
10	<i>Commerce Programs</i>	
11	General Revenues	
12	Wavemaker Fellowship	1,016,621
13	Air Service Development Fund	2,728,800
14	Main Street RI Streetscape Improvement Fund	1,000,000
15	Provided that \$150,000 shall support the Main Street Rhode Island program.	
16	Total - Commerce Programs	4,745,421
17	Grand Total - Executive Office of Commerce	53,562,983
18	<b>Housing</b>	
19	General Revenues	
20	Provided that \$200,000 shall support Sojourner House's supportive housing and rapid	
21	rehousing activities.	
22	Federal Funds	19,300,731
23	Restricted Receipts	24,348,954
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	Housing Asset Protection	1,700,000
27	Grand Total - Housing	52,683,302
28	<b>Labor and Training</b>	
29	<i>Central Management</i>	
30	General Revenues	
31	Restricted Receipts	423,851
32	Total - Central Management	1,881,759
33	<i>Workforce Development Services</i>	
34	General Revenues	
		884,194

1	Federal Funds	17,651,272
2	Total - Workforce Development Services	18,535,466
3	<i>Workforce Regulation and Safety</i>	
4	General Revenues	5,558,728
5	<i>Income Support</i>	
6	General Revenues	3,733,778
7	Federal Funds	24,274,004
8	Restricted Receipts	5,047,984
9	Other Funds	
10	Temporary Disability Insurance Fund	299,751,826
11	Employment Security Fund	296,100,000
12	Total - Income Support	628,907,592
13	<i>Injured Workers Services</i>	
14	Restricted Receipts	12,566,297
15	<i>Labor Relations Board</i>	
16	General Revenues	647,572
17	<i>Governor's Workforce Board</i>	
18	General Revenues	6,050,000
19	Provided that \$600,000 of these funds shall be used for enhanced training for direct care	
20	and support services staff to improve resident quality of care and address the changing health care	
21	needs of nursing facility residents due to higher acuity and increased cognitive impairments	
22	pursuant to § 23-17.5-36.	
23	Federal Funds	
24	Rural Health Transformation Program	7,033,505
25	Restricted Receipts	18,984,326
26	Provided that at least \$150,000 of these funds shall be used to provide hospitality industry	
27	workforce training grants including, but not limited to, certified food and alcohol safety training	
28	programs offered in multiple languages.	
29	Total - Governor's Workforce Board	32,067,831
30	Grand Total - Labor and Training	700,165,245
31	<b>Department of Revenue</b>	
32	<i>Director of Revenue</i>	
33	General Revenues	2,929,554
34	<i>Office of Revenue Analysis</i>	

1	General Revenues	1,203,684
2	<i>Lottery Division</i>	
3	Other Funds	433,759,131
4	<i>Municipal Finance</i>	
5	General Revenues	2,068,751
6	<i>Taxation</i>	
7	General Revenues	39,387,176
8	Restricted Receipts	3,293,102
9	Other Funds	
10	Motor Fuel Tax Evasion	175,000
11	Total - Taxation	42,855,278
12	<i>Registry of Motor Vehicles</i>	
13	General Revenues	36,068,291
14	Federal Funds	300,000
15	Restricted Receipts	5,629,330
16	Total - Registry of Motor Vehicles	41,997,621
17	<i>State Aid</i>	
18	General Revenues	
19	Distressed Communities Relief Fund	15,825,029
20	Payment in Lieu of Tax Exempt Properties	49,049,142
21	Motor Vehicle Excise Tax Payments	244,341,241
22	Property Revaluation Program	826,038
23	Tangible Tax Exemption Program	25,908,469
24	Restricted Receipts	1,125,000
25	Total - State Aid	337,074,919
26	<i>Collections</i>	
27	General Revenues	1,134,318
28	Grand Total - Revenue	863,023,256
29	<b>Legislature</b>	
30	General Revenues	59,980,709
31	Restricted Receipts	2,785,548
32	Grand Total - Legislature	62,766,257
33	<b>Lieutenant Governor</b>	
34	General Revenues	1,574,369

1	<b>Secretary of State</b>	
2	<i>Administration</i>	
3	General Revenues	6,097,668
4	Provided that \$100,000 be allocated to support the Rhode Island Council for the	
5	Humanities for grant making to civic and cultural organizations, and \$50,000 to support Rhode	
6	Island's participation in the We the People Civics Challenge.	
7	<i>Corporations</i>	
8	General Revenues	2,794,958
9	<i>State Archives</i>	
10	General Revenues	475,184
11	Restricted Receipts	393,474
12	Total - State Archives	868,658
13	<i>Elections and Civics</i>	
14	General Revenues	3,238,148
15	Federal Funds	2,000,000
16	Total - Elections and Civics	5,238,148
17	<i>State Library</i>	
18	General Revenues	680,710
19	Provided that \$125,000 be allocated to support the Rhode Island Historical Society and	
20	\$18,000 be allocated to support the Newport Historical Society, pursuant to §§ 29-2-1 and 29-2-2,	
21	and \$25,000 be allocated to support the Rhode Island Black Heritage Society.	
22	<i>Office of Public Information</i>	
23	General Revenues	674,705
24	Receipted Receipts	25,000
25	Total - Office of Public Information	699,705
26	Grand Total - Secretary of State	16,379,847
27	<b>General Treasurer</b>	
28	<i>Treasury</i>	
29	General Revenues	3,465,294
30	Federal Funds	365,991
31	Other Funds	
32	Temporary Disability Insurance Fund	252,905
33	Tuition Savings Program - Administration	377,716
34	Total - Treasury	4,461,906

1	<i>State Retirement System</i>	
2	Restricted Receipts	
3	Admin Expenses - State Retirement System	13,397,239
4	Retirement - Treasury Investment Operations	3,108,665
5	Defined Contribution - Administration	263,124
6	Total - State Retirement System	16,769,028
7	<i>Unclaimed Property</i>	
8	Restricted Receipts	3,437,867
9	<i>Crime Victim Compensation</i>	
10	General Revenues	952,526
11	Federal Funds	467,993
12	Restricted Receipts	228,827
13	Total - Crime Victim Compensation	1,649,346
14	Grand Total - General Treasurer	26,318,147
15	<b>Board of Elections</b>	
16	General Revenues	9,147,157
17	<b>Rhode Island Ethics Commission</b>	
18	General Revenues	2,556,898
19	<b>Office of Governor</b>	
20	General Revenues	
21	General Revenues	9,480,312
22	Contingency Fund	150,000
23	Grand Total - Office of Governor	9,630,312
24	<b>Commission for Human Rights</b>	
25	General Revenues	2,358,433
26	Federal Funds	443,446
27	Grand Total - Commission for Human Rights	2,801,879
28	<b>Public Utilities Commission</b>	
29	Federal Funds	759,025
30	Restricted Receipts	15,258,327
31	Grand Total - Public Utilities Commission	16,017,352
32	<b>Office of Inspector General</b>	
33	General Revenues	1,300,000
34	<b>Executive Office of Health and Human Services</b>	

1	<i>Central Management</i>	
2	General Revenues	
3	General Revenues	39,226,230
4	Provided that of this amount, \$900,000 will be for mobile response and stabilization	
5	services for uninsured and underinsured child and youth and cover services and costs not otherwise	
6	reimbursed; and \$1,600,000 is for the Newport Birthing Center.	
7	All-Payer Claims Database	816,215
8	Health System Planning and Oversight	818,170
9	Medicaid Enterprise System	7,378,282
10	Medicaid Management Information System	7,815,983
11	Unified Health Infrastructure Project	38,651,742
12	Federal Funds	
13	Federal Funds	77,644,743
14	All-Payer Claims Database	7,799,870
15	Health System Planning and Oversight	900,000
16	Medicaid Enterprise System	66,404,541
17	Medicaid Management Information System	28,514,366
18	Rural Health Transformation Program	68,846,651
19	Unified Health Infrastructure Project	73,628,976
20	Restricted Receipts	
21	Restricted Receipts	7,173,162
22	Unified Health Infrastructure Project	150,000
23	Total - Central Management	425,768,931
24	<i>Medical Assistance</i>	
25	General Revenues	
26	Managed Care	477,869,128
27	Hospitals	147,687,861
28	Nursing Facilities	204,470,267
29	Home and Community Based Services	144,331,557
30	Other Services	134,942,412
31	Pharmacy	96,744,239
32	Rhody Health	278,954,745
33	Federal Funds	
34	Managed Care	695,945,166

1	Hospitals	304,928,738
2	Nursing Facilities	279,255,418
3	Home and Community Based Services	195,784,539
4	Other Services	766,672,938
5	Pharmacy	355,761
6	Rhody Health	398,191,232
7	Other Programs	45,400,000
8	Restricted Receipts	10,939,274
9	Total - Medical Assistance	4,182,473,275
10	Grand Total – Executive Office of Health and Human Services	4,608,242,206
11	<b>Children, Youth and Families</b>	
12	<i>Central Management</i>	
13	General Revenues	22,380,243
14	Provided that \$2.0 million of this amount shall be used solely for infrastructure and	
15	capacity building activities necessary to comply with Medicaid transformation requirements. The	
16	department shall establish a methodology to award funds based on demonstrated need and	
17	documented costs, and shall utilize federal match for these expenses to the greatest extent possible.	
18	Any unexpended or unencumbered balances as of June 30, 2027, are hereby reappropriated to the	
19	following fiscal year.	
20	Federal Funds	12,182,602
21	Total - Central Management	34,562,845
22	<i>Children's Behavioral Health Services</i>	
23	General Revenues	9,152,509
24	Federal Funds	8,693,793
25	Total - Children's Behavioral Health Services	17,846,302
26	<i>Youth Development Services</i>	
27	General Revenues	27,165,270
28	Federal Funds	308,087
29	Other Funds	
30	Rhode Island Capital Plan Funds	
31	Training School Asset Protection	250,000
32	Psychiatric Residential Treatment Facility Modifications	21,725,187
33	Total - Youth Development Services	49,448,544
34	<i>Child Welfare</i>	

1	General Revenues	217,664,953
2	Federal Funds	90,225,437
3	Restricted Receipts	61,261
4	Total - Child Welfare	307,951,651
5	<i>Higher Education Incentive Grants</i>	
6	General Revenues	200,000
7	Provided that these funds and any unexpended or unencumbered previous years' funding	
8	are to be used exclusively to fund awards to eligible youth.	
9	Grand Total - Children, Youth and Families	410,009,342
10	<b>Health</b>	
11	<i>Central Management</i>	
12	General Revenues	
13	General Revenues	2,175,312
14	Of this amount, \$50,000 is to support the Gloria Gemma Breast Cancer Resource	
15	Foundation and the organization's new survivorship and well-being center in Lincoln, RI.	
16	Psychiatry Resource Network	1,200,278
17	Federal Funds	4,545,892
18	Restricted Receipts	21,700,832
19	Total - Central Management	29,622,314
20	<i>Community Health and Equity</i>	
21	General Revenues	2,452,952
22	Federal Funds	89,157,519
23	Restricted Receipts	63,187,377
24	Total - Community Health and Equity	154,797,848
25	<i>Environmental Health</i>	
26	General Revenues	7,058,661
27	Federal Funds	14,034,394
28	Restricted Receipts	1,011,757
29	Total - Environmental Health	22,104,812
30	<i>Health Laboratories</i>	
31	General Revenues	10,704,871
32	Federal Funds	2,627,831
33	Other Funds	
34	Rhode Island Capital Plan Funds	

1	Health Laboratories & Medical Examiner Equipment	400,000
2	Total - Health Laboratories	13,732,702
3	<i>State Medical Examiners</i>	
4	General Revenues	4,559,163
5	Federal Funds	67,325
6	Total - State Medical Examiners	4,626,488
7	<i>Healthcare Quality and Safety</i>	
8	General Revenues	10,298,205
9	Federal Funds	7,592,019
10	Restricted Receipts	1,160,202
11	Total - Healthcare Quality and Safety	19,050,426
12	<i>Policy, Information and Communications</i>	
13	General Revenues	3,019,000
14	Provided that \$400,000 of this amount and its corresponding federal match is used for loan	
15	repayment assistance specifically for primary care physicians and pediatricians through the Health	
16	Professional Loan Repayment Program authorized by § 23-14.1.	
17	Federal Funds	
18	Federal Funds	5,606,211
19	Rural Health Transformation Program	26,301,377
20	Restricted Receipts	839,044
21	Total - Policy, Information and Communications	35,765,632
22	<i>Emergency Preparedness and Infectious Disease</i>	
23	General Revenues	2,425,829
24	Federal Funds	17,782,327
25	Total - Emergency Preparedness and Infectious Disease	20,208,156
26	<i>COVID-19</i>	
27	Federal Funds	7,519,108
28	Grand Total - Health	307,427,486
29	<b>Human Services</b>	
30	<i>Central Management</i>	
31	General Revenues	8,084,531
32	Of this amount, \$400,000 is to support the domestic violence prevention fund to provide	
33	direct services through the Coalition Against Domestic Violence, \$25,000 is for the Center for	
34	Southeast Asians, \$450,000 is to support Project Reach activities provided by the RI Alliance of	

1 Boys and Girls Clubs, \$300,000 is for outreach and supportive services through Day One,  
 2 \$1,950,000 is for food collection and distribution through the Rhode Island Community Food Bank  
 3 of which \$250,000 will be utilized to provide sub awards to other community food organizations,  
 4 \$500,000 is for services provided to the homeless at Crossroads Rhode Island, \$600,000 is for the  
 5 Community Action Fund, \$250,000 is for the Institute for the Study and Practice of Nonviolence's  
 6 Reduction Strategy, \$300,000 is to provide operational support to the United Way's 211 system,  
 7 \$150,000 is to support services provided to the immigrant and refugee population through Higher  
 8 Ground International, \$50,000 is for services provided to refugees through the Refugee Dream  
 9 Center, \$150,000 is for the Substance Use and Mental Health Leadership Council of RI, \$25,000  
 10 is for services provided by Oasis International, \$25,000 is for services provided by New Bridges  
 11 for Haitian Success and \$200,000 is for Farm Fresh Rhode Island's Bonus Bucks program.

12 Federal Funds 8,020,512

13 Of this amount, \$3.0 million is to sustain Early Head Start and Head Start programs.

14 Restricted Receipts 470,000

15 Total - Central Management 16,575,043

16 *Child Support Enforcement*

17 General Revenues 4,616,756

18 Federal Funds 9,447,431

19 Restricted Receipts 4,107,870

20 Total - Child Support Enforcement 18,172,057

21 *Individual and Family Support*

22 General Revenues 45,895,483

23 Federal Funds 118,750,234

24 Restricted Receipts 115,000

25 Other Funds

26 Rhode Island Capital Plan Funds

27 Blind Vending Facilities 165,000

28 Total - Individual and Family Support 164,925,717

29 *Office of Veterans Services*

30 General Revenues 37,094,041

31 Of this amount, \$200,000 is to provide support services through veterans' organizations,  
 32 \$50,000 is to support Operation Stand Down, and \$100,000 is to support the Veterans Services  
 33 Officers (VSO) program through the Veterans of Foreign Wars.

34 Federal Funds 15,980,199

1	Restricted Receipts	1,410,115
2	Other Funds	
3	Rhode Island Capital Plan Funds	
4	Veterans Home Asset Protection	977,240
5	Veterans Memorial Cemetery Asset Protection	260,000
6	Total - Office of Veterans Services	55,721,595
7	<i>Health Care Eligibility</i>	
8	General Revenues	12,476,503
9	Federal Funds	18,943,937
10	Total - Health Care Eligibility	31,420,440
11	<i>Supplemental Security Income Program</i>	
12	General Revenues	16,752,300
13	<i>Rhode Island Works</i>	
14	General Revenues	9,784,221
15	Federal Funds	89,509,493
16	Total - Rhode Island Works	99,293,714
17	<i>Other Programs</i>	
18	General Revenues	6,076,792
19	Federal Funds	338,010,465
20	Restricted Receipts	8,000
21	Total - Other Programs	344,095,257
22	<i>Office of Healthy Aging</i>	
23	General Revenues	17,291,725
24	Of this amount, \$325,000 is to provide elder services, including respite, through the	
25	Diocese of Providence; \$100,000 is for ombudsman services provided by the Alliance for Long	
26	Term Care in accordance with chapter 66.7 of title 42; and \$1,800,000 is for Senior Services	
27	Support and \$730,000 is for elderly nutrition, of which \$680,000 is for Meals on Wheels.	
28	Federal Funds	19,861,555
29	Restricted Receipt	266,979
30	Other Funds	
31	Intermodal Surface Transportation Fund	4,651,722
32	The Office shall reimburse the Rhode Island public transit authority for the elderly/disabled	
33	transportation program expenses no later than fifteen (15) days of the authority's submission of a	
34	request for payment.	

1	Total - Office of Healthy Aging	42,071,981
2	Grand Total - Human Services	789,028,104
3	<b>Behavioral Healthcare, Developmental Disabilities and Hospitals</b>	
4	<i>Central Management</i>	
5	General Revenues	10,757,305
6	Federal Funds	1,858,106
7	Restricted Receipts	1,836,349
8	Other Funds	
9	Rhode Island Capital Plan Funds	
10	Group Home Maintenance	5,000,000
11	Total - Central Management	19,451,760
12	<i>Services for the Developmentally Disabled</i>	
13	General Revenues	241,044,033
14	Federal Funds	319,530,323
15	Restricted Receipts	1,300,866
16	Other Funds	
17	Rhode Island Capital Plan Funds	
18	DD Residential Support	100,000
19	Total - Services for the Developmentally Disabled	561,975,222
20	<i>Behavioral Healthcare Services</i>	
21	General Revenues	6,415,175
22	Federal Funds	
23	Federal Funds	27,480,137
24	Provided that \$250,000 from Social Services Block Grant funds is awarded to The	
25	Providence Center to coordinate with Oasis Wellness and Recovery Center for its support and	
26	services program offered to individuals with behavioral health issues.	
27	Rural Health Transformation Program	4,052,934
28	Restricted Receipts	4,358,875
29	Provided that \$500,000 from the opioid stewardship fund is distributed equally to the seven	
30	regional substance abuse prevention task forces to fund priorities determined by each task force.	
31	Total - Behavioral Healthcare Services	42,307,121
32	<i>Hospital and Community Rehabilitative Services</i>	
33	General Revenues	49,203,513
34	The department shall report monthly on the hospital census by campus and the number of	

1 patients. The report shall include the total number of patients with coverage through Medicaid,  
 2 Medicare, commercial or private pay, with each group reported separately. The report shall also  
 3 include total funding collected from each source, including Medicare, private pay, and/or other  
 4 third-party sources.

5	Federal Funds	67,782,760
6	Restricted Receipts	4,817,874
7	Other Funds	
8	Rhode Island Capital Plan Funds	
9	Hospital Equipment	300,000
10	Total - Hospital and Community Rehabilitative Services	122,104,147

11 *State of RI Psychiatric Hospital*

12	General Revenues	34,884,686
13	Restricted Receipts	144,000
14	Other Funds	
15	Rhode Island Capital Plan Funds	
16	RISPH Equipment	100,000
17	Total - State of RI Psychiatric Hospital	35,128,686

18	Grand Total - Behavioral Healthcare, 19 Developmental Disabilities and Hospitals	780,966,936
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20 **Office of the Child Advocate**

21	General Revenues	2,405,487
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22 **Commission on the Deaf and Hard of Hearing**

23	General Revenues	835,904
24	Restricted Receipts	118,177
25	Grand Total - Comm. On Deaf and Hard-of-Hearing	954,081

26 **Governor's Commission on Disabilities**

27	General Revenues	
28	General Revenues	908,716
29	Livable Home Modification Grant Program	515,278

30 Provided that this will be used for home modification and accessibility enhancements to  
 31 construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.  
 32 This will be in consultation with the executive office of health and human services. All unexpended  
 33 or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the ensuing fiscal  
 34 year, and made immediately available for the same purpose.

1	Federal Funds	340,092
2	Restricted Receipts	67,190
3	Grand Total - Governor's Commission on Disabilities	1,831,276
4	<b>Office of the Mental Health Advocate</b>	
5	General Revenues	1,111,709
6	<b>Elementary and Secondary Education</b>	
7	<i>Administration of the Comprehensive Education Strategy</i>	
8	General Revenues	36,688,221
9	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's	
10	Hospital pursuant to § 16-7-20; \$395,000 be allocated to support child opportunity zones through	
11	agreements with the department of elementary and secondary education to strengthen education,	
12	health and social services for students and their families as a strategy to accelerate student	
13	achievement; \$450,000 and 3.0 full-time equivalent positions be allocated to support a special	
14	education function to facilitate individualized education program (IEP) and 504 services; and	
15	further provided that \$130,000 be allocated to City Year for the Whole School Whole Child	
16	Program, which provides individualized support to at-risk students.	
17	Provided further that \$2,000,000 shall be allocated for the Learn365RI program, of which	
18	\$100,000 shall be allocated to the Rhode Island Afterschool Network; \$100,000 shall be allocated	
19	to Teach for America Ignite; and \$100,000 shall be allocated to Onward We Learn.	
20	Provided further that \$684,000 shall be allocated to the Paul V. Sherlock Center on	
21	Disabilities to support the Rhode Island Vision Education and Services Program.	
22	Federal Funds	
23	Federal Funds	258,048,406
24	Rural Health Transformation Program	4,838,988
25	Restricted Receipts	
26	Restricted Receipts	1,839,203
27	HRIC Adult Education Grants	3,500,000
28	Other Funds	
29	Rhode Island Capital Plan Funds	
30	Norwell Academy Facility Feasibility Study	150,000
31	Total - Admin. of the Comprehensive Ed. Strategy	305,064,818
32	<i>Davies Career and Technical School</i>	
33	General Revenues	21,093,905
34	Federal Funds	954,525

1	Restricted Receipts	4,932,231
2	Other Funds	
3	Rhode Island Capital Plan Funds	
4	Davies School HVAC	1,100,000
5	Davies School Asset Protection	750,000
6	Davies School Wing Renovation	23,500,000
7	Total - Davies Career and Technical School	52,330,661
8	<i>RI School for the Deaf</i>	
9	General Revenues	9,039,339
10	Federal Funds	225,365
11	Restricted Receipts	1,597,000
12	Other Funds	
13	Rhode Island Capital Plan Funds	
14	School for the Deaf Asset Protection	968,691
15	Total - RI School for the Deaf	11,830,395
16	<i>Metropolitan Career and Technical School</i>	
17	General Revenues	14,998,564
18	Other Funds	
19	Rhode Island Capital Plan Funds	
20	MET School Asset Protection	250,000
21	Total - Metropolitan Career and Technical School	15,248,564
22	<i>Education Aid</i>	
23	General Revenues	1,315,077,322
24	Provided that the criteria for the allocation of early childhood funds shall prioritize pre-	
25	kindergarten seats and classrooms for four-year-olds whose family income is at or below one	
26	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities	
27	with higher concentrations of low performing schools.	
28	Restricted Receipts	49,781,920
29	Total - Education Aid	1,364,859,242
30	<i>Central Falls School District</i>	
31	General Revenues	55,246,303
32	<i>School Construction Aid</i>	
33	General Revenues	122,128,556
34	<i>Teachers' Retirement</i>	

1	General Revenues	130,236,201
2	Grand Total - Elementary and Secondary Education	2,056,944,740
3	<b>Public Higher Education</b>	
4	<i>Office of Postsecondary Commissioner</i>	
5	General Revenues	36,251,979
6	Provided that \$455,000 shall be allocated to Onward We Learn pursuant to § 16-70-5,	
7	\$75,000 shall be allocated to Best Buddies Rhode Island to support its programs for children with	
8	developmental and intellectual disabilities. It is also provided that \$8,141,437 shall be allocated to	
9	the Rhode Island promise scholarship program, \$151,410 shall be used to support Rhode Island's	
10	membership in the New England Board of Higher Education, \$7,062,826 shall be allocated to the	
11	Rhode Island hope scholarship program, and \$100,000 shall be allocated to the Rhode Island	
12	School for Progressive Education to support access to higher education opportunities for teachers	
13	of color.	
14	Federal Funds	6,877,602
15	Restricted Receipts	
16	Restricted Receipts	8,358,299
17	Tuition Savings Program - Scholarships and Grants	3,460,000
18	Other Funds	
19	Nursing Education Center - Operating	3,494,558
20	Rhode Island Capital Plan Funds	
21	WEC Expansion - Annex Site	160,000
22	Total - Office of Postsecondary Commissioner	58,602,438
23	<i>University of Rhode Island</i>	
24	General Revenues	
25	General Revenues	119,498,120
26	Provided that in order to leverage federal funding and support economic development,	
27	\$700,000 shall be allocated to the small business development center, \$155,000 shall be allocated	
28	to the Institute for Labor Studies & Research, and \$50,000 shall be allocated to Special Olympics	
29	Rhode Island to support its mission of providing athletic opportunities for individuals with	
30	intellectual and developmental disabilities.	
31	Debt Service	32,853,856
32	RI State Forensics Laboratory	2,436,958
33	URI Medical School Planning	5,000,000
34	Other Funds	

1	University and College Funds	860,035,628
2	Debt - Dining Services	744,557
3	Debt - Education and General	7,824,231
4	Debt - Health Services	6,148
5	Debt - Housing Loan Funds	14,186,125
6	Debt - Memorial Union	291,069
7	Debt - Ryan Center	2,363,789
8	Debt - Parking Authority	1,408,483
9	URI Restricted Debt Service - Energy Conservation	369,780
10	URI Debt Service - Energy Conservation	1,349,620
11	Rhode Island Capital Plan Funds	
12	Asset Protection	15,236,863
13	Mechanical, Electric, and Plumbing Improvements	6,217,170
14	Fire Protection Academic Buildings	1,323,475
15	Bay Campus	16,853,278
16	Athletics Complex	21,361,818
17	Provided that total Rhode Island capital plan funds provide no more than 80.0 percent of	
18	the total project.	
19	Stormwater Management	1,437,519
20	PFAS Removal Water Treatment Plant	8,197,664
21	Campus Accessibility	1,700,000
22	Campus Access Control	1,575,000
23	Building Envelope Improvements	3,000,000
24	Total - University of Rhode Island	1,125,271,151
25	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as	
26	of June 30, 2027 relating to the university of Rhode Island are hereby reappropriated to fiscal year	
27	2028.	
28	<i>Rhode Island College</i>	
29	General Revenues	
30	General Revenues	72,723,265
31	Debt Service	9,159,563
32	Rhode Island Vision Education and Services Program	1,800,000
33	Other Funds	
34	University and College Funds	135,027,602

1	Debt - Education and General	715,825
2	Debt - Student Union	212,025
3	Debt - Energy Conservation	785,625
4	Rhode Island Capital Plan Funds	
5	Asset Protection	6,500,000
6	Infrastructure Modernization	5,675,000
7	Total - Rhode Island College	232,598,905
8	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as	
9	of June 30, 2027, relating to Rhode Island college are hereby reappropriated to fiscal year 2028.	
10	<i>Community College of Rhode Island</i>	
11	General Revenues	
12	General Revenues	65,696,149
13	Debt Service	934,564
14	Restricted Receipts	998,534
15	Other Funds	
16	University and College Funds	127,734,928
17	Rhode Island Capital Plan Funds	
18	Asset Protection	3,369,452
19	Data, Cabling, and Power Infrastructure	5,500,000
20	Flanagan Campus Renovations	300,000
21	CCRI Renovation and Modernization Phase I	12,500,000
22	CCRI Renovation and Modernization Phase II - IV	2,440,000
23	CCRI Accessibility Improvements	125,000
24	Total - Community College of RI	219,598,627
25	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as	
26	of June 30, 2027, relating to the community college of Rhode Island are hereby reappropriated to	
27	fiscal year 2028.	
28	Grand Total - Public Higher Education	1,636,071,121
29	<b>RI State Council on the Arts</b>	
30	General Revenues	
31	Operating Support	1,370,565
32	Grants	1,240,000
33	Provided that \$400,000 be provided to support the operational costs of WaterFire	
34	Providence art installations.	

1	Federal Funds	1,160,576
2	Other Funds	
3	Art for Public Facilities	742,000
4	Grand Total - RI State Council on the Arts	4,513,141
5	<b>RI Atomic Energy Commission</b>	
6	General Revenues	1,316,004
7	Restricted Receipts	25,036
8	Other Funds	
9	URI Sponsored Research	335,818
10	Rhode Island Capital Plan Funds	
11	Asset Protection	50,000
12	Grand Total - RI Atomic Energy Commission	1,726,858
13	<b>RI Historical Preservation and Heritage Commission</b>	
14	General Revenues	1,856,433
15	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration	
16	activities and that \$25,000 shall be allocated to Rhode Island Slave History Medallions.	
17	Federal Funds	893,987
18	Restricted Receipts	511,827
19	Other Funds	
20	RIDOT Project Review	148,449
21	Grand Total - RI Historical Preservation and Heritage Comm.	3,410,696
22	<b>Attorney General</b>	
23	<i>Criminal</i>	
24	General Revenues	24,153,594
25	Federal Funds	3,089,426
26	Restricted Receipts	1,821,874
27	Total - Criminal	29,064,894
28	<i>Civil</i>	
29	General Revenues	6,672,679
30	Federal Funds	132,429
31	Restricted Receipts	4,939,129
32	Total - Civil	11,744,237
33	<i>Bureau of Criminal Identification</i>	
34	General Revenues	2,563,440

1	Restricted Receipts	1,344,780
2	Total - Bureau of Criminal Identification	3,908,220
3	<i>General</i>	
4	General Revenues	5,979,584
5	Other Funds	
6	Rhode Island Capital Plan Funds	
7	Building Renovations and Repairs	2,675,000
8	Total - General	8,654,584
9	Grand Total - Attorney General	53,371,935
10	<b>Corrections</b>	
11	<i>Central Management</i>	
12	General Revenues	26,874,592
13	<i>Parole Board</i>	
14	General Revenues	1,668,186
15	<i>Custody and Security</i>	
16	General Revenues	187,294,597
17	Federal Funds	1,067,867
18	Other Funds	
19	Rhode Island Capital Plan Funds	
20	Intake Service Center HVAC	19,800,000
21	Total - Custody and Security	208,162,464
22	<i>Institutional Support</i>	
23	General Revenues	39,460,059
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	Asset Protection	6,200,000
27	Total - Institutional Support	45,660,059
28	<i>Institutional Based Rehab/Population Management</i>	
29	General Revenues	15,076,622
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	449,585
7	Restricted Receipts	1,250,000
8	Total - Institutional Based Rehab/Population Mgt.	16,776,207
9	<i>Healthcare Services</i>	
10	General Revenues	40,978,629
11	<i>Community Corrections</i>	
12	General Revenues	23,288,620
13	Restricted Receipts	3,091
14	Total - Community Corrections	23,291,711
15	Grand Total - Corrections	363,411,848

16 **Judiciary**

17 *Supreme Court*

18 General Revenues

19	General Revenues	40,098,334
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20 Provided however, that no more than \$1,393,545 in combined total shall be offset to the  
 21 public defender's office, the attorney general's office, the department of corrections, the department  
 22 of children, youth and families, and the department of public safety for square-footage occupancy  
 23 costs in public courthouses and further provided that \$500,000 be allocated to the Rhode Island  
 24 Coalition Against Domestic Violence for the domestic abuse court advocacy project pursuant to §  
 25 12-29-7 and that \$90,000 be allocated to Rhode Island Legal Services, Inc. to provide housing and  
 26 eviction defense to indigent individuals.

27	Defense of Indigents	7,875,432
28	Federal Funds	133,368
29	Restricted Receipts	4,296,657
30	Other Funds	
31	Rhode Island Capital Plan Funds	
32	Judicial Complexes - HVAC	500,000
33	Judicial Complexes Asset Protection	1,500,000
34	Judicial Complexes Fan Coil Unit Replacements	750,000

1	Garrahy Courthouse Restoration	1,125,000
2	Total - Supreme Court	56,278,791
3	<i>Judicial Tenure and Discipline</i>	
4	General Revenues	190,901
5	<i>Superior Court</i>	
6	General Revenues	31,703,969
7	Restricted Receipts	325,000
8	Total - Superior Court	32,028,969
9	<i>Family Court</i>	
10	General Revenues	29,964,439
11	Federal Funds	5,061,224
12	Total - Family Court	35,025,663
13	<i>District Court</i>	
14	General Revenues	18,246,180
15	Federal Funds	223,404
16	Restricted Receipts	60,000
17	Total - District Court	18,529,584
18	<i>Traffic Tribunal</i>	
19	General Revenues	12,022,509
20	<i>Workers' Compensation Court</i>	
21	Restricted Receipts	12,073,439
22	Grand Total - Judiciary	166,149,856
23	<b>Military Staff</b>	
24	General Revenues	3,634,593
25	Federal Funds	48,998,537
26	Restricted Receipts	
27	RI Military Family Relief Fund	55,000
28	RING Counterdrug Program	11,000
29	Other Funds	
30	Rhode Island Capital Plan Funds	
31	Aviation Readiness Center	7,603,990
32	Asset Protection	3,492,912
33	Grand Total - Military Staff	63,796,032
34	<b>Public Safety</b>	

1	<i>Central Management</i>	
2	General Revenues	2,858,706
3	Provided that \$760,000 shall be allocated to support the Family Service of Rhode Island's	
4	GO Team program of on-scene support to children who are victims of violence and other traumas.	
5	Federal Funds	
6	Federal Funds	9,707,021
7	Federal Funds – State Fiscal Recovery Fund	
8	Support for Survivors of Domestic Violence	64,786
9	Restricted Receipts	849,625
10	Total - Central Management	13,480,138
11	<i>E-911 Emergency Telephone System</i>	
12	Restricted Receipts	10,527,015
13	<i>Security Services</i>	
14	General Revenues	33,957,887
15	<i>Municipal Police Training Academy</i>	
16	General Revenues	418,234
17	Provided that of this amount \$75,000 shall be for administrative, information technology,	
18	and operating expenses incurred by the Rhode Island Police Officers Commission on Standards	
19	and Training (POST).	
20	Federal Funds	191,992
21	Total - Municipal Police Training Academy	610,226
22	<i>State Police</i>	
23	General Revenues	101,293,356
24	Federal Funds	6,268,585
25	Restricted Receipts	3,336,961
26	Other Funds	
27	Airport Corporation Assistance	157,117
28	Road Construction Reimbursement	4,355,100
29	Weight and Measurement Reimbursement	655,646
30	Rhode Island Capital Plan Funds	
31	DPS Asset Protection	1,345,000
32	Training Academy Upgrades	670,000
33	Total - State Police	118,081,765
34	Grand Total - Public Safety	176,657,031

1	<b>Office of Public Defender</b>	
2	General Revenues	18,839,259
3	Federal Funds	85,035
4	Grand Total - Office of Public Defender	18,924,294
5	<b>Emergency Management Agency</b>	
6	General Revenues	8,375,436
7	Federal Funds	52,235,300
8	Restricted Receipts	417,066
9	Other Funds	
10	Rhode Island Capital Plan Funds	
11	RI Statewide Communications Infrastructure	330,000
12	Mobile Command Post	3,218,908
13	Grand Total - Emergency Management Agency	64,576,710
14	<b>Environmental Management</b>	
15	<i>Office of the Director</i>	
16	General Revenues	10,627,948
17	Of this general revenue amount, \$180,000 is appropriated to the conservation districts and	
18	\$100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a	
19	veterinarian at the Wildlife Clinic of Rhode Island.	
20	Federal Funds	376,495
21	Restricted Receipts	7,343,683
22	Total - Office of the Director	18,348,126
23	<i>Natural Resources</i>	
24	General Revenues	32,864,994
25	Provided that of this general revenue amount, \$150,000 is to be used for marine mammal	
26	response activities in conjunction with matching federal funds.	
27	Federal Funds	37,410,677
28	Restricted Receipts	6,962,400
29	Other Funds	
30	DOT Recreational Projects	789,122
31	Blackstone Bike Path Design	1,000,000
32	Rhode Island Capital Plan Funds	
33	Dam Repair	5,593,450
34	Fort Adams Rehabilitation	500,000

1	Port of Galilee	10,693,637
2	Newport Pier Upgrades	500,000
3	Recreation Facilities Asset Protection	750,000
4	Big River Management Area	593,000
5	Recreational Facilities Improvements	4,586,260
6	Natural Resources Office and Visitor's Center	2,586,709
7	Fish & Wildlife Maintenance Facilities	200,000
8	Marine Infrastructure/Pier Development	500,000
9	Total - Natural Resources	105,530,249
10	<i>Environmental Protection</i>	
11	General Revenues	17,290,819
12	Federal Funds	13,416,965
13	Restricted Receipts	12,981,563
14	Other Funds	
15	Transportation MOU	61,877
16	Total - Environmental Protection	43,751,224
17	Grand Total - Environmental Management	167,629,599
18	<b>Coastal Resources Management Council</b>	
19	General Revenues	4,374,771
20	Federal Funds	3,151,314
21	Restricted Receipts	335,811
22	Other Funds	
23	Rhode Island Capital Plan Funds	
24	Confined Aquatic Dredged Material Disposal Cells	11,380,000
25	Grand Total - Coastal Resources Mgmt. Council	19,241,896
26	<b>Transportation</b>	
27	<i>Central Management</i>	
28	Federal Funds	13,891,263
29	Other Funds	
30	Gasoline Tax	8,591,864
31	Total - Central Management	22,483,127
32	<i>Management and Budget</i>	
33	Other Funds	
34	Gasoline Tax	5,768,852

1	<i>Infrastructure Engineering</i>	
2	Federal Funds	
3	Federal Funds	765,084,339
4	Federal Funds – State Fiscal Recovery Fund	
5	Washington Bridge Project	74,583
6	Restricted Receipts	4,459,559
7	Other Funds	
8	Gasoline Tax	79,261,623
9	Provided that of this amount, \$10,000,000 is appropriated to the Municipal Roads Grant	
10	Program known as RhodeRestore to provide funding to municipalities for the construction and	
11	maintenance of roads, sidewalks, and bridges. Provided that twenty-five percent (25%) of the funds	
12	shall be distributed equally to each city and town, and seventy-five percent (75%) shall be allocated	
13	proportionally based on each municipality’s share of municipally maintained road miles, as	
14	determined by the most recent data available from the Rhode Island department of transportation.	
15	Provided further that each municipality is required to provide a sixty-seven percent (67%) match.	
16	Provided further that, at the discretion of the department, a portion of these funds may be used for	
17	state sidewalk projects identified by the municipality and prioritized in collaboration with the	
18	department, subject to a matching requirement to be established by the department.	
19	Provided further that of this amount, sufficient funds from the Rhode Island public transit	
20	authority’s share of gasoline tax proceeds shall be allocated to the state paratransit program,	
21	including the expansion pilot program known as ride anywhere to ensure statewide paratransit	
22	services are maintained.	
23	Land Sale Revenue	6,113,850
24	Tolling Revenue	20,000,000
25	Rhode Island Capital Plan Funds	
26	Highway Improvement Program	46,250,000
27	RIPTA - Kingston Station Mobility Hub	840,000
28	RIPTA - Pawtucket Bus Hub	63,428
29	RIPTA - Bus Shelter Renovation and Replacement	3,000,000
30	Bike Path Asset Protection	400,000
31	RIPTA - Land and Buildings	1,590,125
32	Total - Infrastructure Engineering	927,137,507
33	<i>Infrastructure Maintenance</i>	
34	Other Funds	

1	Gasoline Tax	54,501,743
2	The department of transportation will establish a municipal roadway database, which will	
3	include information concerning the name, condition, length, roadway infrastructure, and pedestrian	
4	features of each municipal roadway, updated annually by municipalities. The database will serve	
5	as a comprehensive and transparent list of municipal roadway conditions.	
6	Rhode Island Highway Maintenance Account	129,125,003
7	Rhode Island Capital Plan Funds	
8	Maintenance Capital Equipment Replacement	1,800,000
9	Maintenance Facilities Improvements	500,000
10	Welcome Center	150,000
11	Salt Storage Facilities	1,150,000
12	Train Station Asset Protection	3,750,000
13	Total - Infrastructure Maintenance	190,976,746
14	Grand Total - Transportation	1,146,366,232
15	<b>Statewide Totals</b>	
16	General Revenues	6,073,163,638
17	Federal Funds	5,734,688,897
18	Restricted Receipts	464,730,558
19	Other Funds	2,964,731,268
20	Statewide Grand Total	15,237,314,361

21 SECTION 2. Each line appearing in section 1 of this article shall constitute an  
22 appropriation.

23 SECTION 3. Upon the transfer of any function of a department or agency to another  
24 department or agency, the governor is hereby authorized by means of executive order to transfer or  
25 reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected  
26 thereby; provided, however, in accordance with § 42-6-5, when the duties or administrative  
27 functions of government are designated by law to be performed within a particular department or  
28 agency, no transfer of duties or functions and no re-allocation, in whole or part, or appropriations  
29 and full-time equivalent positions to any other department or agency shall be authorized.

30 SECTION 4. From the appropriation for contingency shall be paid such sums as may be  
31 required at the discretion of the governor to fund expenditures for which appropriations may not  
32 exist. Such contingency funds may also be used for expenditures in the several departments and  
33 agencies where appropriations are insufficient, or where such requirements are due to unforeseen  
34 conditions or are non-recurring items of an unusual nature. Said appropriations may also be used

1 for the payment of bills incurred due to emergencies or to any offense against public peace and  
2 property, in accordance with the provisions of titles 11 and 45, as amended. All expenditures and  
3 transfers from this account shall be approved by the governor.

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

14 Account	Expenditure Limit
15 Accounts and Control Internal Service Fund	17,696,064
16 State Assessed Fringe Benefit Internal Service Fund	37,347,585
17 Administration Central Utilities Internal Service Fund	30,366,642
18 State Central Mail Internal Service Fund	9,226,608
19 State Telecommunications Internal Service Fund	3,489,512
20 State Automotive Fleet Internal Service Fund	21,689,836
21 Surplus Property Internal Service Fund	44,789
22 Health Insurance Internal Service Fund	377,363,571
23 Other Post-Employment Benefits Fund	41,748,856
24 Capitol Police Internal Service Fund	1,894,861
25 Corrections Central Distribution Center Internal Service Fund	8,819,385
26 Correctional Industries Internal Service Fund	8,587,104
27 Secretary of State Record Center Internal Service Fund	1,167,703
28 Human Resources Internal Service Fund	14,804,445
29 DCAMM Facilities Internal Service Fund	41,508,177
30 Information Technology Internal Service Fund	64,137,258

31 SECTION 6. The director of the department of administration shall exercise his powers  
32 under chapter 11 of title 42 to centralize state fleet operations under the department as it relates to  
33 light and medium duty vehicle management, in accordance with best practices.

34 SECTION 7. Legislative Intent - The general assembly may provide a written "statement

1 of legislative intent" signed by the chairperson of the house finance committee and by the  
2 chairperson of the senate finance committee to show the intended purpose of the appropriations  
3 contained in section 1 of this article. The statement of legislative intent shall be kept on file in the  
4 house finance committee and in the senate finance committee.

5 At least twenty (20) days prior to the issuance of a grant or the release of funds, which  
6 grant or funds are listed on the legislative letter of intent, all department, agency, and corporation  
7 directors shall notify in writing the chairperson of the house finance committee and the chairperson  
8 of the senate finance committee of the approximate date when the funds are to be released or  
9 granted.

10 SECTION 8. Appropriation of Temporary Disability Insurance Funds -- There is hereby  
11 appropriated pursuant to §§ 28-39-5 and 28-39-8 all funds required to be disbursed for the benefit  
12 payments from the temporary disability insurance fund and temporary disability insurance reserve  
13 fund for the fiscal year ending June 30, 2027.

14 SECTION 9. Appropriation of Employment Security Funds -- There is hereby appropriated  
15 pursuant to § 28-42-19 all funds required to be disbursed for benefit payments from the employment  
16 security fund for the fiscal year ending June 30, 2027.

17 SECTION 10. Appropriation of Lottery Division Funds -- There is hereby appropriated to  
18 the lottery division any funds required to be disbursed by the lottery division for the purposes of  
19 paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2027.

20 SECTION 11. Appropriation of CollegeBoundSaver Funds - There is hereby appropriated  
21 to the office of the general treasurer designated funds received under the collegeboundsaver  
22 program for transfer to the division of higher education assistance within the office of the  
23 postsecondary commissioner to support student financial aid for the fiscal year ending June 30,  
24 2027.

25 SECTION 12. Departments and agencies listed below may not exceed the number of full-  
26 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do  
27 not include limited period positions or, seasonal or intermittent positions whose scheduled period  
28 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not  
29 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor  
30 do they include individuals engaged in training, the completion of which is a prerequisite of  
31 employment. Provided, however, that the governor or designee, speaker of the house of  
32 representatives or designee, and the president of the senate or designee may authorize an adjustment  
33 to any limitation. Prior to the authorization, the state budget officer shall make a detailed written  
34 recommendation to the governor, the speaker of the house, and the president of the senate. A copy

1 of the recommendation and authorization to adjust shall be transmitted to the chairman of the house  
2 finance committee, senate finance committee, the house fiscal advisor, and the senate fiscal advisor.

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

6 **FY 2027 FTE POSITION AUTHORIZATION**

7	<b>Departments and Agencies</b>	<b>Full-Time Equivalent</b>
8	Administration	657.6
9	Provided that no more than 442.1 of the total authorization would be limited to positions	
10	that support internal service fund programs.	
11	Office of Energy Resources	21.0
12	Business Regulation	159.0
13	Rhode Island Cannabis Control Commission	26.0
14	Executive Office of Commerce	5.0
15	Housing	31.0
16	Labor and Training	441.7
17	Revenue	605.5
18	Legislature	298.5
19	Office of the Lieutenant Governor	8.0
20	Office of the Secretary of State	63.0
21	Office of the General Treasurer	93.0
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	57.0
27	Office of Inspector General	12.0
28	Executive Office of Health and Human Services	257.0
29	Children, Youth and Families	719.5
30	Health	572.6
31	Human Services	804.0
32	Office of Veterans Services	291.0
33	Office of Healthy Aging	33.0
34	Behavioral Healthcare, Developmental Disabilities and Hospitals	1,225.4

1            Provided that 18.0 of the total authorization would be limited to independent facilitator  
2 positions to comply with the Consent Decree Addendum.

3	Office of the Child Advocate	13.0
4	Commission on the Deaf and Hard of Hearing	4.0
5	Governor's Commission on Disabilities	5.0
6	Office of the Mental Health Advocate	6.0
7	Elementary and Secondary Education	156.1

8            Provided that 3.0 of the total authorization would be available only for positions that are  
9 supported by the healthy environments advance learning grant at the school building authority.

10	School for the Deaf	61.0
11	Davies Career and Technical School	125.0
12	Office of Postsecondary Commissioner	48.0

13           Provided that 1.0 of the total authorization would be available only for positions that are  
14 supported by third-party funds, 12.0 would be available only for positions at the state's higher  
15 education centers located in Woonsocket and Westerly, 10.0 would be available only for positions  
16 at the nursing education center, and 9.0 would be available for the longitudinal data systems  
17 program.

18	University of Rhode Island	2,871.0
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19           Provided that 378.8 of the total authorization would be available only for positions that are  
20 supported by third-party funds, and 450.0 would be available only for positions that support  
21 auxiliary operations.

22	Rhode Island College	899.2
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23           Provided that 76.0 of the total authorization would be available only for positions that are  
24 supported by third-party funds.

25	Community College of Rhode Island	809.1
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26           Provided that 89.0 of the total authorization would be available only for positions that are  
27 supported by third-party funds.

28	Rhode Island State Council on the Arts	10.0
29	RI Atomic Energy Commission	8.6
30	Historical Preservation and Heritage Commission	14.0
31	Office of the Attorney General	268.1
32	Corrections	1,411.0
33	Judicial	752.3
34	Military Staff	93.0

1	Emergency Management Agency	38.0
2	Public Safety	638.0
3	Office of the Public Defender	105.0
4	Environmental Management	440.0
5	Coastal Resources Management Council	32.0
6	Transportation	722.0
7	<b>Total</b>	15,995.2

8 No agency or department may employ contracted employee services where contract  
9 employees would work under state employee supervisors without determination of need by the  
10 director of administration acting upon positive recommendations by the budget officer and the  
11 personnel administrator and fifteen (15) days after a public hearing.

12 Nor may any agency or department contract for services replacing work done by state  
13 employees at that time without determination of need by the director of administration acting upon  
14 the positive recommendations of the state budget officer and the personnel administrator and thirty  
15 (30) days after a public hearing.

16 SECTION 13. The amounts reflected in this article include the appropriation of Rhode  
17 Island capital plan funds for fiscal year 2027 and supersede appropriations provided for FY 2027  
18 within Pub. L. 2025, ch. 278, art. 1, § 13.

19 The following amounts are hereby appropriated out of any money in the State’s Rhode  
20 Island capital plan fund not otherwise appropriated to be expended during the fiscal years ending  
21 June 30, 2028, June 30, 2029, June 30, 2030, and June 30, 2031. These amounts supersede  
22 appropriations provided within Pub. L. 2025, ch. 278, art. 1, § 13.

23 For the purposes and functions hereinafter mentioned, the state controller is hereby  
24 authorized and directed to draw the controller's orders upon the general treasurer for the payment  
25 of such sums and such portions thereof as may be required by the controller upon receipt of properly  
26 authenticated vouchers.

	FY Ending	FY Ending	FY Ending	FY Ending
28 Project	06/30/2028	06/30/2029	06/30/2030	06/30/2031
29 DOA – Civic Center	1,075,000	1,500,000	1,475,000	1,500,000
30 DOA – DoIT Enterprise Operations Center	5,200,000	200,000	200,000	200,000
31 DOA – Pastore Campus Infrastructure	20,000,000	20,000,000	20,000,000	20,000,000
32 DOA – Pastore Hospital Buildings				
33 Asset Protection	8,250,000	500,000	500,000	500,000
34 DOA – Pastore Center Non-Hospital Buildings				

1	Asset Protection	5,250,000	5,250,000	5,250,000	8,950,000
2	DOA – RI Convention Center Authority	2,500,000	2,000,000	2,000,000	2,500,000
3	DOA – Shepard Building Upgrades	5,325,000	3,135,000	2,250,000	2,250,000
4	DOA – State House Renovations	36,159,000	35,029,000	8,309,000	4,309,000
5	DOA – William Powers Building	3,850,000	1,700,000	200,000	200,000
6	DOA – Zambarano LTAC Hospital	24,427,656	24,155,740	26,065,740	21,804,439
7	EOC – I-195 Redevelopment Commission	400,000	0	0	0
8	SOS – Rhode Island Archives and History				
9	Center	4,500,000	0	0	0
10	ELSEC – Davies School Wing Renovation	16,527,194	0	0	0
11	URI – Asset Protection	15,528,074	15,885,220	16,250,580	16,738,097
12	URI – Academic MEP Improvements	7,150,000	818,723	0	0
13	URI – Athletics Complex	982,053	0	0	0
14	URI – PFAS Removal Water Treatment Plant	8,000,000	0	0	0
15	URI – Building Envelope Improvements	3,000,000	3,000,000	3,000,000	3,000,000
16	URI – Campus Accessibility	1,000,000	1,000,000	1,000,000	1,000,000
17	RIC – Asset Protection	6,632,000	6,850,000	6,850,000	7,055,500
18	RIC – Infrastructure Modernization	5,925,000	5,925,000	6,061,275	6,243,113
19	CCRI – Asset Protection	2,780,000	2,870,000	2,936,010	3,024,090
20	CCRI – Accessibility Improvements	720,000	590,000	230,000	200,000
21	CCRI – Data, Cabling, and Power Infrastructure	4,500,000	3,700,000	3,365,980	0
22	CCRI – Flanagan Campus Renovations	5,250,000	2,683,954	300,505	0
23	CCRI – Renovation and Modernization Phase I	6,500,000	6,500,000	547,530	0
24	CCRI – Renovation and Modernization				
25	Phase II	4,090,000	2,670,000	3,200,000	750,000
26	DOC – Asset Protection	4,100,000	4,100,000	4,100,000	4,100,000
27	DOC – HVAC	5,900,000	0	0	0
28	Military Staff – Asset Protection	1,120,000	2,220,831	3,253,820	3,548,675
29	Military Staff – Aviation Readiness Center	7,000,000	0	0	0
30	DPS – Training Academy Upgrades	690,000	975,000	600,000	150,000
31	DEM – Dam Repair	7,456,500	5,619,739	1,826,341	1,015,000
32	DEM – Natural Resources Offices and				
33	Visitor's Center	1,300,000	100,000	100,000	100,000
34	DEM – Port of Galilee	5,375,000	6,600,000	8,800,000	5,146,499

1	DEM – Recreational Facilities Improvements	3,500,000	3,500,000	3,500,000	3,000,000
2	DOT – Highway Improvement Program	22,200,000	22,200,000	22,200,000	22,200,000
3	DOT – Bike Path Asset Protection	400,000	400,000	400,000	400,000
4	DOT – Maintenance Capital Equipment				
5	Replacement	1,800,000	1,800,000	1,800,000	1,800,000
6	DOT – Salt Storage Facilities	1,500,000	1,500,000	1,500,000	1,500,000
7	DOT – RIPTA - Bus Shelter Renovation and				
8	Replacement	3,000,000	3,000,000	3,000,000	3,000,000
9	DOT – RIPTA - Land and Buildings	1,310,125	560,000	500,000	500,000

10 SECTION 14. Reappropriation of Funding for Rhode Island capital plan fund projects.  
11 Any unexpended and unencumbered funds from Rhode Island capital plan fund project  
12 appropriations shall be reappropriated in the ensuing fiscal year and made available for the same  
13 purpose. However, any such reappropriations are subject to final approval by the general assembly  
14 as part of the supplemental appropriations act. Any unexpended funds of less than five hundred  
15 dollars (\$500) shall be reappropriated at the discretion of the state budget officer.

16 SECTION 15. For the Fiscal Year ending June 30, 2027, the Rhode Island housing and  
17 mortgage finance corporation shall provide from its resources such sums as appropriate in support  
18 of the Neighborhood Opportunities Program. The corporation shall provide a report detailing the  
19 amount of funding provided to this program, as well as information on the number of units of  
20 housing provided as a result to the director of administration, the secretary of housing, the chair of  
21 the house finance committee, the chair of the senate finance committee, and the state budget officer.

22 SECTION 16. Appropriation of Economic Activity Taxes in accordance with the city of  
23 Pawtucket downtown redevelopment statute -- There is hereby appropriated for the fiscal year  
24 ending June 30, 2027, all state economic activity taxes to be collected pursuant to § 45-33.4-4, as  
25 amended (including, but not limited to, the amount of tax revenues certified by the commerce  
26 corporation in accordance with § 45-33.4-1(13)), for the purposes of paying debt service on bonds,  
27 funding debt service reserves; paying costs of infrastructure improvements in and around the  
28 ballpark district, arts district, and the growth center district; funding future debt service on bonds;  
29 and funding a redevelopment revolving fund established in accordance with § 45-33-1.

30 SECTION 17. The appropriations from federal funds contained in section 1 shall not be  
31 construed to mean any federal funds or assistance appropriated, authorized, allocated or  
32 apportioned to the State of Rhode Island from the state fiscal recovery fund and capital projects  
33 fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2027  
34 except for those instances specifically designated.

1 The State fiscal recovery fund and capital projects fund appropriations herein shall be made  
2 in support of the following projects:

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

4 **Department of Administration (DOA)**

5 DOA- Pandemic Recovery Office. These funds shall be allocated to finance the pandemic  
6 recovery office established within the department of administration.

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

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

12 **Department of Transportation (DOT)**

13 DOT - Washington Bridge Project. These funds shall support the non-federal share or  
14 matching requirement on federal funds for priority transportation projects, including but not limited  
15 to the Washington Bridge project.

16 **Federal Funds - Capital Projects Fund**

17 **Department of Administration (DOA)**

18 DOA - CPF Administration. These funds shall be allocated to the department of  
19 administration to oversee the implementation of the capital projects fund award from the American  
20 Rescue Plan Act.

21 SECTION 18. Reappropriation of Funding for State Fiscal Recovery Fund and Capital  
22 Projects Fund. Notwithstanding any provision of general law, any unexpended and unencumbered  
23 federal funds from the state fiscal recovery fund and capital projects fund shall be reappropriated  
24 in the ensuing fiscal year and made available for the same purposes. However, any such  
25 reappropriations are subject to final approval by the general assembly as part of the supplemental  
26 appropriations act.

27 SECTION 19. The pandemic recovery office shall monitor the progress and performance  
28 of all programs financed by the state fiscal recovery fund and the capital projects fund. On or before  
29 October 31, 2023 through April 30, 2025, the office shall provide a report to the speaker of the  
30 house and senate president, with copies to the chairpersons of the house and senate finance  
31 committees, on a quarterly basis and biannually thereafter until and including October 31, 2026,  
32 identifying programs that are at risk of significant underspending or noncompliance with federal or  
33 state requirements. The report, at a minimum must include an assessment of how programs that are  
34 at risk can be remedied. In the event that any state fiscal recovery fund program underspends its

1 appropriation or receives program income as defined by U.S. Treasury and would put the state at  
2 risk of forfeiture of federal funds, the governor may propose to reclassify unspent funds or program  
3 income from the at-risk program to other eligible uses as determined by U.S. Treasury. This  
4 proposal shall be referred to the general assembly. For a state fiscal recovery fund program, if the  
5 amount of the underspend or receipt of program income is less than or equal to one million dollars  
6 (\$1,000,000) and less than or equal to twenty percent (20%) of its total appropriation, the  
7 governor's proposed reclassification shall take effect immediately. For a state fiscal recovery fund  
8 program, if the amount of the underspend or receipt of program income is greater than one million  
9 dollars (\$1,000,000) or greater than twenty percent (20%) of its total appropriation, the governor's  
10 proposed reclassification shall go into effect thirty (30) days after its referral to the general  
11 assembly by the governor, unless rejected by formal action of the house and senate acting  
12 concurrently within that time.

13 SECTION 20. The executive office of health and human services shall report on programs  
14 supported by Rural Health Transformation program federal funds. Starting January 1, 2027, the  
15 executive office shall provide a report to the speaker of the house and the president of the senate,  
16 with copies to the chairpersons of the house and senate finance committees, on a quarterly basis  
17 identifying the separate programs, progress made towards reaching the program goals, and  
18 identifying any that are at risk of significant underspending or noncompliance with federal  
19 requirements.

20 SECTION 21. This article shall take effect as of July 1, 2026, except as otherwise provided  
21 herein.



1 dollars (\$3,000,000) from unallocated auction proceeds to the executive climate change  
2 coordinating council restricted receipt account to maintain funding for the existing electric vehicle  
3 and electric bicycle incentive programs and to support other projects; and

4 (8) Provided however, effective for fiscal year 2024 and thereafter, sale of allowances  
5 yielding in excess of four million five hundred thousand dollars (\$4,500,000) per auction shall be  
6 transferred to the Rhode Island office of energy resources, on behalf of the executive climate change  
7 coordinating council, for climate change related initiatives. The executive climate change  
8 coordinating council shall have exclusive authority to direct the use of these funds pursuant to §  
9 42-6.2-3.1. The office of energy resources may act on behalf of the executive climate change  
10 coordinating council to disburse these funds. Provided further, that any transfer of allowances in a  
11 single fiscal year, pursuant to this section shall not exceed one million five hundred thousand  
12 dollars (\$1,500,000).

13 (b) Any interest earned on the funds so generated must be credited to the fund. Funds not  
14 spent in any fiscal year shall remain in the fund to be used for future energy efficiency and carbon  
15 reduction programs.

16 (c) Annually, the office, in consultation with the council and board, shall prepare a draft  
17 proposal on how the proceeds from the allowances shall be allocated. The draft proposal shall be  
18 designed to augment and coordinate with existing energy efficiency and renewable energy  
19 programs, and shall not propose use of auction proceeds for projects already funded under other  
20 programs. The proposal for allocation of proceeds in subsections (a)(1), (2), and (3) shall be one  
21 that best achieves the purposes of the law, namely, lowering carbon emissions and minimizing costs  
22 to consumers over the long term. The office shall hold a public hearing and accept public comment  
23 on the draft proposal in accordance with chapter 35 of title 42 (the “Administrative Procedures  
24 Act”). Once the proposal is final, the office shall authorize the disbursement of funds in accordance  
25 with the final plan.

26 Effective for fiscal year 2027 and thereafter, as part of the allocation process, the office is  
27 hereby authorized and directed to consult annually and coordinate with the Rhode Island public  
28 transit authority in determining the total funding required to match federal funds to purchase zero-  
29 emission buses with zero tailpipe emissions. Of the agreed-upon amount, fifty percent (50%) shall  
30 be allocated from the auction proceeds, and the remaining fifty percent (50%) shall be from  
31 authority sources.

32 (d) The office shall prepare, in consultation with the council and board, a report by April  
33 15 of each year describing the implementation and operation of RGGI, the revenues collected and  
34 the expenditures, including funds that were allocated to the energy efficiency and renewable energy

1 programs, and the individuals, businesses, and vendors that received funding, made under this  
2 section, the statewide energy efficiency and carbon reduction programs, and any recommendations  
3 for changes to law relating to the state's energy conservation or carbon reduction efforts. The report  
4 shall be made public and be posted electronically on the website of the office of energy resources  
5 and shall also be submitted to the general assembly.

6 SECTION 2. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"  
7 is hereby amended to read as follows:

8 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

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

1 State Loan Repayment Match  
2 Healthcare Information Technology  
3 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals  
4 Eleanor Slater non-Medicaid third-party payor account  
5 Hospital Medicare Part D Receipts  
6 RICLAS Group Home Operations  
7 Group Home Facility Improvement Fund  
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 Health Insurance Market Integrity Fund  
33 RI Health Benefits Exchange  
34 Information Technology restricted receipt account

1 Restore and replacement — Insurance coverage  
2 Convention Center Authority rental payments  
3 Investment Receipts — TANS  
4 OPEB System Restricted Receipt Account  
5 Grants Management Administration  
6 Office of Energy Resources  
7 OER Reconciliation Funding  
8 RGGI Executive Climate Change Coordinating Council Projects  
9 Electric Vehicle Charging Stations Operating and Maintenance Account  
10 Clean Transportation Programs  
11 Department of Housing  
12 Housing Resources and Homelessness Restricted Receipt Account  
13 Housing Production Fund  
14 Low-Income Housing Tax Credit Fund  
15 Department of Revenue  
16 Car Rental Tax/Surcharge-Warwick Share  
17 DMV Modernization Project  
18 Jobs Tax Credit Redemption Fund  
19 Legislature  
20 Audit of federal assisted programs  
21 Department of Children, Youth and Families  
22 Children’s Trust Accounts — SSI  
23 Military Staff  
24 RI Military Family Relief Fund  
25 RI National Guard Counterdrug Program  
26 Treasury  
27 Admin. Expenses — State Retirement System  
28 Retirement — Treasury Investment Options  
29 Defined Contribution — Administration - RR  
30 Violent Crimes Compensation — Refunds  
31 Treasury Research Fellowship  
32 Business Regulation  
33 Banking Division Reimbursement Account  
34 Office of the Health Insurance Commissioner Reimbursement Account

- 1 Securities Division Reimbursement Account
- 2 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 3 Insurance Division Reimbursement Account
- 4 Historic Preservation Tax Credit Account
- 5 Rhode Island Cannabis Control Commission
- 6 Marijuana Trust Fund
- 7 Social Equity Assistance Fund
- 8 Judiciary
- 9 Arbitration Fund Restricted Receipt Account
- 10 Third-Party Grants
- 11 RI Judiciary Technology Surcharge Account
- 12 Department of Elementary and Secondary Education
- 13 Statewide Student Transportation Services Account
- 14 School for the Deaf Fee-for-Service Account
- 15 School for the Deaf — School Breakfast and Lunch Program
- 16 Davies Career and Technical School Local Education Aid Account
- 17 Davies — National School Breakfast & Lunch Program
- 18 School Construction Services
- 19 Office of the Postsecondary Commissioner
- 20 Tuition Savings Program Fund
- 21 Higher Education and Industry Center
- 22 IGT STEM Scholarships
- 23 Department of Labor and Training
- 24 Job Development Fund
- 25 Contractor Training Restricted Receipt Account
- 26 Workers' Compensation Administrative Account
- 27 [Rhode Island Uninsured Protection Fund](#)
- 28 Rhode Island Council on the Arts
- 29 Governors' Portrait Donation Fund
- 30 Statewide records management system account

31 SECTION 3. Section 39-18.1-5 of the General Laws in Chapter 39-18.1 entitled  
32 "Transportation Investment and Debt Reduction Act of 2011" is hereby amended to read as follows:

33 **39-18.1-5. Allocation of funds.**

34 (a) The monies in the highway maintenance fund to be directed to the department of

1 transportation pursuant to § 39-18.1-4(b)(1) — (b)(3) shall be allocated through the transportation  
2 improvement program process to provide the state match for federal transportation funds, in place  
3 of borrowing, as approved by the state planning council. The expenditure of moneys in the highway  
4 maintenance fund shall only be authorized for projects that appear in the state’s transportation  
5 improvement program.

6 (b) Provided, however, that beginning with fiscal year 2015 and annually thereafter, the  
7 department of transportation will allocate necessary funding to programs that are designed to  
8 eliminate structural deficiencies of the state’s bridge, road, and maintenance systems and  
9 infrastructure.

10 (c) Provided, that beginning July 1, 2015, through June 30, 2025, five percent (5%) of  
11 available proceeds in the Rhode Island highway maintenance account shall be allocated annually  
12 to the Rhode Island public transit authority for operating expenditures.

13 (d) Provided, that beginning July 1, 2025, through June 30, 2026, ten percent (10%) of  
14 available proceeds in the Rhode Island highway maintenance account shall be allocated annually  
15 to the Rhode Island public transit authority for operating expenditures.

16 (e) Provided, ~~further~~, that from July 1, 2017, ~~and annually thereafter~~ through June 30, 2026,  
17 in addition to the amount above, the Rhode Island public transit authority shall receive an amount  
18 of not less than five million dollars (\$5,000,000) each fiscal year, except for the period July 1, 2019,  
19 through June 30, 2022, during which such amount or a portion thereof may come from federal  
20 coronavirus relief funds.

21 (f) Provided, further that beginning July 1, 2026, and annually thereafter, twenty-five  
22 percent (25%) of available proceeds in the Rhode Island highway maintenance account shall be  
23 allocated annually to the Rhode Island public transit authority for operating expenditures.

24 SECTION 4. This article shall take effect upon passage, except Section 2 which shall take  
25 effect retroactively as of July 1, 2025.

**ARTICLE 3**

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 9.4

OFFICE OF INSPECTOR GENERAL

**42-9.4-1. Purpose and establishment of office of the inspector general.**

(a)(1) There is hereby established an office of the inspector general (the "office") that shall be an independent and nonpartisan administrative agency whose purpose shall be to investigate the management and operation of agencies as it relates to the prevention and detection of fraud, waste, abuse and mismanagement in the expenditure of public funds that harms the public interest.

(2) The jurisdiction, authorization, powers, and duties granted to the office pursuant to this chapter shall be in addition to, and not in contravention of, any and all jurisdiction, authorization, powers, and duties of the office of attorney general, any other state or local law enforcement agency, or the auditor general.

(3) The general assembly shall make adequate appropriations to the office of inspector general to enable effective operation and independence.

(b) The inspector general shall be appointed by the governor with the advice and consent of the senate in accordance with § 42-9.4-4 and shall direct and supervise the work of the office as follows:

(1) The inspector general shall establish the organizational structure appropriate to carry out the functions and duties of the office and shall have the power to employ, promote, and remove such deputies, assistants, employees, and personnel as deemed necessary for the efficient and effective administration of the office.

(2) The inspector general may hire the necessary support staff, and designate a deputy inspector general and other qualified staff with education or experience in relevant areas, such as investigations, evidence collection, audits, compliance with laws and other requirements, or other forms of oversight, enforcement, or government evaluation. Provided, further, the inspector general may contract for services of technical experts, including legal counsel.

(3) Within three (3) years after being hired, investigative staff employed by the office shall

1 become certified by the Association of Inspectors General in at least one of the following fields:

2 (i) Investigation;

3 (ii) Auditing; or

4 (iii) Evaluation.

5 (c) Nothing in this chapter shall diminish, supersede, limit, or interfere with the statutory  
6 responsibilities and authority of the auditor general as provided in § 22-13-4.

7 (d) The director of administration is hereby authorized and directed to provide suitable  
8 quarters for the office of inspector general.

9 **42-9.4-2. Definitions.**

10 As used in this chapter:

11 (1) "Agency" means a separate agency or unit of state government created or established  
12 by law and includes, but is not limited to, the following entities and officers of any authority, board,  
13 branch, bureau, commission, committee, council, department, division, institution, office, public  
14 corporation, or quasi-agency as the case may be.

15 Agency shall not mean and shall not include: (i) The legislative branch of state government  
16 and any agency, committee, commission, or unit therein or thereof; or (ii) The judicial branch of  
17 state government and any agency, committee, commission, or unit therein or thereof.

18 (2) "Contractor" means any person, corporation, partnership, business, committee, or other  
19 organization entity or group of individuals, performing any tasks or duties as defined under a  
20 written or oral contract with an agency.

21 (3) "Employee" means any person employed by an agency, including agency heads,  
22 directors and commissioners.

23 (4) "Officer" means any person appointed to any agency.

24 (5) "Official" means any person elected to office within the executive branch of  
25 government.

26 (6) "Public funds" means state, federal or local funds, either appropriated, non-appropriated  
27 or given under right of grant.

28 **42-9.4-3. Qualifications.**

29 To be eligible to be appointed as an inspector general, a candidate shall have, at a minimum,  
30 the following qualifications:

31 (1) Hold a bachelor's degree or higher in criminal justice, public administration, law  
32 enforcement, accounting, or a related area;

33 (2) Have at least ten (10) years of professional experience in auditing, investigations, law  
34 enforcement, accounting, or a related area;

1           (3) Hold a professional certificate from the Association of Inspectors General, including  
2 Certified Inspector General or Certified Inspector General Investigator; and

3           (4) Demonstrate a commitment to safeguarding the mission of public service. Candidates  
4 must provide prior professional opinions, positions, or actions that may influence the candidate's  
5 approach to the role, which will be subject to public disclosure to the extent permitted under law.

6           **42-9.4-4. Inspector general -- Appointment -- Removal.**

7           (a) There is hereby established a five (5) member independent advisory commission  
8 comprised of the following individuals:

9           (1) Attorney general;

10          (2) General treasurer;

11          (3) Secretary of state;

12          (4) Executive director of the ethics commission; and

13          (5) President of the Association of Inspectors General, or designee.

14          (b) The commission shall immediately be charged with creating a process for the  
15 application, interview and selection of suitable and qualified candidates as follows:

16           (1) The commission shall consider applicants for the position of inspector general, in  
17 accordance with this chapter and without regard to political affiliation, on the basis of integrity,  
18 capability for strong leadership and demonstrated ability in accounting, auditing, financial analysis,  
19 law, public administration, investigations, criminal justice administration, or closely related fields.

20           (2) Within ninety (90) days of the effective date of this chapter, the commission shall  
21 submit to the governor a list of three (3) qualified candidates for inspector general that the governor  
22 shall give due consideration in appointing one individual from the list. Within ninety (90) days of  
23 receiving the list, the governor shall submit to the senate for advice and consent one individual for  
24 appointment as inspector general.

25           (3) Once confirmed by the senate, the inspector general shall serve for a term of five (5)  
26 years and is eligible for reappointment for a second five (5) year term, in accordance with this  
27 section.

28           (c) No inspector general may serve longer than two (2) five (5) year terms.

29           (d) The inspector general and employees shall be subject to chapter 14 of title 36 ("code of  
30 ethics").

31           (e) Upon a mid-term vacancy of the inspector general, an interim inspector general shall  
32 be appointed in accordance with this section.

33           (f) No inspector general, officer, or employee of the office of inspector general shall hold  
34 or be a candidate for any other elective or appointed public office while serving as inspector

1 general.

2 (g) No inspector general, officer, or employee of the office of inspector general shall hold  
3 a position in any political party, committee, or subcommittee, or participate in any political  
4 campaign of any candidate for public office while serving as inspector general.

5 (h) Eligibility restriction. The following individuals shall not be nominated for inspector  
6 general until one year after the last day of the individual's holding of any of the following  
7 disqualifying positions:

8 (1) A member of the general assembly;

9 (2) Any other public office holder; or

10 (3) A cabinet secretary, a department director in the executive branch, or an individual of  
11 equivalent standing within the executive branch.

12 (i) Removal. The person so appointed as inspector general may be removed from office for  
13 cause by the governor prior to the expiration of his or her term. Cause may include substantial  
14 neglect of duty, gross misconduct or conviction of a crime, whether or not it is related to official  
15 work duties.

16 **42-9.4-5. Jurisdiction -- Powers and duties.**

17 (a) The inspector general shall have jurisdiction over any official, officer, employee, or  
18 agency in the executive branch of state government.

19 (b) The inspector general shall have the following duties:

20 (1) Investigate the management and operation of agencies to determine if there has been  
21 evidence of fraud, waste, abuse, mismanagement, or any other abuse of governmental resources  
22 that harms the public interest, whether through acts or omissions;

23 (2) Investigate retaliation claims regarding whistleblowers;

24 (3) Report suspected acts of fraud, waste, abuse or mismanagement against or within an  
25 agency to the governor and, as appropriate to other state entities with jurisdiction over the matter;

26 (4) Conduct special investigations and management reviews of agencies at the request of  
27 the governor;

28 (5) Establish procedures to receive, investigate, and resolve complaints, including  
29 recommending whether disciplinary action or further investigation by appropriate local, state, or  
30 federal agencies is warranted and taking further action as appropriate;

31 (6) Instruct and educate agencies on the detection and prevention of fraud, waste, abuse,  
32 and mismanagement; conduct evaluations of relevant agency policies and procedures implicated  
33 by any investigation and create a remedial action plan to prevent recurrences of fraud, waste, abuse,  
34 or mismanagement that harm the public interest; and close an investigation when the inspector

1 general concludes there is insufficient evidence that a violation has occurred. Closure of any  
2 investigation by the inspector general shall not bar the reopening of the investigation should  
3 circumstances warrant;

4 (7) Act as a liaison to agencies to promote accountability, integrity, and efficiency in state  
5 government;

6 (8) Maintain a statewide-toll-free telephone number, website, email address, and physical  
7 mailing address for the receipt of complaints and inquiries;

8 (9) Work collaboratively, including through any memoranda of understanding, for the  
9 purposes of efficiency, coordination, and avoidance of duplicative work with the attorney general,  
10 local, state or federal law enforcement, the ethics commission, and the auditor general;

11 (10) Enter into contracts for audits or specialists needed to perform the duties outlined  
12 herein. Provided, further, the inspector general shall coordinate with the auditor general to ensure  
13 efficient utilization of available audit resources; and

14 (11) When formally requested by a municipal government through a city or town council  
15 resolution, the inspector general may accept a request from a municipality to investigate concerns  
16 regarding fraud, waste, abuse, or mismanagement of state or municipal government funds. All the  
17 powers, duties and procedures of the inspector general set forth in this chapter for investigation of  
18 agencies shall apply to any investigation related to a municipality.

19 **42-9.4-6. Investigative procedures.**

20 (a) The inspector general shall accept and may investigate complaints or information from  
21 any individual or entity concerning the possible existence of any activity constituting alleged fraud,  
22 waste, abuse, and mismanagement relating to any agency as defined herein.

23 (b) The inspector general shall not, after receipt of a complaint or information from an  
24 employee, contractor, or private citizen who requests confidentiality, disclose the identity of that  
25 individual, without the written consent of the individual, unless the inspector general determines  
26 such disclosure is necessary and unavoidable during the course of an investigation. In such event,  
27 the individual filing the complaint shall be notified immediately, if possible, of such disclosure  
28 which shall be in accordance with applicable law.

29 (c) The inspector general shall not investigate complaints from employees that relate to  
30 their employment relationship with the agency, unless the complaint is directly related to fraud,  
31 waste, abuse, or mismanagement or abuse of governmental resources that harms the public interest.

32 (d) The inspector general may decline to investigate a complaint as provided by the rules  
33 and regulations adopted pursuant to this chapter. If the inspector general declines to investigate a  
34 complaint, he or she shall notify the complainant of the decision not to investigate and the basis for

1 that determination.

2 (e) The inspector general may refer a complaint under this chapter to the attorney general;  
3 local, state or federal law enforcement, the auditor general, or the ethics commission.

4 (f) The inspector general may not levy a fee for the submission or investigation of a  
5 complaint.

6 (g) The inspector general shall remain neutral and impartial and may not act as an advocate  
7 for the complainant or for the agency.

8 (h) The inspector general shall adhere to professional standards for initiating and  
9 conducting investigations, such as the Principles and Standards for Offices of Inspector General  
10 promulgated by the Association of Inspectors General. Additionally, the office of inspector general  
11 shall be a member of the Association of Inspectors General and participate in the peer review  
12 program of the association as part of the established quality control procedures adopted by the  
13 office.

14 **42-9.4-7. Conclusion of investigation -- Report -- Decision.**

15 (a) At the conclusion of the investigation of each complaint:

16 (1) Report. Upon the conclusion of an investigation that results in a finding of fraud, waste,  
17 abuse or mismanagement but prior to issuing a decision, the inspector general shall issue a report  
18 or letter to the agency subject to the investigation, the office of the governor, the attorney general,  
19 the speaker of the house of representatives, the president of the senate and shall release to the public  
20 any such report unless the public release of such report would compromise a pending criminal  
21 investigation noted in the report and known to the inspector general or otherwise be exempt from  
22 disclosure pursuant to chapter 2 of title 38 ("access to public records");

23 (i) The director of each agency may, within sixty (60) days of receipt of said report,  
24 comment upon any references to the agency contained within the report. The comment, if any, shall  
25 be forwarded to the governor, the attorney general, the speaker of the house of representatives, the  
26 president of the senate, and the office of inspector general.

27 (2) Decision. The inspector general shall issue a decision on the merits of the complaint,  
28 including his or her recommendations, and the decision shall be posted on the inspector general's  
29 website;

30 (i) Where the investigation finds that there has been or continues to be fraud, waste, abuse,  
31 mismanagement, or other abuse of governmental resources that harms the public interest or that  
32 there is evidence of a crime, the inspector general shall communicate its findings and decision to  
33 the attorney general, local, state or federal law enforcement, or the auditor general;

34 (ii) If the complaint is about an employee of an agency or a contractor and the investigation

1 found no evidence of wrongdoing, the inspector general shall ensure that the public decision does  
2 not contain the name of the individual investigated without the written permission of that  
3 individual.

4 (b) Before announcing a decision, the inspector general shall do all of the following:

5 (1) Consult with the agency and as appropriate, the employee or contractor regarding the  
6 decision;

7 (2) Provide an opportunity for each person who is the subject of the decision to respond in  
8 writing to the decision within five (5) business days and any response shall be made available to  
9 the public when the decision is released. Provided, however, this does not allow an individual  
10 consulted by the inspector general before an announcement to hinder, prevent, or delay the  
11 inspector general's announcement of a decision.

12 (c) In the decision, the inspector general may recommend that the agency:

13 (1) Consider the matter further;

14 (2) Modify or cancel an action or practice;

15 (3) Alter a rule, practice, or decision;

16 (4) Explain in detail the administrative action in question; or

17 (5) Rectify an omission.

18 (6) The inspector general shall communicate his or her decision to the complainant, the  
19 agency investigated, and as appropriate, the employee investigated, and the decision shall be posted  
20 on the inspector general's website.

21 (d) Where the inspector general has discovered fraudulent acts and believes that civil  
22 recovery proceedings may be appropriate, the matter shall be referred to the attorney general.

23 (1) The attorney general may, upon such referral, institute whatever proceedings it deems  
24 appropriate, including referring the matter to another state or local agency, authorizing the initiation  
25 of appropriate civil proceedings by the inspector general, retaining the matter for further  
26 investigation, or remanding the matter back to the inspector general for further investigation.

27 (2) If the attorney general declines to take action pursuant to this section, the inspector  
28 general shall have the authority to institute a civil recovery action upon the authorization of the  
29 attorney general.

30 (e) The public release of the inspector general's decision shall not contain information that  
31 is found to be confidential and/or exempt from disclosure pursuant to this chapter or other  
32 applicable laws, including chapter 2 of title 38 ("access to public records").

33 (f) Investigator records, including, but not limited to, communications that include the  
34 investigative record may be deemed confidential and exempt from disclosure pursuant to chapter 2

1 of title 38 ("access to public records") or other applicable laws.

2 **42-9.4-8. Access to agencies and records.**

3 (a) Agencies shall cooperate with any investigation conducted pursuant to this chapter, and  
4 the inspector general shall have reasonable access to an agency's records as necessary to conduct a  
5 full investigation of a complaint including, but not limited to, the following:

6 (1) Access to records in the possession of a grantee or contractor;

7 (2) The opportunity to interview an employee or any other individual who may have  
8 knowledge relating to the complaint under investigation.

9 (b) The inspector general may inspect and copy all relevant information, records, or  
10 documents that the inspector general considers reasonably necessary in an investigation of a  
11 complaint under this chapter.

12 (c) The inspector general is authorized to interview any official, officer, or employee  
13 serving in the agency and may inspect and copy any book, record, paper, or electronic file in the  
14 possession of the agency, taking care to preserve the confidentiality of the information.

15 (d) Any knowing failure of any official, officer, or employee to comply with an  
16 investigation made pursuant to this chapter or the knowing provision of false information during  
17 an investigation or the destruction or attempted destruction of any relevant materials may be subject  
18 to criminal, civil, and/or administrative penalties.

19 **42-9.4-9. Oaths -- Subpoenas.**

20 (a) In performing an investigation authorized by this chapter, the inspector general shall  
21 have the authority to administer or take from any person an oath, examine witnesses under oath,  
22 and issue any subpoenas necessary to compel the attendance of witnesses and the production of all  
23 books, records, papers, electronic and tangible items that constitute or contain evidence which the  
24 inspector general finds reasonably relevant or material to the investigation, affirmation, or affidavit,  
25 whenever necessary to perform his or her duties.

26 (b) Service of any subpoena issued under this chapter shall be made by any designated  
27 person. Service upon a natural person may be made by personal delivery of the subpoena to that  
28 person. Subpoenas may also be served upon a natural person by registered or certified mail and the  
29 return receipt shall constitute prima facie proof of service. Service to a natural person may also be  
30 made by serving as the person's counsel of record. Service may be made upon a domestic or foreign  
31 corporation by delivering the subpoena to an officer, to a managing or general agent, or to any other  
32 agent authorized by appointment or by law to receive service of process. A subpoena requiring the  
33 attendance of a witness may be served at any place within the state and furthermore, process may  
34 be served at any place within the state.

1           (c) In the case of a refusal to obey any issued subpoena, the inspector general may request  
2 that the attorney general petition the superior court to compel compliance with the subpoena. The  
3 attorney general may petition the court upon such request by the inspector general.

4           (d) Upon filing of the petition, the court may enter an order directing the individual to  
5 appear before the court at a specified time and place and then and there show cause why they had  
6 not attended, answered questions under penalty of perjury, or produced the requested items as  
7 required by the subpoena. If it appears to the court that the subpoena was properly issued by the  
8 inspector general, the court may enter an order that the person named in the subpoena appear at the  
9 time and place fixed in the order and answer questions under penalty of perjury or produce the  
10 requested items as required. Upon failure to obey the court order, the person may be subject to  
11 contempt of court.

12           (e) Nothing in this section shall limit or alter a person's existing rights or protections under  
13 state or federal law.

14           **42-9.4-10. Rules and regulations.**

15           The office shall promulgate rules and regulations which shall govern its proceedings and  
16 operation pursuant to chapter 35 of title 42 ("administrative procedures").

17           **42-9.4-11. Reporting requirements.**

18           (a) The inspector general shall, no later than April 1 and every year thereafter, file a written  
19 report summarizing the activities of the office for the prior calendar year. The office may also  
20 prepare and file interim reports. These reports shall be forwarded to the governor, lieutenant  
21 governor, attorney general, secretary of state, general treasurer, the speaker of the house, the  
22 president of the senate and the auditor general, and shall be made available to the public.

23           (b) The report shall include, but not be limited to:

24           (1) A description of investigations undertaken related to fraud, waste, abuse, or  
25 mismanagement within agencies;

26           (2) A description of any recommendations for corrective action made by the office during  
27 the reporting period with respect to significant deficiencies in the areas of fraud, waste, abuse or  
28 mismanagement;

29           (3) The identification of each significant recommendation described in previous annual  
30 reports on which corrective action has not been completed;

31           (4) A summary of matters referred to prosecuting authorities and the status of said referrals;

32           (5) A summary of matters concerning recovery of monies as a result of civil action  
33 undertaken by the office or after a referral to the attorney general; and

34           (6) A list of all audit reports completed by the office during the reporting period.

1 (c) The report of the inspector general shall be made public on the day of the filing. Where  
2 no official disposition has been made by the office, the attorney general, or other law enforcement  
3 agencies, the report shall not list the names of individuals or corporations, nor describe them with  
4 sufficient particularity as to readily identify them to the general public.

5 **42-9.4-12. Budget submission.**

6 The inspector general shall comply with all budget submission requirements set forth in  
7 chapter 3 of title 35 ("state budget").

8 **42-9.4-13. Retaliation -- Whistleblower protections.**

9 (a) No agency, officer, or official shall take action against an official, officer, or employee  
10 for disclosing or threatening to disclose the existence of any activity constituting waste, fraud,  
11 abuse, or mismanagement to the inspector general, unless the disclosure or threatened disclosure  
12 was made with knowledge that the disclosure was false or was made with willful disregard for its  
13 truth or falsity.

14 (b) Any report disclosed by the office may differ from the complete written report in that  
15 the inspector general shall have the discretion to redact or otherwise protect the names of  
16 complainants and witnesses, or other information that, if not redacted, might compromise the  
17 identity of a complainant or witness.

18 (c) The provisions chapter 50 of title 28 ("the Rhode Island whistleblowers' protection act")  
19 shall be afforded to persons including, but not limited to, employees, reporting information under  
20 this chapter.

21 **42-9.4-14. Severability.**

22 If any provision of this chapter or the application thereof to any individual or circumstance  
23 is held invalid, such invalidity shall not affect the other provisions or applications of this chapter,  
24 which can be given effect without the invalid provision or application, and to this end the provisions  
25 of this chapter are declared to be severable.

26 SECTION 2. Section 39-18-2 of the General Laws in Chapter 39-18 entitled "Rhode Island  
27 Public Transit Authority" is hereby amended to read as follows:

28 **39-18-2. Authority created — Composition — Terms — Oath — Officers —**  
29 **Quorum— Compensation — Conflicts of interest.**

30 (a) There is hereby created a body corporate and politic to be known as the "Rhode Island  
31 public transit authority" (hereinafter "RIPTA").

32 (b) The authority shall consist of nine (9) members, one of whom shall be the director of  
33 the department of transportation, or the director's designee, who shall serve as an ex officio  
34 member, and eight (8) of whom shall be appointed by the governor with the advice and consent of

1 the senate, with at least one of the eight (8) being a regular user of fixed-route RIPTA transportation  
2 and at least one of the eight (8) being a person with a disability. The governor shall achieve a  
3 diverse membership in the board and shall give due consideration to recommendations for  
4 nominations from the RIPTA Riders Alliance, the National Federation of the Blind of Rhode Island,  
5 the Gray Panthers of Rhode Island, the Sierra Club of Rhode Island, the Rhode Island AFL-CIO,  
6 the RIPTA Transportation Advisory Committee, the Rhode Island business community, the  
7 Amalgamated Transit Union, and the Rhode Island League of Cities and Towns. No one shall be  
8 eligible for appointment unless he or she is a resident of this state.

9 (c) Those members of the authority as of the effective date of this act [June 16, 2006] who  
10 were appointed to the authority by members of the board of the general assembly shall cease to be  
11 members of the authority on the effective date of this act [June 16, 2006], and the governor shall  
12 thereupon nominate two (2) members, each of whom shall serve the balance of the unexpired term  
13 of their predecessor. Those members of the authority as of the effective date of this act [June 16,  
14 2006] who were appointed to the authority by the governor shall continue to serve the balance of  
15 their current terms. Thereafter, during the month of January in each year, the governor shall appoint  
16 members to succeed the departing members. The newly appointed members shall serve for a term  
17 of three (3) years, commencing on the day they are qualified. In the event of a vacancy occurring  
18 in the membership, the governor, with the advice and consent of the senate, shall appoint a member  
19 for the unexpired term. Any member of the authority shall be eligible for reappointment.

20 (d) Each member of the authority, before entering upon the member's duties, shall take an  
21 oath to administer the duties of the member's office faithfully and impartially, and the oath shall  
22 be filed in the office of the secretary of state.

23 (e) ~~The director of the department of transportation shall serve as chairperson.~~ The  
24 authority shall elect one of its members to serve as chairperson, who shall not be the director of the  
25 department of transportation. The authority shall also elect a secretary and such other officers as it  
26 deems necessary.

27 (f) Five (5) members of the authority shall constitute a quorum. The affirmative vote of a  
28 majority of the members present and voting shall be necessary for any action taken by the authority.  
29 No vacancy in the membership of the authority shall impair the right of a quorum to exercise all  
30 the rights and perform all the duties of the authority.

31 (g) The members of the authority shall receive no compensation, but shall be reimbursed  
32 for their actual expenses necessarily incurred in the performance of their duties.

33 (h) No member of the authority shall be in the employ of, or own any stock in, or be in any  
34 way directly or indirectly pecuniarily interested in any railroad corporation, bus, or street railway

1 company; nor shall any member of the authority personally, or through a partner or agent, render  
2 any professional service or make or perform any business contract with or for any company; nor  
3 shall any member of the authority, directly or indirectly, receive a commission, bonus, discount,  
4 present, or reward from any company.

5 (i) Members of the authority shall be removable by the governor pursuant to the provisions  
6 of § 36-1-7 and for cause only, and removal solely for partisan or personal reasons unrelated to  
7 capacity or fitness for the office shall be unlawful.

8 (j) The authority shall conduct a training course for newly appointed and qualified members  
9 within six (6) months of their qualification or designation. The course shall be developed by the  
10 general manager of the authority, be approved by the authority, and be conducted by the general  
11 manager of the authority. The authority may approve the use of any authority and/or staff members  
12 and/or individuals to assist with training. The training course shall include instruction in the  
13 following areas: the provisions of chapter 46 of title 42, chapter 14 of title 36, and chapter 2 of title  
14 38; and the authority's rules and regulations. The director of the department of administration shall  
15 be responsible for the enforcement of the provisions of this subsection.

16 SECTION 3. Title 42 of the General Laws entitled "STATE AFFAIRS AND  
17 GOVERNMENT" is hereby amended by adding thereto the following chapter:

18 CHAPTER 13.2

19 RHODE ISLAND DEPARTMENT OF TRANSPORTATION EFFICIENCY AND  
20 PERFORMANCE AUDIT ACT

21 **42-13.2-1. Definitions.**

22 As used in this chapter:

23 (1) "Department" means the Rhode Island department of transportation.

24 (2) "DOA" means the Rhode Island department of administration.

25 (3) "Audit" means an independent efficiency and performance audit conducted in  
26 accordance with this chapter.

27 (4) "Peer state" means a state transportation agency selected for benchmarking based on  
28 geography, climate, system size, and procurement framework.

29 **42-13.2-2. Requirement to commission efficiency and performance audit.**

30 (a) The Office of Internal Audit and Program Integrity within DOA shall commission an  
31 efficiency and performance audit of the department.

32 (b) The audit shall be completed on or before January 1, 2027.

33 **42-13.2-3. Scope of audit.**

34 (a) The audit shall include, but not be limited to, the following areas:

1 (1) Asset management, including pavement, bridges, culverts, intelligent transportation  
2 systems assets, backlog replacement needs, and lifecycle cost analysis; and

3 (2) Maintenance efficiency, including cost per lane-mile, snow and ice operations  
4 productivity, maintenance productivity, and equipment utilization;

5 (b) The audit pursuant to this section shall be separate and independent of any audit  
6 conducted by the auditor general pursuant to chapter 13 of title 22 (“auditor general”).

7 **42-13.2-4. Maintenance and operations efficiency.**

8 The audit conducted pursuant to § 42-13.2-2 shall assess maintenance and operations  
9 efficiency, including:

10 (1) Cost per lane-mile by district;

11 (2) Salt and chemical usage normalized by lane-mile and weather severity;

12 (3) Vehicle and equipment availability and downtime;

13 (4) Maintenance backlog tracking; and

14 (5) Overtime utilization and patterns.

15 **42-13.2-5. Reporting and public availability.**

16 (a) Upon completion, the audit shall be submitted to:

17 (1) The governor;

18 (2) The president of the senate;

19 (3) The speaker of the house of representatives; and

20 (4) The chairs of the house and senate finance committees.

21 (b) The final audit report shall be made publicly available on the DOA’s website.

22 **42-13.2-6. Cooperation and access to records.**

23 The department shall cooperate fully with the audit and provide access to all records, data,  
24 contracts, and personnel reasonably necessary to complete the audit.

25 SECTION 4. Chapter 42-14 of the General Laws entitled "Department of Business  
26 Regulation" is hereby amended by adding thereto the following section:

27 **42-14-20. Electronic permitting report.**

28 (a) The department shall include a report that reviews, analyzes, and assesses functions  
29 related to electronic permitting and the electronic permitting platform identified in § 23-27.3-108.2  
30 with its annual budget submission to the office of management and budget for the fiscal year ending  
31 June 30, 2027. The report shall additionally contain suggested statutory revisions, including, but  
32 not limited, to clarifying permitting statutes, aligning fees with programmatic costs, and ensuring  
33 efficient administration.

34 SECTION 5. Section 42-17.1-2 of the General Laws in Chapter 42-17.1 entitled

1 "Department of Environmental Management" is hereby amended to read as follows:

2 **42-17.1-2. Powers and duties.**

3 The director of environmental management shall have the following powers and duties:

4 (1) To supervise and control the protection, development, planning, and utilization of the  
5 natural resources of the state, such resources, including, but not limited to: water, plants, trees, soil,  
6 clay, sand, gravel, rocks and other minerals, air, mammals, birds, reptiles, amphibians, fish,  
7 shellfish, and other forms of aquatic, insect, and animal life;

8 (2) To exercise all functions, powers, and duties heretofore vested in the department of  
9 agriculture and conservation, and in each of the divisions of the department, such as the promotion  
10 of agriculture and animal husbandry in their several branches, including the inspection and  
11 suppression of contagious diseases among animals; the regulation of the marketing of farm  
12 products; the inspection of orchards and nurseries; the protection of trees and shrubs from injurious  
13 insects and diseases; protection from forest fires; the inspection of apiaries and the suppression of  
14 contagious diseases among bees; the prevention of the sale of adulterated or misbranded  
15 agricultural seeds; promotion and encouragement of the work of farm bureaus, in cooperation with  
16 the University of Rhode Island, farmers' institutes, and the various organizations established for  
17 the purpose of developing an interest in agriculture; together with such other agencies and activities  
18 as the governor and the general assembly may, from time to time, place under the control of the  
19 department; and as heretofore vested by such of the following chapters and sections of the general  
20 laws as are presently applicable to the department of environmental management and that were  
21 previously applicable to the department of natural resources and the department of agriculture and  
22 conservation or to any of its divisions: chapters 1 through 22, inclusive, as amended, in title 2  
23 entitled "Agriculture and Forestry"; chapters 1 through 17, inclusive, as amended, in title 4 entitled  
24 "Animals and Animal Husbandry"; chapters 1 through 19, inclusive, as amended, in title 20 entitled  
25 "Fish and Wildlife"; chapters 1 through 32, inclusive, as amended, in title 21 entitled "Food and  
26 Drugs"; chapter 7 of title 23, as amended, entitled "Mosquito Abatement"; and by any other general  
27 or public law relating to the department of agriculture and conservation or to any of its divisions or  
28 bureaus;

29 (3) To exercise all the functions, powers, and duties heretofore vested in the division of  
30 parks and recreation of the department of public works by chapters 1, 2, and 5 in title 32 entitled  
31 "Parks and Recreational Areas"; by chapter 22.5 of title 23, as amended, entitled "Drowning  
32 Prevention and Lifesaving"; and by any other general or public law relating to the division of parks  
33 and recreation;

34 (4) To exercise all the functions, powers, and duties heretofore vested in the division of

1 harbors and rivers of the department of public works, or in the department itself by such as were  
2 previously applicable to the division or the department, of chapters 1 through 22 and sections  
3 thereof, as amended, in title 46 entitled “Waters and Navigation”; and by any other general or public  
4 law relating to the division of harbors and rivers;

5 (5) To exercise all the functions, powers, and duties heretofore vested in the department of  
6 health by chapters 25, 18.9, and 19.5 of title 23, as amended, entitled “Health and Safety”; and by  
7 chapters 12 and 16 of title 46, as amended, entitled “Waters and Navigation”; by chapters 3, 4, 5,  
8 6, 7, 9, 11, 13, 18, and 19 of title 4, as amended, entitled “Animals and Animal Husbandry”; and  
9 those functions, powers, and duties specifically vested in the director of environmental  
10 management by the provisions of § 21-2-22, as amended, entitled “Inspection of Animals and  
11 Milk”; together with other powers and duties of the director of the department of health as are  
12 incidental to, or necessary for, the performance of the functions transferred by this section;

13 (6) To cooperate with the Rhode Island commerce corporation in its planning and  
14 promotional functions, particularly in regard to those resources relating to agriculture, fisheries,  
15 and recreation;

16 (7) To cooperate with, advise, and guide conservation commissions of cities and towns  
17 created under chapter 35 of title 45 entitled “Conservation Commissions”, as enacted by chapter  
18 203 of the Public Laws, 1960;

19 (8) To assign or reassign, with the approval of the governor, any functions, duties, or  
20 powers established by this chapter to any agency within the department, except as hereinafter  
21 limited;

22 (9) To cooperate with the water resources board and to provide to the board facilities,  
23 administrative support, staff services, and other services as the board shall reasonably require for  
24 its operation and, in cooperation with the board and the statewide planning program, to formulate  
25 and maintain a long-range guide plan and implementing program for development of major water-  
26 sources transmission systems needed to furnish water to regional and local distribution systems;

27 (10) To cooperate with the solid waste management corporation and to provide to the  
28 corporation such facilities, administrative support, staff services, and other services within the  
29 department as the corporation shall reasonably require for its operation;

30 (11) To provide for the maintenance of waterways and boating facilities, consistent with  
31 chapter 6.1 of title 46, by: (i) Establishing minimum standards for upland beneficial use and  
32 disposal of dredged material; (ii) Promulgating and enforcing rules for water quality, groundwater  
33 protection, and fish and wildlife protection pursuant to § 42-17.1-24; (iii) Planning for the upland  
34 beneficial use and/or disposal of dredged material in areas not under the jurisdiction of the council

1 pursuant to § 46-23-6(2); (iv) Cooperating with the coastal resources management council in the  
2 development and implementation of comprehensive programs for dredging as provided for in §§  
3 46-23-6(1)(ii)(H) and 46-23-18.3; and (v) Monitoring dredge material management and disposal  
4 sites in accordance with the protocols established pursuant to § 46-6.1-5(a)(3) and the  
5 comprehensive program provided for in § 46-23-6(1)(ii)(H); no powers or duties granted herein  
6 shall be construed to abrogate the powers or duties granted to the coastal resources management  
7 council under chapter 23 of title 46, as amended;

8 (12) To establish minimum standards, subject to the approval of the environmental  
9 standards board, relating to the location, design, construction, and maintenance of all sewage  
10 disposal systems;

11 (13) To enforce, by such means as provided by law, the standards for the quality of air, and  
12 water, and the design, construction, and operation of all sewage disposal systems; any order or  
13 notice issued by the director relating to the location, design, construction, or maintenance of a  
14 sewage disposal system shall be eligible for recordation under chapter 13 of title 34. The director  
15 shall forward the order or notice to the city or town wherein the subject property is located and the  
16 order or notice shall be recorded in the general index by the appropriate municipal official in the  
17 land evidence records in the city or town wherein the subject property is located. Any subsequent  
18 transferee of that property shall be responsible for complying with the requirements of the order or  
19 notice. Upon satisfactory completion of the requirements of the order or notice, the director shall  
20 provide written notice of the same, which notice shall be similarly eligible for recordation. The  
21 original written notice shall be forwarded to the city or town wherein the subject property is located  
22 and the notice of satisfactory completion shall be recorded in the general index by the appropriate  
23 municipal official in the land evidence records in the city or town wherein the subject property is  
24 located. A copy of the written notice shall be forwarded to the owner of the subject property within  
25 five (5) days of a request for it, and, in any event, shall be forwarded to the owner of the subject  
26 property within thirty (30) days after correction;

27 (14) To establish minimum standards for the establishment and maintenance of salutary  
28 environmental conditions, including standards and methods for the assessment and the  
29 consideration of the cumulative effects on the environment of regulatory actions and decisions,  
30 which standards for consideration of cumulative effects shall provide for: (i) Evaluation of potential  
31 cumulative effects that could adversely affect public health and/or impair ecological functioning;  
32 (ii) Analysis of other matters relative to cumulative effects as the department may deem appropriate  
33 in fulfilling its duties, functions, and powers; which standards and methods shall only be applicable  
34 to ISDS systems in the town of Jamestown in areas that are dependent for water supply on private

1 and public wells, unless broader use is approved by the general assembly. The department shall  
2 report to the general assembly not later than March 15, 2008, with regard to the development and  
3 application of the standards and methods in Jamestown;

4 (15) To establish and enforce minimum standards for permissible types of septage,  
5 industrial-waste disposal sites, and waste-oil disposal sites;

6 (16) To establish minimum standards, subject to the approval of the environmental  
7 standards board, for permissible types of refuse disposal facilities; the design, construction,  
8 operation, and maintenance of disposal facilities; and the location of various types of facilities;

9 (17) To exercise all functions, powers, and duties necessary for the administration of  
10 chapter 19.1 of title 23 entitled "Rhode Island Hazardous Waste Management Act";

11 (18) To designate, in writing, any person in any department of the state government or any  
12 official of a district, county, city, town, or other governmental unit, with that official's consent, to  
13 enforce any rule, regulation, or order promulgated and adopted by the director under any provision  
14 of law; provided, however, that enforcement of powers of the coastal resources management  
15 council shall be assigned only to employees of the department of environmental management,  
16 except by mutual agreement or as otherwise provided in chapter 23 of title 46;

17 (19) To issue and enforce the rules, regulations, and orders as may be necessary to carry  
18 out the duties assigned to the director and the department by any provision of law; and to conduct  
19 investigations and hearings and to issue, suspend, and revoke licenses as may be necessary to  
20 enforce those rules, regulations, and orders. Any license suspended under the rules, regulations,  
21 and/or orders shall be terminated and revoked if the conditions that led to the suspension are not  
22 corrected to the satisfaction of the director within two (2) years; provided that written notice is  
23 given by certified mail, return receipt requested, no less than sixty (60) days prior to the date of  
24 termination.

25 Notwithstanding the provisions of § 42-35-9 to the contrary, no informal disposition of a  
26 contested licensing matter shall occur where resolution substantially deviates from the original  
27 application unless all interested parties shall be notified of the proposed resolution and provided  
28 with opportunity to comment upon the resolution pursuant to applicable law and any rules and  
29 regulations established by the director;

30 (20) To enter, examine, or survey, at any reasonable time, places as the director deems  
31 necessary to carry out the director's responsibilities under any provision of law subject to the  
32 following provisions:

33 (i) For criminal investigations, the director shall, pursuant to chapter 5 of title 12, seek a  
34 search warrant from an official of a court authorized to issue warrants, unless a search without a

1 warrant is otherwise allowed or provided by law;

2 (ii)(A) All administrative inspections shall be conducted pursuant to administrative  
3 guidelines promulgated by the department in accordance with chapter 35 of this title;

4 (B) A warrant shall not be required for administrative inspections if conducted under the  
5 following circumstances, in accordance with the applicable constitutional standards:

6 (I) For closely regulated industries;

7 (II) In situations involving open fields or conditions that are in plain view;

8 (III) In emergency situations;

9 (IV) In situations presenting an imminent threat to the environment or public health, safety,  
10 or welfare;

11 (V) If the owner, operator, or agent in charge of the facility, property, site, or location  
12 consents; or

13 (VI) In other situations in which a warrant is not constitutionally required.

14 (C) Whenever it shall be constitutionally or otherwise required by law, or whenever the  
15 director in the director's discretion deems it advisable, an administrative search warrant, or its  
16 functional equivalent, may be obtained by the director from a neutral magistrate for the purpose of  
17 conducting an administrative inspection. The warrant shall be issued in accordance with the  
18 applicable constitutional standards for the issuance of administrative search warrants. The  
19 administrative standard of probable cause, not the criminal standard of probable cause, shall apply  
20 to applications for administrative search warrants;

21 (I) The need for, or reliance upon, an administrative warrant shall not be construed as  
22 requiring the department to forfeit the element of surprise in its inspection efforts;

23 (II) An administrative warrant issued pursuant to this subsection must be executed and  
24 returned within ten (10) days of its issuance date unless, upon a showing of need for additional  
25 time, the court orders otherwise;

26 (III) An administrative warrant may authorize the review and copying of documents that  
27 are relevant to the purpose of the inspection. If documents must be seized for the purpose of  
28 copying, and the warrant authorizes the seizure, the person executing the warrant shall prepare an  
29 inventory of the documents taken. The time, place, and manner regarding the making of the  
30 inventory shall be set forth in the terms of the warrant itself, as dictated by the court. A copy of the  
31 inventory shall be delivered to the person from whose possession or facility the documents were  
32 taken. The seized documents shall be copied as soon as feasible under circumstances preserving  
33 their authenticity, then returned to the person from whose possession or facility the documents were  
34 taken;

1 (IV) An administrative warrant may authorize the taking of samples of air, water, or soil  
2 or of materials generated, stored, or treated at the facility, property, site, or location. Upon request,  
3 the department shall make split samples available to the person whose facility, property, site, or  
4 location is being inspected;

5 (V) Service of an administrative warrant may be required only to the extent provided for  
6 in the terms of the warrant itself, by the issuing court.

7 (D) **Penalties.** Any willful and unjustified refusal of right of entry and inspection to  
8 department personnel pursuant to an administrative warrant shall constitute a contempt of court and  
9 shall subject the refusing party to sanctions, which in the court's discretion may result in up to six  
10 (6) months' imprisonment and/or a monetary fine of up to ten thousand dollars (\$10,000) per  
11 refusal;

12 (21) To give notice of an alleged violation of law to the person responsible therefor  
13 whenever the director determines that there are reasonable grounds to believe that there is a  
14 violation of any provision of law within the director's jurisdiction or of any rule or regulation  
15 adopted pursuant to authority granted to the director. Nothing in this chapter shall limit the authority  
16 of the attorney general to prosecute offenders as required by law;

17 (i) The notice shall provide for a time within which the alleged violation shall be remedied,  
18 and shall inform the person to whom it is directed that a written request for a hearing on the alleged  
19 violation may be filed with the director within twenty (20) days after service of the notice. The  
20 notice will be deemed properly served upon a person if a copy thereof is served the person  
21 personally; or sent by registered or certified mail to the person's last known address; or if the person  
22 is served with notice by any other method of service now or hereafter authorized in a civil action  
23 under the laws of this state. If no written request for a hearing is made to the director within twenty  
24 (20) days of the service of notice, the notice shall automatically become a compliance order;

25 (ii)(A) Whenever the director determines that there exists a violation of any law, rule, or  
26 regulation within the director's jurisdiction that requires immediate action to protect the  
27 environment, the director may, without prior notice of violation or hearing, issue an immediate-  
28 compliance order stating the existence of the violation and the action the director deems necessary.  
29 The compliance order shall become effective immediately upon service or within such time as is  
30 specified by the director in such order. No request for a hearing on an immediate-compliance order  
31 may be made;

32 (B) Any immediate-compliance order issued under this section without notice and prior  
33 hearing shall be effective for no longer than forty-five (45) days; provided, however, that for good  
34 cause shown, the order may be extended one additional period not exceeding forty-five (45) days;

1 (iii) The director may, at the director's discretion and for the purposes of timely and  
2 effective resolution and return to compliance, cite a person for alleged noncompliance through the  
3 issuance of an expedited citation in accordance with § 42-17.6-3(c);

4 (iv) If a person upon whom a notice of violation has been served under the provisions of  
5 this section or if a person aggrieved by any such notice of violation requests a hearing before the  
6 director within twenty (20) days of the service of notice of violation, the director shall set a time  
7 and place for the hearing, and shall give the person requesting that hearing at least five (5) days'  
8 written notice thereof. After the hearing, the director may make findings of fact and shall sustain,  
9 modify, or withdraw the notice of violation. If the director sustains or modifies the notice, that  
10 decision shall be deemed a compliance order and shall be served upon the person responsible in  
11 any manner provided for the service of the notice in this section;

12 (v) The compliance order shall state a time within which the violation shall be remedied,  
13 and the original time specified in the notice of violation shall be extended to the time set in the  
14 order;

15 (vi) Whenever a compliance order has become effective, whether automatically where no  
16 hearing has been requested, where an immediate-compliance order has been issued, or upon  
17 decision following a hearing, the director may institute injunction proceedings in the superior court  
18 of the state for enforcement of the compliance order and for appropriate temporary relief, and in  
19 that proceeding, the correctness of a compliance order shall be presumed and the person attacking  
20 the order shall bear the burden of proving error in the compliance order, except that the director  
21 shall bear the burden of proving in the proceeding the correctness of an immediate-compliance  
22 order. The remedy provided for in this section shall be cumulative and not exclusive and shall be  
23 in addition to remedies relating to the removal or abatement of nuisances or any other remedies  
24 provided by law;

25 (vii) Any party aggrieved by a final judgment of the superior court may, within thirty (30)  
26 days from the date of entry of such judgment, petition the supreme court for a writ of certiorari to  
27 review any questions of law. The petition shall set forth the errors claimed. Upon the filing of the  
28 petition with the clerk of the supreme court, the supreme court may, if it sees fit, issue its writ of  
29 certiorari;

30 (22) To impose administrative penalties in accordance with the provisions of chapter 17.6  
31 of this title and to direct that such penalties be paid into the account established by subsection (26);

32 (23) The following definitions shall apply in the interpretation of the provisions of this  
33 chapter:

34 (i) **Director:** The term "director" shall mean the director of environmental management of

1 the state of Rhode Island or the director's duly authorized agent;

2 (ii) **Person:** The term "person" shall include any individual, group of individuals, firm,  
3 corporation, association, partnership, or private or public entity, including a district, county, city,  
4 town, or other governmental unit or agent thereof, and in the case of a corporation, any individual  
5 having active and general supervision of the properties of the corporation;

6 (iii) **Service:**

7 (A) Service upon a corporation under this section shall be deemed to include service upon  
8 both the corporation and upon the person having active and general supervision of the properties  
9 of the corporation;

10 (B) For purposes of calculating the time within which a claim for a hearing is made  
11 pursuant to subsection (21)(i), service shall be deemed to be the date of receipt of such notice or  
12 three (3) days from the date of mailing of the notice, whichever shall first occur;

13 (24)(i) To conduct surveys of the present private and public camping and other recreational  
14 areas available and to determine the need for and location of other camping and recreational areas  
15 as may be deemed necessary and in the public interest of the state of Rhode Island and to report  
16 back its findings on an annual basis to the general assembly on or before March 1 of every year;

17 (ii) Additionally, the director of the department of environmental management shall take  
18 additional steps, including, but not limited to, matters related to funding as may be necessary to  
19 establish such other additional recreational facilities and areas as are deemed to be in the public  
20 interest;

21 (25)(i) To apply for and accept grants and bequests of funds, with the approval of the  
22 director of administration, from other states, interstate agencies, and independent authorities, and  
23 private firms, individuals, and foundations, for the purpose of carrying out the director's lawful  
24 responsibilities. The funds shall be deposited with the general treasurer in a restricted receipt  
25 account created in the natural resources program for funds made available for that program's  
26 purposes or in a restricted receipt account created in the environmental protection program for  
27 funds made available for that program's purposes. All expenditures from the accounts shall be  
28 subject to appropriation by the general assembly, and shall be expended in accordance with the  
29 provisions of the grant or bequest. In the event that a donation or bequest is unspecified, or in the  
30 event that the trust account balance shows a surplus after the project as provided for in the grant or  
31 bequest has been completed, the director may utilize the appropriated unspecified or appropriated  
32 surplus funds for enhanced management of the department's forest and outdoor public recreation  
33 areas, or other projects or programs that promote the accessibility of recreational opportunities for  
34 Rhode Island residents and visitors;

1 (ii) The director shall submit to the house fiscal advisor and the senate fiscal advisor, by  
2 October 1 of each year, a detailed report on the amount of funds received and the uses made of such  
3 funds;

4 (26) To establish fee schedules by regulation, with the approval of the governor, for the  
5 processing of applications and the performing of related activities in connection with the  
6 department's responsibilities pursuant to subsection (12); chapter 19.1 of title 23, as it relates to  
7 inspections performed by the department to determine compliance with chapter 19.1 and rules and  
8 regulations promulgated in accordance therewith; chapter 18.9 of title 23, as it relates to inspections  
9 performed by the department to determine compliance with chapter 18.9 and the rules and  
10 regulations promulgated in accordance therewith; chapters 19.5 and 23 of title 23; chapter 12 of  
11 title 46, insofar as it relates to water-quality certifications and related reviews performed pursuant  
12 to provisions of the federal Clean Water Act, 33 U.S.C. § 1251 et seq.; the regulation and  
13 administration of underground storage tanks and all other programs administered under chapter 12  
14 of title 46 and § 2-1-18 et seq., and chapter 13.1 of title 46 and chapter 13.2 of title 46, insofar as  
15 they relate to any reviews and related activities performed under the provisions of the Groundwater  
16 Protection Act; chapter 24.9 of title 23 as it relates to the regulation and administration of mercury-  
17 added products; and chapter 17.7 of this title, insofar as it relates to administrative appeals of all  
18 enforcement, permitting, and licensing matters to the administrative adjudication division for  
19 environmental matters. Two (2) fee ranges shall be required: for "Appeal of enforcement actions,"  
20 a range of fifty dollars (\$50) to one hundred dollars (\$100), and for "Appeal of application  
21 decisions," a range of five hundred dollars (\$500) to ten thousand dollars (\$10,000). The monies  
22 from the administrative adjudication fees will be deposited as general revenues and the amounts  
23 appropriated shall be used for the costs associated with operating the administrative adjudication  
24 division.

25 There is hereby established an account within the general fund to be called the water and  
26 air protection program. The account shall consist of sums appropriated for water and air pollution  
27 control and waste-monitoring programs and the state controller is hereby authorized and directed  
28 to draw his or her orders upon the general treasurer for the payment of the sums, or portions thereof,  
29 as may be required, from time to time, upon receipt by him or her of properly authenticated  
30 vouchers. All amounts collected under the authority of this subsection (26) for the sewage-disposal-  
31 system program and freshwater wetlands program will be deposited as general revenues and the  
32 amounts appropriated shall be used for the purposes of administering and operating the programs.  
33 The director shall submit to the house fiscal advisor and the senate fiscal advisor by January 15 of  
34 each year a detailed report on the amount of funds obtained from fines and fees and the uses made

1 of the funds;

2 (27) To establish and maintain a list or inventory of areas within the state worthy of special  
3 designation as “scenic” to include, but not be limited to, certain state roads or highways, scenic  
4 vistas, and scenic areas, and to make the list available to the public;

5 (28) To establish and maintain an inventory of all interests in land held by public and  
6 private land trust and to exercise all powers vested herein to ensure the preservation of all identified  
7 lands;

8 (i) The director may promulgate and enforce rules and regulations to provide for the orderly  
9 and consistent protection, management, continuity of ownership and purpose, and centralized  
10 records-keeping for lands, water, and open spaces owned in fee or controlled in full or in part  
11 through other interests, rights, or devices such as conservation easements or restrictions, by private  
12 and public land trusts in Rhode Island. The director may charge a reasonable fee for filing of each  
13 document submitted by a land trust;

14 (ii) The term “public land trust” means any public instrumentality created by a Rhode  
15 Island municipality for the purposes stated herein and financed by means of public funds collected  
16 and appropriated by the municipality. The term “private land trust” means any group of five (5) or  
17 more private citizens of Rhode Island who shall incorporate under the laws of Rhode Island as a  
18 nonbusiness corporation for the purposes stated herein, or a national organization such as the nature  
19 conservancy. The main purpose of either a public or a private land trust shall be the protection,  
20 acquisition, or control of land, water, wildlife, wildlife habitat, plants, and/or other natural features,  
21 areas, or open space for the purpose of managing or maintaining, or causing to be managed or  
22 maintained by others, the land, water, and other natural amenities in any undeveloped and relatively  
23 natural state in perpetuity. A private land trust must be granted exemption from federal income tax  
24 under Internal Revenue Code 501(c)(3) [26 U.S.C. § 501(c)(3)] within two (2) years of its  
25 incorporation in Rhode Island or it may not continue to function as a land trust in Rhode Island. A  
26 private land trust may not be incorporated for the exclusive purpose of acquiring or accepting  
27 property or rights in property from a single individual, family, corporation, business, partnership,  
28 or other entity. Membership in any private land trust must be open to any individual subscribing to  
29 the purposes of the land trust and agreeing to abide by its rules and regulations including payment  
30 of reasonable dues;

31 (iii)(A) Private land trusts will, in their articles of association or their bylaws, as  
32 appropriate, provide for the transfer to an organization, created for the same or similar purposes, of  
33 the assets, lands and land rights, and interests held by the land trust in the event of termination or  
34 dissolution of the land trust;

1 (B) All land trusts, public and private, will record in the public records, of the appropriate  
2 towns and cities in Rhode Island, all deeds, conservation easements, or restrictions or other interests  
3 and rights acquired in land and will also file copies of all such documents and current copies of  
4 their articles of association, their bylaws, and their annual reports with the secretary of state and  
5 with the director of the Rhode Island department of environmental management. The director is  
6 hereby directed to establish and maintain permanently a system for keeping records of all private  
7 and public land trust land holdings in Rhode Island;

8 (29) The director will contact in writing, not less often than once every two (2) years, each  
9 public or private land trust to ascertain: that all lands held by the land trust are recorded with the  
10 director; the current status and condition of each land holding; that any funds or other assets of the  
11 land trust held as endowment for specific lands have been properly audited at least once within the  
12 two-year (2) period; the name of the successor organization named in the public or private land  
13 trust's bylaws or articles of association; and any other information the director deems essential to  
14 the proper and continuous protection and management of land and interests or rights in land held  
15 by the land trust. In the event that the director determines that a public or private land trust holding  
16 land or interest in land appears to have become inactive, the director shall initiate proceedings to  
17 effect the termination of the land trust and the transfer of its lands, assets, land rights, and land  
18 interests to the successor organization named in the defaulting trust's bylaws or articles of  
19 association or to another organization created for the same or similar purposes. Should such a  
20 transfer not be possible, then the land trust, assets, and interest and rights in land will be held in  
21 trust by the state of Rhode Island and managed by the director for the purposes stated at the time  
22 of original acquisition by the trust. Any trust assets or interests other than land or rights in land  
23 accruing to the state under such circumstances will be held and managed as a separate fund for the  
24 benefit of the designated trust lands;

25 (30) Consistent with federal standards, issue and enforce such rules, regulations, and orders  
26 as may be necessary to establish requirements for maintaining evidence of financial responsibility  
27 for taking corrective action and compensating third parties for bodily injury and property damage  
28 caused by sudden and non-sudden accidental releases arising from operating underground storage  
29 tanks;

30 (31) To enforce, by such means as provided by law, the standards for the quality of air, and  
31 water, and the location, design, construction, and operation of all underground storage facilities  
32 used for storing petroleum products or hazardous materials; any order or notice issued by the  
33 director relating to the location, design, construction, operation, or maintenance of an underground  
34 storage facility used for storing petroleum products or hazardous materials shall be eligible for

1 recordation under chapter 13 of title 34. The director shall forward the order or notice to the city or  
2 town wherein the subject facility is located, and the order or notice shall be recorded in the general  
3 index by the appropriate municipal officer in the land evidence records in the city or town wherein  
4 the subject facility is located. Any subsequent transferee of that facility shall be responsible for  
5 complying with the requirements of the order or notice. Upon satisfactory completion of the  
6 requirements of the order or notice, the director shall provide written notice of the same, which  
7 notice shall be eligible for recordation. The original, written notice shall be forwarded to the city  
8 or town wherein the subject facility is located, and the notice of satisfactory completion shall be  
9 recorded in the general index by the appropriate municipal official in the land evidence records in  
10 the city or town wherein the subject facility is located. A copy of the written notice shall be  
11 forwarded to the owner of the subject facility within five (5) days of a request for it, and, in any  
12 event, shall be forwarded to the owner of the subject facility within thirty (30) days after correction;

13 (32) To manage and disburse any and all funds collected pursuant to § 46-12.9-4, in  
14 accordance with § 46-12.9-5, and other provisions of the Rhode Island Underground Storage Tank  
15 Financial Responsibility Act, as amended;

16 (33) To support, facilitate, and assist the Rhode Island Natural History Survey, as  
17 appropriate and/or as necessary, in order to accomplish the important public purposes of the survey  
18 in gathering and maintaining data on Rhode Island natural history; making public presentations and  
19 reports on natural history topics; ranking species and natural communities; monitoring rare species  
20 and communities; consulting on open-space acquisitions and management plans; reviewing  
21 proposed federal and state actions and regulations with regard to their potential impact on natural  
22 communities; and seeking outside funding for wildlife management, land management, and  
23 research;

24 (34) To promote the effective stewardship of lakes, ponds, rivers, and streams including,  
25 but not limited to, collaboration with watershed organizations and associations of lakefront property  
26 owners on planning and management actions that will prevent and mitigate water quality  
27 degradation, reduce the loss of native habitat due to infestation of non-native species, abate  
28 nuisance conditions that result from excessive growth of algal or non-native plant species as well  
29 as promote healthy freshwater riverine ecosystems;

30 (35) In implementing the programs established pursuant to this chapter, to identify critical  
31 areas for improving service to customers doing business with the department, and to develop and  
32 implement strategies to improve performance and effectiveness in those areas. Key aspects of a  
33 customer-service program shall include, but not necessarily be limited to, the following  
34 components:

1 (i) Maintenance of an organizational unit within the department with the express purpose  
2 of providing technical assistance to customers and helping customers comply with environmental  
3 regulations and requirements;

4 (ii) Maintenance of an employee training program to promote customer service across the  
5 department;

6 (iii) Implementation of a continuous business process evaluation and improvement effort,  
7 including process reviews to encourage development of quality proposals; ensure timely and  
8 predictable reviews; and result in effective decisions and consistent follow up and implementation  
9 throughout the department; and publish an annual report on such efforts;

10 (iv) Creation of a centralized location for the acceptance of permit applications and other  
11 submissions to the department;

12 (v) Maintenance of a process to promote, organize, and facilitate meetings prior to the  
13 submission of applications or other proposals in order to inform the applicant on options and  
14 opportunities to minimize environmental impact; improve the potential for sustainable  
15 environmental compliance; and support an effective and efficient review and decision-making  
16 process on permit applications related to the proposed project;

17 (vi) Development of single permits under multiple authorities otherwise provided in state  
18 law to support comprehensive and coordinated reviews of proposed projects. The director may  
19 address and resolve conflicting or redundant process requirements in order to achieve an effective  
20 and efficient review process that meets environmental objectives; and

21 (vii) Exploration of the use of performance-based regulations coupled with adequate  
22 inspection and oversight, as an alternative to requiring applications or submissions for approval  
23 prior to initiation of projects;

24 (36) To formulate and promulgate regulations requiring any dock or pier longer than twenty  
25 feet (20') and located on a freshwater lake or pond to be equipped with reflective materials, on all  
26 sides facing the water, of an appropriate width and luminosity such that it can be seen by operators  
27 of watercraft;

28 (37) To temporarily waive any control or prohibition respecting the use of a fuel or fuel  
29 additive required or regulated by the department if the director finds that:

30 (i) Extreme or unusual fuel or fuel additive supply circumstances exist in the state or the  
31 New England region that prevent the distribution of an adequate supply of the fuel or fuel additive  
32 to consumers;

33 (ii) Extreme or unusual fuel or fuel additive supply circumstances are the result of a natural  
34 disaster, an act of God, a pipeline or refinery equipment failure, or another event that could not

1 reasonably have been foreseen; and

2 (iii) It is in the public interest to grant the waiver.

3 Any temporary waiver shall be made in writing and shall be effective for twenty (20)  
4 calendar days; provided, that the director may renew the temporary waiver, in writing, if it is  
5 deemed necessary; and

6 (38)(i) To designate by rule certain waters of the state as shellfish or marine life project  
7 management areas for the purpose of enhancing the cultivation and growth of marine species,  
8 managing the harvest of marine species, facilitating the conduct by the department of experiments  
9 in planting, cultivating, propagating, managing, and developing any and all kinds of marine life,  
10 and any other related purpose.

11 (ii) Any such designation shall be by reference to fixed landmarks and include an explicit  
12 description of the area to be designated.

13 (iii) Once so designated, the director may adopt rules and regulations addressing  
14 restrictions on the quantities, types, or sizes of marine species that may be taken in any individual  
15 management area, the times during which marine species may be taken, the manner or manners in  
16 that marine species may be taken, the closure of such area to the taking of marine species, or any  
17 other specific restrictions as may be deemed necessary. Such rules shall be exempt from the  
18 requirements of §§ 42-35-2.7, 42-35-2.8, and 42-35-2.9.

19 (iv) The director, upon the designation of a management area, may place any stakes,  
20 bounds, buoys, or markers with the words "Rhode Island department of environmental  
21 management" plainly marked on them, as will approximate the management area. Failure to place  
22 or maintain the stakes, bounds, buoys, or markers shall not be admissible in any judicial or  
23 administrative proceeding.

24 (v) Nothing in this section shall prevent the director from implementing emergency rules  
25 pursuant to § 42-35-2.10.

26 [\(39\) To enter into agreements with such departments, divisions, agencies, or boards of the](#)  
27 [state to regulate, manage, or perform related functions on any lands or waters acquired under the](#)  
28 [provisions of the Big River — Wood River Reservoir Site Acquisition Act \(Pub. L. 1964, chapter](#)  
29 [133\).](#)

30 SECTION 6. Chapter 42-17.1 of the General Laws entitled "Department of Environmental  
31 Management" is hereby amended by adding thereto the following section:

32 **42-17.1-47. Big River Reservoir — Administration.**

33 [The Rhode Island department of environmental management, established pursuant to](#)  
34 [chapter 17.1 of this title, shall administer those lands acquired for the Big River Reservoir as](#)

1 established under section 23 of chapter 133 of the Pub. L. 1964. The director of the department of  
2 environmental management and the director's authorized agents, employees, and designees shall  
3 manage the land and natural resources of the Big River Reservoir. The lands of the Big River  
4 Reservoir are subject to enforcement authority of the department of environmental management,  
5 as provided for in chapter 17.1 of this title, and as provided for in title 20. Nothing contained herein  
6 shall be construed to affect any of the powers granted to the water resources board ("agency") with  
7 regard to freshwater resource management pursuant to chapters 15 and 15.1 of title 46.

8 Effective July 1, 2026, the department of environmental management will assume  
9 responsibility for all land use planning and for promulgating the rules and regulations regarding the  
10 administration of the Big River Reservoir consistent with the requirements of § 37-20-1. The rules  
11 and regulations promulgated under 490-RICR-00-00-5 of the Rhode Island code of regulations will  
12 remain in full force and effect until such a time as the rules and regulations are properly transferred  
13 to and promulgated by the department of environmental management's title within the Rhode Island  
14 code of regulations.

15 SECTION 7. Sections 42-28-5 and 42-28-22 of the General Laws in Chapter 42-28 entitled  
16 "State Police" are hereby amended to read as follows:

17 **42-28-5. Superintendent — Appointment, tenure, duties, and retirement.**

18 (a) The governor shall appoint the superintendent of state police, who shall serve at the  
19 pleasure of the governor and shall perform the duties prescribed by this chapter.

20 (b) Any superintendent who has served for at least ten (10) years and has reached the age  
21 of sixty (60) years, may resign the superintendent's office, and thereafter shall receive annually  
22 during his or her life a sum equal to fifty percent (50%) of the salary the superintendent was  
23 receiving at the time of the superintendent's resignation, or for any superintendent hired on or after  
24 July 1, 2012, a sum equal to fifty percent (50%) of the average compensation as defined in § 36-8-  
25 1(5)~~(a)~~ the superintendent was receiving at the time of the superintendent's resignation.

26 (c) In no event shall the retirement allowance granted to a superintendent in accordance  
27 with subsection (b) plus any other retirement allowance received by the superintendent from any  
28 state or municipal retirement system exceed seventy-five percent (75%) of the average  
29 compensation as defined in § 36-8-1(5)~~(a)~~ the superintendent was receiving at the time of the  
30 superintendent's resignation. This subsection (c) shall only apply to superintendents hired on or  
31 after July 1, 2012.

32 **42-28-22. Retirement of members.**

33 (a) Whenever any member of the state police hired prior to July 1, 2007, has served for  
34 twenty (20) years, the member may retire therefrom or they may be retired by the superintendent

1 with the approval of the governor, and in either event a sum equal to one-half ( $\frac{1}{2}$ ) of the whole  
2 salary for the position from which the member retired determined on the date the member receives  
3 their first retirement payment shall be paid the member during life.

4 (b) For purposes of this section, the term “whole salary” means:

5 (1) For each member who retired prior to July 1, 1966, “whole salary” means the base  
6 salary for the position from which the member retired as the base salary for that position was  
7 determined on July 31, 1972;

8 (2) For each member who retired between July 1, 1966, and June 30, 1973, “whole salary”  
9 means the base salary for the position from which the member retired as the base salary,  
10 implemented by the longevity increment, for that position was determined on July 31, 1972, or on  
11 the date of the member’s retirement, whichever is greater;

12 (3) For each member who retired or who retires after July 1, 1973, “whole salary” means  
13 the base salary, implemented by the longevity increment, holiday pay, and clothing allowance, for  
14 the position from which the member retired or retires.

15 (c)(1) Any member who retired prior to July 1, 1977, shall receive a benefits payment  
16 adjustment equal to three percent (3%) of the member’s original retirement, as determined in  
17 subsection (b) of this section, in addition to the member’s original retirement allowance. In each  
18 succeeding year thereafter during the month of January, the retirement allowance shall be increased  
19 an additional three percent (3%) of the original retirement allowance, not compounded, to be  
20 continued until January 1, 1991. For the purposes of the computation, credit shall be given for a  
21 full calendar year regardless of the effective date of the service retirement allowance. For purposes  
22 of this subsection, the benefits payment adjustment shall be computed from January 1, 1971, or the  
23 date of retirement, whichever is later in time.

24 (2) Any member of the state police who retires pursuant to the provisions of this chapter  
25 on or after January 1, 1977, shall on the first day of January, next following the third anniversary  
26 date of the retirement receive a benefits payment adjustment, in addition to their retirement  
27 allowance, in an amount equal to three percent (3%) of the original retirement allowance. In each  
28 succeeding year thereafter during the month of January, the retirement allowance shall be increased  
29 an additional three percent (3%) of the original retirement allowance, not compounded, to be  
30 continued until January 1, 1991. For the purposes of the computation, credit shall be given for a  
31 full calendar year regardless of the effective date of the service retirement allowance.

32 (3) Any retired member of the state police who is receiving a benefit payment adjustment  
33 pursuant to subsections (c)(1) and (c)(2) of this section shall beginning January 1, 1991, and ending  
34 June 30, 2012, receive a benefits payment adjustment equal to fifteen hundred dollars (\$1,500).

1 (d) The benefits payment adjustment as provided in this section shall apply to and be in  
2 addition to the retirement benefits under the provisions of § 42-28-5, and to the injury and death  
3 benefits under the provisions of § 42-28-21.

4 (e)(1) Any member who retires after July 1, 1972, and is eligible to retire prior to July 1,  
5 2012, and who has served beyond twenty (20) years shall be allowed an additional amount equal  
6 to three percent (3%) for each completed year served after twenty (20) years, but in no event shall  
7 the original retirement allowance exceed sixty-five percent (65%) of the member's whole salary as  
8 defined in subsection (b) hereof or sixty-five percent (65%) of the member's salary as defined in  
9 subsection (b) hereof in the member's twenty-fifth (25th) year whichever is less.

10 (2) Each member who retired prior to July 1, 1975, shall be entitled to all retirement  
11 benefits as set forth above or shall be paid benefits as set forth in subsection (b)(1) with "whole  
12 salary" meaning the base salary for the position from which the member retired as the base salary  
13 for the position was determined on July 1, 1975, whichever is greater.

14 (f)(1) Any member who retires, has served as a member for twenty (20) years or more, and  
15 who served for a period of six (6) months or more of active duty in the armed service of the United  
16 States or in the merchant marine service of the United States as defined in § 2 of chapter 1721 of  
17 the Public Laws, 1946, may purchase credit for such service up to a maximum of two (2) years;  
18 provided that any member who has served at least six (6) months or more in any one year shall be  
19 allowed to purchase one year for such service and any member who has served a fraction of less  
20 than six (6) months in the member's total service shall be allowed to purchase six (6) months' credit  
21 for such service.

22 (2) The cost to purchase these credits shall be ten percent (10%) of the member's first year  
23 salary as a state policeman multiplied by the number of years and/or fraction thereof of such armed  
24 service up to a maximum of two (2) years. The purchase price shall be paid into the general fund.  
25 For members hired on or after July 1, 1989, the purchase price shall be paid into a restricted revenue  
26 account entitled "state police retirement benefits" and shall be held in trust.

27 (3) There will be no interest charge provided the member makes such purchase during their  
28 twentieth (20th) year or within five (5) years from May 18, 1981, whichever is later, but will be  
29 charged regular rate of interest as defined in § 36-8-1 as amended to date of purchase from the date  
30 of the member's twentieth (20th) year of state service or five (5) years from May 18, 1981,  
31 whichever is later.

32 (4) Any member who is granted a leave of absence without pay for illness, injury, or any  
33 other reason may receive credit therefor by making the full actuarial cost as defined in § 36-8-  
34 1(10); provided the employee returns to state service for at least one year upon completion of the

1 leave.

2 (5) In no event shall the original retirement allowance exceed sixty-five percent (65%) of  
3 the member's whole salary as defined in subsection (b) hereof or sixty-five percent (65%) of the  
4 member's salary as defined in subsection (b) hereof in the member's twenty-fifth (25th) year,  
5 whichever is less.

6 (6) Notwithstanding any other provision of law, no more than five (5) years of service  
7 credit may be purchased by a member of the system. The five-year (5) limit shall not apply to any  
8 purchases made prior to January 1, 1995. A member who has purchased more than five (5) years  
9 of service credits before January 1, 1995, shall be permitted to apply those purchases towards the  
10 member's service retirement. However, no further purchase will be permitted. Repayment in  
11 accordance with applicable law and regulation of any contribution previously withdrawn from the  
12 system shall not be deemed a purchase of service credit.

13 (g) The provisions of this section shall not apply to civilian employees in the Rhode Island  
14 state police; and, further, from and after April 28, 1937, chapters 8 — 10, inclusive, of title 36 shall  
15 not be construed to apply to the members of the Rhode Island state police, except as provided by  
16 §§ 36-8-3, 36-10-1.1, 42-28-22.1, and 42-28-22.2, and § 36-8-1(5) and (8)(a) effective July 1, 2012.

17 (h) Any member of the state police other than the superintendent of state police, who is  
18 hired prior to July 1, 2007, [and retires prior to July 1, 2026](#), and who has served for twenty-five  
19 (25) years or who has attained the age of sixty-two (62) years, whichever shall first occur, shall  
20 retire therefrom.

21 (i)(1) Any member of the state police, other than the superintendent, who is hired on or  
22 after July 1, 2007, [and retires prior to July 1, 2026](#), and who has served for twenty-five (25) years,  
23 may retire therefrom or the member may be retired by the superintendent with the approval of the  
24 governor, and shall be entitled to a retirement allowance of fifty percent (50%) of the member's  
25 "whole salary" as defined in subsection (b) hereof.

26 (2) Any member of the state police who is hired on or after July 1, 2007, [and retires prior](#)  
27 [to July 1, 2026](#), may serve up to a maximum of thirty (30) years, and shall be allowed an additional  
28 amount equal to three percent (3.0%) for each completed year served after twenty-five (25) years,  
29 but in no event shall the original retirement allowance exceed sixty-five percent (65%) of his or her  
30 "whole salary" as defined in subsection (b) hereof.

31 (j) Effective July 1, 2012, [and ending June 30, 2026](#), any other provision of this section  
32 notwithstanding:

33 (1) Any member of the state police, other than the superintendent of state police, who is  
34 not eligible to retire on or prior to June 30, 2012, may retire at any time subsequent to the date the

1 member's retirement allowance equals or exceeds fifty percent (50%) of average compensation as  
2 defined in § 36-8-1(5)(~~a~~), provided that a member shall retire upon the first to occur of:

3 (i) The date the member's retirement allowance equals sixty-five percent (65%); or

4 (ii) The later of the attainment of age sixty-two (62) or completion of five (5) years of  
5 service; provided however, any current member as of June 30, 2012, who has not accrued fifty  
6 percent (50%) upon attaining the age of sixty-two (62) shall retire upon accruing fifty percent  
7 (50%); and upon retirement a member shall receive a retirement allowance which shall equal:

8 (A) For members hired prior to July 1, 2007, and retiring prior to July 1, 2026, the sum of  
9 (i), (ii), and (iii) where:

10 (i) is calculated as the member's years of total service before July 1, 2012, multiplied by  
11 two and one-half percent (2.5%) of average compensation for a member's first twenty (20) total  
12 years,

13 (ii) is calculated as the member's years of total service before July 1, 2012, in excess of  
14 twenty (20) years not to exceed twenty-five (25) years multiplied by three percent (3%) of average  
15 compensation, and

16 (iii) is the member's years of total service on or after July 1, 2012, multiplied by two  
17 percent (2%) of average compensation as defined in § 36-8-1(5)(~~b~~).

18 (B) For members hired on or after July 1, 2007, the member's retirement allowance shall  
19 be calculated as the member's years of total contributory service multiplied by two percent (2%)  
20 of average compensation as defined in § 36-8-1(5).

21 (C) Any member of the state police who is eligible to retire on or prior to June 30, 2012,  
22 shall retire with a retirement allowance calculated in accordance with subsections (a) and (e) above  
23 except that whole salary shall be defined as final compensation where compensation for purposes  
24 of this section and § 42-28-22.1 includes base salary, longevity, and holiday pay.

25 (D) Notwithstanding the preceding provisions, in no event shall a member's final  
26 compensation be lower than their final compensation determined as of June 30, 2012.

27 (2) In no event shall a member's original retirement allowance under any provisions of this  
28 section exceed sixty-five percent (65%) of their average compensation.

29 (3) For each member who retires on or after July 1, 2012, except as provided in subsection  
30 (j)(1)(ii)(C) above, compensation and average compensation shall be defined in accordance with §  
31 36-8-1(5)(~~a~~) and (8), provided that for a member whose regular work period exceeds one hundred  
32 forty-seven (147) hours over a twenty-four-day (24) period at any time during the four-year (4)  
33 period immediately prior to the member's retirement, that member shall have up to four hundred  
34 (400) hours of their pay for regularly scheduled work earned during this period shall be included

1 as “compensation” and/or “average compensation” for purposes of ~~this section and~~ § 42-28-22.1.

2 (4) This subsection (j)(4) shall be effective for the period July 1, 2012, through June 30,  
3 2015.

4 (i) Notwithstanding the prior subsections of this section, and subject to subsection (j)(4)(ii)  
5 below, for all present and former members, active and retired members, and beneficiaries receiving  
6 any retirement, disability or death allowance or benefit of any kind, whether for or on behalf of a  
7 non-contributory member or contributory member, the annual benefit adjustment provided in any  
8 calendar year under this section shall be equal to (A) multiplied by (B) where (A) is equal to the  
9 percentage determined by subtracting five and one-half percent (5.5%) (the “subtrahend”) from the  
10 Five-Year Average Investment Return of the retirement system determined as of the last day of the  
11 plan year preceding the calendar year in which the adjustment is granted, said percentage not to  
12 exceed four percent (4%) and not to be less than zero percent (0%), and (B) is equal to the lesser  
13 of the member’s retirement allowance or the first twenty-five thousand dollars (\$25,000) of  
14 retirement allowance, such twenty-five thousand dollars (\$25,000) amount to be indexed annually  
15 in the same percentage as determined under (4)(i)(A) above. The “Five-Year Average Investment  
16 Return” shall mean the average of the investment returns for the most recent five (5) plan years as  
17 determined by the retirement board. Subject to subsection (j)(4)(ii) below, the benefit adjustment  
18 provided by this subsection (j)(4)(i) shall commence upon the third (3rd) anniversary of the date of  
19 retirement or the date on which the retiree reaches age fifty-five (55), whichever is later. In the  
20 event the retirement board adjusts the actuarially assumed rate of return for the system, either  
21 upward or downward, the subtrahend shall be adjusted either upward or downward in the same  
22 amount.

23 (ii) Except as provided in subsection (j)(4)(iii), the benefit adjustments under this section  
24 for any plan year shall be suspended in their entirety unless the funded ratio of the employees’  
25 retirement system of Rhode Island, the judicial retirement benefits trust, and the state police  
26 retirement benefits trust, calculated by the system’s actuary on an aggregate basis, exceeds eighty  
27 percent (80%) in which event the benefit adjustment will be reinstated for all members for such  
28 plan year.

29 In determining whether a funding level under this subsection (j)(4)(ii) has been achieved,  
30 the actuary shall calculate the funding percentage after taking into account the reinstatement of any  
31 current or future benefit adjustment provided under this section.

32 (iii) Notwithstanding subsection (j)(4)(ii), in each fifth plan year commencing after June  
33 30, 2012, commencing with the plan year ending June 30, 2017, and subsequently at intervals of  
34 five (5) plan years, a benefit adjustment shall be calculated and made in accordance with subsection

1 (j)(4)(i) above until the funded ratio of the employees' retirement system of Rhode Island, the  
2 judicial retirement benefits trust, and the state police retirement benefits trust, calculated by the  
3 system's actuary on an aggregate basis, exceeds eighty percent (80%).

4 (iv) The provisions of this subsection (j)(4) shall become effective July 1, 2012, and shall  
5 apply to any benefit adjustment not granted on or prior to June 30, 2012.

6 (v) The cost-of-living adjustment as provided in this subsection (j)(4) shall apply to and be  
7 in addition to the retirement benefits under the provisions of § 42-28-5 and to the injury and death  
8 benefits under the provisions of § 42-28-21.

9 (5) This subsection (j)(5) shall become effective July 1, 2015.

10 (i)(A) As soon as administratively reasonable following the enactment into law of this  
11 subsection (j)(5)(i)(A), a one-time benefit adjustment shall be provided to members and/or  
12 beneficiaries of members who retired on or before June 30, 2012, in the amount of two percent  
13 (2%) of the lesser of either the member's retirement allowance or the first twenty-five thousand  
14 dollars (\$25,000) of the member's retirement allowance. This one-time benefit adjustment shall be  
15 provided without regard to the retiree's age or number of years since retirement.

16 (B) Notwithstanding the prior subsections of this section, for all present and former  
17 members, active and retired members, and beneficiaries receiving any retirement, disability or  
18 death allowance or benefit of any kind, the annual benefit adjustment provided in any calendar year  
19 under this section for adjustments on and after January 1, 2016, and subject to subsection (j)(5)(ii)  
20 below, shall be equal to (I) multiplied by (II):

21 (I) shall equal the sum of fifty percent (50%) of (1) plus fifty percent (50%) of (2) where:

22 (1) is equal to the percentage determined by subtracting five and one-half percent (5.5%)  
23 (the "subtrahend") from the five-year average investment return of the retirement system  
24 determined as of the last day of the plan year preceding the calendar year in which the adjustment  
25 is granted, said percentage not to exceed four percent (4%) and not to be less than zero percent  
26 (0%). The "five-year average investment return" shall mean the average of the investment returns  
27 of the most recent five (5) plan years as determined by the retirement board. In the event the  
28 retirement board adjusts the actuarially assumed rate of return for the system, either upward or  
29 downward, the subtrahend shall be adjusted either upward or downward in the same amount.

30 (2) is equal to the lesser of three percent (3%) or the percentage increase in the Consumer  
31 Price Index for All Urban Consumers (CPI-U) as published by the U.S. Department of Labor  
32 Statistics determined as of September 30 of the prior calendar year.

33 In no event shall the sum of (1) plus (2) exceed three and one-half percent (3.5%) or be  
34 less than zero percent (0%).

1 (II) is equal to the lesser of either the member's retirement allowance or the first twenty-  
2 five thousand eight hundred fifty-five dollars (\$25,855) of retirement allowance, such amount to  
3 be indexed annually in the same percentage as determined under (j)(5)(i)(B)(I) above. The benefit  
4 adjustments provided by this subsection (j)(5)(i)(B) shall be provided to all retirees entitled to  
5 receive a benefit adjustment as of June 30, 2012, under the law then in effect, and for all other  
6 retirees the benefit adjustments shall commence upon the third anniversary of the date of retirement  
7 or the date on which the retiree reaches their Social Security retirement age, whichever is later.

8 (ii) Except as provided in subsection (j)(5)(iii), the benefit adjustments under subsection  
9 (j)(5)(i)(B) for any plan year shall be suspended in their entirety unless the funded ratio of the  
10 employees' retirement system of Rhode Island, the judicial retirement benefits trust, and the state  
11 police retirement benefits trust, calculated by the system's actuary on an aggregate basis, exceeds  
12 eighty percent (80%) in which event the benefit adjustment will be reinstated for all members for  
13 such plan year. Effective July 1, 2024, the funded ratio of the employees' retirement system of  
14 Rhode Island, the judicial retirement benefits trust, and the state police retirement benefits trust,  
15 calculated by the system's actuary on an aggregate basis, of exceeding eighty percent (80%) for the  
16 benefit adjustment to be reinstated for all members for such plan year shall be replaced with  
17 seventy-five percent (75%).

18 In determining whether a funding level under this subsection (j)(5)(ii) has been achieved,  
19 the actuary shall calculate the funding percentage after taking into account the reinstatement of any  
20 current or future benefit adjustment provided under this section.

21 (iii) Notwithstanding subsection (j)(5)(ii), in each fourth plan year commencing after June  
22 30, 2012, commencing with the plan year ending June 30, 2016, and subsequently at intervals of  
23 four plan years: (A) A benefit adjustment shall be calculated and made in accordance with  
24 subsection (j)(5)(i)(B) above; and (B) Effective for members and/or beneficiaries of members who  
25 retired on or before June 30, 2015, the dollar amount in (j)(5)(i)(B)(II) of twenty-five thousand  
26 eight hundred fifty-five dollars (\$25,855) shall be replaced with thirty-one thousand twenty-six  
27 dollars (\$31,026) until the funded ratio of the employees' retirement system of Rhode Island, the  
28 judicial retirement benefits trust, and the state police retirement benefits trust, calculated by the  
29 system's actuary on an aggregate basis, exceeds eighty percent (80%). Effective July 1, 2024, the  
30 funded ratio of the employees' retirement system of Rhode Island, the judicial retirement benefits  
31 trust, and the state police retirement benefits trust, calculated by the system's actuary on an  
32 aggregate basis, of exceeding eighty percent (80%) shall be replaced with seventy-five percent  
33 (75%).

34 (iv) Effective for members and/or beneficiaries of members who have retired on or before

1 July 1, 2015, a one-time stipend of five hundred dollars (\$500) shall be payable within sixty (60)  
2 days following the enactment of the legislation implementing this provision, and a second one-time  
3 stipend of five hundred dollars (\$500) in the same month of the following year. These stipends  
4 shall be payable to all retired members or beneficiaries receiving a benefit as of the applicable  
5 payment date and shall not be considered cost of living adjustments under the prior provisions of  
6 this section.

7 (6) Any member with contributory service on or after July 1, 2012, who has completed at  
8 least five (5) years of contributory service but who has not retired in accordance with subsection  
9 (j)(1) above, shall be eligible to retire upon the attainment of the member's Social Security  
10 retirement age as defined in § 36-8-1(20).

11 (7) In no event shall a member's retirement allowance be less than the member's retirement  
12 allowance calculated as of June 30, 2012, based on the member's years of total service and whole  
13 salary as of June 30, 2012.

14 (k) In calculating the retirement benefit for any member, the term base salary as used in  
15 subsection (b)(3) or average compensation as used in subsection (j) shall not be affected by a  
16 deferral of salary plan or a reduced salary plan implemented to avoid shutdowns or layoffs or to  
17 effect cost savings. Basic salary shall remain for retirement calculation that which it would have  
18 been but for the salary deferral or salary reduction due to a plan implemented to avoid shutdowns  
19 or layoffs or to effect cost savings.

20 (l) On and after July 1, 2026, notwithstanding any provision to the contrary:

21 (1) Any member of the state police who is hired prior to July 1, 2007, and who was not  
22 eligible to retire on or before June 30, 2012, who has served for twenty (20) years, may retire  
23 therefrom, or the member may be retired by the superintendent with the approval of the governor,  
24 and shall be entitled to a retirement allowance of fifty percent (50%) of whole salary as defined in  
25 subsection (b) of this section. Such members may serve up to a maximum of twenty-five (25) years,  
26 and shall be allowed an additional amount equal to three percent (3.0%) for each completed year  
27 served after twenty (20) years, but in no event shall the original retirement allowance exceed sixty-  
28 five percent (65%) of the member's "whole salary" as defined in subsection (b) of this section.

29 (2) Any member of the state police hired on or after July 1, 2007, who has served for  
30 twenty-five (25) years, may retire therefrom, or the member may be retired by the superintendent  
31 with the approval of the governor, and shall be entitled to a retirement allowance of fifty percent  
32 (50%) of whole salary as defined in subsection (b) of this section. Such members may serve a  
33 maximum of thirty (30) years, and shall be allowed an additional amount equal to three percent  
34 (3.0%) for each completed year served after twenty-five (25) years, but in no event shall the original

1 [retirement allowance exceed sixty-five percent \(65%\) of the member's "whole salary" as defined](#)  
2 [in subsection \(b\) of this section.](#)

3 [\(m\) Any member of the state police, or their beneficiary, who retired on or after July 1,](#)  
4 [2024, and prior to July 1, 2026, shall have their retirement allowance recalculated, retroactive to](#)  
5 [their date of retirement, to reflect the benefit provided in subsections \(b\) and \(l\) of this section. This](#)  
6 [provision shall be implemented as soon as administratively feasible. In no event shall a member's](#)  
7 [retirement allowance under this provision be less than the member's retirement allowance](#)  
8 [calculated as of the date of their retirement.](#)

9 SECTION 8. Section 42-64.20-10 of the General Laws in Chapter 42-64.20 entitled  
10 "Rebuild Rhode Island Tax Credit" is hereby amended to read as follows:

11 **42-64.20-10. Sunset.**

12 No credits shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
13 ~~2026~~ [December 31, 2027.](#)

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

16 **42-64.21-9. Sunset.**

17 The commerce corporation shall enter into no agreement under this chapter after ~~December~~  
18 ~~31, 2026~~ [December 31, 2027.](#)

19 SECTION 10. Section 42-64.22-15 of the General Laws in Chapter 42-64.22 entitled "Tax  
20 Stabilization Incentive" is hereby amended to read as follows:

21 **42-64.22-15. Sunset.**

22 The commerce corporation shall enter into no agreement under this chapter after ~~December~~  
23 ~~31, 2026~~ [December 31, 2027.](#)

24 SECTION 11. Section 42-64.23-8 of the General Laws in Chapter 42-64.23 entitled "First  
25 Wave Closing Fund" is hereby amended to read as follows:

26 **42-64.23-8. Sunset.**

27 No financing shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
28 ~~2026~~ [December 31, 2027.](#)

29 SECTION 12. Section 42-64.24-8 of the General Laws in Chapter 42-64.24 entitled "I-195  
30 Redevelopment Project Fund" is hereby amended to read as follows:

31 **42-64.24-8. Sunset.**

32 No funding, credits, or incentives shall be authorized or authorized to be reserved pursuant  
33 to this chapter after ~~December 31, 2026~~ [December 31, 2027.](#)

34 SECTION 13. Section 42-64.26-12 of the General Laws in Chapter 42-64.26 entitled "Stay

1 Invested in RI Wavemaker Fellowships" is hereby amended to read as follows:

2 **42-64.26-12. Sunset.**

3 No incentives or credits shall be authorized pursuant to this chapter after ~~December 31,~~  
4 ~~2026~~ [December 31, 2027](#).

5 SECTION 14. Section 42-64.27-6 of the General Laws in Chapter 42-64.27 entitled "Main  
6 Street Rhode Island Streetscape Improvement Fund" is hereby amended to read as follows:

7 **42-64.27-6. Sunset.**

8 No incentives shall be authorized pursuant to this chapter after ~~December 31, 2026~~  
9 [December 31, 2027](#).

10 SECTION 15. Section 42-64.28-10 of the General Laws in Chapter 42-64.28 entitled  
11 "Innovation Initiative" is hereby amended to read as follows:

12 **42-64.28-10. Sunset.**

13 No vouchers, grants, or incentives shall be authorized pursuant to this chapter after  
14 ~~December 31, 2026~~ [December 31, 2027](#).

15 SECTION 16. Section 44-48.3-14 of the General Laws in Chapter 44-48.3 entitled "Rhode  
16 Island New Qualified Jobs Incentive Act 2015" is hereby amended to read as follows:

17 **44-48.3-14. Sunset.**

18 No credits shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
19 ~~2026~~ [December 31, 2027](#).

20 SECTION 17. Chapter 46-15.1 of the General Laws entitled "Water Supply Facilities" is  
21 hereby amended by adding thereto the following section:

22 **46-15.1-23. Transfer of powers and functions from the water resources board for big**  
23 **river reservoir administration.**

24 [The administration of lands acquired for the Big River Reservoir, as established under](#)  
25 [section 23 of chapter 133 of the Pub. L. 1964, are hereby transferred to the department of](#)  
26 [environmental management. However, all other general authority granted to the water resource](#)  
27 [board in chapters 15 and 15.1 of title 46 is hereby retained by the water resource board.](#)

28 SECTION 18. Section 46-15.1-5 of the General Laws in Chapter 46-15.1 entitled "Water  
29 Supply Facilities" is hereby amended to read as follows:

30 **46-15.1-5. Powers.**

31 (a) The board shall carry out its functions and shall have the following powers:

32 (1) To adopt a seal and to alter the seal from time to time;

33 (2) To sue and be sued;

34 (3) To purchase, hold, and dispose of real and personal property, or interests therein, and

- 1 to lease the property as lessee or lessor;
- 2 (4) To make or cause to be made such surveys and borings as it may deem necessary;
- 3 (5) To engage engineering, legal, accounting, and other professional services;
- 4 (6) To make contracts;
- 5 (7) To employ personnel and fix their rates of compensation;
- 6 (8) To borrow money and issue its bonds and notes as hereinafter provided;
- 7 (9) To apply and contract for and to expend assistance from the United States or other  
8 sources, whether in the form of a grant or loan or otherwise;
- 9 (10) To adopt and amend bylaws for the regulation of its affairs and the conduct of its  
10 business;
- 11 (11) To invest or deposit funds in demand deposits, savings deposits, and time deposits in  
12 any bank or trust company which is a member of the Federal Deposit Insurance Corporation or in  
13 any obligations issued or guaranteed by the United States or any agency or instrumentality thereof,  
14 or as provided in § 35-10-11;
- 15 (12) To establish, operate, and maintain or lease to others, or contract with others for the  
16 use of, such water supply facilities as may be reasonably required for the fulfillment of its purposes;
- 17 (13) To purchase and sell water;
- 18 (14) To exercise such other powers as may be necessary or incidental to the exercise of the  
19 foregoing powers or to the accomplishment of the purposes of the board;
- 20 (15) To acquire, within the limitation of funds therefor, the sites, appurtenant marginal  
21 lands, dams, waters, water rights, rights of way, easements, and other property in interests in  
22 property for reservoirs, groundwater wells, well sites, and for such pipe lines, aqueducts, pumping  
23 stations, filtration plants, and auxiliary structures as may be necessary or desirable for the treatment  
24 and distribution of water from those reservoirs, groundwater wells, and well sites. Lands acquired  
25 under the provisions of this section shall be acquired with the approval of the governor by purchase,  
26 gift, devise, or otherwise on such terms and conditions as the board shall determine, or by the  
27 exercise of eminent domain, in accordance with the provisions of chapter 6 of title 37, as amended,  
28 insofar as those provisions are consistent with the provisions hereof;
- 29 (16) To construct or purchase water reservoirs, wells and well sites, processing facilities,  
30 transmission or distribution systems, and other facilities, including existing facilities of municipal  
31 water agencies or departments, special water districts, or private water companies, necessary to  
32 accomplish the purposes of this chapter and to implement its plans and program;
- 33 (17) To acquire the assets, assume the liabilities, or to effect the merger into itself of any  
34 corporation or other organization, including public or private water supply systems incorporated or

1 organized under the laws of this state, which corporation or organization has as its principal  
2 business the establishment of water supply facilities or provision of related services, all upon such  
3 terms and for such consideration as the board shall deem to be appropriate;

4 (18) To lease, sell, or otherwise convey any reservoir sites or other water supply or  
5 distribution facilities acquired, constructed, or purchased by the board to any municipal water  
6 agency or department or special water district or private water company, upon such terms as the  
7 board shall deem appropriate;

8 (19) To provide for cooperative development, conservation, and use of water resources by  
9 the state, municipal agencies or departments, special water districts or privately owned water  
10 systems, the board may:

11 (i) Authorize publicly or privately owned water supply agencies to build structures or  
12 install equipment on land owned or leased by the board.

13 (ii) Enter into contracts with publicly or privately owned water supply agencies for  
14 operation of any facilities owned or leased by the board or operate any such facility by itself.

15 (20) To enter into contracts to supply raw or processed water to publicly or privately owned  
16 water supply agencies, which shall be approved as to substance by the director of administration  
17 and as to form by the attorney general;

18 (21) To review all plans and proposals for construction or installation of facilities for water  
19 supply in accordance with the applicable sections of chapter 15 of this title;

20 (22) To make loans to publicly owned water supply agencies for acquisition, construction,  
21 and renovation of water supply facilities from funds which may be appropriated for this purpose  
22 by the general assembly, from bonds issued for this purpose, or from other funds which may  
23 become available to the board for this purpose;

24 (23) To borrow money temporarily from the water development fund, for the purposes of  
25 this chapter, and to implement its plans and programs relating to reservoir development, exclusive  
26 of the acquisition of sites for the development of surface reservoirs, in anticipation of revenue or  
27 federal aid; [and](#)

28 ~~(24) To enter into contracts and/or agreements with such departments, divisions, agencies,~~  
29 ~~or boards of the state as are directed by the governor to regulate, manage, or perform related~~  
30 ~~functions on any lands or waters acquired under the provisions of the Big River—Wood River~~  
31 ~~Reservoir Site Acquisition Act (P.L. of 1964, chapter 133); and~~

32 (25) To compensate the departments, divisions, agencies, or boards from the water  
33 development fund in an amount equal to the cost of providing the functions or services as are  
34 directed to be performed by the governor. The compensation shall be mandatory and shall be

1 provided according to procedures established by the department of administration.

2 (b) The board as a body politic and corporate and public instrumentality created pursuant  
3 to this chapter is subject to § 46-15.1-5(1) — (25). The board as the state agency pursuant to chapter  
4 15 of this title is subject to § 46-15.1-5(15) — (25).

5 SECTION 19. Section 46-15.1-19.1 of the General Laws in Chapter 46-15.1 entitled  
6 "Water Supply Facilities" is hereby repealed.

7 ~~**46-15.1-19.1. Big River Reservoir Administration.**~~

8 ~~The Rhode Island water resources board, established pursuant to this chapter and chapter~~  
9 ~~15 of this title, shall be the only designated agency which will administer those lands acquired for~~  
10 ~~the Big River Reservoir as established under section 23 of chapter 133 of the Public Laws of 1964.~~  
11 ~~The director of the department of environmental management and the director's authorized agents,~~  
12 ~~employees, and designees shall, together with the water resources board in accordance with the Big~~  
13 ~~River management area land use plan for the lands, protect the natural resources of the Big River~~  
14 ~~Reservoir lands. The lands of the Big River Reservoir are subject to enforcement authority of the~~  
15 ~~department of environmental management, as provided for in chapter 17.1 of title 42, and as~~  
16 ~~provided for in title 20 of the General Laws.~~

17 SECTION 20. Sections 46-31.1-1, 46-31.1-2 and 46-31.1-3 of the General Laws in Chapter  
18 46-31.1 entitled "The Rhode Island Bays, Rivers and Watersheds Fund" are hereby amended to  
19 read as follows:

20 **46-31.1-1. Legislative findings.**

21 The general assembly hereby finds and declares as follows:

22 (1) The bays, rivers, and associated watersheds of Rhode Island are unique and unparalleled  
23 natural resources that provide significant cultural, ecological, and economic benefit to the state.

24 (2) Pursuant to the provisions of R.I. Const., art. 1, § 17, it is the duty of the general  
25 assembly to provide for the conservation of the air, land, water, plant, animal, mineral, and other  
26 natural resources of the state; and to adopt all means necessary and proper by law to protect the  
27 natural environment of the people of the state by providing adequate resource planning for the  
28 control and regulation of the use of the natural resources of the state; and for the preservation,  
29 regeneration, and restoration of the natural environment of the state.

30 (3) It is in the best interest of the state and its citizens to preserve, protect, and restore our  
31 bays, rivers, [lakes](#), and associated watersheds.

32 (4) Sixty percent (60%) of the watershed of Narragansett Bay is within Massachusetts,  
33 almost all of the watershed of Mount Hope Bay is within Massachusetts, and five percent (5%) of  
34 the watershed of Little Narragansett Bay is within Connecticut; further, a cluster of water-related

1 economic interests spans the three (3) states.

2 (5) There is a need to foster effective management, preservation, restoration, and  
3 monitoring of the bays, rivers, [lakes](#), and watersheds; and the promotion of sustainable economic  
4 development of businesses that rely directly or indirectly on the bays, rivers, and watersheds.

5 **46-31.1-2. Definitions.**

6 As used in this chapter, unless the context clearly indicates otherwise:

7 (1) “Bays” means the estuaries including Narragansett Bay, Mount Hope Bay, Greenwich  
8 Bay, Little Narragansett Bay, the coastal ponds, the Sakonnet River, and Rhode Island territorial  
9 waters that extend seaward three geographical miles from the shoreline including the area around  
10 Block Island.

11 (2) “Coordination” means to harmonize in a common action or effort and/or to function in  
12 a complementary manner.

13 [\(3\) “Lake” or “pond” means a place, natural or manmade, located wholly or partly within](#)  
14 [the State of Rhode Island, where open standing or slowly moving water is present for at least six](#)  
15 [\(6\) months of the year. For the purposes of this chapter, “lake” or “pond” shall exclude commercial](#)  
16 [or industrial waterbodies created for the purpose of providing cooling water, concrete or poly-lined](#)  
17 [waterbodies, and construction dewatering basins.](#)

18 ~~(3)~~(4) “River” means a flowing body of water or estuary or a section, portion, or tributary  
19 thereof, including, but not limited to, streams, creeks, brooks, ponds, and small lakes.

20 ~~(4)~~(5) “Water cluster” means an economically interconnected grouping of businesses,  
21 institutions, and people relying directly or indirectly on the bays, rivers, and watersheds including,  
22 but not limited to, the following sectors:

- 23 (i) Recreation, tourism, and public events;
- 24 (ii) Fisheries and aquaculture;
- 25 (iii) Boat and ship building;
- 26 (iv) Boating-related businesses;
- 27 (v) Transportation;
- 28 (vi) Military;
- 29 (vii) Research; and
- 30 (viii) Technology development and education.

31 ~~(5)~~(6) “Watershed” means a land area which because of its topography, soil type, and  
32 drainage patterns acts as a collector of raw waters which regorge or replenish rivers and existing or  
33 planned public water supplies.

34 **46-31.1-3. Bays, Rivers and Watersheds Fund.**

1 (a) There is hereby established a restricted receipt account within the Department of  
2 Environmental Management to be called the Bays, Rivers and Watersheds Fund;

3 (b) The fund shall consist of any funds which the state may from time to time appropriate,  
4 as well as money received as gifts, grants, bequests, donations or other funds from any public or  
5 private sources, as well as all fees collected pursuant to § 46-23-1(f)(2) for the leasing of submerged  
6 lands for transatlantic cables, and all fees collected pursuant to chapter 12.11 of this title for the  
7 disposal of septage;

8 (c) All funds, monies, and fees collected pursuant to this section shall be deposited in the  
9 Bays, Rivers and Watersheds Fund, and shall be utilized by the Department of Environmental  
10 Management consistent with the purposes of § 46-23.2-1 entitled, “The Comprehensive Watershed  
11 and Marine Monitoring Act of 2004,” ~~§ 46-12~~ [chapter 12 of title 46 entitled, “Water Pollution”](#),  
12 [chapter 33 of title 46 entitled, “Freshwater Lake Management Program,”](#) and chapter 6.2 of title 4  
13 ~~42~~ [entitled “Resilient Rhode Island Act of 2014 Climate Change Coordination Council 2021 Act](#)  
14 [on Climate.”](#) All expenditures from the fund shall be subject to appropriation by the general  
15 assembly.

16 SECTION 21. Sections 46-33-1 and 46-33-2 of the General Laws in Chapter 46-33 entitled  
17 "Freshwater Lake Management Program" are hereby amended to read as follows:

18 **46-33-1. Definitions.**

19 As used in this chapter, unless the context indicates otherwise:

20 (1) “Aquatic invasive species” means those invasive or non-native species that inhabit  
21 water resources including lakes, ponds, rivers, and streams.

22 (2) “Coordination” means to harmonize in a common action or effort and/or to function in  
23 a complementary manner.

24 (3) “Department” means the Rhode Island department of environmental management.

25 (4) “Invasive species” means an alien species whose introduction does or is likely to cause  
26 economic or environmental harm, or harm to human health.

27 (5) “Lake” or “pond” means a place, natural or manmade, located wholly or partly within  
28 the state of Rhode Island, where open standing or slowly moving water shall be present for at least  
29 six (6) months of the year.

30 (6) “Lake association” means an association, club, or other organization, formed and  
31 registered in Rhode Island, that has responsibility for stewardship and management of a freshwater  
32 lake or pond.

33 (7) “Non-native species” means a species of plant, animal, or microbe that is:

34 (i) Introduced to a country or region where it is not native;

- 1 (ii) Is reproducing and spreading without human cultivation; and
- 2 (iii) Is causing harm to native species or the areas in which they live.

3 ~~(8) “Rhode Island lake management fund” means the fund established by § 46-33-3.~~

4 **46-33-2. Rhode Island lake management program — Established.**

5 (a) The department shall develop and implement a lake management program. The program  
6 shall include the following elements:

7 (1) Field surveys and mapping to document the presence of aquatic invasive species in  
8 freshwaters;

9 (2) Development and provision of guidance and technical assistance to lake associations,  
10 watershed organizations, and municipalities interested in undertaking lake management actions;

11 (3) Coordination of the implementation of lake management actions, where appropriate;

12 (4) Oversight of lake management policy and program development;

13 (5) Distribution of financial assistance for lake management, including control of aquatic  
14 invasive plants, as resources allow, including such sums as appropriated by the general assembly  
15 from the Bays, Rivers and Watersheds Fund established by § 46-31.1-3; and

16 (6) Other activities consistent with the powers and duties assigned to the department in §  
17 42-17.1-2(34).

18 (b) Upon receipt of funding, the department shall establish procedures and rules for the  
19 distribution of lake management grants consistent with the following provisions:

20 (1) Entities eligible to apply for assistance shall include lake associations, watershed  
21 associations, municipal governments, and other nonprofit, non-governmental environmental and  
22 conservation organizations.

23 (2) Projects involving lakes and ponds located wholly within a privately owned property  
24 and that lack public access to the waterbody are not eligible for assistance.

25 (3) Projects involving lakes and ponds that lack public access, excepting those excluded in  
26 subsection (b)(2) of this section, may be eligible to apply for financial assistance provided the  
27 department determines that active management is necessary to protect publicly accessible  
28 freshwater resources.

29 (4) Projects shall be solicited through a publicly advertised process.

30 (5) Projects shall require a matching contribution of funds.

31 (6) Eligible projects are determined by the department to be technically sound and  
32 appropriate control or to mitigate an existing aquatic invasive species management, water quality,  
33 or aquatic habitat concern.

34 (7) Funding is used to design and implement specific lake management actions.

1           SECTION 22. This article shall take effect upon passage, except for section 2 which shall  
2   take effect on July 1, 2026.

1 **ARTICLE 4**

2 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

3 SECTION 1. This article shall serve as the joint resolutions of approval required pursuant  
4 to Rhode Island Law § 35-18-1, et seq. for the financing and/or the guarantee of the below described  
5 projects.

6 SECTION 2. *Rhode Island College – Residential Life Renovations – Auxiliary Enterprise*

7 WHEREAS, The Council on Postsecondary Education and Rhode Island College  
8 (“College”) are proposing a project which involves the renovation of five (5) residence halls on the  
9 College campus; and

10 WHEREAS, The College is committed to providing adequate and suitable housing for its  
11 students that will attract undergraduate resident students to the College; and

12 WHEREAS, The renovations will address improvements to critical infrastructure for  
13 continued occupancy of the five (5) residency halls, and the aesthetic improvements to be made  
14 will enhance the on-campus experience for the resident students; and

15 WHEREAS, The College engaged a qualified architectural firm, which completed an  
16 analysis on the condition of these residence halls.

17 WHEREAS, The project consists of the renovation and replacement of building envelopes,  
18 elevators, mechanical systems, fire alarms, sprinklers, and other improvements needed to improve  
19 the residential sector of the campus, which project is included in the College Capital Improvement  
20 Plan; and

21 WHEREAS, The Rhode Island Public Corporation Debt Management Act requires the  
22 General Assembly to provide its consent to the issuance or incurring by the State of Rhode Island  
23 and other public agencies of certain obligations including financing guarantees or other agreements;  
24 and

25 WHEREAS, The costs associated with this auxiliary enterprise project will be financed  
26 through Rhode Island Health and Education Building Corporation (RIHEBC) revenue bonds, with  
27 an expected term of twenty (20) years; and

28 WHEREAS, The total project cost associated with the completion of this project and  
29 proposed financing method is twenty million six hundred thousand dollars (\$20,600,000), including  
30 capitalized interest, if any, and associated costs of financing. Debt service payments would be

1 supported by revenues derived from the College’s Residential Life auxiliary student fees, and total  
2 debt service on the bonds is not expected to exceed one million eight hundred twenty-five thousand  
3 dollars (\$1,825,000) annually and thirty-six million five hundred thousand dollars (\$36,500,000)  
4 in the aggregate based on an average interest rate of six percent (6%) and a twenty (20) year term;  
5 now, therefore be it

6 RESOLVED, That this General Assembly hereby approves financing in an amount not to  
7 exceed totals debt service payments of thirty-six million five hundred thousand dollars  
8 (\$36,500,000) for the residential life renovations project on the College campus; and be it further

9 RESOLVED, That this joint resolution shall take effect upon passage.

10 SECTION 3. *University of Rhode Island -- Repaving and Hardscape Improvements*

11 WHEREAS, The University of Rhode Island Board of Trustees and the University of  
12 Rhode Island (“University”) are proposing a project which involves the re-pavement and  
13 reconstruction of major parking facilities, internal roadways and walkways, and associated  
14 infrastructure on the University’s Kingston, Narragansett Bay, and W. Alton Jones campuses; and

15 WHEREAS, The project and its proposed funding have been duly reviewed and approved  
16 by the University of Rhode Island Board of Trustees as part of the FY 2027–2031 Capital  
17 Improvement Plan; and

18 WHEREAS, The University has made progress in the improvement of its extensive  
19 inventory of paved surfaces on its campuses, the scope of repaving and reconstruction of major  
20 parking facilities, internal roadways and walkways, and associated infrastructure is substantial and  
21 ongoing; and

22 WHEREAS, A recent comprehensive campus plan recommends the redevelopment of  
23 campus roadways, allowing safe travel for pedestrians, cyclists, vehicles, and other modes of travel;  
24 and

25 WHEREAS, The design and execution of this comprehensive plan will improve the  
26 campus’s environmental impact; and

27 WHEREAS, These timely project commitments serve the objectives of both the University  
28 and the local community; and

29 WHEREAS, The Rhode Island Public Corporation Debt Management Act requires the  
30 General Assembly to provide its consent to the issuance or incurring by the State of Rhode Island  
31 and other public agencies of certain obligations, including financing guarantees or other  
32 agreements; and

33 WHEREAS, The design and paving work will be financed through Rhode Island Health  
34 and Education Building Corporation revenue bonds, with an expected term of twenty (20) years in

1 the amount of twenty million dollars (\$20,000,000); and

2 WHEREAS, The project cost associated with completion of the project and the proposed  
3 financing method is twenty million dollars (\$20,000,000), including the cost of issuance. Debt  
4 service payments would be supported by both the University’s unrestricted general revenues and  
5 enterprise funding from the University’s parking services operation. Total debt service on the bonds  
6 is not expected to exceed one million seven hundred forty-three thousand seven hundred fifty  
7 dollars (\$1,743,750) annually and thirty-four million eight hundred seventy-five thousand dollars  
8 (\$34,875,000) in the aggregate based on an average interest rate of six percent (6%); now, therefore,  
9 be it

10 RESOLVED, That this General Assembly hereby approves financing in an amount not to  
11 exceed total debt service payments of thirty-four million eight hundred seventy-five thousand  
12 dollars (\$34,875,000) for the repaving and hardscape improvements projects at the University of  
13 Rhode Island; and be it further

14 RESOLVED, That this Joint Resolution shall take effect upon passage.

15 SECTION 4. *University of Rhode Island – Automotive and Administrative Services*

16 WHEREAS, The University of Rhode Island Board of Trustees and the University of  
17 Rhode Island (“University”) are proposing a project which provides proper working space for  
18 “Automotive and Administrative Mail and Printing Services” in the University’s service sector;  
19 and

20 WHEREAS, The University has made progress in the improvement of its service center to  
21 align with the improvements made to the academic, research, and student life facilities; and

22 WHEREAS, The project and its proposed funding have been duly reviewed and approved  
23 by the University of Rhode Island Board of Trustees as part of the FY 2027–2031 Capital  
24 Improvement Plan; and

25 WHEREAS, The design and execution of this project will improve the delivery of the  
26 associated services to the campus; and

27 WHEREAS, The individual projects may be delivered in a phased approach; and

28 WHEREAS, These timely project commitments serve the objectives of the University; and

29 WHEREAS, The Rhode Island Public Corporation Debt Management Act requires the  
30 General Assembly to provide its consent to the issuance or incurring by the State of Rhode Island  
31 and other public agencies of certain obligations, including financing guarantees or other  
32 agreements; and

33 WHEREAS, The design and paving work will be financed through Rhode Island Health  
34 and Education Building Corporation revenue bonds, with an expected term of twenty (20) years in

1 the amount of fourteen million four hundred thousand dollars (\$14,400,000); and

2 WHEREAS, The project cost associated with completion of the project and the proposed  
3 financing method is fourteen million four hundred thousand dollars (\$14,400,000), including the  
4 cost of issuance. Debt service payments would be supported by the University's unrestricted  
5 general revenues. Total debt service on the bonds is not expected to exceed one million two hundred  
6 fifty-seven thousand five hundred dollars (\$1,257,500) annually and twenty-five million one  
7 hundred fifty thousand dollars (\$25,150,000) in the aggregate based on an average interest rate of  
8 six percent (6%); now, therefore, be it

9 RESOLVED, That this General Assembly hereby approves financing in an amount not to  
10 exceed total debt service payments of twenty-five million one hundred fifty thousand dollars  
11 (\$25,150,000) for the Automotive and Administrative Services project at the University; and be it  
12 further

13 RESOLVED, That this Joint Resolution shall take effect upon passage.

14 SECTION 5. This article shall take effect upon passage.

**ARTICLE 5**

RELATING TO CAPITAL DEVELOPMENT PROGRAM

SECTION 1. Proposition to be submitted to the people. -- At the general election to be held on the Tuesday next after the first Monday in November 2026, there shall be submitted to the people ("People") of the State of Rhode Island ("State"), for their approval or rejection, the following proposition:

"Shall the action of the general assembly, by an act passed at the January 2026 session, authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode Island for the capital projects and in the amount with respect to each such project listed below be approved, and the issuance of bonds, refunding bonds, and/or temporary notes authorized in accordance with the provisions of said act?"

Project

(1) Higher Education Facilities \$275,000,000

Approval of this question will allow the State to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed two hundred and seventy-five million dollars (\$275,000,000) for capital improvements to higher education facilities, to be allocated as follows:

(a) University of Rhode Island Integrated Health Building \$165,000,000

Provides one hundred and sixty-five million dollars (\$165,000,000) for the construction of the new Integrated Health Building on the University of Rhode Island's Kingston campus to advance health education, clinical training, and workforce development.

(b) RIC Adams Library Renovations \$50,000,000

Provides fifty million dollars (\$50,000,000) to fund the construction of a student success and career readiness center and renovations located at the Adams Library on the Rhode Island College campus.

(c) CCRI Workforce Innovation Center \$60,000,000

Provides sixty million dollars (\$60,000,000) to fund the construction of a new workforce innovation center located on the Warwick campus of the Community College of Rhode Island. Funds will be used for the construction of a modern career and technical educational facility designed to support workforce readiness and address critical workforce shortages in the State.



1 Provides five million dollars (\$5,000,000) in matching grants administered by the Rhode  
2 Island Historical Preservation and Heritage Commission to cities, towns and nonprofit  
3 organizations for capital improvements to public historic sites, museums and cultural art centers  
4 located in historic structures, and heritage museums throughout the State.

5 (5) Green Economy Bonds \$55,000,000

6 Approval of this question will allow the State to issue general obligation bonds, refunding  
7 bonds, and/or temporary notes in an amount not to exceed fifty-five million dollars (\$55,000,000)  
8 for environmental and recreational purposes, to be allocated as follows:

9 (a) Brownfields Remediation and Economic Development \$3,000,000

10 Provides three million dollars (\$3,000,000) for up to eighty percent (80%) matching grants  
11 to public, private, and/or non-profit entities for brownfield remediation projects.

12 (b) Facility Improvements \$12,000,000

13 Provides twelve million dollars (\$12,000,000) for the renovation and repair of existing  
14 facilities and recreational venues as well as the development and construction of new facilities and  
15 parks.

16 (c) Local Recreation Projects \$1,000,000

17 Provides one million dollars (\$1,000,000) for up to eighty percent (80%) matching grants  
18 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the  
19 growing needs for active outdoor recreational facilities.

20 (d) Marine Infrastructure Development \$1,000,000

21 Provides one million dollars (\$1,000,000) to provide asset protection and emergency repair  
22 needs for most facilities, including recreational facilities, marine infrastructure, and more.

23 (e) Resilient Rhody Infrastructure Fund \$25,000,000

24 Provides twenty-five million dollars (\$25,000,000) to provide financial assistance to local  
25 governmental units for restoring and/or improving resiliency of infrastructure, vulnerable coastal  
26 habitats, and restoring rivers and stream floodplains. These funds will be prioritized to leverage  
27 significant funds to support local programs to improve community resiliency, stormwater  
28 abatement and public safety in the face of increased flooding, major storm events, and  
29 environmental degradation.

30 (f) Narragansett Bay Watershed Restoration \$7,000,000

31 Provides seven million dollars (\$7,000,000) for activities to restore and protect the water  
32 quality and enhance the economic viability and environmental sustainability of Narragansett Bay  
33 and the State's watersheds. Eligible activities include nonpoint source pollution abatement,  
34 including stormwater management; nutrient loading abatement; commercial, industrial and

1 agricultural pollution abatement; and riparian buffer and watershed ecosystem restoration.

2 (g) Agriculture Land Preservation Commission \$3,000,000

3 Provides three million dollars (\$3,000,000) to the agricultural land preservation  
4 commission for farmland protection.

5 (h) Open Space Program \$3,000,000

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

8 SECTION 2. Ballot labels and applicability of general election laws. -- The Secretary of  
9 State shall prepare and deliver to the State Board of Elections ballot labels for each of the projects  
10 provided for in Section 1 hereof with the designations "approve" or "reject" provided next to the  
11 description of each such project to enable voters to approve or reject each such proposition. The  
12 general election laws, so far as consistent herewith, shall apply to this proposition.

13 SECTION 3. Approval of projects by the people. -- If a majority of the People voting on  
14 the proposition in Section 1 hereof shall vote to approve any project stated therein, said project  
15 shall be deemed to be approved by the People. The authority to issue bonds, refunding bonds and/or  
16 temporary notes of the State shall be limited to the aggregate amount for all such projects as set  
17 forth in the proposition, which has been approved by the People.

18 SECTION 4. Bonds for the capital development program. -- The General Treasurer is  
19 hereby authorized and empowered, with the approval of the Governor, and in accordance with the  
20 provisions of this Act to issue capital development bonds in serial form, in the name of and on  
21 behalf of the State, in amounts as may be specified by the Governor in an aggregate principal  
22 amount not to exceed the total amount for all projects approved by the People and designated as  
23 "capital development loan of 2026 bonds." Provided, however, that the aggregate principal amount  
24 of such capital development bonds and of any temporary notes outstanding at any one time issued  
25 in anticipation thereof pursuant to Section 7 hereof shall not exceed the total amount for all such  
26 projects approved by the People. All provisions in this Act relating to "bonds" shall also be deemed  
27 to apply to "refunding bonds."

28 Capital development bonds issued under this Act shall be in denominations of one thousand  
29 dollars (\$1,000) each, or multiples thereof, and shall be payable in any coin or currency of the  
30 United States which at the time of payment shall be legal tender for public and private debts. These  
31 capital development bonds shall bear such date or dates, mature at specified time or times, but not  
32 mature beyond the end of the twentieth (20th) State fiscal year following the fiscal year in which  
33 they are issued; bear interest payable semi-annually at a specified rate or different or varying rates:  
34 be payable at designated time or times at specified place or places; be subject to express terms of

1 redemption or recall, with or without premium; be in a form, with or without interest coupons  
2 attached; carry such registration, conversion, reconversion, transfer, debt retirement, acceleration  
3 and other provisions as may be fixed by the General Treasurer, with the approval by the Governor,  
4 upon each issue of such capital development bonds at the time of each issue. Whenever the  
5 Governor shall approve the issuance of such capital development bonds, the Governor's approval  
6 shall be certified to the Secretary of State; the bonds shall be signed by the General Treasurer and  
7 countersigned by Secretary of State and shall bear the seal of the State. The signature approval of  
8 the Governor shall be endorsed on each bond.

9 SECTION 5. Refunding bonds for the 2026 capital development program. -- The General  
10 Treasurer is hereby authorized and empowered, with the approval of the Governor, and in  
11 accordance with the provisions of this Act, to issue bonds to refund the 2026 capital development  
12 program bonds, in the name of and on behalf of the State, in amounts as may be specified by the  
13 Governor in an aggregate principal amount not to exceed the total amount approved by the People,  
14 to be designated as "capital development program loan of 2026 refunding bonds" (hereinafter  
15 "Refunding Bonds").

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

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

26 If the General Treasurer shall deposit with the paying agent for the capital development  
27 bonds the proceeds of the Refunding Bonds, or proceeds from other sources, amounts that, when  
28 invested in obligations of the United States or the State, are sufficient to pay all principal, interest,  
29 and premium, if any, on the capital development bonds until these bonds are called for prepayment,  
30 then such capital development bonds shall not be considered debts of the State for any purpose  
31 starting from the date of deposit of such monies with the paying agent. The Refunding Bonds shall  
32 continue to be a debt of the State until paid.

33 The term "bond" shall include "note," and the term "refunding bonds" shall include  
34 "refunding notes" when used in this Act.

1 SECTION 6. Proceeds of the capital development program. -- The General Treasurer is  
2 directed to deposit the proceeds from the sale of capital development bonds issued under this Act,  
3 exclusive of premiums and accrued interest and net the underwriters' cost, and cost of bond  
4 issuance, in one or more of the depositories in which the funds of the State may be lawfully kept in  
5 special accounts (hereinafter cumulatively referred to as the "capital development bond fund")  
6 appropriately designated for each of the projects set forth in Section 1 hereof which shall have been  
7 approved by the People to be used for the purpose of paying the cost of all such projects so  
8 approved.

9 All monies in the capital development bond fund shall be expended for the purposes  
10 specified in the proposition provided for in Section 1 hereof under the direction and supervision of  
11 the Director of Administration (hereinafter referred to as "Director"). The Director or his or her  
12 designee shall be vested with all power and authority necessary or incidental to the purposes of this  
13 Act, including but not limited to, the following authority: (a) To acquire land or other real property  
14 or any interest, estate or right therein as may be necessary or advantageous to accomplish the  
15 purposes of this Act; (b) To direct payment for the preparation of any reports, plans and  
16 specifications, and relocation expenses and other costs such as for furnishings, equipment  
17 designing, inspecting and engineering, required in connection with the implementation of any  
18 projects set forth in Section 1 hereof; (c) To direct payment for the costs of construction,  
19 rehabilitation, enlargement, provision of service utilities, and razing of facilities, and other  
20 improvements to land in connection with the implementation of any projects set forth in Section 1  
21 hereof; and (d) To direct payment for the cost of equipment, supplies, devices, materials and labor  
22 for repair, renovation or conversion of systems and structures as necessary for the 2026 capital  
23 development program bonds or notes hereunder from the proceeds thereof. No funds shall be  
24 expended in excess of the amount of the capital development bond fund designated for each project  
25 authorized in Section 1 hereof. With respect to the bonds and temporary notes described in Section  
26 1, the proceeds shall be used for the following purposes:

27 Question 1, relating to bonds in the amount of two hundred and seventy-five million dollars  
28 (\$275,000,000) to provide funding for higher education facilities to be allocated as follows:

29 (a) University of Rhode Island Integrated Health Building \$165,000,000

30 Provides one hundred and sixty-five million dollars (\$165,000,000) for the construction of  
31 the new Integrated Health Building on the University of Rhode Island's Kingston campus to  
32 advance health education, clinical training, and workforce development.

33 (b) RIC Adams Library Renovations \$50,000,000

34 Provides fifty million dollars (\$50,000,000) to fund the construction of a student success

1 and career readiness center and renovations located at the Adams Library the Rhode Island College  
2 campus.

3 (c) CCRI Workforce Innovation Center \$60,000,000

4 Provides sixty million dollars (\$60,000,000) to fund the construction of a new workforce  
5 innovation center located on the Warwick campus of the Community College of Rhode Island.  
6 Funds will be used for the construction of a modern career and technical educational facility  
7 designed to support workforce readiness and address critical workforce shortages in the State.

8 Question 2, relating to bonds in the amount of one hundred and twenty million dollars  
9 (\$120,000,000) to increase and preserve the availability of affordable and accessible housing to  
10 meet the needs of all Rhode Islanders and support community revitalization through the  
11 redevelopment of existing structures, new construction, property acquisition, and infrastructure  
12 improvements. Of this amount, at least twenty-five million dollars (\$25,000,000), shall be allocated  
13 towards increasing production of housing intended for homeownership and up to ten million dollars  
14 (\$10,000,000) may be used to support public housing development.

15 Question 3, relating to bonds in the amount of one hundred million dollars (\$100,000,000)  
16 to fund industrial facilities infrastructure improvements, to be allocated as follows:

17 (a) Site Development \$55,000,000

18 Provides fifty-five million dollars (\$55,000,000) for land acquisition or assembly,  
19 environmental remediation, infrastructure and utility installation, site preparation or development,  
20 and project investments. Eligible uses include, but are not limited to, large-scale industrial site  
21 development to create pad-ready locations and/or facilities, infrastructure improvements and  
22 investments within the Quonset Business Park, and land acquisition, preparation, and project  
23 investments within the I-195 District.

24 (b) Growth Industry Infrastructure \$45,000,000

25 Provides forty-five million dollars (\$45,000,000) for infrastructure, facilities, projects, and  
26 investments that support Rhode Island's ocean, defense, life sciences, data analytics and related  
27 industries. Eligible uses include, but are not limited to, water-based test ranges and onshore ocean  
28 or defense-related innovation/production facilities, as well as facilities, projects, and investments  
29 that advance businesses and job growth in the life sciences.

30 Question 4, relating to bonds in the amount of fifty million dollars (\$50,000,000) to provide  
31 funding for cultural economy efforts to be allocated as follows:

32 (a) State History Center \$45,000,000

33 Provides forty-five million dollars (\$45,000,000) for the construction of a new Rhode  
34 Island State History Center.

1 (b) State Preservation Grants Program \$5,000,000

2 Provides five million dollars (\$5,000,000) in matching grants administered by the Rhode  
3 Island Historical Preservation and Heritage Commission to cities, towns and nonprofit  
4 organizations for capital improvements to public historic sites, museums and cultural art centers  
5 located in historic structures, and heritage museums throughout the State.

6 Question 5, relating to bonds in the amount of fifty-five million dollars (\$55,000,000) for  
7 environmental and recreational purposes, to be allocated as follows:

8 (a) Brownfields Remediation and Economic Development \$3,000,000

9 Provides three million dollars (\$3,000,000) for up to eighty percent (80%) matching grants  
10 to public, private, and/or non-profit entities for brownfield remediation projects.

11 (b) Facility Improvements \$12,000,000

12 Provides twelve million dollars (\$12,000,000) for the renovation and repair of existing  
13 facilities and recreational venues as well as the development and construction of new facilities and  
14 parks.

15 (c) Local Recreation Projects \$1,000,000

16 Provides one million dollars (\$1,000,000) for up to eighty percent (80%) matching grants  
17 for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the  
18 growing needs for active outdoor recreational facilities.

19 (d) Marine Infrastructure Development \$1,000,000

20 Provides one million dollars (\$1,000,000) to provide asset protection and emergency repair  
21 needs for most facilities, including recreational facilities, marine infrastructure, and more.

22 (e) Resilient Rhody Infrastructure Fund \$25,000,000

23 Provides twenty-five million dollars (\$25,000,000) to provide financial assistance to local  
24 governmental units for restoring and/or improving resiliency of infrastructure, vulnerable coastal  
25 habitats, and restoring rivers and stream floodplains. These funds will be prioritized to leverage  
26 significant funds to support local programs to improve community resiliency, stormwater  
27 abatement and public safety in the face of increased flooding, major storm events, and  
28 environmental degradation.

29 (f) Narragansett Bay Watershed Restoration \$7,000,000

30 Provides seven million dollars (\$7,000,000) for activities to restore and protect the water  
31 quality and enhance the economic viability and environmental sustainability of Narragansett Bay  
32 and the State's watersheds. Eligible activities include nonpoint source pollution abatement,  
33 including stormwater management; nutrient loading abatement; commercial, industrial and  
34 agricultural pollution abatement; and riparian buffer and watershed ecosystem restoration.

1 (g) Agriculture Land Preservation Commission \$3,000,000

2 Provides three million dollars (\$3,000,000) to the agricultural land preservation  
3 commission for farmland protection.

4 (h) Open Space Program \$3,000,000

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

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

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

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

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

25 SECTION 8. Bonds and notes to be tax exempt and general obligations of the State. -- All  
26 bonds and notes issued under the authority of this Act shall be exempt from taxation in the State  
27 and shall be general obligations of the State, and the full faith and credit of the State is hereby  
28 pledged for the due payment of the principal and interest on each of such bonds and notes as the  
29 same shall become due.

30 SECTION 9. Investment of monies in fund. -- All monies in the capital development fund  
31 not immediately required for payment pursuant to the provisions of this Act may be invested by the  
32 investment commission, as established by Chapter 10 of Title 35, entitled "State Investment  
33 Commission," pursuant to the provisions of such chapter; provided, however, that the securities in  
34 which the capital development fund is invested shall remain a part of the capital development fund

1 until exchanged for other securities; and provided further, that the income from investments of the  
2 capital development fund shall become a part of the general fund of the State and shall be applied  
3 to the payment of debt service charges of the State, unless directed by federal law or regulation to  
4 be used for some other purpose, or to the extent necessary, to rebate to the United States treasury  
5 any income from investments (including gains from the disposition of investments) of proceeds of  
6 bonds or notes to the extent deemed necessary to exempt (in whole or in part) the interest paid on  
7 such bonds or notes from federal income taxation.

8 SECTION 10. Appropriation. -- To the extent the debt service on these bonds is not  
9 otherwise provided, a sum sufficient to pay the interest and principal due each year on bonds and  
10 notes hereunder is hereby annually appropriated out of any money in the treasury not otherwise  
11 appropriated.

12 SECTION 11. Advances from general fund. -- The General Treasurer is authorized, with  
13 the approval of the Director and the Governor, in anticipation of the issue of notes or bonds under  
14 the authority of this Act, to advance to the capital development bond fund for the purposes specified  
15 in Section 6 hereof, any funds of the State not specifically held for any particular purpose; provided,  
16 however, that all advances made to the capital development bond fund shall be returned to the  
17 general fund from the capital development bond fund forthwith upon the receipt by the capital  
18 development fund of proceeds resulting from the issue of notes or bonds to the extent of such  
19 advances.

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

32 SECTION 13. Effective Date. -- Sections 1, 2, 3, 11, 12 and this Section 13 of this article  
33 shall take effect upon passage. The remaining sections of this article shall take effect when and if  
34 the State Board of Elections shall certify to the Secretary of State that a majority of the qualified

- 1 electors voting on the proposition contained in Section 1 hereof have indicated their approval of all
- 2 or any projects thereunder.

1 **ARTICLE 6**

2 RELATING TO TAXES AND FEES

3 SECTION 1. Title 44 of the General Laws entitled "TAXATION" is hereby amended by  
4 adding thereto the following chapter:

5 CHAPTER 6.6

6 RHODE ISLAND TAX AMNESTY ACT OF 2026

7 **44-6.6-1. Short title.**

8 This chapter shall be known and may be cited as the "Rhode Island Tax Amnesty Act of  
9 2026."

10 **44-6.6-2. Definitions.**

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

13 (1) "Taxable period" means any period for which a tax return is required by law to be filed  
14 with the tax administrator.

15 (2) "Taxpayer" means any person, corporation, or other entity subject to any tax imposed  
16 by any law of the State of Rhode Island and payable to the State of Rhode Island and collected by  
17 the tax administrator.

18 **44-6.6-3. Establishment of tax amnesty.**

19 (a) The tax administrator shall establish a tax amnesty program for all taxpayers owing any  
20 tax imposed by reason of or pursuant to authorization by any law of the State of Rhode Island and  
21 collected by the tax administrator. Amnesty tax return forms shall be developed by the tax  
22 administrator and shall provide that the taxpayer clearly specify the tax due and the taxable period  
23 for which amnesty is being sought by the taxpayer.

24 (b) The amnesty program shall be conducted for a seventy-five (75) day period ending on  
25 February 15, 2027. The amnesty program shall provide that, upon written application by a taxpayer  
26 and payment by the taxpayer of all taxes and interest due from the taxpayer to the State of Rhode  
27 Island for any taxable period ending on or before December 31, 2025, the tax administrator shall  
28 not seek to collect any penalties that may be applicable and shall not seek the civil or criminal  
29 prosecution of any taxpayer for the taxable period for which amnesty has been granted. Amnesty  
30 shall be granted only to those taxpayers applying for amnesty during the amnesty period who have

1 paid the tax and interest due upon filing the amnesty tax return, or who have entered into an  
2 installment payment agreement for reasons of financial hardship and upon terms and conditions set  
3 by the tax administrator. In the case of the failure of a taxpayer to pay any installment due under  
4 the agreement, such an agreement shall cease to be effective and the balance of the amounts  
5 required to be paid thereunder shall be due immediately. Amnesty shall be granted for only the  
6 taxable period specified in the application and only if all amnesty conditions are satisfied by the  
7 taxpayer.

8 (c) The provisions of this section shall include a taxable period for which a bill or notice  
9 of deficiency determination has been sent to the taxpayer.

10 (d) Amnesty shall not be granted to taxpayers who are under any criminal investigation or  
11 are a party to any civil or criminal proceeding pending in any court for fraud in relation to any state  
12 tax imposed by the law of the state and collected by the tax administrator.

13 **44-6.6-4. Interest under tax amnesty.**

14 Notwithstanding any provision of law to the contrary, interest on any taxes paid for periods  
15 covered under the amnesty provisions of this chapter shall be computed at the rate imposed under  
16 § 44-1-7, reduced by twenty-five percent (25%).

17 **44-6.6-5. Implementation.**

18 Notwithstanding any provision of law to the contrary, the tax administrator may do all  
19 things necessary in order to provide for the timely implementation of this chapter including, but  
20 not limited to, procurement of printing and other services and expenditure of appropriated funds.

21 **44-6.6-6. Disposition of monies.**

22 All monies collected pursuant to any tax imposed by the State of Rhode Island under the  
23 provisions of this chapter shall be accounted for separately and paid into the general fund.

24 **44-6.6-7. Analysis of amnesty program by tax administrator.**

25 The tax administrator shall provide an analysis of the amnesty program to be posted on its  
26 website by April 30, 2027. The analysis shall include revenues received by tax source,  
27 distinguishing between the tax collected and interest collected for each source. In addition, the  
28 analysis shall further identify the amounts that are new revenues from those already included in the  
29 general revenue receivable taxes, defined under generally accepted accounting principles and the  
30 state's audited financial statements.

31 **44-6.6-8. Rules and regulations.**

32 The tax administrator may promulgate such rules and regulations as are necessary to  
33 implement the provisions of this chapter.

34 SECTION 2. Sections 44-11-2.2, 44-11-2.3 and 44-11-11 of the General Laws in Chapter

1 44-11 entitled "Business Corporation Tax" are hereby amended to read as follows:

2 **44-11-2.2. Pass-through entities — Definitions — Withholding — Returns.**

3 (a) Definitions.

4 (1) "Administrative adjustment request" means an administrative adjustment request filed  
5 by a partnership under IRC section 6227.

6 (2) "Audited partnership" means a partnership or an entity taxed as a partnership federally  
7 subject to a partnership level audit resulting in a federal adjustment.

8 (3) "Direct partner" means a partner that holds an interest directly in a partnership or pass-  
9 through entity.

10 (4) "Federal adjustment" means a change to an item or amount determined under the  
11 Internal Revenue Code (IRC) that is used by a taxpayer to compute Rhode Island tax owed whether  
12 that change results from action by the IRS, including a partnership level audit, or the filing of an  
13 amended federal return, federal refund claim, or an administrative adjustment request by the  
14 taxpayer. A federal adjustment is positive to the extent that it increases state taxable income as  
15 determined under Rhode Island state laws and is negative to the extent that it decreases state taxable  
16 income as determined under Rhode Island state laws.

17 (5) "Final determination date" means if the federal adjustment arises from an IRS audit or  
18 other action by the IRS, the final determination date is the first day on which no federal adjustments  
19 arising from that audit or other action remain to be finally determined, whether by IRS decision  
20 with respect to which all rights of appeal have been waived or exhausted, by agreement, or, if  
21 appealed or contested, by a final decision with respect to which all rights of appeal have been  
22 waived or exhausted. For agreements required to be signed by the IRS and the taxpayer, the final  
23 determination date is the date on which the last party signed the agreement.

24 (6) "Final federal adjustment" means a federal adjustment after the final determination date  
25 for that federal adjustment has passed.

26 (7) "Indirect partner" means a partner in a partnership or pass-through entity that itself  
27 holds an interest directly, or through another indirect partner, in a partnership or pass-through  
28 entity.

29 (8) "Member" means an individual who is a shareholder of an S corporation; a partner in a  
30 general partnership, a limited partnership, or a limited liability partnership; a member of a limited  
31 liability company; or a beneficiary of a trust;

32 (9) "Nonresident" means an individual who is not a resident of or domiciled in the state, a  
33 business entity that does not have its commercial domicile in the state, and a trust not organized in  
34 the state.

1 (10) "Partner" means a person that holds an interest directly or indirectly in a partnership  
2 or other pass-through entity.

3 (11) "Partnership" means an entity subject to taxation under Subchapter K of the IRC.

4 (12) "Partnership level audit" means an examination by the IRS at the partnership level  
5 pursuant to Subchapter C of Title 26, Subtitle F, Chapter 63 of the IRC, as enacted by the Bipartisan  
6 Budget Act of 2015, Public Law 114-74, which results in Federal Adjustments.

7 (13) "Pass-through entity" means a corporation that for the applicable tax year is treated as  
8 an S Corporation under IRC § 1362(a) [26 U.S.C. § 1362(a)], and a general partnership, limited  
9 partnership, limited liability partnership, trust, or limited liability company that for the applicable  
10 tax year is not taxed as a corporation for federal tax purposes under the state's check-the-box  
11 regulation.

12 (14) "Tiered partner" means any partner that is a partnership or pass-through entity.

13 (b) Withholding.

14 (1) A pass-through entity shall withhold income tax at the highest Rhode Island  
15 withholding tax rate provided for individuals or seven percent (7%) for corporations on the  
16 member's share of income of the entity that is derived from or attributable to sources within this  
17 state distributed to each nonresident member and pay the withheld amount in the manner prescribed  
18 by the tax administrator. The pass-through entity shall be liable for the payment of the tax required  
19 to be withheld under this section and shall not be liable to the member for the amount withheld and  
20 paid over in compliance with this section. A member of a pass-through entity that is itself a pass-  
21 through entity (a "lower-tier pass-through entity") shall be subject to this same requirement to  
22 withhold and pay over income tax on the share of income distributed by the lower-tier pass-through  
23 entity to each of its nonresident members. The tax administrator shall apply tax withheld and paid  
24 over by a pass-through entity on distributions to a lower-tier pass-through entity to the withholding  
25 required of that lower-tier pass-through entity.

26 (2) A pass-through entity shall, at the time of payment made pursuant to this section, deliver  
27 to the tax administrator a return upon a form prescribed by the tax administrator showing the total  
28 amounts paid or credited to its nonresident members, the amount withheld in accordance with this  
29 section, and any other information the tax administrator may require. A pass-through entity shall  
30 furnish to its nonresident member annually, but not later than the fifteenth day of the third month  
31 after the end of its taxable year, a record of the amount of tax withheld on behalf of the member on  
32 a form prescribed by the tax administrator.

33 (c) Notwithstanding subsection (b), a pass-through entity is not required to withhold tax  
34 for a nonresident member if:

1 (1) The member has a pro rata or distributive share of income of the pass-through entity  
2 from doing business in, or deriving income from sources within, this state of less than \$1,000 per  
3 annual accounting period;

4 (2) The tax administrator has determined by regulation, ruling, or instruction that the  
5 member's income is not subject to withholding;

6 (3) The member elects to have the tax due paid as part of a composite return filed by the  
7 pass-through entity under subsection (d); or

8 (4) The entity is a publicly traded partnership as defined by 26 U.S.C. § 7704(b) that is  
9 treated as a partnership for the purposes of the Internal Revenue Code and that has agreed to file  
10 an annual information return reporting the name, address, taxpayer identification number, and other  
11 information requested by the tax administrator of each unitholder with an income in the state in  
12 excess of \$500.

13 (d) Composite return.

14 (1) A pass-through entity may file a composite income tax return on behalf of electing  
15 nonresident members reporting and paying income tax at the state's highest marginal rate on the  
16 members' pro rata or distributive shares of income of the pass-through entity from doing business  
17 in, or deriving income from sources within, this State. [For the purposes of this chapter, for tax years  
18 beginning on or after January 1, 2027, any reference to the highest marginal rate shall be the sum  
19 of the highest marginal tax rate in § 44-30-2.6\(c\)\(3\)\(A\)\(I\)\(1\) and the high-income surtax in § 44-  
20 30-2.6\(c\)\(3\)\(A\)\(I\)\(2\).](#)

21 (2) A nonresident member whose only source of income within a state is from one or more  
22 pass-through entities may elect to be included in a composite return filed pursuant to this section.

23 (3) A nonresident member that has been included in a composite return may file an  
24 individual income tax return and shall receive credit for tax paid on the member's behalf by the  
25 pass-through entity.

26 (e) Partnership level audit.

27 (1) A partnership shall report final federal adjustments pursuant to IRC section 6225(a)(2)  
28 arising from a partnership level audit or an administrative adjustment request and make payments  
29 by filing the applicable supplemental return as prescribed under § 44-11-2.2(e)(1)(ii), and as  
30 required under § 44-11-19(b), in lieu of taxes owed by its direct and indirect partners.

31 (i) Failure of the audited partnership or tiered partner to report final federal adjustments  
32 pursuant to IRC section 6225(a) and 6225(c) or pay does not prevent the tax administrator from  
33 assessing the audited partnership, direct partners, or indirect partners for taxes they owe, using the  
34 best information available, in the event that a partnership or tiered partner fails to timely make any

1 report or payment required by § 44-11-19(b) for any reason.

2 (ii) The tax administrator may promulgate rules and regulations, not inconsistent with law,  
3 to carry into effect the provisions of this chapter.

4 **44-11-2.3. Pass-through entities — Election to pay state income tax at the entity level.**

5 (a) **Definitions.** As used in this section:

6 (1) “Election” means the annual election to be made by the pass-through entity by filing  
7 the prescribed tax form and remitting the appropriate tax.

8 (2) “Net income” means the net ordinary income, net rental real estate income, other net  
9 rental income, guaranteed payments, and other business income less specially allocated  
10 depreciation and deductions allowed pursuant to § 179 of the United States Revenue Code (26  
11 U.S.C. § 179), all of which would be reported on federal tax form schedules C and E. Net income  
12 for purposes of this section does not include specially allocated investment income or any other  
13 types of deductions.

14 (3) “Owner” means an individual who is a shareholder of an S Corporation; a partner in a  
15 general partnership, a limited partnership, or a limited liability partnership; a member of a limited  
16 liability company, a beneficiary of a trust; or a sole proprietor.

17 (4) “Pass-through entity” means a corporation that for the applicable tax year is treated as  
18 an S Corporation under I.R.C. 1362(a) (26 U.S.C. § 1362(a)), or a general partnership, limited  
19 partnership, limited liability partnership, trust, limited liability company or unincorporated sole  
20 proprietorship that for the applicable tax year is not taxed as a corporation for federal tax purposes  
21 under the state’s regulations.

22 (5) “State tax credit” means the amount of tax paid by the pass-through entity at the entity  
23 level that is passed through to an owner on a pro rata basis. For tax years beginning on or after  
24 January 1, 2025, “state tax credit” means ninety percent (90%) of the amount of tax paid by the  
25 pass-through entity at the entity level that is passed through to an owner on a pro rata basis.

26 (b) **Elections.**

27 (1) For tax years beginning on or after January 1, 2019, a pass-through entity may elect to  
28 pay the state tax at the entity level at the rate of five and ninety-nine hundredths percent (5.99%).

29 (2) For tax years beginning on or after January 1, 2027, a pass-through entity electing to  
30 pay the state tax in subsection (b)(1) of this section may also elect to pay the state tax at the entity  
31 level on income equal to or exceeding the amount in § 44-30-2.6(c)(3)(A)(I)(2) at the rate in § 44-  
32 30-2.6(c)(3)(A)(I)(2).

33 ~~(2)(3)~~ If a pass-through entity elects to pay an entity tax under this subsection, the entity  
34 shall not have to comply with the provisions of § 44-11-2.2 regarding withholding on non-resident

1 owners. In that instance, the entity shall not have to comply with the provisions of § 44-11-2.2  
2 regarding withholding on non-resident owners.

3 (c) **Reporting.**

4 (1) The pass-through entity shall report the pro rata share of the state income taxes paid by  
5 the entity which sums will be allowed as a state tax credit for an owner on his or her personal  
6 income tax return.

7 (2) The pass-through entity shall also report the pro rata share of the state income taxes  
8 paid by the entity as an income (addition) modification to be reported by an owner on his or her  
9 personal income tax returns

10 (d) State tax credit shall be the amount of tax paid by the pass-through entity, at the entity  
11 level, which is passed through to the owners, on a pro rata basis. For tax years beginning on or after  
12 January 1, 2025, the state tax credit shall be ninety percent (90%) of the amount of tax paid by the  
13 pass-through entity, at the entity level, which is passed through to the owners, on a pro rata basis.

14 (e) A similar type of tax imposed by another state on the owners' income paid at the state  
15 entity level shall be deemed to be allowed as a credit for taxes paid to another jurisdiction in  
16 accordance with the provisions of § 44-30-18.

17 (f) "Combined reporting" as set forth in § 44-11-4.1 shall not apply to reporting under this  
18 section.

19 **44-11-11. "Net income" defined.**

20 (a) ~~(i)~~ "Net income" means, for any taxable year and for any corporate taxpayer, the taxable  
21 income of the taxpayer for that taxable year under the laws of the United States, ~~plus:~~ with the  
22 additions and deductions specified in this section.

23 (b) Additions increasing taxable income. There shall be added to taxable income:

24 ~~(i)~~ (1) Any interest not included in the taxable income;

25 ~~(ii)~~ (2) Any specific exemptions;

26 ~~(iii)~~ (3) The tax imposed by this chapter;

27 ~~(iv)~~ (4) For any taxable year beginning on or after January 1, 2020, the amount of any  
28 Paycheck Protection Program loan forgiven for federal income tax purposes as authorized by the  
29 Coronavirus Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act,  
30 2021 and/or any other subsequent federal stimulus relief packages enacted by law, to the extent that  
31 the amount of the loan forgiven exceeds \$250,000; ~~and minus:~~

32 (5) For the taxable year beginning on or before January 1, 2025, the amount of any income,  
33 deduction, or allowance that would be subject to federal income tax but for the Congressional  
34 enactment of the One Big Beautiful Bill Act or any other similar Congressional enactment. The

1 enactment of the One Big Beautiful Bill Act or any other similar Congressional enactment and any  
2 Internal Revenue Service changes to forms, regulations, and/or processing which go into effect  
3 during the current tax year or within six (6) months of the beginning of the next tax year shall be  
4 deemed grounds for the promulgation of emergency rules and regulations under § 42-35-2.10 to  
5 effectuate the purpose of preserving the Rhode Island tax base under Rhode Island law with respect  
6 to the One Big Beautiful Bill Act or any other similar Congressional enactment; and

7 (6) For any taxable year beginning on or after January 1, 2026, the amount of the deduction  
8 taken for domestic research and experimental expenditures under 26 U.S.C. § 174A less the amount  
9 of the deduction that would have been allowed as a deduction for domestic research and  
10 experimental expenditures under 26 U.S.C. § 174 immediately prior to the enactment of H.R.1  
11 (Pub. L. 119-21).

12 (c) Deductions reducing taxable income. There shall be subtracted from taxable income:

13 ~~(v)~~(1) Interest on obligations of the United States or its possessions, and other interest  
14 exempt from taxation by this state;

15 ~~(vi)~~(2) The federal net operating loss deduction;

16 ~~(vii)~~(3) For any taxable year beginning on or after January 1, 2025, in the case of a taxpayer  
17 that is licensed in accordance with chapters 28.6 and/or 28.11 of title 21, the amount equal to any  
18 expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed under  
19 26 U.S.C. § 280E; and

20 ~~(viii) For the taxable year beginning on or before January 1, 2025, the amount of any~~  
21 ~~income, deduction, or allowance that would be subject to federal income tax but for the~~  
22 ~~Congressional enactment of the One Big Beautiful Bill Act or any other similar Congressional~~  
23 ~~enactment. The enactment of the One Big Beautiful Bill Act or any other similar Congressional~~  
24 ~~enactment and any Internal Revenue Service changes to forms, regulations, and/or processing~~  
25 ~~which go into effect during the current tax year or within six (6) months of the beginning of the~~  
26 ~~next tax year shall be deemed grounds for the promulgation of emergency rules and regulations~~  
27 ~~under § 42-35-2.10 to effectuate the purpose of preserving the Rhode Island tax base under Rhode~~  
28 ~~Island law with respect to the One Big Beautiful Bill Act or any other similar Congressional~~  
29 ~~enactment.~~

30 (4) For the taxable year beginning on or after January 1, 2026, the amount of any deduction  
31 or allowance pursuant to Section 70303 and 70431 of the One Big Beautiful Bill Act shall be added  
32 back for the purpose of calculating state tax.

33 (5) For any taxable year beginning on or after January 1, 2026, the amount as determined  
34 by the tax administrator required to be added back in a prior year that would have been allowed

1 under 26 U.S.C. § 174A as enacted in H.R.1 (Pub. L. 119-21) on July 4, 2025, but would not have  
2 been allowed as a deduction under 26 U.S.C. § 174 immediately prior to its enactment. At no time  
3 may the cumulative modification amount for each amortized expenditure exceed one hundred  
4 percent (100%) of said expenditure's expense amount.

5 ~~(d)~~(d) All binding federal elections made by or on behalf of the taxpayer applicable either  
6 directly or indirectly to the determination of taxable income shall be binding on the taxpayer except  
7 where this chapter or its attendant regulations specifically modify or provide otherwise. Rhode  
8 Island taxable income shall not include the “gross-up of dividends” required by the federal Internal  
9 Revenue Code to be taken into taxable income in connection with the taxpayer’s election of the  
10 foreign tax credit.

11 ~~(e)~~(e) A net operating loss deduction shall be allowed, which shall be the same as the net  
12 operating loss deduction allowed under 26 U.S.C. § 172, except that:

13 (1) Any net operating loss included in determining the deduction shall be adjusted to reflect  
14 the inclusions and exclusions from entire net income required by subsection (a) of this section and  
15 § 44-11-11.1;

16 (2) The deduction shall not include any net operating loss sustained during any taxable year  
17 in which the taxpayer was not subject to the tax imposed by this chapter; and

18 (3) Limitation on 26 U.S.C. § 172 deduction.

19 (i) The deduction shall not exceed the deduction for the taxable year allowable under 26  
20 U.S.C. § 172; provided, that the deduction for a taxable year may not be carried back to any other  
21 taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the  
22 five (5) succeeding taxable years; and

23 (ii) For any taxable year beginning on or after January 1, 2025, the deduction shall not  
24 exceed the deduction for the taxable year allowable under 26 U.S.C. § 172; provided that, the  
25 deduction for a taxable year may not be carried back to any other taxable year for Rhode Island  
26 purposes, but shall only be allowable on a carry forward basis for the twenty (20) succeeding  
27 taxable years.

28 ~~(f)~~(f) “Domestic international sales corporations” (referred to as DISCs), for the purposes  
29 of this chapter, will be treated as they are under federal income tax law and shall not pay the amount  
30 of the tax computed under § 44-11-2(a). Any income to shareholders of DISCs is to be treated in  
31 the same manner as it is treated under federal income tax law as it exists on December 31, 1984.

32 ~~(g)~~(g) A corporation that qualifies as a “foreign sales corporation” (FSC) under the  
33 provisions of subchapter N, 26 U.S.C. § 861 et seq., and that has in effect for the entire taxable year  
34 a valid election under federal law to be treated as a FSC, shall not pay the amount of the tax

1 computed under § 44-11-2(a). Any income to shareholders of FSCs is to be treated in the same  
2 manner as it is treated under federal income tax law as it exists on January 1, 1985.

3 ~~(e)~~(h) For purposes of a corporation's state tax liability, any deduction to income allowable  
4 under 26 U.S.C. § 1400Z-2(c) may be claimed in the case of any investment held by the taxpayer  
5 for at least seven years. The division of taxation shall promulgate, in its discretion, rules and  
6 regulations relative to the accelerated application of deductions under 26 U.S.C. § 1400Z-2(c).

7 SECTION 3. Sections 44-20-1, 44-20-4.1 and 44-20-8.2 of the General Laws in Chapter  
8 44-20 entitled "Cigarette, Other Tobacco Products, and Electronic Nicotine-Delivery System  
9 Products" are hereby amended to read as follows:

10 **44-20-1. Definitions.**

11 Whenever used in this chapter, unless the context requires otherwise:

12 (1) "Administrator" means the tax administrator.

13 (2) "Cigarettes" means and includes any cigarettes suitable for smoking in cigarette form,  
14 "heat not burn products," and each sheet of cigarette rolling paper, including but not limited to,  
15 paper made into a hollow cylinder or cone, made with paper or any other material, with or without  
16 a filter suitable for use in making cigarettes.

17 (3) "Dealer" means any person whether located within or outside of this state, who sells or  
18 distributes cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
19 products to a consumer in this state.

20 (4) "Distributor" means any person:

21 (i) Whether located within or outside of this state, other than a dealer, who sells or  
22 distributes cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
23 products within or into this state. Such term shall not include any cigarette or other tobacco product  
24 manufacturer, export warehouse proprietor, or importer with a valid permit under 26 U.S.C. § 5712,  
25 if such person sells or distributes cigarettes and/or other tobacco products and/or electronic  
26 nicotine-delivery system products in this state only to licensed distributors, or to an export  
27 warehouse proprietor or another manufacturer with a valid permit under 26 U.S.C. § 5712;

28 (ii) Selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery  
29 system products directly to purchasers in this state by means of at least twenty-five (25) vending  
30 machines;

31 (iii) Engaged in this state in the business of manufacturing cigarettes and/or other tobacco  
32 products and/or electronic nicotine-delivery system products or any person engaged in the business  
33 of selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
34 products to dealers, or to other persons, for the purpose of resale only; provided, that seventy-five

1 percent (75%) of all cigarettes and/or other tobacco products and/or electronic nicotine-delivery  
2 system products sold by that person in this state are sold to dealers or other persons for resale and  
3 selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products  
4 directly to at least forty (40) dealers or other persons for resale; ~~or~~

5 (iv) Maintaining one or more regular places of business in this state for that purpose;  
6 provided, that seventy-five percent (75%) of the sold cigarettes and/or other tobacco products  
7 and/or electronic nicotine-delivery system products are purchased directly from the manufacturer  
8 and selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
9 products directly to at least forty (40) dealers or other persons for resale; or

10 (v) Engaged in this state as a dealer and whose annual business sales of cigars are greater  
11 than fifty percent (50%) of their sales.

12 (5) “Electronic nicotine-delivery system” means an electronic device that may be used to  
13 simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device,  
14 and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo,  
15 electronic little cigars, electronic pipe, electronic hookah, e-liquids, e-liquid products, or any related  
16 device and any cartridge or other component of such device.

17 (6) “Electronic nicotine-delivery system products” means any combination of electronic  
18 nicotine-delivery system and/or e-liquid and/or any derivative thereof, and/or any e-liquid  
19 container. Electronic nicotine-delivery system products shall include hemp-derived consumable  
20 CBD products as defined in § 2-26-3.

21 (7) “E-liquid” and “e-liquid products” mean any liquid or substance placed in or sold for  
22 use in an electronic nicotine-delivery system that generally utilizes a heating element that  
23 aerosolizes, vaporizes, or combusts a liquid or other substance containing nicotine or nicotine  
24 derivative:

25 (i) Whether the liquid or substance contains nicotine or a nicotine derivative; or

26 (ii) Whether sold separately or sold in combination with a personal vaporizer, electronic  
27 nicotine-delivery system, or an electronic inhaler.

28 (8) “Importer” means any person who imports into the United States, either directly or  
29 indirectly, a finished cigarette or other tobacco product and/or electronic nicotine-delivery system  
30 product for sale or distribution.

31 (9) “Licensed,” when used with reference to a manufacturer, importer, distributor, or  
32 dealer, means only those persons who hold a valid and current license issued under § 44-20-2 for  
33 the type of business being engaged in. When the term “licensed” is used before a list of entities,  
34 such as “licensed manufacturer, importer, wholesale dealer, or retailer dealer,” such term shall be

1 deemed to apply to each entity in such list.

2 (10) "Manufacturer" means any person who manufactures, fabricates, assembles,  
3 processes, or labels a finished cigarette and/or other tobacco products and/or electronic nicotine-  
4 delivery system products.

5 (11) "Other tobacco products" (OTP) means any products that are made from or derived  
6 from tobacco or that contain nicotine, whether natural or artificial, including, but not limited to,  
7 cigars (excluding Little Cigars, as defined in § 44-20.2-1, which are subject to cigarette tax),  
8 cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed and  
9 any other kinds and forms of tobacco suitable for smoking in a pipe or otherwise), chewing tobacco  
10 (including Cavendish, twist, plug, scrap and any other kinds and forms of tobacco suitable for  
11 chewing), any and all forms of hookah, shisha and "mu'assel" tobacco, snuff, and shall include any  
12 other articles or products made of, derived from, or containing tobacco or nicotine, in whole or in  
13 part, or any tobacco or nicotine substitute, except cigarettes and electronic nicotine-delivery system  
14 products. Other tobacco products shall not mean any product that has been approved by the United  
15 States Food and Drug Administration for the sale of or use as a tobacco or nicotine cessation  
16 product or for other medical purposes and is marketed and sold or prescribed exclusively for that  
17 approved purpose.

18 (12) "Person" means any individual, including an employee or agent, firm, fiduciary,  
19 partnership, corporation, trust, or association, however formed.

20 (13) "Pipe" means an apparatus made of any material used to burn or vaporize products so  
21 that the smoke or vapors can be inhaled or ingested by the user.

22 (14) "Place of business" means any location where cigarettes and/or other tobacco products  
23 and/or electronic nicotine-delivery system products are sold, stored, or kept, including, but not  
24 limited to; any storage room, attic, basement, garage or other facility immediately adjacent to the  
25 location. It also includes any receptacle, hide, vessel, vehicle, airplane, train, or vending machine.

26 (15) "Sale" or "sell" means gifts, exchanges, and barter of cigarettes and/or other tobacco  
27 products and/or electronic nicotine-delivery system products. The act of holding, storing, or  
28 keeping cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
29 products at a place of business for any purpose shall be presumed to be holding the cigarettes and/or  
30 other tobacco products and/or electronic nicotine-delivery system products for sale. Furthermore,  
31 any sale of cigarettes and/or other tobacco products and/or electronic nicotine-delivery system  
32 products by the servants, employees, or agents of the licensed dealer during business hours at the  
33 place of business shall be presumed to be a sale by the licensee.

34 (16) "Stamp" means the impression, device, stamp, label, or print manufactured, printed,

1 or made as prescribed by the administrator to be affixed to packages of cigarettes, as evidence of  
2 the payment of the tax provided by this chapter or to indicate that the cigarettes are intended for a  
3 sale or distribution in this state that is exempt from state tax under the provisions of state law; and  
4 also includes impressions made by metering machines authorized to be used under the provisions  
5 of this chapter.

6 **44-20-8.2. Transactions only with licensed manufacturers, importers, distributors,**  
7 **and dealers.**

8 A manufacturer or importer may sell or distribute cigarettes and/or other tobacco products  
9 and/or electronic nicotine-delivery system products to a person located or doing business within  
10 this state, only if such person is a licensed importer or distributor. An importer may obtain cigarettes  
11 and/or other tobacco products and/or electronic nicotine-delivery system products only from a  
12 licensed manufacturer. A distributor may sell or distribute cigarettes and/or other tobacco products  
13 and/or electronic nicotine-delivery system products to a person located or doing business within  
14 this state, only if such person is a licensed distributor or dealer. A distributor may obtain cigarettes  
15 and/or other tobacco products and/or electronic nicotine-delivery system products only from a  
16 licensed manufacturer, importer, or distributor. A dealer may obtain cigarettes and/or other tobacco  
17 products and/or electronic nicotine-delivery system products only from a licensed distributor.

18 Provided, however, this section shall not apply to cigars. [Provided, further, a distributor](#)  
19 [who qualifies for a license under § 44-20-1\(4\)\(v\) may also obtain pipe tobacco products from an](#)  
20 [unlicensed manufacturer, importer, or distributor.](#)

21 **44-20-4.1. License availability.**

22 (a) No license under this chapter may be granted, maintained, or renewed if the applicant,  
23 or any combination of persons owning directly or indirectly any interests in the applicant:

24 (1) Owes five hundred dollars (\$500) or more in delinquent taxes;

25 (2) Is delinquent in any tax filings for one month or more;

26 (3) Had a license under this chapter revoked by the administrator within the past two (2)  
27 years;

28 (4) Has been convicted of a crime relating to cigarettes and/or other tobacco products  
29 and/or any electronic nicotine-delivery system products;

30 (5) Is a cigarette manufacturer or importer that is neither: (i) A participating manufacturer  
31 as defined in subsection II (jj) of the “Master Settlement Agreement” as defined in § 23-71-2; nor  
32 (ii) In full compliance with chapter 20.2 of this title and § 23-71-3;

33 (6) Has imported, or caused to be imported, into the United States any cigarette and/or  
34 other tobacco product and/or electronic nicotine-delivery system products in violation of 19 U.S.C.

1 § 1681a or any other state or federal law; or

2 (7) Has imported, or caused to be imported into the United States, or manufactured for sale  
3 or distribution in the United States any cigarette that does not fully comply with the Federal  
4 Cigarette Labeling and Advertising Act (15 U.S.C. § 1331 et seq.).

5 (b)(1) No person shall apply for a new license or permit (as defined in § 44-19-1) or renewal  
6 of a license or permit, and no license or permit shall be issued or renewed for any applicant, or any  
7 combination of persons owning directly or indirectly any interests in the applicant, unless all  
8 outstanding fines, fees, or other charges relating to any license or permit held by the applicant, or  
9 any combination of persons owning directly or indirectly any interests in the applicant, as well as  
10 any other tax obligations of the applicant, or any combination of persons owning directly or  
11 indirectly any interests in the applicant have been paid.

12 (2) No license or permit shall be issued relating to a business until all prior licenses or  
13 permits relating to that business or to that location have been officially terminated and all fines,  
14 fees, or charges relating to the prior license or permit have been paid or otherwise resolved or the  
15 administrator has found that the person applying for the new license or permit is not acting as an  
16 agent for the prior licensee or permit holder who is subject to any such related fines, fees, or charges  
17 that are still due. Evidence of such agency status includes, but is not limited to, a direct familial  
18 relationship and/or an employment, contractual, or other formal financial or business relationship  
19 with the prior licensee or permit holder.

20 (3) No person shall apply for a new license or permit pertaining to a specific location in  
21 order to evade payment of any fines, fees, or other charges relating to a prior license or permit.

22 (4) No new license or permit shall be issued for a business at a specific location for which  
23 a license or permit already has been issued unless there is a bona fide, good-faith change in  
24 ownership of the business at that location. [A distributor who qualifies for a license under § 44-20-](#)  
25 [1\(4\)\(v\) may hold said license at the same location as its dealer's license.](#)

26 (5) No license or permit shall be issued, renewed, or maintained for any person, including  
27 the owners of the business being licensed or having applied and received a permit, that has been  
28 convicted of violating any criminal law relating to tobacco products, the payment of taxes, or fraud  
29 or has been ordered to pay civil fines of more than twenty-five thousand dollars (\$25,000) for  
30 violations of any civil law relating to tobacco products, the payment of taxes, or fraud.

31 SECTION 4. Chapter 44-30 of the General Laws entitled "Personal Income Tax" is hereby  
32 amended by adding thereto the following section:

33 **44-30-104. Child Tax Credit.**

34 [\(a\) Definitions. As used in this section:](#)

1 (1) “Child” means an individual who is eighteen years of age or under as of December 31  
2 of the tax year.

3 (2) “Eligible taxpayer” means any natural person or persons domiciled in this state who  
4 filed a Rhode Island state personal income tax return for the tax year.

5 (b) Child Tax Credit. For tax years beginning on or after January 1, 2027, a tax credit in  
6 the amount of three hundred thirty dollars (\$330) shall be allowed for each claimed child on the  
7 resident tax return of the eligible taxpayer.

8 (c) Child Tax Credit Phase Out

9 (1) In the case of any eligible taxpayer filing a return as a single, married filing separately,  
10 head of household, or qualifying widow/widower taxpayer whose adjusted gross income, as  
11 modified pursuant to § 44-30-12, for the taxable year beginning on or after January 1, 2007,  
12 exceeds eighty-eight thousand five hundred dollars (\$88,500), the credit amount shall be reduced  
13 by the applicable percentage. The term “applicable percentage” for purposes of this subsection  
14 means twenty (20) percentage points for each two thousand eight hundred seventy-five (\$2,875)  
15 (or fraction thereof) by which the eligible taxpayer’s adjusted gross income for the taxable year  
16 exceeds eighty-eight thousand five hundred dollars (\$88,500).

17 (2) In the case of any eligible taxpayer filing a return as married filing jointly taxpayer  
18 whose adjusted gross income, as modified pursuant to § 44-30-12, for the taxable year beginning  
19 on or after January 1, 2027, exceeds one hundred ten thousand six hundred forty dollars (\$110,640),  
20 the credit amount shall be reduced by the applicable percentage. The term “applicable percentage”  
21 for purposes of this subsection means twenty (20) percentage points for each three thousand five  
22 hundred ninety dollars (\$3,590) (or fraction thereof) by which the eligible taxpayer’s adjusted gross  
23 income for the taxable year exceeds one hundred ten thousand six hundred forty dollars (\$110,640).

24 (d) Adjustment for inflation. The dollar amount contained in subsections (b) and (c) of this  
25 section shall be increased annually by an amount equal to:

26 (I) Such dollar amount contained in subsections (b) and (c) of this section adjusted for  
27 inflation using a base tax year of 2026, multiplied by;

28 (II) The cost-of-living adjustment with a base year of 2026.

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

34 (IV) For the purpose of this section the term “consumer price index” means the last

1 consumer price index for all urban consumers published by the department of labor. For the purpose  
2 of this section the revision of the consumer price index that is most consistent with the consumer  
3 price index for calendar year 1986 shall be used.

4 (V) If any increase determined under this section is not a multiple of five dollars (\$5.00),  
5 such increase shall be rounded to the next lower multiple of five dollars (\$5.00).

6 SECTION 5. Sections 44-30-2.6 and 44-30-12 of the General Laws in Chapter 44-30  
7 entitled "Personal Income Tax" are hereby amended to read as follows:

8 **44-30-2.6. Rhode Island taxable income — Rate of tax.**

9 (a) "Rhode Island taxable income" means federal taxable income as determined under the  
10 Internal Revenue Code, 26 U.S.C. § 1 et seq., not including the increase in the basic, standard-  
11 deduction amount for married couples filing joint returns as provided in the Jobs and Growth Tax  
12 Relief Reconciliation Act of 2003 and the Economic Growth and Tax Relief Reconciliation Act of  
13 2001 (EGTRRA), and as modified by the modifications in § 44-30-12.

14 (b) Notwithstanding the provisions of §§ 44-30-1 and 44-30-2, for tax years beginning on  
15 or after January 1, 2001, a Rhode Island personal income tax is imposed upon the Rhode Island  
16 taxable income of residents and nonresidents, including estates and trusts, at the rate of twenty-five  
17 and one-half percent (25.5%) for tax year 2001, and twenty-five percent (25%) for tax year 2002  
18 and thereafter of the federal income tax rates, including capital gains rates and any other special  
19 rates for other types of income, except as provided in § 44-30-2.7, which were in effect immediately  
20 prior to enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA);  
21 provided, rate schedules shall be adjusted for inflation by the tax administrator beginning in taxable  
22 year 2002 and thereafter in the manner prescribed for adjustment by the commissioner of Internal  
23 Revenue in 26 U.S.C. § 1(f). However, for tax years beginning on or after January 1, 2006, a  
24 taxpayer may elect to use the alternative flat tax rate provided in § 44-30-2.10 to calculate his or  
25 her personal income tax liability.

26 (c) For tax years beginning on or after January 1, 2001, if a taxpayer has an alternative  
27 minimum tax for federal tax purposes, the taxpayer shall determine if he or she has a Rhode Island  
28 alternative minimum tax. The Rhode Island alternative minimum tax shall be computed by  
29 multiplying the federal tentative minimum tax without allowing for the increased exemptions under  
30 the Jobs and Growth Tax Relief Reconciliation Act of 2003 (as redetermined on federal form 6251  
31 Alternative Minimum Tax-Individuals) by twenty-five and one-half percent (25.5%) for tax year  
32 2001, and twenty-five percent (25%) for tax year 2002 and thereafter, and comparing the product  
33 to the Rhode Island tax as computed otherwise under this section. The excess shall be the taxpayer's  
34 Rhode Island alternative minimum tax.

1 (1) For tax years beginning on or after January 1, 2005, and thereafter, the exemption  
2 amount for alternative minimum tax, for Rhode Island purposes, shall be adjusted for inflation by  
3 the tax administrator in the manner prescribed for adjustment by the commissioner of Internal  
4 Revenue in 26 U.S.C. § 1(f).

5 (2) For the period January 1, 2007, through December 31, 2007, and thereafter, Rhode  
6 Island taxable income shall be determined by deducting from federal adjusted gross income as  
7 defined in 26 U.S.C. § 62 as modified by the modifications in § 44-30-12 the Rhode Island  
8 itemized-deduction amount and the Rhode Island exemption amount as determined in this section.

9 (A) **Tax imposed.**

10 (1) There is hereby imposed on the taxable income of married individuals filing joint  
11 returns and surviving spouses a tax determined in accordance with the following table:

12 If taxable income is:	The tax is:
13 Not over \$53,150	3.75% of taxable income
14 Over \$53,150 but not over \$128,500	\$1,993.13 plus 7.00% of the excess over \$53,150
15 Over \$128,500 but not over \$195,850	\$7,267.63 plus 7.75% of the excess over \$128,500
16 Over \$195,850 but not over \$349,700	\$12,487.25 plus 9.00% of the excess over \$195,850
17 Over \$349,700	\$26,333.75 plus 9.90% of the excess over \$349,700

18 (2) There is hereby imposed on the taxable income of every head of household a tax  
19 determined in accordance with the following table:

20 If taxable income is:	The tax is:
21 Not over \$42,650	3.75% of taxable income
22 Over \$42,650 but not over \$110,100	\$1,599.38 plus 7.00% of the excess over \$42,650
23 Over \$110,100 but not over \$178,350	\$6,320.88 plus 7.75% of the excess over \$110,100
24 Over \$178,350 but not over \$349,700	\$11,610.25 plus 9.00% of the excess over \$178,350
25 Over \$349,700	\$27,031.75 plus 9.90% of the excess over \$349,700

26 (3) There is hereby imposed on the taxable income of unmarried individuals (other than  
27 surviving spouses and heads of households) a tax determined in accordance with the following  
28 table:

29 If taxable income is:	The tax is:
30 Not over \$31,850	3.75% of taxable income
31 Over \$31,850 but not over \$77,100	\$1,194.38 plus 7.00% of the excess over \$31,850
32 Over \$77,100 but not over \$160,850	\$4,361.88 plus 7.75% of the excess over \$77,100
33 Over \$160,850 but not over \$349,700	\$10,852.50 plus 9.00% of the excess over \$160,850
34 Over \$349,700	\$27,849.00 plus 9.90% of the excess over \$349,700

1 (4) There is hereby imposed on the taxable income of married individuals filing separate  
2 returns and bankruptcy estates a tax determined in accordance with the following table:

3 If taxable income is:	The tax is:
4 Not over \$26,575	3.75% of taxable income
5 Over \$26,575 but not over \$64,250	\$996.56 plus 7.00% of the excess over \$26,575
6 Over \$64,250 but not over \$97,925	\$3,633.81 plus 7.75% of the excess over \$64,250
7 Over \$97,925 but not over \$174,850	\$6,243.63 plus 9.00% of the excess over \$97,925
8 Over \$174,850	\$13,166.88 plus 9.90% of the excess over \$174,850

9 (5) There is hereby imposed a taxable income of an estate or trust a tax determined in  
10 accordance with the following table:

11 If taxable income is:	The tax is:
12 Not over \$2,150	3.75% of taxable income
13 Over \$2,150 but not over \$5,000	\$80.63 plus 7.00% of the excess over \$2,150
14 Over \$5,000 but not over \$7,650	\$280.13 plus 7.75% of the excess over \$5,000
15 Over \$7,650 but not over \$10,450	\$485.50 plus 9.00% of the excess over \$7,650
16 Over \$10,450	\$737.50 plus 9.90% of the excess over \$10,450

17 (6) Adjustments for inflation.

18 The dollars amount contained in paragraph (A) shall be increased by an amount equal to:

19 (a) Such dollar amount contained in paragraph (A) in the year 1993, multiplied by;

20 (b) The cost-of-living adjustment determined under section (J) with a base year of 1993;

21 (c) The cost-of-living adjustment referred to in subparagraphs (a) and (b) used in making  
22 adjustments to the nine percent (9%) and nine and nine tenths percent (9.9%) dollar amounts shall  
23 be determined under section (J) by substituting "1994" for "1993."

24 **(B) Maximum capital gains rates.**

25 (1) In general.

26 If a taxpayer has a net capital gain for tax years ending prior to January 1, 2010, the tax  
27 imposed by this section for such taxable year shall not exceed the sum of:

28 (a) 2.5% of the net capital gain as reported for federal income tax purposes under section  
29 26 U.S.C. § 1(h)(1)(a) and 26 U.S.C. § 1(h)(1)(b).

30 (b) 5% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.  
31 § 1(h)(1)(c).

32 (c) 6.25% of the net capital gain as reported for federal income tax purposes under 26  
33 U.S.C. § 1(h)(1)(d).

34 (d) 7% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.

1 § 1(h)(1)(e).

2 (2) For tax years beginning on or after January 1, 2010, the tax imposed on net capital gain  
3 shall be determined under subdivision 44-30-2.6(c)(2)(A).

4 **(C) Itemized deductions.**

5 (1) In general.

6 For the purposes of section (2), “itemized deductions” means the amount of federal  
7 itemized deductions as modified by the modifications in § 44-30-12.

8 (2) Individuals who do not itemize their deductions.

9 In the case of an individual who does not elect to itemize his deductions for the taxable  
10 year, they may elect to take a standard deduction.

11 (3) Basic standard deduction.

12 The Rhode Island standard deduction shall be allowed in accordance with the following  
13 table:

14 Filing status	Amount
15 Single	\$5,350
16 Married filing jointly or qualifying widow(er)	\$8,900
17 Married filing separately	\$4,450
18 Head of Household	\$7,850

19 (4) Additional standard deduction for the aged and blind.

20 An additional standard deduction shall be allowed for individuals age sixty-five (65) or  
21 older or blind in the amount of \$1,300 for individuals who are not married and \$1,050 for  
22 individuals who are married.

23 (5) Limitation on basic standard deduction in the case of certain dependents.

24 In the case of an individual to whom a deduction under section (E) is allowable to another  
25 taxpayer, the basic standard deduction applicable to such individual shall not exceed the greater of:

26 (a) \$850;

27 (b) The sum of \$300 and such individual’s earned income;

28 (6) Certain individuals not eligible for standard deduction.

29 In the case of:

30 (a) A married individual filing a separate return where either spouse itemizes deductions;

31 (b) Nonresident alien individual;

32 (c) An estate or trust;

33 The standard deduction shall be zero.

34 (7) Adjustments for inflation.

1 Each dollar amount contained in paragraphs (3), (4) and (5) shall be increased by an amount  
2 equal to:

3 (a) Such dollar amount contained in paragraphs (3), (4) and (5) in the year 1988, multiplied  
4 by

5 (b) The cost-of-living adjustment determined under section (J) with a base year of 1988.

6 **(D) Overall limitation on itemized deductions.**

7 (1) General rule.

8 In the case of an individual whose adjusted gross income as modified by § 44-30-12  
9 exceeds the applicable amount, the amount of the itemized deductions otherwise allowable for the  
10 taxable year shall be reduced by the lesser of:

11 (a) Three percent (3%) of the excess of adjusted gross income as modified by § 44-30-12  
12 over the applicable amount; or

13 (b) Eighty percent (80%) of the amount of the itemized deductions otherwise allowable for  
14 such taxable year.

15 (2) Applicable amount.

16 (a) In general.

17 For purposes of this section, the term “applicable amount” means \$156,400 (\$78,200 in the  
18 case of a separate return by a married individual)

19 (b) Adjustments for inflation.

20 Each dollar amount contained in paragraph (a) shall be increased by an amount equal to:

21 (i) Such dollar amount contained in paragraph (a) in the year 1991, multiplied by

22 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

23 (3) Phase-out of Limitation.

24 (a) In general.

25 In the case of taxable year beginning after December 31, 2005, and before January 1, 2010,  
26 the reduction under section (1) shall be equal to the applicable fraction of the amount which would  
27 be the amount of such reduction.

28 (b) Applicable fraction.

29 For purposes of paragraph (a), the applicable fraction shall be determined in accordance  
30 with the following table:

31 For taxable years beginning in calendar year	The applicable fraction is
32 2006 and 2007	$\frac{2}{3}$
33 2008 and 2009	$\frac{1}{3}$

34 **(E) Exemption amount.**

1 (1) In general.

2 Except as otherwise provided in this subsection, the term “exemption amount” means  
3 \$3,400.

4 (2) Exemption amount disallowed in case of certain dependents.

5 In the case of an individual with respect to whom a deduction under this section is allowable  
6 to another taxpayer for the same taxable year, the exemption amount applicable to such individual  
7 for such individual's taxable year shall be zero.

8 (3) Adjustments for inflation.

9 The dollar amount contained in paragraph (1) shall be increased by an amount equal to:

- 10 (a) Such dollar amount contained in paragraph (1) in the year 1989, multiplied by
- 11 (b) The cost-of-living adjustment determined under section (J) with a base year of 1989.

12 (4) Limitation.

13 (a) In general.

14 In the case of any taxpayer whose adjusted gross income as modified for the taxable year  
15 exceeds the threshold amount shall be reduced by the applicable percentage.

16 (b) Applicable percentage.

17 In the case of any taxpayer whose adjusted gross income for the taxable year exceeds the  
18 threshold amount, the exemption amount shall be reduced by two (2) percentage points for each  
19 \$2,500 (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year  
20 exceeds the threshold amount. In the case of a married individual filing a separate return, the  
21 preceding sentence shall be applied by substituting “\$1,250” for “\$2,500.” In no event shall the  
22 applicable percentage exceed one hundred percent (100%).

23 (c) Threshold Amount.

24 For the purposes of this paragraph, the term “threshold amount” shall be determined with  
25 the following table:

26 Filing status	Amount
27 Single	\$156,400
28 Married filing jointly of qualifying widow(er)	\$234,600
29 Married filing separately	\$117,300
30 Head of Household	\$195,500

31 (d) Adjustments for inflation.

32 Each dollar amount contained in paragraph (b) shall be increased by an amount equal to:

- 33 (i) Such dollar amount contained in paragraph (b) in the year 1991, multiplied by
- 34 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

1 (5) Phase-out of limitation.

2 (a) In general.

3 In the case of taxable years beginning after December 31, 2005, and before January 1,  
4 2010, the reduction under section 4 shall be equal to the applicable fraction of the amount which  
5 would be the amount of such reduction.

6 (b) Applicable fraction.

7 For the purposes of paragraph (a), the applicable fraction shall be determined in accordance  
8 with the following table:

9 For taxable years beginning in calendar year	The applicable fraction is
10 2006 and 2007	$\frac{2}{3}$
11 2008 and 2009	$\frac{1}{3}$

12 (F) **Alternative minimum tax.**

13 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this  
14 subtitle) a tax equal to the excess (if any) of:

15 (a) The tentative minimum tax for the taxable year, over

16 (b) The regular tax for the taxable year.

17 (2) The tentative minimum tax for the taxable year is the sum of:

18 (a) 6.5 percent of so much of the taxable excess as does not exceed \$175,000, plus

19 (b) 7.0 percent of so much of the taxable excess above \$175,000.

20 (3) The amount determined under the preceding sentence shall be reduced by the alternative  
21 minimum tax foreign tax credit for the taxable year.

22 (4) Taxable excess. For the purposes of this subsection the term "taxable excess" means so  
23 much of the federal alternative minimum taxable income as modified by the modifications in § 44-  
24 30-12 as exceeds the exemption amount.

25 (5) In the case of a married individual filing a separate return, subparagraph (2) shall be  
26 applied by substituting "\$87,500" for \$175,000 each place it appears.

27 (6) Exemption amount.

28 For purposes of this section "exemption amount" means:

29 Filing status	Amount
30 Single	\$39,150
31 Married filing jointly or qualifying widow(er)	\$53,700
32 Married filing separately	\$26,850
33 Head of Household	\$39,150
34 Estate or trust	\$24,650

1 (7) Treatment of unearned income of minor children

2 (a) In general.

3 In the case of a minor child, the exemption amount for purposes of section (6) shall not  
4 exceed the sum of:

5 (i) Such child's earned income, plus

6 (ii) \$6,000.

7 (8) Adjustments for inflation.

8 The dollar amount contained in paragraphs (6) and (7) shall be increased by an amount  
9 equal to:

10 (a) Such dollar amount contained in paragraphs (6) and (7) in the year 2004, multiplied by

11 (b) The cost-of-living adjustment determined under section (J) with a base year of 2004.

12 (9) Phase-out.

13 (a) In general.

14 The exemption amount of any taxpayer shall be reduced (but not below zero) by an amount  
15 equal to twenty-five percent (25%) of the amount by which alternative minimum taxable income  
16 of the taxpayer exceeds the threshold amount.

17 (b) Threshold amount.

18 For purposes of this paragraph, the term "threshold amount" shall be determined with the  
19 following table:

20 Filing status	Amount
21 Single	\$123,250
22 Married filing jointly or qualifying widow(er)	\$164,350
23 Married filing separately	\$82,175
24 Head of Household	\$123,250
25 Estate or Trust	\$82,150

26 (c) Adjustments for inflation

27 Each dollar amount contained in paragraph (9) shall be increased by an amount equal to:

28 (i) Such dollar amount contained in paragraph (9) in the year 2004, multiplied by

29 (ii) The cost-of-living adjustment determined under section (J) with a base year of 2004.

30 **(G) Other Rhode Island taxes.**

31 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this  
32 subtitle) a tax equal to twenty-five percent (25%) of:

33 (a) The Federal income tax on lump-sum distributions.

34 (b) The Federal income tax on parents' election to report child's interest and dividends.

1 (c) The recapture of Federal tax credits that were previously claimed on Rhode Island  
2 return.

3 **(H) Tax for children under 18 with investment income.**

4 (1) General rule. There is hereby imposed a tax equal to twenty-five percent (25%) of:

5 (a) The Federal tax for children under the age of 18 with investment income.

6 **(I) Averaging of farm income.**

7 (1) General rule. At the election of an individual engaged in a farming business or fishing  
8 business, the tax imposed in section 2 shall be equal to twenty-five percent (25%) of:

9 (a) The Federal averaging of farm income as determined in IRC section 1301 [26 U.S.C. §  
10 1301].

11 **(J) Cost-of-living adjustment.**

12 (1) In general.

13 The cost-of-living adjustment for any calendar year is the percentage (if any) by which:

14 (a) The CPI for the preceding calendar year exceeds

15 (b) The CPI for the base year.

16 (2) CPI for any calendar year.

17 For purposes of paragraph (1), the CPI for any calendar year is the average of the consumer  
18 price index as of the close of the twelve (12) month period ending on August 31 of such calendar  
19 year.

20 (3) Consumer price index.

21 For purposes of paragraph (2), the term “consumer price index” means the last consumer  
22 price index for all urban consumers published by the department of labor. For purposes of the  
23 preceding sentence, the revision of the consumer price index that is most consistent with the  
24 consumer price index for calendar year 1986 shall be used.

25 (4) Rounding.

26 (a) In general.

27 If any increase determined under paragraph (1) is not a multiple of \$50, such increase shall  
28 be rounded to the next lowest multiple of \$50.

29 (b) In the case of a married individual filing a separate return, subparagraph (a) shall be  
30 applied by substituting “\$25” for \$50 each place it appears.

31 **(K) Credits against tax.** For tax years beginning on or after January 1, 2001, a taxpayer  
32 entitled to any of the following federal credits enacted prior to January 1, 1996, shall be entitled to  
33 a credit against the Rhode Island tax imposed under this section:

34 (1) [Deleted by P.L. 2007, ch. 73, art. 7, § 5.]

- 1 (2) Child and dependent care credit;
- 2 (3) General business credits;
- 3 (4) Credit for elderly or the disabled;
- 4 (5) Credit for prior year minimum tax;
- 5 (6) Mortgage interest credit;
- 6 (7) Empowerment zone employment credit;
- 7 (8) Qualified electric vehicle credit.

8 (L) **Credit against tax for adoption.** For tax years beginning on or after January 1, 2006,  
9 a taxpayer entitled to the federal adoption credit shall be entitled to a credit against the Rhode Island  
10 tax imposed under this section if the adopted child was under the care, custody, or supervision of  
11 the Rhode Island department of children, youth and families prior to the adoption.

12 (M) The credit shall be twenty-five percent (25%) of the aforementioned federal credits  
13 provided there shall be no deduction based on any federal credits enacted after January 1, 1996,  
14 including the rate reduction credit provided by the federal Economic Growth and Tax  
15 Reconciliation Act of 2001 (EGTRRA). In no event shall the tax imposed under this section be  
16 reduced to less than zero. A taxpayer required to recapture any of the above credits for federal tax  
17 purposes shall determine the Rhode Island amount to be recaptured in the same manner as  
18 prescribed in this subsection.

19 (N) **Rhode Island earned-income credit.**

20 (1) In general.

21 For tax years beginning before January 1, 2015, a taxpayer entitled to a federal earned-  
22 income credit shall be allowed a Rhode Island earned-income credit equal to twenty-five percent  
23 (25%) of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode  
24 Island income tax.

25 For tax years beginning on or after January 1, 2015, and before January 1, 2016, a taxpayer  
26 entitled to a federal earned-income credit shall be allowed a Rhode Island earned-income credit  
27 equal to ten percent (10%) of the federal earned-income credit. Such credit shall not exceed the  
28 amount of the Rhode Island income tax.

29 For tax years beginning on or after January 1, 2016, a taxpayer entitled to a federal earned-  
30 income credit shall be allowed a Rhode Island earned-income credit equal to twelve and one-half  
31 percent (12.5%) of the federal earned-income credit. Such credit shall not exceed the amount of the  
32 Rhode Island income tax.

33 For tax years beginning on or after January 1, 2017, a taxpayer entitled to a federal earned-  
34 income credit shall be allowed a Rhode Island earned-income credit equal to fifteen percent (15%)

1 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island  
2 income tax.

3 For tax years beginning on or after January 1, 2024, a taxpayer entitled to a federal earned-  
4 income credit shall be allowed a Rhode Island earned-income credit equal to sixteen percent (16%)  
5 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island  
6 income tax.

7 (2) Refundable portion.

8 In the event the Rhode Island earned-income credit allowed under paragraph (N)(1) of this  
9 section exceeds the amount of Rhode Island income tax, a refundable earned-income credit shall  
10 be allowed as follows.

11 (i) For tax years beginning before January 1, 2015, for purposes of paragraph (2) refundable  
12 earned-income credit means fifteen percent (15%) of the amount by which the Rhode Island earned-  
13 income credit exceeds the Rhode Island income tax.

14 (ii) For tax years beginning on or after January 1, 2015, for purposes of paragraph (2)  
15 refundable earned-income credit means one hundred percent (100%) of the amount by which the  
16 Rhode Island earned-income credit exceeds the Rhode Island income tax.

17 (O) The tax administrator shall recalculate and submit necessary revisions to paragraphs  
18 (A) through (J) to the general assembly no later than February 1, 2010, and every three (3) years  
19 thereafter for inclusion in the statute.

20 (3) For the period January 1, 2011, through December 31, 2011, and thereafter, "Rhode  
21 Island taxable income" means federal adjusted gross income as determined under the Internal  
22 Revenue Code, 26 U.S.C. § 1 et seq., and as modified for Rhode Island purposes pursuant to § 44-  
23 30-12 less the amount of Rhode Island Basic Standard Deduction allowed pursuant to subparagraph  
24 44-30-2.6(c)(3)(B), and less the amount of personal exemption allowed pursuant to subparagraph  
25 44-30-2.6(c)(3)(C).

26 (A) **Tax imposed.**

27 (I) There is hereby imposed on the taxable income of married individuals filing joint  
28 returns, qualifying widow(er), every head of household, unmarried individuals, married individuals  
29 filing separate returns and bankruptcy estates, a tax determined in accordance with the following  
30 table:

31 [\(1\)](#)

RI Taxable Income		RI Income Tax	
Over	But not over	Pay + % on Excess	on the amount over
\$ 0 -	\$ 55,000	\$ 0 + 3.75%	\$ 0

1	55,000 -	125,000	2,063 + 4.75%	55,000
2	125,000 -		5,388 + 5.99%	125,000

3 (2) High-income surtax. For tax years beginning on or after January 1, 2027, until the tax  
4 year beginning January 1, 2028, there is hereby imposed on the taxable income of married  
5 individuals filing joint returns, qualifying widow(er), every head of household, unmarried  
6 individuals, married individuals filing separate returns and bankruptcy estates, a tax at one percent  
7 (1%) of Rhode Island taxable income over one million dollars (\$1,000,000).

8 (ii) For tax years beginning on or after January 1, 2028, until the tax year beginning January  
9 1, 2029, there is hereby imposed on the taxable income of married individuals filing joint returns,  
10 qualifying widow(er), every head of household, unmarried individuals, married individuals filing  
11 separate returns and bankruptcy estates, a tax at two percent (2%) of Rhode Island taxable income  
12 over one million dollars (\$1,000,000).

13 (iii) For tax years beginning on or after January 1, 2029, there is hereby imposed on the  
14 taxable income of married individuals filing joint returns, qualifying widow(er), every head of  
15 household, unmarried individuals, married individuals filing separate returns and bankruptcy  
16 estates, a tax at three percent (3%) of Rhode Island taxable income over one million dollars  
17 (\$1,000,000).

18 (3) Highest Rhode Island withholding tax rate provided for individuals. For the  
19 purposes of this chapter, for tax years beginning on or after January 1, 2027, any reference to the  
20 highest Rhode Island withholding tax rate provided for individuals shall be the sum of the highest  
21 marginal tax rate in § 44-30-2.6(c)(3)(A)(I)(1) and the high-income surtax in § 44-30-  
22 2.6(c)(3)(A)(I)(2).

23 (4) Personal income tax. For the purposes of this title, any reference to personal income  
24 tax for individuals shall include the tax imposed in § 44-30-2.6(c)(3)(A)(I)(1) and the high-income  
25 surtax in § 44-30-2.6(c)(3)(A)(I)(2)

26 (II) There is hereby imposed on the taxable income of an estate or trust a tax determined in  
27 accordance with the following table:

28 (1)

RI Taxable Income		RI Income Tax	
Over	But not over	Pay + % on Excess	on the amount over
30 \$ 0 -	\$ 2,230	\$ 0 + 3.75%	\$ 0
31 2,230 -	7,022	84 + 4.75%	2,230
32 7,022 -		312 + 5.99%	7,022

34 High income tax. For tax years beginning on or after January 1, 2027, until tax year

1 beginning January 1, 2028, there is hereby imposed on the taxable income of an estate or trust, a  
2 tax at one percent (1%) of Rhode Island taxable income over \$36,427.

3 (ii) For tax years beginning on or after January 1, 2028, until tax year beginning January  
4 1, 2029, there is hereby imposed on the taxable income of an estate or trust, a tax at two percent  
5 (2%) of Rhode Island taxable income over \$36,427.

6 (iii) For tax years beginning on or after January 1, 2029, there is hereby imposed on the  
7 taxable income of an estate or trust, a tax at three percent (3%) of Rhode Island taxable income  
8 over \$36,427.

9 (3) **Personal income tax.** For the purposes of this title, any reference to personal income  
10 tax for an estate or trust shall include the tax imposed in § 44-30-2.6(c)(3)(A)(II)(1) and the high-  
11 income surtax in § 44-30-2.6(c)(3)(A)(II)(2).

12 **(B) Deductions:**

13 (I) Rhode Island Basic Standard Deduction.

14 Only the Rhode Island standard deduction shall be allowed in accordance with the  
15 following table:

Filing status:	Amount
Single	\$7,500
Married filing jointly or qualifying widow(er)	\$15,000
Married filing separately	\$7,500
Head of Household	\$11,250

21 (II) Nonresident alien individuals, estates and trusts are not eligible for standard  
22 deductions.

23 (III) In the case of any taxpayer whose adjusted gross income, as modified for Rhode Island  
24 purposes pursuant to § 44-30-12, for the taxable year exceeds one hundred seventy-five thousand  
25 dollars (\$175,000), the standard deduction amount shall be reduced by the applicable percentage.  
26 The term “applicable percentage” means twenty (20) percentage points for each five thousand  
27 dollars (\$5,000) (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable  
28 year exceeds one hundred seventy-five thousand dollars (\$175,000).

29 **(C) Exemption Amount:**

30 (I) The term “exemption amount” means three thousand five hundred dollars (\$3,500)  
31 multiplied by the number of exemptions allowed for the taxable year for federal income tax  
32 purposes. For tax years beginning on or after 2018, the term “exemption amount” means the same  
33 as it does in 26 U.S.C. § 151 and 26 U.S.C. § 152 just prior to the enactment of the Tax Cuts and  
34 Jobs Act (Pub. L. No. 115-97) on December 22, 2017.

1 (II) Exemption amount disallowed in case of certain dependents. In the case of an  
2 individual with respect to whom a deduction under this section is allowable to another taxpayer for  
3 the same taxable year, the exemption amount applicable to such individual for such individual's  
4 taxable year shall be zero.

5 (III) Identifying information required.

6 (1) Except as provided in § 44-30-2.6(c)(3)(C)(II) of this section, no exemption shall be  
7 allowed under this section with respect to any individual unless the Taxpayer Identification Number  
8 of such individual is included on the federal return claiming the exemption for the same tax filing  
9 period.

10 (2) Notwithstanding the provisions of § 44-30-2.6(c)(3)(C)(I) of this section, in the event  
11 that the Taxpayer Identification Number for each individual is not required to be included on the  
12 federal tax return for the purposes of claiming a personal exemption(s), then the Taxpayer  
13 Identification Number must be provided on the Rhode Island tax return for the purpose of claiming  
14 said exemption(s).

15 (D) In the case of any taxpayer whose adjusted gross income, as modified for Rhode Island  
16 purposes pursuant to § 44-30-12, for the taxable year exceeds one hundred seventy-five thousand  
17 dollars (\$175,000), the exemption amount shall be reduced by the applicable percentage. The term  
18 "applicable percentage" means twenty (20) percentage points for each five thousand dollars  
19 (\$5,000) (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year  
20 exceeds one hundred seventy-five thousand dollars (\$175,000).

21 (E) **Adjustment for inflation.** The dollar amount contained in subparagraphs 44-30-  
22 2.6(c)(3)(A), 44-30-2.6(c)(3)(B) and 44-30-2.6(c)(3)(C) shall be increased annually by an amount  
23 equal to:

24 (I) Such dollar amount contained in subparagraphs 44-30-2.6(c)(3)(A), 44-30-2.6(c)(3)(B)  
25 and 44-30-2.6(c)(3)(C) adjusted for inflation using a base tax year of 2000, multiplied by;

26 (II) The cost-of-living adjustment with a base year of 2000.

27 (III) For tax years beginning on or after January 1, 2027, for §§ 44-30-2.6(c)(3)(A)(I)(2)  
28 and 44-30-2.6(c)(3)(A)(II)(2), the base tax year and the base year shall be 2026.

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

34 ~~(IV)~~(V) For the purpose of this section the term "consumer price index" means the last

1 consumer price index for all urban consumers published by the department of labor. For the purpose  
2 of this section the revision of the consumer price index that is most consistent with the consumer  
3 price index for calendar year 1986 shall be used.

4 ~~(V)~~(VI) If any increase determined under this section is not a multiple of fifty dollars  
5 (\$50.00), such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the  
6 case of a married individual filing separate return, if any increase determined under this section is  
7 not a multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower  
8 multiple of twenty-five dollars (\$25.00).

9 **(F) Credits against tax.**

10 (I) Notwithstanding any other provisions of Rhode Island Law, for tax years beginning on  
11 or after January 1, 2011, the only credits allowed against a tax imposed under this chapter shall be  
12 as follows:

13 (a) Rhode Island earned-income credit: Credit shall be allowed for earned-income credit  
14 pursuant to subparagraph 44-30-2.6(c)(2)(N).

15 (b) Property Tax Relief Credit: Credit shall be allowed for property tax relief as provided  
16 in § 44-33-1 et seq.

17 (c) Lead Paint Credit: Credit shall be allowed for residential lead abatement income tax  
18 credit as provided in § 44-30.3-1 et seq.

19 (d) Credit for income taxes of other states. Credit shall be allowed for income tax paid to  
20 other states pursuant to § 44-30-74.

21 (e) Historic Structures Tax Credit: Credit shall be allowed for historic structures tax credit  
22 as provided in § 44-33.2-1 et seq.

23 (f) Motion Picture Productions Tax Credit: Credit shall be allowed for motion picture  
24 production tax credit as provided in § 44-31.2-1 et seq.

25 (g) Child and Dependent Care: Credit shall be allowed for twenty-five percent (25%) of  
26 the federal child and dependent care credit allowable for the taxable year for federal purposes;  
27 provided, however, such credit shall not exceed the Rhode Island tax liability.

28 (h) Tax credits for contributions to Scholarship Organizations: Credit shall be allowed for  
29 contributions to scholarship organizations as provided in chapter 62 of title 44.

30 (i) Credit for tax withheld. Wages upon which tax is required to be withheld shall be taxable  
31 as if no withholding were required, but any amount of Rhode Island personal income tax actually  
32 deducted and withheld in any calendar year shall be deemed to have been paid to the tax  
33 administrator on behalf of the person from whom withheld, and the person shall be credited with  
34 having paid that amount of tax for the taxable year beginning in that calendar year. For a taxable

1 year of less than twelve (12) months, the credit shall be made under regulations of the tax  
2 administrator.

3 (j) Stay Invested in RI Wavemaker Fellowship: Credit shall be allowed for stay invested in  
4 RI wavemaker fellowship program as provided in § 42-64.26-1 et seq.

5 (k) Rebuild Rhode Island: Credit shall be allowed for rebuild RI tax credit as provided in  
6 § 42-64.20-1 et seq.

7 (l) Rhode Island Qualified Jobs Incentive Program: Credit shall be allowed for Rhode  
8 Island new qualified jobs incentive program credit as provided in § 44-48.3-1 et seq.

9 (m) Historic homeownership assistance act: Effective for tax year 2017 and thereafter,  
10 unused carryforward for such credit previously issued shall be allowed for the historic  
11 homeownership assistance act as provided in § 44-33.1-4. This allowance is for credits already  
12 issued pursuant to § 44-33.1-4 and shall not be construed to authorize the issuance of new credits  
13 under the historic homeownership assistance act.

14 [\(n\) Child tax credit: Effective for tax years beginning on or after January 1, 2027, credit](#)  
15 [shall be allowed for the child tax credit as provided in § 44-30-104.](#)

16 (2) Except as provided in section 1 above, no other state and federal tax credit shall be  
17 available to the taxpayers in computing tax liability under this chapter.

18 **44-30-12. Rhode Island income of a resident individual.**

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

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

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; ~~and~~

4 (9) For the taxable year beginning on or before January 1, 2025, the amount of any income,  
5 deduction or allowance that would be subject to federal income tax but for the Congressional  
6 enactment of the One Big Beautiful Bill Act or any other similar Congressional enactment. The  
7 enactment of the One Big Beautiful Bill Act or any other similar Congressional enactment and any  
8 Internal Revenue Service changes to forms, regulations, and/or processing which go into effect  
9 during the current tax year or within six (6) months of the beginning of the next tax year shall be  
10 deemed grounds for the promulgation of emergency rules and regulations under § 42-35-2.10 to  
11 effectuate the purpose of preserving the Rhode Island tax base under Rhode Island law with respect  
12 to the One Big Beautiful Bill Act or any other similar Congressional enactment; and

13 (10) For any taxable year beginning on or after January 1, 2026, the amount of the  
14 deduction taken for domestic research and experimental expenditures under 26 U.S.C. § 174A less  
15 the amount of the deduction that would have been allowed as a deduction for domestic research  
16 and experimental expenditures under 26 U.S.C. § 174 immediately prior to the enactment of H.R.1  
17 (Pub. L. 119-21).

18 (c) **Modifications reducing federal adjusted gross income.** There shall be subtracted  
19 from federal adjusted gross income:

20 (1) Any interest income on obligations of the United States and its possessions to the extent  
21 includible in gross income for federal income tax purposes, and any interest or dividend income on  
22 obligations, or securities of any authority, commission, or instrumentality of the United States to  
23 the extent includible in gross income for federal income tax purposes but exempt from state income  
24 taxes under the laws of the United States; provided, that the amount to be subtracted shall in any  
25 case be reduced by any interest on indebtedness incurred or continued to purchase or carry  
26 obligations or securities the income of which is exempt from Rhode Island personal income tax, to  
27 the extent the interest has been deducted in determining federal adjusted gross income or taxable  
28 income;

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

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

33 (4) Contributions made to an account under the tuition savings program, including the  
34 "contributions carryover" pursuant to subsection (c)(4)(iv) of this section, if any, subject to the

1 following limitations, restrictions, and qualifications:

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

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

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

8 (B) Transfers or rollovers to an account from any other tuition savings program account or  
9 from any other “qualified tuition program” under section 529 of the Internal Revenue Code, 26  
10 U.S.C. § 529; or

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

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

14 (iv) The contributions carryover to a taxable year for purpose of this subdivision is the  
15 excess, if any, of the total amount of contributions actually made by the taxpayer to the tuition  
16 savings program for all preceding taxable years for which this subsection is effective over the sum  
17 of:

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

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

24 (v) For any taxable year for which a contributions carryover is applicable, the taxpayer  
25 shall include a computation of the carryover with the taxpayer’s Rhode Island personal income tax  
26 return for that year, and if for any taxable year on which the carryover is based the taxpayer filed a  
27 joint Rhode Island personal income tax return but filed a return on a basis other than jointly for a  
28 subsequent taxable year, the computation shall reflect how the carryover is being allocated between  
29 the prior joint filers;

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

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

34 **(7) Modification for organ transplantation.**

1 (i) An individual may subtract up to ten thousand dollars (\$10,000) from federal adjusted  
2 gross income if the individual, while living, donates one or more of their human organs to another  
3 human being for human organ transplantation, except that for purposes of this subsection, “human  
4 organ” means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract  
5 modification that is claimed hereunder may be claimed in the taxable year in which the human  
6 organ transplantation occurs.

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

10 (A) Travel expenses.

11 (B) Lodging expenses.

12 (C) Lost wages.

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

15 **(8) Modification for taxable Social Security income.**

16 (i) For tax years beginning on or after January 1, 2016, until the tax year beginning January  
17 1, 2027:

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

22 (B) A married individual filing jointly or individual filing qualifying widow(er) who has  
23 attained the age used for calculating full or unreduced Social Security retirement benefits whose  
24 joint federal adjusted gross income for the taxable year is less than one hundred thousand dollars  
25 (\$100,000), an amount equal to the Social Security benefits includible in federal adjusted gross  
26 income.

27 (ii) For the tax years beginning on or after January 1, 2027:

28 (A) For a person who files a return as an unmarried individual, head of household, or  
29 married filing separate whose federal adjusted gross income for the taxable year is less than eighty  
30 thousand dollars (\$80,000); or

31 (B) A married individual filing jointly or individual filing qualifying widow(er) whose joint  
32 federal adjusted gross income for the taxable year is less than one hundred thousand dollars  
33 (\$100,000), an amount equal to the Social Security benefits includible in federal adjusted gross  
34 income.

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

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

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

6           ~~(iii)~~(iv) For the purposes of this section the cost-of-living adjustment for any calendar year  
7 is the percentage (if any) by which the consumer price index for the preceding calendar year  
8 exceeds the consumer price index for the base year. The consumer price index for any calendar  
9 year is the average of the consumer price index as of the close of the twelve-month (12) period  
10 ending on August 31, of such calendar year.

11           ~~(iv)~~(v) For the purpose of this section the term “consumer price index” means the last  
12 consumer price index for all urban consumers published by the department of labor. For the purpose  
13 of this section the revision of the consumer price index which is most consistent with the consumer  
14 price index for calendar year 1986 shall be used.

15           ~~(v)~~(vi) If any increase determined under this section is not a multiple of fifty dollars  
16 (\$50.00), such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the  
17 case of a married individual filing separate return, if any increase determined under this section is  
18 not a multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower  
19 multiple of twenty-five dollars (\$25.00);

20           **(9) Modification of taxable retirement income from certain pension plans or**  
21 **annuities.**

22           (i) For tax years beginning on or after January 1, 2017, until the tax year beginning January  
23 1, 2022, a modification shall be allowed for up to fifteen thousand dollars (\$15,000), and for tax  
24 years beginning on or after January 1, 2023, until the tax year beginning January 1, 2024, a  
25 modification shall be allowed for up to twenty thousand dollars (\$20,000), ~~and for tax years~~  
26 ~~beginning on or after January 1, 2025, a modification shall be allowed for up to fifty thousand~~  
27 ~~dollars (\$50,000)~~, of taxable pension and/or annuity income that is included in federal adjusted  
28 gross income for the taxable year:

29           (A) For a person who has attained the age used for calculating full or unreduced Social  
30 Security retirement benefits who files a return as an unmarried individual, head of household, or  
31 married filing separate whose federal adjusted gross income for such taxable year is less than the  
32 amount used for the modification contained in subsection (c)(8)(i)(A) of this section an amount not  
33 to exceed \$15,000 for tax years beginning on or after January 1, 2017, until the tax year beginning  
34 January 1, 2022, and an amount not to exceed twenty thousand dollars (\$20,000) for tax years

1 beginning on or after January 1, 2023, until the tax year beginning January 1, 2024, ~~and an amount~~  
2 ~~not to exceed fifty thousand dollars (\$50,000) for tax years beginning on or after January 1, 2025,~~  
3 of taxable pension and/or annuity income includible in federal adjusted gross income; or

4 (B) For a married individual filing jointly or individual filing qualifying widow(er) who  
5 has attained the age used for calculating full or unreduced Social Security retirement benefits whose  
6 joint federal adjusted gross income for such taxable year is less than the amount used for the  
7 modification contained in subsection (c)(8)(i)(B) of this section an amount not to exceed \$15,000  
8 for tax years beginning on or after January 1, 2017, until the tax year beginning January 1, 2022,  
9 and an amount not to exceed twenty thousand dollars (\$20,000) for tax years beginning on or after  
10 January 1, 2023, until the tax year beginning January 1, 2024, ~~and an amount not to exceed fifty~~  
11 ~~thousand dollars (\$50,000) for tax years beginning on or after January 1, 2025,~~ of taxable pension  
12 and/or annuity income includible in federal adjusted gross income.

13 (ii) For tax years beginning on or after January 1, 2025, a modification shall be allowed for  
14 up to fifty thousand dollars (\$50,000) of taxable pension and/or annuity income that is included in  
15 federal adjusted gross income for the taxable year:

16 (A) For a person who has attained the age used for calculating full or unreduced Social  
17 Security retirement benefits who files a return as an unmarried individual, head of household, or  
18 married filing separate whose federal adjusted gross income for the taxable year is less than one  
19 hundred seven thousand dollars (\$107,000) an amount not to exceed fifty thousand dollars  
20 (\$50,000) for tax years beginning on or after January 1, 2025, of taxable pension and/or annuity  
21 income includible in federal adjusted gross income; or

22 (B) For a married individual filing jointly or individual filing qualifying widow(er) who  
23 has attained the age used for calculating full or unreduced Social Security retirement benefits whose  
24 joint federal adjusted gross income for the taxable year is less than one hundred thirty-three  
25 thousand seven hundred fifty dollars (\$133,750) an amount not to exceed fifty thousand dollars  
26 (\$50,000) for tax years beginning on or after January 1, 2025, of taxable pension and/or annuity  
27 income includible in federal adjusted gross income.

28 ~~(i)(iii)~~ Adjustment for inflation.

29 (A) The dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B)  
30 of this section shall be increased annually for tax years beginning on or after January 1, 2018 until  
31 the tax year beginning on January 1, 2025, by an amount equal to:

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

34 ~~(B)(II)~~ The cost-of-living adjustment with a base year of 2000.

1 (B) For tax years beginning on or after January 1, 2026, the dollar amount contained in  
2 subsections (c)(9)(ii)(A) and (c)(9)(ii)(B) of this section shall be increased annually by an amount  
3 equal to:

4 (I) Such dollar amount contained by reference in subsections (c)(9)(ii)(A) and (c)(9)(ii)(B)  
5 of this section adjusted for inflation using a base tax year of 2025, multiplied by:

6 (II) The cost-of-living adjustment with a base year of 2025.

7 ~~(iii)~~(iv) For the purposes of this section, the cost-of-living adjustment for any calendar year  
8 is the percentage (if any) by which the consumer price index for the preceding calendar year  
9 exceeds the consumer price index for the base year. The consumer price index for any calendar  
10 year is the average of the consumer price index as of the close of the twelve-month (12) period  
11 ending on August 31, of such calendar year.

12 ~~(iv)~~(v) For the purpose of this section, the term “consumer price index” means the last  
13 consumer price index for all urban consumers published by the department of labor. For the purpose  
14 of this section, the revision of the consumer price index which is most consistent with the consumer  
15 price index for calendar year 1986 shall be used.

16 ~~(v)~~(vi) If any increase determined under this section is not a multiple of fifty dollars  
17 (\$50.00), such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the  
18 case of a married individual filing a separate return, if any increase determined under this section  
19 is not a multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower  
20 multiple of twenty-five dollars (\$25.00).

21 ~~(vi)~~(vii) For tax years beginning on or after January 1, 2022, until the tax year beginning  
22 January 1, 2025, the dollar amount contained by reference in subsection (c)(9)(i)(A) shall be  
23 adjusted to equal the dollar amount contained in subsection (c)(8)(i)(A), as adjusted for inflation,  
24 and the dollar amount contained by reference in subsection(c)(9)(i)(B) shall be adjusted to equal  
25 the dollar amount contained in subsection (c)(8)(i)(B), as adjusted for inflation;

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

31 **(11) Modification for military service pensions.**

32 (i) For purposes of a taxpayer’s state tax liability, a modification to income shall be allowed  
33 as follows:

34 (A) For the tax years beginning on January 1, 2023, a taxpayer may subtract from federal

1 adjusted gross income the taxpayer's military service pension benefits included in federal adjusted  
2 gross income;

3 (ii) As used in this subsection, the term "military service" shall have the same meaning as  
4 set forth in 20 C.F.R. § 212.2;

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

8 (12) Any rebate issued to the taxpayer pursuant to § 44-30-103 to the extent included in  
9 gross income for federal tax purposes; **and**

10 (13) For tax years beginning on or after January 1, 2025, in the case of a taxpayer that is  
11 licensed in accordance with chapters 28.6 and/or 28.11 of title 21, the amount equal to any  
12 expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed under  
13 26 U.S.C. § 280E; **and**

14 (14) For any taxable year beginning on or after January 1, 2026, the amount as determined  
15 by the tax administrator required to be added back in a prior year that would have been allowed  
16 under 26 U.S.C. § 174A as enacted in H.R.1 (Pub. L. 119-21) on July 4, 2025, but would not have  
17 been allowed as a deduction under 26 U.S.C. § 174 immediately prior to its enactment. At no time  
18 may the cumulative modification amount for each amortized expenditure exceed one hundred  
19 percent (100%) of said expenditure's expense amount.

20 (d) **Modification for Rhode Island fiduciary adjustment.** There shall be added to, or  
21 subtracted from, federal adjusted gross income (as the case may be) the taxpayer's share, as  
22 beneficiary of an estate or trust, of the Rhode Island fiduciary adjustment determined under § 44-  
23 30-17.

24 (e) **Partners.** The amounts of modifications required to be made under this section by a  
25 partner, which relate to items of income or deduction of a partnership, shall be determined under §  
26 44-30-15.

27 SECTION 6. This article shall take effect upon passage.

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# ARTICLE 7

## RELATING TO EDUCATION

SECTION 1. Section 16-2-34 of the General Laws in Chapter 16-2 entitled "School Committees and Superintendents [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby repealed.

~~**16-2-34. Central Falls School District board of trustees.**~~

~~(a) There is hereby established a seven (7) member board of trustees, which shall govern the Central Falls School District. With the exception of those powers and duties reserved by the commissioner of elementary and secondary education, and the board of regents for elementary and secondary education, the board of trustees shall have the powers and duties of school committees. Notwithstanding any provision of law to the contrary, the commissioner of elementary and secondary education, as the executive agent of the board of regents for elementary and secondary education, is authorized to exercise in whole or in part care, control, and management over the public schools of the Central Falls school district within the scope of authority of the board of trustees and board of regents, whenever the commissioner deems such intervention to be necessary and appropriate.~~

~~(b) The board of regents for elementary and secondary education shall appoint the members of the board of trustees from nominations made by the commissioner of elementary and secondary education. The chairperson shall also be selected in this manner. The board of regents shall determine the number, qualifications, and terms of office of members of the board of trustees, provided however, that at least four (4) of the members shall be residents of the city and parents of current or former Central Falls public school students. The remaining three (3) shall be appointed at large.~~

~~(c) The board of regents shall provide parameters for overall budget requests, approve the budget, and otherwise participate in budget development.~~

~~(d) The commissioner of elementary and secondary education shall recommend parameters for overall budget requests, recommend a budget, and otherwise participate in budget development.~~

~~(e) The commissioner shall approve the process for selection of the superintendent.~~

~~(f) The board of trustees shall meet monthly and serve without compensation. The board of trustees shall have broad policy making authority for the operation of the school, as well as the~~

1 following powers and duties:

2 (1) To identify the educational needs of the district;

3 (2) To develop educational policies to meet the needs of students in the school district;

4 (3) To appoint a superintendent to serve as its chief executive officer and to approve

5 assistant and associate superintendents from nominations made by the superintendent;

6 (4) To provide policy guidance and otherwise participate in budget development; and

7 (5) To develop staffing policies which ensure that all students are taught by educators of

8 the highest possible quality.

9 (g) The superintendent shall serve at the pleasure of the board of trustees with the initial

10 appointment to be for a period of not more than three (3) years; provided, however, that the terms

11 and conditions of employment are subject to the approval of the board of regents for elementary

12 and secondary education.

13 (h) It shall be the responsibility of the superintendent to manage and operate the school on

14 a day to day basis. The superintendent's duties shall include the following:

15 (1) To be responsible for the care, supervision, and management of the schools;

16 (2) To recommend to the board of trustees educational policies to meet the needs of the

17 district, and to implement policies established by the board of trustees;

18 (3) To present nominations to the board of trustees for assistant and associate

19 superintendents and to appoint all other school personnel;

20 (4) To provide for the evaluation of all school district personnel;

21 (5) To establish a school based management approach for decision making for the operation

22 of the school;

23 (6) To prepare a budget and otherwise participate in budget development as required, and

24 to authorize purchases consistent with the adopted school district budget;

25 (7) To report to the board of trustees, on a regular basis, the financial condition and

26 operation of the schools, and to report annually on the educational progress of the schools;

27 (8) To establish appropriate advisory committees as needed to provide guidance on new

28 directions and feedback on the operation of the schools;

29 (9) With policy guidance from the board of trustees and extensive involvement of the

30 administrators and faculty in the school, to annually prepare a budget. The board of trustees shall

31 approve the budget and transmit it to the commissioner. The board of regents for elementary and

32 secondary education, upon recommendation of the commissioner of elementary and secondary

33 education, shall provide parameters for the overall budget request. Based on review and

34 recommendation by the commissioner, the board of regents shall approve the total budget and

1 ~~incorporate it into its budget request to the governor and to the general assembly. Line item~~  
2 ~~budgeting decisions shall be the responsibility of the superintendent; and~~

3 ~~(10) To negotiate, along with the chairperson of the board of trustees and his or her~~  
4 ~~appointed designee, all district employment contracts, which contracts shall be subject to the~~  
5 ~~approval of the commissioner of elementary and secondary education with the concurrence of the~~  
6 ~~board of regents.~~

7 ~~(i) Nothing in this section shall be deemed to limit or otherwise interfere with the rights of~~  
8 ~~teachers and other school employees to bargain collectively pursuant to chapters 9.3 and 9.4 of title~~  
9 ~~28, to exercise rights afforded under any statute including, but not limited to, Title 16, or to allow~~  
10 ~~the commissioner, board of trustees or the superintendent to abrogate any agreement by collective~~  
11 ~~bargaining.~~

12 ~~(j) The appointment of the special state administrator for the Central Falls School District~~  
13 ~~and the Central Falls School District Advisory Group, created by chapter 312 of the Rhode Island~~  
14 ~~Public Laws of 1991, will no longer be in effect upon the selection and appointment of the board~~  
15 ~~of trustees created in this section. All powers and duties of the special state administrator and the~~  
16 ~~Central Falls School District Advisory Group are hereby transferred and assigned to the board of~~  
17 ~~trustees created in this section, upon the selection and appointment of that board.~~

18 SECTION 2. Chapter 16-7 of the General Laws entitled "Foundation Level School Support  
19 [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby amended by  
20 adding thereto the following section:

21 **16-7-23.3. Central Falls schools -- Return to local control -- Local appropriation.**

22 (a) In fiscal years 2027 and thereafter, the city of Central Falls will contribute to the Central  
23 Falls School District an amount at least equal to the sum of:

24 (1) One percent (1%) of the city's prior year total tax levy;

25 (2) The city's prior year contribution; and

26 (3) A contribution from the Central Falls school district's fund balance beginning with  
27 \$500,000 in fiscal year 2027, reduced by \$50,000 annually in accordance with the final report of  
28 the Special Joint Legislative Commission to Study the Return of Central Falls Schools to Local  
29 Governance with a target end point that meets the Government Finance Officers Association's  
30 standards and aligns with the department of elementary and secondary education's fiscal  
31 accountability standards and annual reporting to ensure adequate funding of the foundation  
32 education aid for all Central Falls students.

33 (b) As authorized in § 44-5-2, the city of Central Falls may exceed the maximum levy to  
34 fulfill its obligation to contribute the amount required this section.

1           (c) No later than September 30, 2030, as preparation for the fiscal year 2032 budgeting  
2 process, the city of Central Falls (including the Central Falls school district), the division of  
3 municipal finance, and the department of elementary and secondary education shall conduct a  
4 review of the funding requirements set forth in this section and provide their recommendations for  
5 any modifications which should be made to the governor, speaker of the house, and president of  
6 the senate.

7           SECTION 3. Section 16-7-41.1 of the General Laws in Chapter 16-7 entitled "Foundation  
8 Level School Support [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is  
9 hereby amended to read as follows:

10           **16-7-41.1. Eligibility for reimbursement.**

11           (a) School districts, not municipalities, may apply for and obtain approval for a project  
12 under the necessity of school construction process set forth in the regulations of the council on  
13 elementary and secondary education, provided, however, in the case of a municipality that issues  
14 bonds through the Rhode Island health and educational building corporation to finance or refinance  
15 school facilities for a school district that is not part of the municipality, the municipality may apply  
16 for and obtain approval for a project. Such approval will remain valid until June 30 of the third  
17 fiscal year following the fiscal year in which the council on elementary and secondary education's  
18 approval is granted. Only those projects undertaken at school facilities under the care and control  
19 of the school committee and located on school property may qualify for reimbursement under §§  
20 16-7-35 — 16-7-47. Facilities with combined school and municipal uses or facilities that are  
21 operated jointly with any other profit or nonprofit agency do not qualify for reimbursement under  
22 §§ 16-7-35 — 16-7-47. Projects completed by June 30 of a fiscal year are eligible for  
23 reimbursement in the following fiscal year. A project for new school housing or additional housing  
24 shall be deemed to be completed when the work has been officially accepted by the school  
25 committee or when the housing is occupied for its intended use by the school committee, whichever  
26 is earlier.

27           (b) Notwithstanding the provisions of this section, the board of regents shall not grant final  
28 approval for any project between June 30, 2011, and May 1, 2015, except for projects that are  
29 necessitated by immediate health and safety reasons. In the event that a project is requested during  
30 the moratorium because of immediate health and safety reasons, those proposals shall be reported  
31 to the chairs of the house and senate finance committees.

32           (c) Any project approval granted prior to the adoption of the school construction  
33 regulations in 2007, and which are currently inactive; and any project approval granted prior to the  
34 adoption of the school construction regulations in 2007 which did not receive voter approval or

1 which has not been previously financed, are no longer eligible for reimbursement under this  
2 chapter. The department of elementary and secondary education shall develop recommendations  
3 for further cost containment strategies in the school housing aid program.

4 (d) Beginning July 1, 2015, the council on elementary and secondary education shall  
5 approve new necessity of school construction applications on an annual basis. The department of  
6 elementary and secondary education shall develop an annual application timeline for local  
7 education agencies seeking new necessity of school construction approvals.

8 (e) Beginning July 1, 2019, no state funding shall be provided for projects in excess of ten  
9 million dollars (\$10,000,000) unless the prime contractor for the project has received  
10 prequalification from the school building authority. However, for projects commencing after July  
11 1, 2026, and for subsequent fiscal years, no state funding shall be provided for projects in excess  
12 of ten million dollars (\$10,000,000) unless the prime contractor for the project has received  
13 prequalification from the division of purchases.

14 (f) Beginning July 1, 2019, the necessity of school construction process set forth in the  
15 regulations of the council on elementary and secondary education shall include a single statewide  
16 process, developed with the consultation of the department of environmental management, that will  
17 ensure community involvement throughout the investigation and remediation of contaminated  
18 building sites for possible reuse as the location of a school. That process will fulfill all provisions  
19 of § 23-19.14-5 related to the investigation of reuse of such sites for schools.

20 (g) Beginning July 1, 2019, school housing projects exceeding one million five hundred  
21 thousand dollars (\$1,500,000) subject to inflation shall include an owner's program manager and a  
22 commissioning agent. The cost of the program manager and commissioning agent shall be  
23 considered a project cost eligible for aid pursuant to §§ 16-7-41 and 16-105-5. However, for  
24 projects completing after July 1, 2026, and subsequent fiscal years, school housing projects  
25 exceeding ten million dollars (\$10,000,000) subject to inflation shall include an owner's program  
26 manager and a commissioning agent. The cost of the program manager and commissioning agent  
27 shall not exceed three percent (3%) of total project costs and shall be considered a project cost  
28 eligible for aid pursuant to §§ 16-7-41 and 16-105-5.

29 (h) Temporary housing, or swing space, for students shall be a reimbursable expense so  
30 long as a district can demonstrate that no other viable option to temporarily house students exists  
31 and provided that use of the temporary space is time limited for a period not to exceed twenty-four  
32 (24) months and tied to a specific construction project.

33 (i) Environmental site remediation, as defined by the school building authority, shall be a  
34 reimbursable expense up to one million dollars (\$1,000,000) per project.

1 (j) If, within thirty (30) years of construction, a newly constructed school is sold to a private  
2 entity, the state shall receive a portion of the sale proceeds equal to that project's housing aid  
3 reimbursement rate at the time of project completion.

4 (k) All projects must comply with § 37-13-6, ensuring that prevailing wage laws are being  
5 followed, and § 37-14.1-6, ensuring that minority business enterprises reach the required minimum  
6 participation.

7 SECTION 4. Sections 16-7.2-3, 16-7.2-5 and 16-7.2-9 of the General Laws in Chapter 16-  
8 7.2 entitled "The Education Equity and Property Tax Relief Act" are hereby amended to read as  
9 follows:

10 **16-7.2-3. Permanent foundation education aid established.**

11 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall  
12 take effect. The foundation education aid for each district shall be the sum of the core instruction  
13 amount in subsection (a)(1) of this section and the amount to support high-need students in  
14 subsection (a)(2) of this section, which shall be multiplied by the district state-share ratio calculated  
15 pursuant to § 16-7.2-4 to determine the foundation aid.

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

29 (2) The amount to support high-need students beyond the core instruction amount shall be  
30 determined by:

31 (i) Multiplying a student success factor of forty percent (40%); provided further, for the  
32 fiscal year beginning July 1, 2026, and for subsequent fiscal years, the student success factor shall  
33 be forty-three percent (43%) by the core instruction per-pupil amount described in subsection (a)(1)  
34 of this section and applying that amount for each resident child whose family income is at or below

1 one hundred eighty-five percent (185%) of federal poverty guidelines, hereinafter referred to as  
2 “poverty status.” By October 1, 2022, as part of its budget submission pursuant to § 35-3-4 relative  
3 to state fiscal year 2024 and thereafter, the department of elementary and secondary education shall  
4 develop and utilize a poverty measure that in the department’s assessment most accurately serves  
5 as a proxy for the poverty status referenced in this subsection and does not rely on the  
6 administration of school nutrition programs. The department shall utilize this measure in  
7 calculations pursuant to this subsection related to the application of the student success factor, in  
8 calculations pursuant to § 16-7.2-4 related to the calculation of the state share ratio, and in the  
9 formulation of estimates pursuant to subsection (b) below. The department may also include any  
10 recommendations which seek to mitigate any disruptions associated with the implementation of  
11 this new poverty measure or improve the accuracy of its calculation. Beginning with the FY 2024  
12 calculation, students whose family income is at or below one hundred eighty-five percent (185%)  
13 of federal poverty guidelines will be determined by participation in the supplemental nutrition  
14 assistance program (SNAP). The number of students directly certified through the department of  
15 human services shall be multiplied by a factor of 1.6; and

16 (ii) Multiplying a multilingual learner (MLL) factor of twenty percent (20%) by the core  
17 instruction per-pupil amount described in subsection (a)(1) of this section, applying that amount  
18 for each resident child identified in the three lowest proficiency categories using widely adopted,  
19 independent standards and assessments in accordance with subsection (f)(1) of this section and as  
20 identified by the commissioner and defined by regulations of the council on elementary and  
21 secondary education. Local education agencies shall report annually to the department of  
22 elementary and secondary education by September 1, outlining the planned and prior year use of  
23 all funding pursuant to this subsection to provide services to MLL students in accordance with  
24 requirements set forth by the commissioner of elementary and secondary education. The  
25 department shall review the use of funds to ensure consistency with established best practices.

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

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

32 (d) Local education agencies may set aside a portion of funds received under subsection  
33 (a) to expand learning opportunities such as after school and summer programs, full-day  
34 kindergarten and/or multiple pathway programs, provided that the basic education program and all

1 other approved programs required in law are funded.

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

4 (f)(1) By October 1, 2023, as part of its budget submission pursuant to § 35-3-4 relative to  
5 state fiscal year 2025, the department of elementary and secondary education shall evaluate the  
6 number of students by district who qualify as multilingual learner (MLL) students and MLL  
7 students whose family income is at or below one hundred eighty-five percent (185%) of federal  
8 poverty guidelines. The submission shall also include segmentation of these populations by levels  
9 as dictated by the WIDA multilingual learner assessment tool used as an objective benchmark for  
10 English proficiency. The department shall also prepare and produce expense data sourced from the  
11 uniform chart of accounts to recommend funding levels required to support students at the various  
12 levels of proficiency as determined by the WIDA assessment tool. Utilizing this information, the  
13 department shall recommend a funding solution to meet the needs of multilingual learners; this may  
14 include but not be limited to inclusion of MLL needs within the core foundation formula amount  
15 through one or multiple weights to distinguish different students of need or through categorical  
16 means.

17 (2) By October 1, 2024, as part of its budget submission pursuant to § 35-3-4 relative to  
18 state fiscal year 2026, the department of elementary and secondary education shall develop  
19 alternatives to identify students whose family income is at or below one hundred eighty-five percent  
20 (185%) of federal poverty guidelines through participation in state-administered programs,  
21 including, but not limited to, the supplemental nutrition assistance program (SNAP), and RItCare  
22 and other programs that include the collection of required supporting documentation. The  
23 department may also include any recommendations that seek to mitigate any disruptions associated  
24 with implementation of this new poverty measure or improve the accuracy of its calculation.

25 (3) The department shall also report with its annual budget request information regarding  
26 local contributions to education aid and compliance with §§ 16-7-23 and 16-7-24. The report shall  
27 also compare these local contributions to state foundation education aid by community. The  
28 department shall also report compliance to each city or town school committee and city or town  
29 council.

30 (4) By October 1, 2025, as part of its budget submission pursuant to § 35-3-4 relative to  
31 state fiscal year 2027, the department of elementary and secondary education shall submit a report  
32 developed in coordination with the department of administration and the Rhode Island longitudinal  
33 data system within the office of the postsecondary commissioner. The report shall provide an  
34 overview of the process for matching the department of human services program participation data

1 to the department of elementary and secondary education student enrollment records for use in the  
2 education funding formula and recommend methods to ensure consistency and accuracy in future  
3 matching processes.

4 (5) As part of its FY 2027 [and FY 2028](#) budget [submission submissions](#), the department  
5 shall also submit an estimate of foundation education aid that uses expanded direct certification  
6 with Medicaid matching in consultation with the Rhode Island longitudinal data system and the  
7 executive office of health and human services to identify students whose family income is at or  
8 below one hundred eighty-five percent (185%) of federal poverty guidelines, in addition to an  
9 estimate under the current law poverty determination.

10 (6) By December 31, 2025, the department of elementary and secondary education shall  
11 also develop and submit a report to the governor, speaker of the house, and senate president on  
12 current and recommended processes to ensure the consistency and validity of submitted high-cost  
13 special education data from local education agencies.

14 [\(7\) By October 1, 2026, as part of its budget submission pursuant to § 35-3-4 relative to](#)  
15 [state fiscal year 2027, the department of elementary and secondary education shall, in collaboration](#)  
16 [with the office of management and budget and the division of municipal finance, submit a report](#)  
17 [comparing the funding system proposed by the Blue Ribbon Commission to the current system,](#)  
18 [using validated FY 2025 Uniform Chart of Accounts data. The report shall include, but not be](#)  
19 [limited to, a comparison of state and local contributions for traditional districts and charter schools](#)  
20 [using different state share percentages, recommendations for proposed weights for special](#)  
21 [education and career and technical education students, and an analysis of the statutory](#)  
22 [recommendations.](#)

23 **16-7.2-5. Charter public schools, the William M. Davies, Jr. Career and Technical**  
24 **High School, and the Metropolitan Regional Career and Technical Center.**

25 (a) Charter public schools, as defined in chapter 77 of this title, the William M. Davies, Jr.  
26 Career and Technical High School (Davies), and the Metropolitan Regional Career and Technical  
27 Center (the Met Center) shall be funded pursuant to § 16-7.2-3. If the October 1 actual enrollment  
28 data for any charter public school shows a ten percent (10%) or greater change from the prior year  
29 enrollment that is used as the reference year average daily membership, the last six (6) monthly  
30 payments to the charter public school will be adjusted to reflect actual enrollment. The state share  
31 of the permanent foundation education aid shall be paid by the state directly to the charter public  
32 schools, Davies, and the Met Center pursuant to § 16-7.2-9 and shall be calculated using the state-  
33 share ratio of the district of residence of the student as set forth in § 16-7.2-4. The department of  
34 elementary and secondary education shall provide the general assembly with the calculation of the

1 state share of permanent foundation education aid for charter public schools delineated by school  
2 district.

3 (b) The local share of education funding shall be paid to the charter public school, Davies,  
4 and the Met Center by the district of residence of the student and shall be the local, per-pupil cost  
5 calculated by dividing the local appropriation to education from property taxes, net of debt service,  
6 and capital projects, as defined in the uniform chart of accounts by the average daily membership  
7 for each city and town, pursuant to § 16-7-22, for the reference year.

8 (c) Beginning in FY 2017, there shall be a reduction to the local per-pupil funding paid by  
9 the district of residence to charter public schools, Davies, and the Met Center. This reduction shall  
10 be equal to the greater (i) Of seven percent (7%) of the local, per-pupil funding of the district of  
11 residence pursuant to subsection (b) or (ii) The per-pupil value of the district's costs for non-public  
12 textbooks, transportation for non-public students, retiree health benefits, out-of-district special-  
13 education tuition and transportation, services for students age eighteen (18) to twenty-one (21)  
14 years old, pre-school screening and intervention, and career and technical education, tuition and  
15 transportation costs, debt service and rental costs minus the average expenses incurred by charter  
16 schools for those same categories of expenses as reported in the uniform chart of accounts for the  
17 prior preceding fiscal year pursuant to § 16-7-16(11) and verified by the department of elementary  
18 and secondary education. In the case where audited financials result in a change in the calculation  
19 after the first tuition payment is made, the remaining payments shall be based on the most recent  
20 audited data. For those districts whose greater reduction occurs under the calculation of (ii), there  
21 shall be an additional reduction to payments to mayoral academies with teachers who do not  
22 participate in the state teacher's retirement system under chapter 8 of title 36 equal to the per-pupil  
23 value of teacher retirement costs attributable to unfunded liability as calculated by the state's  
24 actuary for the prior preceding fiscal year. Notwithstanding the foregoing, beginning with FY 2026,  
25 the reduction to the local per-pupil funding shall not exceed fourteen percent (14%).  
26 Notwithstanding the foregoing, for FY 2027, the reduction to the local per-pupil funding shall not  
27 exceed fourteen percent (14%), other than for mayoral academies serving students from less than  
28 four local school districts which have been approved as sending districts by the department of  
29 elementary and secondary education. Notwithstanding the foregoing, beginning with FY 2028, the  
30 reduction to the local per-pupil funding shall not exceed fourteen percent (14%).

31 (d) Local district payments to charter public schools, Davies, and the Met Center for each  
32 district's students enrolled in these schools shall be made on a quarterly basis in July, October,  
33 January, and April; however, the first local-district payment shall be made by August 15, instead  
34 of July. Failure of the community to make the local-district payment for its student(s) enrolled in a

1 charter public school, Davies, and/or the Met Center may result in the withholding of state  
2 education aid pursuant to § 16-7-31.

3 (e) Beginning in FY 2017, school districts with charter public school, Davies, and the Met  
4 Center enrollment, that, combined, comprise five percent (5%) or more of the average daily  
5 membership as defined in § 16-7-22, shall receive additional aid for a period of three (3) years. Aid  
6 in FY 2017 shall be equal to the number of charter public school, open-enrollment schools, Davies,  
7 or the Met Center students as of the reference year as defined in § 16-7-16 times a per-pupil amount  
8 of one hundred seventy-five dollars (\$175). Aid in FY 2018 shall be equal to the number of charter  
9 public school, open-enrollment schools, Davies, or the Met Center students as of the reference year  
10 as defined in § 16-7-16 times a per-pupil amount of one hundred dollars (\$100). Aid in FY 2019  
11 shall be equal to the number of charter public school, open-enrollment schools, Davies, or the Met  
12 Center students as of the reference year as defined in § 16-7-16 times a per-pupil amount of fifty  
13 dollars (\$50.00). The additional aid shall be used to offset the adjusted fixed costs retained by the  
14 districts of residence.

15 (f) [Deleted by P.L. 2023, ch. 79, art. 8, § 2.]

16 **16-7.2-9. Applicability.**

17 This chapter applies to education aid for any city, town or regional school district including  
18 the Central Falls ~~state-operated~~ school district, charter schools, the William M. Davies, Jr. Career  
19 and Technical High School, and the Metropolitan Regional Career and Technical Center.  
20 Calculation and distribution of aid under §§ 16-7-20.5, 16-7.1-6, 16-7.1-8, 16-7.1-9, 16-7.1-10, 16-  
21 7.1-11, 16-7.1-11.1, 16-7.1-12, 16-7.1-15, 16-7.1-16, 16-7.1-17, 16-7.1-18, 16-7.1-19, 16-67-4,  
22 and 16-77.1-2 is hereby suspended effective July 1, 2011, until further action by the general  
23 assembly. Aid under this chapter will be paid pursuant to § 16-7-17, except that aid to the Central  
24 Falls ~~state-operated~~ school district and charter schools, Davies, and the Met Center pursuant to §  
25 16-7.2-5 shall be paid in twelve (12) equal installments on the first of each month.

26 SECTION 5. Section 16-105-3 of the General Laws in Chapter 16-105 entitled "School  
27 Building Authority" is hereby amended to read as follows:

28 **16-105-3. Roles and responsibilities.**

29 The school building authority roles and responsibilities shall include:

- 30 (1) Management of a system with the goal of ensuring equitable and adequate school  
31 housing for all public school children in the state;
- 32 (2) Prevention of the cost of school housing from interfering with the effective operation  
33 of the schools;
- 34 (3) Management of school housing aid in accordance with statute;

1 (4) Reviewing and making recommendations to the council on elementary and secondary  
2 education on necessity of school construction applications for state school housing aid and the  
3 school building authority capital fund, based on the recommendations of the school building  
4 authority advisory board;

5 (5) Promulgating, managing, and maintaining school construction regulations, standards,  
6 and guidelines applicable to the school housing program, based on the recommendations of the  
7 school building authority advisory board, created in § 16-105-8. Said regulations shall require  
8 conformance with the minority business enterprise requirements set forth in § 37-14.1-6;

9 ~~(6) Developing a prequalification and review process for prime contractors, architects, and~~  
10 ~~engineers seeking to bid on projects in excess of ten million dollars (\$10,000,000) in total costs~~  
11 ~~subject to inflation. Notwithstanding any general laws to the contrary, a prequalification shall be~~  
12 ~~valid for a maximum of two (2) years from the date of issuance. Factors to be considered by the~~  
13 ~~school building authority in granting a prequalification to prime contractors shall include, but not~~  
14 ~~be limited to, the contractor's history of completing complex projects on time and on budget, track~~  
15 ~~record of compliance with applicable environmental and safety regulations, evidence that~~  
16 ~~completed prior projects prioritized the facility's future maintainability, and compliance with~~  
17 ~~applicable requirements for the use of women and minority owned subcontractors;~~

18 ~~(i) At least annually, a list of prequalified contractors, architects, and engineers shall be~~  
19 ~~publicly posted with all other program information;~~

20 (7) Providing technical assistance and guidance to school districts on the necessity of  
21 school construction application process;

22 (8) Providing technical advice and assistance, training, and education to cities, towns,  
23 and/or local education agencies and to general contractors, subcontractors, construction or project  
24 managers, designers and others in planning, maintenance, and establishment of school facility  
25 space;

26 (9) Developing a project priority system, based on the recommendations of the school  
27 building authority advisory board, in accordance with school construction regulations for the school  
28 building authority capital fund, subject to review and, if necessary, to be revised on intervals not to  
29 exceed five (5) years. Project priorities shall include, but not be limited to, the following order of  
30 priorities:

31 (i) Projects to replace or renovate a building that is structurally unsound or otherwise in a  
32 condition seriously jeopardizing the health and safety of school children where no alternative exists;

33 (ii) Projects needed to prevent loss of accreditation;

34 (iii) Projects needed for the replacement, renovation, or modernization of the HVAC

1 system in any schoolhouse to increase energy conservation and decrease energy-related costs in  
2 said schoolhouse;

3 (iv) Projects needed to replace or add to obsolete buildings in order to provide for a full  
4 range of programs consistent with state and approved local requirements; and

5 (v) Projects needed to comply with mandatory, instructional programs;

6 (10) Maintaining a current list of requested school projects and the priority given them;

7 (11) Collecting and maintaining readily available data on all the public school facilities in  
8 the state;

9 (12) Collecting, maintaining, and making publicly available quarterly progress reports of  
10 all ongoing school construction projects that shall include, at a minimum, the costs of the project  
11 and the time schedule of the project;

12 (13) Recommending policies and procedures designed to reduce borrowing for school  
13 construction programs at both state and local levels;

14 (14) At least every five (5) years, conducting a needs survey to ascertain the capital  
15 construction, reconstruction, maintenance, and other capital needs for schools in each district of the  
16 state, including public charter schools;

17 (15) Developing a formal enrollment projection model or using projection models already  
18 available;

19 (16) Encouraging local education agencies to investigate opportunities for the maximum  
20 utilization of space in and around the district;

21 (17) Collecting and maintaining a clearinghouse of prototypical school plans that may be  
22 consulted by eligible applicants;

23 (18) Retaining the services of consultants, as necessary, to effectuate the roles and  
24 responsibilities listed within this section;

25 (19) No district shall receive a combined total of more than twenty (20) incentive  
26 percentage points for projects that commence construction by December 30, 2023, and five (5)  
27 incentive points for projects that commence construction thereafter; provided further, these caps  
28 shall be in addition to amounts received under §§ 16-7-40(a)(1) and 16-7-40(a)(2). Furthermore, a  
29 district's share shall not be decreased by more than half of its regular share irrespective of the  
30 number of incentive points received, nor shall a district's state share increase by more than half of  
31 its regular share, including amounts received under §§ 16-7-40(a)(1) and 16-7-40(a)(2), irrespective  
32 of the number of incentive points received. Notwithstanding any provision of the general laws to  
33 the contrary, the reimbursement or aid received under this chapter or chapter 38.2 of title 45 shall  
34 not exceed one hundred percent (100%) of the sum of the total project costs plus interest costs. If

1 a two hundred and fifty million dollar (\$250,000,000) general obligation bond is approved on the  
2 November 2018 ballot, projects approved between May 1, 2015, and January 1, 2018, are eligible  
3 to receive incentive points (above and beyond what the project was awarded at the time of approval)  
4 pursuant to § 16-7-39 and § 16-7-40. Provided, however, any project approved during this time  
5 period with a project cost in excess of one million five hundred thousand dollars (\$1,500,000),  
6 which does not include an owner's program manager and a commissioning agent, shall only be  
7 eligible to receive five (5) incentive points. Incentive points awarded pursuant to the provisions of  
8 this subsection shall only be applied to reimbursements occurring on or after July 1, 2018. Any  
9 project approved between May 1, 2015, and January 1, 2018, that is withdrawn and/or resubmitted  
10 for approval shall not be eligible for any incentive points.

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

13 **16-107-6. Eligibility for scholarship.**

14 (a) Beginning with the students who enroll at the community college of Rhode Island in  
15 the fall of 2017, to be considered for the scholarship, a student:

16 (1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by  
17 the council on postsecondary education, as amended, supplemented, restated, or otherwise modified  
18 from time to time ("residency policy"); provided, that, the student must have satisfied the high  
19 school graduation/equivalency diploma condition prior to reaching nineteen (19) years of age;  
20 provided, further, that in addition to the option of meeting the requirement by receiving a high  
21 school equivalency diploma as described in the residency policy, the student can satisfy the  
22 condition by receiving other certificates or documents of equivalent nature from the state or its  
23 municipalities as recognized by applicable regulations promulgated by the council on elementary  
24 and secondary education;

25 (2) Must be admitted to, and must enroll and attend the community college of Rhode Island  
26 on a full-time basis by the semester immediately following high school graduation or the semester  
27 immediately following receipt of a high school equivalency diploma;

28 (3) Must complete the FAFSA and any required FAFSA verification, or for persons who  
29 are legally unable to complete the FAFSA must complete a comparable form created by the  
30 community college of Rhode Island, by the deadline prescribed by the community college of Rhode  
31 Island for each year in which the student seeks to receive funding under the scholarship program;

32 (4) Must continue to be enrolled on a full-time basis;

33 (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or  
34 greater, as determined by the community college of Rhode Island;

1 (6) Must remain on track to graduate on time as determined by the community college of  
2 Rhode Island;

3 (7) Must not have already received an award under this scholarship program; and

4 (8) Must commit to live, work, or continue their education in Rhode Island after graduation.

5 The community college of Rhode Island shall develop a policy that will secure this  
6 commitment from recipient students.

7 (b) Notwithstanding the eligibility requirements under subsection (a) of this section  
8 (“specified conditions”):

9 (1) In the case of a recipient student who has an approved medical or personal leave of  
10 absence or is unable to satisfy one or more specified conditions because of the student’s medical  
11 or personal circumstances, the student may continue to receive an award under the scholarship  
12 program upon resuming the student’s education so long as the student continues to meet all other  
13 applicable eligibility requirements;

14 (2) In the case of a recipient student who is a member of the national guard or a member  
15 of a reserve unit of a branch of the United States military and is unable to satisfy one or more  
16 specified conditions because the student is or will be in basic or special military training, or is or  
17 will be participating in a deployment of the student’s guard or reserve unit, the student may continue  
18 to receive an award under the scholarship program upon completion of the student’s basic or special  
19 military training or deployment; ~~and~~

20 (3) Any student with a disability, otherwise eligible for a scholarship pursuant to the  
21 provisions of this section, as of May 15, 2021, shall be entitled to access this program and shall be  
22 afforded all reasonable accommodations, as required by the ADA and the Rehabilitation Act of  
23 1973, including, but not limited to, enrolling on a part-time basis, attaining a high school  
24 diploma/GED by age twenty-one (21), and taking longer than two (2) years to graduate with an  
25 associate’s degree;

26 (4) Any student who enrolled in a postsecondary institution by the semester immediately  
27 following high school graduation or the semester immediately following receipt of a high school  
28 equivalency diploma and remained in the institution for only up to one semester may enroll and  
29 attend the community college of Rhode Island in the semester immediately following and qualify  
30 for the scholarship pursuant to this section; and

31 (5) Any student may defer initial enrollment for one semester at the community college of  
32 Rhode Island for the semester immediately following high school graduation or the semester  
33 immediately following receipt of a high school equivalency diploma with an approved written  
34 request and reason and qualifies for the scholarship pursuant to this section.

1 SECTION 7. Section 16-113-10 of the General Laws in Chapter 16-113 entitled "Rhode  
2 Island Hope Scholarship Pilot Program Act" is hereby amended to read as follows:

3 **16-113-10. Funding of and sunset of pilot program.**

4 The Rhode Island hope scholarship pilot program shall be funded from July 1, 2023,  
5 through and including June 30, ~~2030~~ 2033. There shall be no further funding of the pilot program  
6 without further action of the general assembly. Any final reports due pursuant to this chapter shall  
7 be filed pursuant to the dates set forth herein.

8 SECTION 8. Section 44-5-2 of the General Laws in Chapter 44-5 entitled "Levy and  
9 Assessment of Local Taxes" is hereby amended to read as follows:

10 **44-5-2. Maximum levy.**

11 (a) Through and including its fiscal year 2007, a city or town may levy a tax in an amount  
12 not more than five and one-half percent (5.5%) in excess of the amount levied and certified by that  
13 city or town for the prior year. Through and including its fiscal year 2007, but in no fiscal year  
14 thereafter, the amount levied by a city or town is deemed to be consistent with the five and one-  
15 half percent (5.5%) levy growth cap if the tax rate is not more than one hundred and five and one-  
16 half percent (105.5%) of the prior year's tax rate and the budget resolution or ordinance, as  
17 applicable, specifies that the tax rate is not increasing by more than five and one-half percent (5.5%)  
18 except as specified in subsection (c) of this section. In all years when a revaluation or update is not  
19 being implemented, a tax rate is deemed to be one hundred five and one-half percent (105.5%) or  
20 less of the prior year's tax rate if the tax on a parcel of real property, the value of which is unchanged  
21 for purpose of taxation, is no more than one hundred five and one-half percent (105.5%) of the  
22 prior year's tax on the same parcel of real property. In any year through and including fiscal year  
23 2007 when a revaluation or update is being implemented, the tax rate is deemed to be one hundred  
24 five and one-half percent (105.5%) of the prior year's tax rate as certified by the division of property  
25 valuation and municipal finance in the department of revenue.

26 (b) In its fiscal year 2008, a city or town may levy a tax in an amount not more than five  
27 and one-quarter percent (5.25%) in excess of the total amount levied and certified by that city or  
28 town for its fiscal year 2007. In its fiscal year 2009, a city or town may levy a tax in an amount not  
29 more than five percent (5%) in excess of the total amount levied and certified by that city or town  
30 for its fiscal year 2008. In its fiscal year 2010, a city or town may levy a tax in an amount not more  
31 than four and three-quarters percent (4.75%) in excess of the total amount levied and certified by  
32 that city or town in its fiscal year 2009. In its fiscal year 2011, a city or town may levy a tax in an  
33 amount not more than four and one-half percent (4.5%) in excess of the total amount levied and  
34 certified by that city or town in its fiscal year 2010. In its fiscal year 2012, a city or town may levy

1 a tax in an amount not more than four and one-quarter percent (4.25%) in excess of the total amount  
2 levied and certified by that city or town in its fiscal year 2011. In its fiscal year 2013 and in each  
3 fiscal year thereafter, a city or town may levy a tax in an amount not more than four percent (4%)  
4 in excess of the total amount levied and certified by that city or town for its previous fiscal year.  
5 For purposes of this levy calculation, taxes levied pursuant to chapters 34 and 34.1 of this title shall  
6 not be included. For FY 2018, in the event that a city or town, solely as a result of the exclusion of  
7 the motor vehicle tax in the new levy calculation, exceeds the property tax cap when compared to  
8 FY 2017 after taking into account that there was a motor vehicle tax in FY 2017, said city or town  
9 shall be permitted to exceed the property tax cap for the FY 2018 transition year, but in no event  
10 shall it exceed the four percent (4%) levy cap growth with the car tax portion included; provided,  
11 however, nothing herein shall prohibit a city or town from exceeding the property tax cap if  
12 otherwise permitted pursuant to subsection (d) of this section.

13 (c) The division of property valuation in the department of revenue shall monitor city and  
14 town compliance with this levy cap, issue periodic reports to the general assembly on compliance,  
15 and make recommendations on the continuation or modification of the levy cap on or before  
16 December 31, 1987, December 31, 1990, and December 31, every third year thereafter. The chief  
17 elected official in each city and town shall provide to the division of property and municipal finance  
18 within thirty (30) days of final action, in the form required, the adopted tax levy and rate and other  
19 pertinent information.

20 (d) The amount levied by a city or town may exceed the percentage increase as specified  
21 in subsection (a) or (b) of this section if the city or town qualifies under one or more of the following  
22 provisions:

23 (1) The city or town forecasts or experiences a loss in total non-property tax revenues and  
24 the loss is certified by the department of revenue.

25 (2) The city or town experiences or anticipates an emergency situation, which causes or  
26 will cause the levy to exceed the percentage increase as specified in subsection (a) or (b) of this  
27 section. In the event of an emergency or an anticipated emergency, the city or town shall notify the  
28 auditor general who shall certify the existence or anticipated existence of the emergency. Without  
29 limiting the generality of the foregoing, an emergency shall be deemed to exist when the city or  
30 town experiences or anticipates health insurance costs, retirement contributions, or utility  
31 expenditures that exceed the prior fiscal year's health insurance costs, retirement contributions, or  
32 utility expenditures by a percentage greater than three (3) times the percentage increase as specified  
33 in subsection (a) or (b) of this section.

34 (3) A city or town forecasts or experiences debt services expenditures that exceed the prior

1 year's debt service expenditures by an amount greater than the percentage increase as specified in  
2 subsection (a) or (b) of this section and that are the result of bonded debt issued in a manner  
3 consistent with general law or a special act. In the event of the debt service increase, the city or  
4 town shall notify the department of revenue which shall certify the debt service increase above the  
5 percentage increase as specified in subsection (a) or (b) of this section the prior year's debt service.  
6 No action approving or disapproving exceeding a levy cap under the provisions of this section  
7 affects the requirement to pay obligations as described in subsection (d) of this section.

8 (4) The city or town experiences substantial growth in its tax base as the result of major  
9 new construction that necessitates either significant infrastructure or school housing expenditures  
10 by the city or town or a significant increase in the need for essential municipal services and such  
11 increase in expenditures or demand for services is certified by the department of revenue.

12 (5) In the city of Providence, for fiscal year 2026, any additional revenue generated from  
13 the Class 2B rate exceeding twenty-eight dollars and eighty cents (\$28.80) per one thousand dollars  
14 (\$1,000) may exceed the maximum levy. For the purposes of this subsection, "Class 2A" and "Class  
15 2B" shall have the same meaning as in § 44-5-11.18(1)(ii).

16 (6) Effective for tax assessment dated on or after December 31, 2025, and subject to all  
17 requirements set forth in this section, the taxes levied on new housing units added to the municipal  
18 tax base during a fiscal year may exceed the maximum levy. For the purposes of this subsection,  
19 subject to the qualifying requirements below, new housing units shall include newly constructed  
20 residential properties, meaning single-family homes, two-family homes, single-family attached  
21 structures, multi-family dwellings, mixed-use developments where residential units constitute at  
22 least fifty percent (50%) of the building's total square footage as well as existing buildings  
23 converted into residential housing units qualifying under adaptive reuse in § 45-24-37; provided  
24 such conversions meet all applicable zoning and building code requirements and increase the  
25 municipality's total housing stock. New construction shall also include modular and manufactured  
26 homes. This provision shall apply provided that:

27 (i) A city or town has issued over ten (10) certificates of occupancy for new housing units  
28 during the fiscal year in which the exemption is sought; and

29 (ii) Such units are part of a development project that includes at least ten percent (10%) of  
30 the units designated as low- or moderate-income housing as defined in §§ 45-53-3 and 42-128-8.1;  
31 and

32 (iii) Such units are taxed utilizing the same valuation methods and rates as similar units in  
33 the respective city or town; and

34 (iv) The taxes levied on these qualifying new housing units may only exceed the maximum

1 levy for the fiscal year in which the certificate of occupancy is issued and two (2) fiscal years  
2 thereafter in which the municipality shall phase in the full taxes for these units into the maximum  
3 levy by the fourth fiscal year following the issuance of a certificate of occupancy for the new  
4 housing unit(s).

5 (e) Any levy pursuant to subsection (d) of this section in excess of the percentage increase  
6 specified in subsection (a) or (b) of this section shall be approved by the affirmative vote of at least  
7 four-fifths ( $\frac{4}{5}$ ) of the full membership of the governing body of the city or town, or in the case of a  
8 city or town having a financial town meeting, the majority of the electors present and voting at the  
9 town financial meeting shall also approve the excess levy.

10 (f) Nothing contained in this section constrains the payment of present or future obligations  
11 as prescribed by § 45-12-1, and all taxable property in each city or town is subject to taxation  
12 without limitation as to rate or amount to pay general obligation bonds or notes of the city or town  
13 except as otherwise specifically provided by law or charter.

14 (g) Notwithstanding anything to the contrary, the town of Little Compton is permitted a  
15 one-year levy cap exemption for fiscal year 2026 not to exceed twelve percent (12%), and subject  
16 to approval by the Little Compton Financial Town Meeting.

17 (h) Notwithstanding anything to the contrary, the City of Providence is permitted a one-  
18 year levy cap exemption for fiscal year 2026 not to exceed eight percent (8%).

19 (i) Notwithstanding anything to the contrary, the city of Central Falls, in fiscal years 2027  
20 and thereafter, may levy an amount in excess of the percentage increase as specified in subsection  
21 (a) or (b) of this section if it requires additional revenue to fulfill its obligation to contribute the  
22 amount required by § 16-7-23.3 and such need is certified by the department of revenue.

23 SECTION 9. Section 45-38.2-2 of the General Laws in Chapter 45-38.2 entitled "School  
24 Building Authority Capital Fund" is hereby amended to read as follows:

25 **45-38.2-2. School building authority capital fund.**

26 (a) There is hereby established a school building authority capital fund. The corporation  
27 shall establish and set up on its books the fund, to be held in trust and to be administered by the  
28 corporation as provided in this chapter. This fund shall be in addition to the annual appropriation  
29 for committed expenses related to the repayment of housing aid commitments. The corporation  
30 shall deposit the following monies into the fund:

31 ~~(1) The difference between the annual housing aid appropriation and housing aid~~  
32 ~~commitment amounts appropriated or designated to the corporation by the state for the purposes of~~  
33 ~~the foundation program for school housing; provided that for FY 2019 and FY 2020 that amount~~  
34 ~~shall be used for technical assistance to districts pursuant to § 16-105-3(7);~~

1           (2) Loan repayments, bond refinance interest savings, and other payments received by the  
2 corporation pursuant to loan or financing agreements with cities, towns, or local education agencies  
3 executed in accordance with this chapter;

4           (3) Investment earnings on amounts credited to the fund;

5           (4) Proceeds of bonds of the corporation issued in connection with this chapter to the extent  
6 required by any trust agreement for such bonds;

7           (5) Administrative fees levied by the corporation, with respect to financial assistance  
8 rendered under this chapter and specified in § 45-38.2-3(a)(4), less operating expenses;

9           (6) Other amounts required by provisions of this chapter or agreement, or any other law or  
10 any trust agreement pertaining to bonds to be credited to the fund; and

11          (7) Any other funds permitted by law which the corporation in its discretion shall determine  
12 to credit thereto.

13          (b) The corporation shall establish and maintain fiscal controls and accounting procedures  
14 conforming to generally accepted government accounting standards sufficient to ensure proper  
15 accounting for receipts in and disbursements from the school building authority capital fund.

16          (c) The school building authority shall establish and maintain internal controls to ensure  
17 that local education agencies are providing adequate asset protection plans, all local education  
18 agencies have equal access and opportunity to address facility improvements on a priority basis,  
19 and to ensure that funding from the school building authority capital fund has the greatest impact  
20 on facility gaps in state priority areas. The school building authority will also manage necessity of  
21 school construction approvals in accordance with the funding levels set forth by the general  
22 assembly.

23          SECTION 10. This article shall take effect upon passage, except sections 3, 4 and 5 which  
24 shall be effective July 1, 2026 and except Section 9 which shall take effect retroactively as of July  
25 1, 2025.

## ARTICLE 8

### RELATING TO MEDICAL ASSISTANCE

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

(a) There is imposed a hospital licensing fee described in subsections (c) through (f) for state fiscal years 2024 and 2025 against net patient-services revenue of every non-government owned hospital as defined herein for the hospital's first fiscal year ending on or after January 1, 2022. The hospital licensing fee shall have three (3) tiers with differing fees based on inpatient and outpatient net patient-services revenue. The executive office of health and human services, in consultation with the tax administrator, shall identify the hospitals in each tier, subject to the definitions in this section, by July 15, 2023, and shall notify each hospital of its tier by August 1, 2023.

(b) There is also imposed a hospital licensing fee described in subsections (c) through (f) for state fiscal ~~year~~ years 2026 and 2027 against net patient-services revenue of every non-government owned hospital as defined herein for the hospital's first fiscal year ending on or after January 1, 2023. The hospital licensing fee shall have three (3) tiers with differing fees based on inpatient and outpatient net patient-services revenue. The executive office of health and human services, in consultation with the tax administrator, shall identify the hospitals in each tier, subject to the definitions in this section, annually by July 15, ~~2025~~, and shall notify each hospital of its assigned tier by August 1, ~~2025~~.

(c) Tier 1 is composed of hospitals that do not meet the description of either Tier 2 or Tier 3.

(1) The inpatient hospital licensing fee for Tier 1 is equal to thirteen and twelve hundredths percent (13.12%) of the inpatient net patient-services revenue derived from inpatient net patient-services revenue of every Tier 1 hospital.

(2) The outpatient hospital licensing fee for Tier 1 is equal to thirteen and thirty hundredths percent (13.30%) of the net patient-services revenue derived from outpatient net patient-services revenue of every Tier 1 hospital.

(d) Tier 2 is composed of high Medicaid/uninsured cost hospitals and independent hospitals.

1 (1) The inpatient hospital licensing fee for Tier 2 is equal to two and sixty-three hundredths  
2 percent (2.63%) of the inpatient net patient-services revenue derived from inpatient net patient-  
3 services revenue of every Tier 2 hospital.

4 (2) The outpatient hospital licensing fee for Tier 2 is equal to two and sixty-six hundredths  
5 percent (2.66%) of the outpatient net patient-services revenue derived from outpatient net patient-  
6 services revenue of every Tier 2 hospital.

7 (e) Tier 3 is composed of hospitals that are Medicare-designated low-volume hospitals and  
8 rehabilitative hospitals.

9 (1) The inpatient hospital licensing fee for Tier 3 is equal to one and thirty-one hundredths  
10 percent (1.31%) of the inpatient net patient-services revenue derived from inpatient net patient-  
11 services revenue of every Tier 3 hospital.

12 (2) The outpatient hospital licensing fee for Tier 3 is equal to one and thirty-three  
13 hundredths percent (1.33%) of the outpatient net patient-services revenue derived from outpatient  
14 net patient-services revenue of every Tier 3 hospital.

15 (f) There is also imposed a hospital licensing fee for state fiscal year 2024 against state-  
16 government owned and operated hospitals in the state as defined herein. The hospital licensing fee  
17 is equal to five and twenty-five hundredths percent (5.25%) of the net patient-services revenue of  
18 every hospital for the hospital's first fiscal year ending on or after January 1, 2022. There is also  
19 imposed a hospital licensing fee for state fiscal years 2025, ~~and 2026,~~ and 2027 against state-  
20 government owned and operated hospitals in the state as defined herein equal to five and twenty-  
21 five hundredths percent (5.25%) of the net patient-services revenue of every hospital for the  
22 hospital's first fiscal year ending on or after January 1, 2023.

23 (g) The hospital licensing fee described in subsections (b) through (f) is subject to U.S.  
24 Department of Health and Human Services approval of a request to waive the requirement that  
25 healthcare-related taxes be imposed uniformly as contained in 42 C.F.R. § 433.68(d).

26 (h) This hospital licensing fee shall be administered and collected by the tax administrator,  
27 division of taxation within the department of revenue, and all the administration, collection, and  
28 other provisions of chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to  
29 the tax administrator before June 25 of each fiscal year, and payments shall be made by electronic  
30 transfer of monies to the tax administrator and deposited to the general fund. Every hospital shall,  
31 on or before August 1 of each fiscal year, make a return to the tax administrator containing the  
32 correct computation of inpatient and outpatient net patient-services revenue for the hospital data  
33 referenced in ~~subsection (a) and/or (b)~~ this section, and the licensing fee due upon that amount. All  
34 returns shall be signed by the hospital's authorized representative, subject to the pains and penalties

1 of perjury.

2 (i) For purposes of this section the following words and phrases have the following  
3 meanings:

4 (1) "Gross patient-services revenue" means the gross revenue related to patient care  
5 services.

6 (2) "High Medicaid/uninsured cost hospital" means a hospital for which the hospital's total  
7 uncompensated care, as calculated pursuant to § 40-8.3-2(4), divided by the hospital's total net  
8 patient-services revenues, is equal to six percent (6.0%) or greater.

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

25 (4) "Independent hospitals" means a hospital not part of a multi-hospital system.

26 (5) "Inpatient net patient-services revenue" means the charges related to inpatient care  
27 services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual  
28 allowances.

29 (6) "Medicare-designated low-volume hospital" means a hospital that qualifies under 42  
30 C.F.R. 412.101(b)(2) for additional Medicare payments to qualifying hospitals for the higher  
31 incremental costs associated with a low volume of discharges.

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

34 (8) "Non-government owned hospitals" means a hospital not owned and operated by the

1 state of Rhode Island.

2 (9) "Outpatient net patient-services revenue" means the charges related to outpatient care  
3 services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual  
4 allowances.

5 (10) "Rehabilitative hospital" means Rehabilitation Hospital Center licensed by the Rhode  
6 Island department of health.

7 (11) "State-government owned and operated hospitals" means a hospital facility licensed  
8 by the Rhode Island department of health, owned and operated by the state of Rhode Island.

9 (j) The tax administrator in consultation with the executive office of health and human  
10 services shall make and promulgate any rules, regulations, and procedures not inconsistent with  
11 state law and fiscal procedures that he or she deems necessary for the proper administration of this  
12 section and to carry out the provisions, policy, and purposes of this section.

13 (k) The licensing fee imposed by subsections (a) through (f) shall apply to hospitals as  
14 defined herein that are duly licensed on July 1, 2024, and shall be in addition to the inspection fee  
15 imposed by § 23-17-38 and to any licensing fees previously imposed in accordance with this  
16 section.

17 SECTION 2. Sections 40-8.3-2 and 40-8.3-3 of the General Laws in Chapter 40-8.3 entitled  
18 "Uncompensated Care" are hereby amended to read as follows:

19 **40-8.3-2. Definitions.**

20 As used in this chapter:

21 (1) "Base year" means, for the purpose of calculating a disproportionate share payment for  
22 any fiscal year ending after September 30, ~~2024~~2025, the period from October 1, ~~2022~~2023,  
23 through September 30, ~~2023~~2024, and for any fiscal year ending after September 30, ~~2025~~2026,  
24 the period from October 1, ~~2023~~2024, through September 30, ~~2024~~2025.

25 (2) "Medicaid inpatient utilization rate for a hospital" means a fraction (expressed as a  
26 percentage), the numerator of which is the hospital's number of inpatient days during the base year  
27 attributable to patients who were eligible for medical assistance during the base year and the  
28 denominator of which is the total number of the hospital's inpatient days in the base year.

29 (3) "Participating hospital" means any nonpsychiatric hospital that:

30 (i) Was licensed as a hospital in accordance with chapter 17 of title 23 during the base year  
31 and shall mean the actual facilities and buildings in existence in Rhode Island, licensed pursuant to  
32 § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless  
33 of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital conversions) and § 23-  
34 17-6(b) (change in effective control), that provides acute inpatient and/or outpatient care to persons

1 who require definitive diagnosis and treatment for injury, illness, disabilities, or pregnancy.  
2 Notwithstanding the preceding language, the negotiated Medicaid managed care payment rates for  
3 a court-approved purchaser that acquires a hospital through receivership, special mastership, or  
4 other similar state insolvency proceedings (which court-approved purchaser is issued a hospital  
5 license after January 1, 2013), shall be based upon the newly negotiated rates between the court-  
6 approved purchaser and the health plan, and the rates shall be effective as of the date that the court-  
7 approved purchaser and the health plan execute the initial agreement containing the newly  
8 negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient  
9 hospital payments set forth in §§ 40-8-13.4(b)(1)(ii)(C) and 40-8-13.4(b)(2), respectively, shall  
10 thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1  
11 following the completion of the first full year of the court-approved purchaser's initial Medicaid  
12 managed care contract;

13 (ii) Achieved a medical assistance inpatient utilization rate of at least one percent (1%)  
14 during the base year; and

15 (iii) Continues to be licensed as a hospital in accordance with chapter 17 of title 23 during  
16 the payment year.

17 (4) "Uncompensated-care costs" means, as to any hospital, the sum of: (i) The cost incurred  
18 by the hospital during the base year for inpatient or outpatient services attributable to charity care  
19 (free care and bad debts) for which the patient has no health insurance or other third-party coverage  
20 less payments, if any, received directly from such patients; (ii) The cost incurred by the hospital  
21 during the base year for inpatient or outpatient services attributable to Medicaid beneficiaries less  
22 any Medicaid reimbursement received therefor; and (iii) the sum of subsections (4)(i) and (4)(ii) of  
23 this section shall be offset by the estimated hospital's commercial equivalent rates state directed  
24 payment for the current SFY in which the disproportionate share hospital (DSH) payment is made.  
25 The sum of subsections (4)(i), (4)(ii), and (4)(iii) of this section shall be multiplied by the  
26 uncompensated care index.

27 (5) "Uncompensated-care index" means the annual percentage increase for hospitals  
28 established pursuant to § 27-19-14 [repealed] for each year after the base year, up to and including  
29 the payment year; provided, however, that the uncompensated-care index for the payment year  
30 ending September 30, 2007, shall be deemed to be five and thirty-eight hundredths percent (5.38%),  
31 and that the uncompensated-care index for the payment year ending September 30, 2008, shall be  
32 deemed to be five and forty-seven hundredths percent (5.47%), and that the uncompensated-care  
33 index for the payment year ending September 30, 2009, shall be deemed to be five and thirty-eight  
34 hundredths percent (5.38%), and that the uncompensated-care index for the payment years ending

1 September 30, 2010, September 30, 2011, September 30, 2012, September 30, 2013, September  
2 30, 2014, September 30, 2015, September 30, 2016, September 30, 2017, September 30, 2018,  
3 September 30, 2019, September 30, 2020, September 30, 2021, September 30, 2022, September  
4 30, 2023, September 30, 2024, September 30, 2025, ~~and~~ September 30, 2026, and September 30,  
5 2027 shall be deemed to be five and thirty hundredths percent (5.30%).

6 **40-8.3-3. Implementation.**

7 ~~(a) For federal fiscal year 2024, commencing on October 1, 2023, and ending September~~  
8 ~~30, 2024, the executive office of health and human services shall submit to the Secretary of the~~  
9 ~~United States Department of Health and Human Services a state plan amendment to the Rhode~~  
10 ~~Island Medicaid DSH Plan to provide:~~

11 ~~(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of~~  
12 ~~\$14.8 million, shall be allocated by the executive office of health and human services to the Pool~~  
13 ~~D component of the DSH Plan; and~~

14 ~~(2) That the Pool D allotment shall be distributed among the participating hospitals in direct~~  
15 ~~proportion to the individual participating hospital's uncompensated care costs for the base year,~~  
16 ~~inflated by the uncompensated care index to the total uncompensated care costs for the base year~~  
17 ~~inflated by the uncompensated care index for all participating hospitals. The disproportionate share~~  
18 ~~payments shall be made on or before June 30, 2024, and are expressly conditioned upon approval~~  
19 ~~on or before June 23, 2024, by the Secretary of the United States Department of Health and Human~~  
20 ~~Services, or their authorized representative, of all Medicaid state plan amendments necessary to~~  
21 ~~secure for the state the benefit of federal financial participation in federal fiscal year 2024 for the~~  
22 ~~disproportionate share payments.~~

23 ~~(b)~~(a) For federal fiscal year 2025, commencing on October 1, 2024, and ending on  
24 September 30, 2025, the executive office of health and human services shall submit to the Secretary  
25 of the United States Department of Health and Human Services a state plan amendment to the  
26 Rhode Island Medicaid DSH plan to provide:

27 (1) The creation of Pool C which allots no more than twelve million nine hundred thousand  
28 dollars (\$12,900,000) to Medicaid eligible government-owned hospitals;

29 (2) That the DSH plan to all participating hospitals, not to exceed an aggregate limit of  
30 \$27.7 million, shall be allocated by the executive office of health and human services to the Pool  
31 C and D components of the DSH plan;

32 (3) That the Pool D allotment shall be distributed among the participating hospitals in direct  
33 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
34 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year

1 inflated by the uncompensated-care index of all participating hospitals. The disproportionate share  
2 payments shall be made on or before June 30, 2025, and are expressly conditioned upon approval  
3 on or before June 23, 2025, by the Secretary of the United States Department of Health and Human  
4 Services, or their authorized representative, of all Medicaid state plan amendments necessary to  
5 secure for the state the benefit of federal financial participation in federal fiscal year 2025 for the  
6 disproportionate share payments; and

7 (4) That the Pool C allotment shall be distributed among the participating hospitals in direct  
8 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
9 inflated by the uncompensated-care index to the total uncompensated-care cost for the base year  
10 inflated by the uncompensated-care index of all participating hospitals. The disproportionate share  
11 payments shall be made on or before June 30, 2025, and are expressly conditioned upon approval  
12 on or before June 23, 2025, by the Secretary of the United States Department of Health and Human  
13 Services, or their authorized representative, of all Medicaid state plan amendments necessary to  
14 secure for the state the benefit of federal financial participation in federal fiscal year 2025 for the  
15 disproportionate share payments.

16 ~~(e)~~(b) For federal fiscal year 2026, commencing on October 1, 2025, and ending on  
17 September 30, 2026, the executive office of health and human services shall submit to the Secretary  
18 of the United States Department of Health and Human Services a state plan amendment to the  
19 Rhode Island Medicaid DSH plan to provide:

20 (1) That the DSH plan to all participating hospitals, not to exceed an aggregate limit of  
21 \$13.9 million, shall be allocated by the executive office of health and human services to the Pool  
22 C and D components of the DSH plan. Pool C shall not exceed an aggregate limit of \$12.9 million.  
23 Pool D shall not exceed an aggregate limit of \$1.0 million;

24 (2) That the Pool C allotment shall be distributed among the participating hospitals in direct  
25 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
26 inflated by the uncompensated-care index to the total uncompensated-care cost for the base year  
27 inflated by the uncompensated-care index of all participating hospitals. The disproportionate share  
28 payments shall be made on or before June 30, 2026, and are expressly conditioned upon approval  
29 on or before June 23, 2026, by the Secretary of the United States Department of Health and Human  
30 Services, or their authorized representative, of all Medicaid state plan amendments necessary to  
31 secure for the state the benefit of federal financial participation in federal fiscal year 2026 for the  
32 disproportionate share payments; and

33 (3) That the Pool D allotment shall be distributed among the participating hospitals in direct  
34 proportion to the individual participating hospital's uncompensated-care costs for the base year,

1 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
2 inflated by the uncompensated-care index of all participating hospitals. The disproportionate share  
3 payments shall be made on or before June 30, 2026, and are expressly conditioned upon approval  
4 on or before June 23, 2026, by the Secretary of the United States Department of Health and Human  
5 Services, or their authorized representative, of all Medicaid state plan amendments necessary to  
6 secure for the state the benefit of federal financial participation in federal fiscal year 2026 for the  
7 disproportionate share payments.

8 (c) For federal fiscal year 2027, commencing on October 1, 2026, and ending on September  
9 30, 2027, the DSH plan for all participating hospitals shall not exceed an aggregate limit of thirty-  
10 eight million nine hundred thousand dollars (\$38,900,000) and shall be allocated by the executive  
11 office of health and human services to the Pool C and D components of the DSH plan. The Pool C  
12 component of the DSH plan shall not exceed an aggregate limit of twelve million nine hundred  
13 thousand dollars (\$12,900,000). The Pool D component of the DSH plan shall not exceed an  
14 aggregate limit of twenty-six million dollars (\$26,000,000).

15 (1) The Pool C allotment shall be distributed among the participating hospitals in direct  
16 proportion to each individual participating hospital's uncompensated-care costs for the base year,  
17 inflated by the uncompensated-care index as described in § 40-8.3-2(5). The DSH payments shall  
18 be made on or before June 30, 2027; and,

19 (2) The Pool D allotment shall be distributed among the participating hospitals in direct  
20 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
21 inflated by the uncompensated-care index as described in § 40-8.3-2(5). The disproportionate share  
22 payments shall be made on or before June 30, 2027.

23 (d) No provision is made pursuant to this chapter for disproportionate-share hospital  
24 payments to participating hospitals for uncompensated-care costs related to graduate medical  
25 education programs.

26 (e) The executive office of health and human services is directed, on at least a monthly  
27 basis, to collect patient-level uninsured information, including, but not limited to, demographics,  
28 services rendered, and reason for uninsured status from all hospitals licensed in Rhode Island.

29 (f) [Deleted by P.L. 2019, ch. 88, art. 13, § 6.]

30 SECTION 3. Section 40-8.9-9 of the General Laws in Chapter 40-8.9 entitled "Medical  
31 Assistance — Long-Term Care Service and Finance Reform" is hereby amended to read as follows:

32 **40-8.9-9. Long-term-care rebalancing system reform goal.**

33 (a) Notwithstanding any other provision of state law, the executive office of health and  
34 human services is authorized and directed to apply for, and obtain, any necessary waiver(s), waiver

1 amendment(s), and/or state-plan amendments from the Secretary of the United States Department  
2 of Health and Human Services, and to promulgate rules necessary to adopt an affirmative plan of  
3 program design and implementation that addresses the goal of allocating a minimum of fifty percent  
4 (50%) of Medicaid long-term-care funding for persons aged sixty-five (65) and over and adults  
5 with disabilities, in addition to services for persons with developmental disabilities, to home- and  
6 community-based care; provided, further, the executive office shall report annually as part of its  
7 budget submission, the percentage distribution between institutional care and home- and  
8 community-based care by population and shall report current and projected waiting lists for long-  
9 term-care and home- and community-based care services. The executive office is further authorized  
10 and directed to prioritize investments in home- and community-based care and to maintain the  
11 integrity and financial viability of all current long-term-care services while pursuing this goal.

12 (b) The reformed long-term-care system rebalancing goal is person-centered and  
13 encourages individual self-determination, family involvement, interagency collaboration, and  
14 individual choice through the provision of highly specialized and individually tailored home-based  
15 services. Additionally, individuals with severe behavioral, physical, or developmental disabilities  
16 must have the opportunity to live safe and healthful lives through access to a wide range of  
17 supportive services in an array of community-based settings, regardless of the complexity of their  
18 medical condition, the severity of their disability, or the challenges of their behavior. Delivery of  
19 services and supports in less-costly and less-restrictive community settings will enable children,  
20 adolescents, and adults to be able to curtail, delay, or avoid lengthy stays in long-term-care  
21 institutions, such as behavioral health residential-treatment facilities, long-term-care hospitals,  
22 intermediate-care facilities, and/or skilled nursing facilities.

23 (c) Pursuant to federal authority procured under § 42-7.2-16, the executive office of health  
24 and human services is directed and authorized to adopt a tiered set of criteria to be used to determine  
25 eligibility for services. The criteria shall be developed in collaboration with the state's health and  
26 human services departments and, to the extent feasible, any consumer group, advisory board, or  
27 other entity designated for these purposes, and shall encompass eligibility determinations for long-  
28 term-care services in nursing facilities, hospitals, and intermediate-care facilities for persons with  
29 intellectual disabilities, as well as home- and community-based alternatives, and shall provide a  
30 common standard of income eligibility for both institutional and home- and community-based care.  
31 The executive office is authorized to adopt clinical and/or functional criteria for admission to a  
32 nursing facility, hospital, or intermediate-care facility for persons with intellectual disabilities that  
33 are more stringent than those employed for access to home- and community-based services. The  
34 executive office is also authorized to promulgate rules that define the frequency of re-assessments

1 for services provided for under this section. Levels of care may be applied in accordance with the  
2 following:

3 (1) The executive office shall continue to apply the level-of-care criteria in effect on April  
4 1, 2021, for any recipient determined eligible for and receiving Medicaid-funded long-term services  
5 and supports in a nursing facility, hospital, or intermediate-care facility for persons with intellectual  
6 disabilities on or before that date, unless:

7 (i) The recipient transitions to home- and community-based services because he or she  
8 would no longer meet the level-of-care criteria in effect on April 1, 2021; or

9 (ii) The recipient chooses home- and community-based services over the nursing facility,  
10 hospital, or intermediate-care facility for persons with intellectual disabilities. For the purposes of  
11 this section, a failed community placement, as defined in regulations promulgated by the executive  
12 office, shall be considered a condition of clinical eligibility for the highest level of care. The  
13 executive office shall confer with the long-term-care ombudsperson with respect to the  
14 determination of a failed placement under the ombudsperson's jurisdiction. Should any Medicaid  
15 recipient eligible for a nursing facility, hospital, or intermediate-care facility for persons with  
16 intellectual disabilities as of April 1, 2021, receive a determination of a failed community  
17 placement, the recipient shall have access to the highest level of care; furthermore, a recipient who  
18 has experienced a failed community placement shall be transitioned back into their former nursing  
19 home, hospital, or intermediate-care facility for persons with intellectual disabilities whenever  
20 possible. Additionally, residents shall only be moved from a nursing home, hospital, or  
21 intermediate-care facility for persons with intellectual disabilities in a manner consistent with  
22 applicable state and federal laws.

23 (2) Any Medicaid recipient eligible for the highest level of care who voluntarily leaves a  
24 nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities shall  
25 not be subject to any wait list for home- and community-based services.

26 (3) No nursing home, hospital, or intermediate-care facility for persons with intellectual  
27 disabilities shall be denied payment for services rendered to a Medicaid recipient on the grounds  
28 that the recipient does not meet level-of-care criteria unless and until the executive office has:

29 (i) Performed an individual assessment of the recipient at issue and provided written notice  
30 to the nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities  
31 that the recipient does not meet level-of-care criteria; and

32 (ii) The recipient has either appealed that level-of-care determination and been  
33 unsuccessful, or any appeal period available to the recipient regarding that level-of-care  
34 determination has expired.

1 (d) The executive office is further authorized to consolidate all home- and community-  
2 based services currently provided pursuant to 42 U.S.C. § 1396n into a single system of home- and  
3 community-based services that include options for consumer direction and shared living. The  
4 resulting single home- and community-based services system shall replace and supersede all 42  
5 U.S.C. § 1396n programs when fully implemented. Notwithstanding the foregoing, the resulting  
6 single program home- and community-based services system shall include the continued funding  
7 of assisted-living services at any assisted-living facility financed by the Rhode Island housing and  
8 mortgage finance corporation prior to January 1, 2006, and shall be in accordance with chapter 66.8  
9 of title 42 as long as assisted-living services are a covered Medicaid benefit.

10 (e) The executive office is authorized to promulgate rules that permit certain optional  
11 services including, but not limited to, homemaker services, home modifications, respite, and  
12 physical therapy evaluations to be offered to persons at risk for Medicaid-funded long-term care  
13 subject to availability of state-appropriated funding for these purposes.

14 (f) To promote the expansion of home- and community-based service capacity, the  
15 executive office is authorized to pursue payment methodology reforms that increase access to  
16 homemaker, personal care (home health aide), assisted living, adult supportive-care homes, and  
17 adult day services, as follows:

18 (1) Development of revised or new Medicaid certification standards that increase access to  
19 service specialization and scheduling accommodations by using payment strategies designed to  
20 achieve specific quality and health outcomes.

21 (2) Development of Medicaid certification standards for state-authorized providers of adult  
22 day services, excluding providers of services authorized under § 40.1-24-1(3), assisted living, and  
23 adult supportive care (as defined under chapter 17.24 of title 23) that establish for each, an acuity-  
24 based, tiered service and payment methodology tied to: licensure authority; level of beneficiary  
25 needs; the scope of services and supports provided; and specific quality and outcome measures.

26 The standards for adult day services for persons eligible for Medicaid-funded long-term  
27 services may differ from those who do not meet the clinical/functional criteria set forth in § 40-  
28 8.10-3.

29 (3) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term  
30 services and supports in home- and community-based settings, the demand for home-care workers  
31 has increased, and wages for these workers has not kept pace with neighboring states, leading to  
32 high turnover and vacancy rates in the state's home-care industry, the executive office shall institute  
33 a one-time increase in the base-payment rates for FY 2019, as described below, for home-care  
34 service providers to promote increased access to and an adequate supply of highly trained home-

1 healthcare professionals, in amount to be determined by the appropriations process, for the purpose  
2 of raising wages for personal care attendants and home health aides to be implemented by such  
3 providers.

4 (i) A prospective base adjustment, effective not later than July 1, 2018, of ten percent (10%)  
5 of the current base rate for home-care providers, home nursing care providers, and hospice  
6 providers contracted with the executive office of health and human services and its subordinate  
7 agencies to deliver Medicaid fee-for-service personal care attendant services.

8 (ii) A prospective base adjustment, effective not later than July 1, 2018, of twenty percent  
9 (20%) of the current base rate for home-care providers, home nursing care providers, and hospice  
10 providers contracted with the executive office of health and human services and its subordinate  
11 agencies to deliver Medicaid fee-for-service skilled nursing and therapeutic services and hospice  
12 care.

13 (iii) Effective upon passage of this section, hospice provider reimbursement, exclusively  
14 for room and board expenses for individuals residing in a skilled nursing facility, shall revert to the  
15 rate methodology in effect on June 30, 2018, and these room and board expenses shall be exempted  
16 from any and all annual rate increases to hospice providers as provided for in this section.

17 (iv) On the first of July in each year, beginning on July 1, 2019, the executive office of  
18 health and human services will initiate an annual inflation increase to the base rate for home-care  
19 providers, home nursing care providers, and hospice providers contracted with the executive office  
20 and its subordinate agencies to deliver Medicaid fee-for-service personal care attendant services,  
21 skilled nursing and therapeutic services and hospice care. The base rate increase shall be a  
22 percentage amount equal to the New England Consumer Price Index card as determined by the  
23 United States Department of Labor for medical care and for compliance with all federal and state  
24 laws, regulations, and rules, and all national accreditation program requirements, except as of July  
25 1, 2025, and thereafter, when no annual inflation increase shall occur for these rates.

26 (g) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term  
27 services and supports in home- and community-based settings, the demand for home-care workers  
28 has increased, and wages for these workers has not kept pace with neighboring states, leading to  
29 high turnover and vacancy rates in the state's home-care industry. To promote increased access to  
30 and an adequate supply of direct-care workers, the executive office shall institute a payment  
31 methodology change, in Medicaid fee-for-service and managed care, for FY 2022, that shall be  
32 passed through directly to the direct-care workers' wages who are employed by home nursing care  
33 and home-care providers licensed by the Rhode Island department of health, as described below:

34 (1) Effective July 1, 2021, increase the existing shift differential modifier by \$0.19 per

1 fifteen (15) minutes for personal care and combined personal care/homemaker.

2 (i) Employers must pass on one hundred percent (100%) of the shift differential modifier  
3 increase per fifteen-minute (15) unit of service to the CNAs who rendered such services. This  
4 compensation shall be provided in addition to the rate of compensation that the employee was  
5 receiving as of June 30, 2021. For an employee hired after June 30, 2021, the agency shall use not  
6 less than the lowest compensation paid to an employee of similar functions and duties as of June  
7 30, 2021, as the base compensation to which the increase is applied.

8 (ii) Employers must provide to EOHHS an annual compliance statement showing wages  
9 as of June 30, 2021, amounts received from the increases outlined herein, and compliance with this  
10 section by July 1, 2022. EOHHS may adopt any additional necessary regulations and processes to  
11 oversee this subsection.

12 (2) Effective January 1, 2022, establish a new behavioral healthcare enhancement of \$0.39  
13 per fifteen (15) minutes for personal care, combined personal care/homemaker, and homemaker  
14 only for providers who have at least thirty percent (30%) of their direct-care workers (which  
15 includes certified nursing assistants (CNA) and homemakers) certified in behavioral healthcare  
16 training.

17 (i) Employers must pass on one hundred percent (100%) of the behavioral healthcare  
18 enhancement per fifteen (15) minute unit of service rendered by only those CNAs and homemakers  
19 who have completed the thirty (30) hour behavioral health certificate training program offered by  
20 Rhode Island College, or a training program that is prospectively determined to be compliant per  
21 EOHHS, to those CNAs and homemakers. This compensation shall be provided in addition to the  
22 rate of compensation that the employee was receiving as of December 31, 2021. For an employee  
23 hired after December 31, 2021, the agency shall use not less than the lowest compensation paid to  
24 an employee of similar functions and duties as of December 31, 2021, as the base compensation to  
25 which the increase is applied.

26 (ii) By January 1, 2023, employers must provide to EOHHS an annual compliance  
27 statement showing wages as of December 31, 2021, amounts received from the increases outlined  
28 herein, and compliance with this section, including which behavioral healthcare training programs  
29 were utilized. EOHHS may adopt any additional necessary regulations and processes to oversee  
30 this subsection.

31 (h) The executive office shall implement a long-term-care-options counseling program to  
32 provide individuals, or their representatives, or both, with long-term-care consultations that shall  
33 include, at a minimum, information about: long-term-care options, sources, and methods of both  
34 public and private payment for long-term-care services and an assessment of an individual's

1 functional capabilities and opportunities for maximizing independence. Each individual admitted  
2 to, or seeking admission to, a long-term-care facility, regardless of the payment source, shall be  
3 informed by the facility of the availability of the long-term-care-options counseling program and  
4 shall be provided with long-term-care-options consultation if they so request. Each individual who  
5 applies for Medicaid long-term-care services shall be provided with a long-term-care consultation.

6 (i) The executive office shall implement, no later than January 1, 2024, a statewide network  
7 and rate methodology for conflict-free case management for individuals receiving Medicaid-funded  
8 home and community-based services. The executive office shall coordinate implementation with  
9 the state's health and human services departments and divisions authorized to deliver Medicaid-  
10 funded home and community-based service programs, including the department of behavioral  
11 healthcare, developmental disabilities and hospitals; the department of human services; and the  
12 office of healthy aging. It is in the best interest of the Rhode Islanders eligible to receive Medicaid  
13 home and community-based services under this chapter, title 40.1, title 42, or any other general  
14 laws to provide equitable access to conflict-free case management that shall include person-  
15 centered planning, service arranging, and quality monitoring in the amount, duration, and scope  
16 required by federal law and regulations. It is necessary to ensure that there is a robust network of  
17 qualified conflict-free case management entities with the capacity to serve all participants on a  
18 statewide basis and in a manner that promotes choice, self-reliance, and community integration.  
19 The executive office, as the designated single state Medicaid authority and agency responsible for  
20 coordinating policy and planning for health and human services under § 42-7.2-1 et seq., is directed  
21 to establish a statewide conflict-free case management network under the management of the  
22 executive office and to seek any Medicaid waivers, state plan amendments, and changes in rules,  
23 regulations, and procedures that may be necessary to ensure that recipients of Medicaid home and  
24 community-based services have access to conflict-free case management in a timely manner and in  
25 accordance with the federal requirements that must be met to preserve financial participation.

26 (j) The executive office is also authorized, subject to availability of appropriation of  
27 funding, and federal, Medicaid-matching funds, to pay for certain services and supports necessary  
28 to transition or divert beneficiaries from institutional or restrictive settings and optimize their health  
29 and safety when receiving care in a home or the community. The secretary is authorized to obtain  
30 any state plan or waiver authorities required to maximize the federal funds available to support  
31 expanded access to home- and community-transition and stabilization services; provided, however,  
32 payments shall not exceed an annual or per-person amount.

33 (k) To ensure persons with long-term-care needs who remain living at home have adequate  
34 resources to deal with housing maintenance and unanticipated housing-related costs, the secretary

1 is authorized to ~~develop higher~~ implement resource eligibility limits of eight thousand dollars  
2 (\$8,000) for single persons ~~or~~ and twelve thousand dollars (\$12,000) for couples and obtain any  
3 state plan or waiver authorities necessary to change the financial eligibility criteria for long-term  
4 services and supports to enable beneficiaries receiving home and community waiver services to  
5 have the resources to continue living in their own homes or rental units or other home-based  
6 settings.

7 (l) The executive office shall implement, no later than January 1, 2016, the following home-  
8 and community-based service and payment reforms:

9 (1) [Deleted by P.L. 2021, ch. 162, art. 12, § 6.]

10 (2) Adult day services level of need criteria and acuity-based, tiered-payment  
11 methodology; and

12 (3) Payment reforms that encourage home- and community-based providers to provide the  
13 specialized services and accommodations beneficiaries need to avoid or delay institutional care.

14 (m) The secretary is authorized to seek any Medicaid section 1115 waiver or state-plan  
15 amendments and take any administrative actions necessary to ensure timely adoption of any new  
16 or amended rules, regulations, policies, or procedures and any system enhancements or changes,  
17 for which appropriations have been authorized, that are necessary to facilitate implementation of  
18 the requirements of this section by the dates established. The secretary shall reserve the discretion  
19 to exercise the authority established under §§ 42-7.2-5(6)(v) and 42-7.2-6.1, in consultation with  
20 the governor, to meet the legislative directives established herein.

21 SECTION 4. Section 42-7.2-5 of the General Laws in Chapter 42-7.2 entitled "Office of  
22 Health and Human Services" is hereby amended to read as follows:

23 **42-7.2-5. Duties of the secretary.**

24 The secretary shall be subject to the direction and supervision of the governor for the  
25 oversight, coordination, and cohesive direction of state-administered health and human services  
26 and in ensuring the laws are faithfully executed, notwithstanding any law to the contrary. In this  
27 capacity, the secretary of the executive office of health and human services (EOHHS) shall be  
28 authorized to:

29 (1) Coordinate the administration and financing of healthcare benefits, human services, and  
30 programs including those authorized by the state's Medicaid section 1115 demonstration waiver  
31 and, as applicable, the Medicaid state plan under Title XIX of the U.S. Social Security Act.  
32 However, nothing in this section shall be construed as transferring to the secretary the powers,  
33 duties, or functions conferred upon the departments by Rhode Island public and general laws for  
34 the administration of federal/state programs financed in whole or in part with Medicaid funds or

1 the administrative responsibility for the preparation and submission of any state plans, state plan  
2 amendments, or authorized federal waiver applications, once approved by the secretary.

3 (2) Serve as the governor's chief advisor and liaison to federal policymakers on Medicaid  
4 reform issues as well as the principal point of contact in the state on any such related matters.

5 (3)(i) Review and ensure the coordination of the state's Medicaid section 1115  
6 demonstration waiver requests and renewals as well as any initiatives and proposals requiring  
7 amendments to the Medicaid state plan or formal amendment changes, as described in the special  
8 terms and conditions of the state's Medicaid section 1115 demonstration waiver with the potential  
9 to affect the scope, amount, or duration of publicly funded healthcare services, provider payments  
10 or reimbursements, or access to or the availability of benefits and services as provided by Rhode  
11 Island general and public laws. The secretary shall consider whether any such changes are legally  
12 and fiscally sound and consistent with the state's policy and budget priorities. The secretary shall  
13 also assess whether a proposed change is capable of obtaining the necessary approvals from federal  
14 officials and achieving the expected positive consumer outcomes. Department directors shall,  
15 within the timelines specified, provide any information and resources the secretary deems necessary  
16 in order to perform the reviews authorized in this section.

17 (ii) Direct the development and implementation of any Medicaid policies, procedures, or  
18 systems that may be required to assure successful operation of the state's health and human services  
19 integrated eligibility system and coordination with HealthSource RI, the state's health insurance  
20 marketplace.

21 (iii) Beginning in 2015, conduct on a biennial basis a comprehensive review of the  
22 Medicaid eligibility criteria for one or more of the populations covered under the state plan or a  
23 waiver to ensure consistency with federal and state laws and policies, coordinate and align systems,  
24 and identify areas for improving quality assurance, fair and equitable access to services, and  
25 opportunities for additional financial participation.

26 (iv) Implement service organization and delivery reforms that facilitate service integration,  
27 increase value, and improve quality and health outcomes.

28 (4) Beginning in 2020, prepare and submit to the governor, the chairpersons of the house  
29 and senate finance committees, the caseload estimating conference, and to the joint legislative  
30 committee for health-care oversight, by no later than September 15 of each year, a comprehensive  
31 overview of all Medicaid expenditures outcomes, administrative costs, and utilization rates. The  
32 overview shall include, but not be limited to, the following information:

33 (i) Expenditures under Titles XIX and XXI of the Social Security Act, as amended;

34 (ii) Expenditures, outcomes, and utilization rates by population and sub-population served

1 (e.g., families with children, persons with disabilities, children in foster care, children receiving  
2 adoption assistance, adults ages nineteen (19) to sixty-four (64), and elders);

3 (iii) Expenditures, outcomes, and utilization rates by each state department or other  
4 municipal or public entity receiving federal reimbursement under Titles XIX and XXI of the Social  
5 Security Act, as amended;

6 (iv) Expenditures, outcomes, and utilization rates by type of service and/or service  
7 provider;

8 (v) Expenditures by mandatory population receiving mandatory services and, reported  
9 separately, optional services, as well as optional populations receiving mandatory services and,  
10 reported separately, optional services for each state agency receiving Title XIX and XXI funds; and

11 (vi) Information submitted to the Centers for Medicare & Medicaid Services for the  
12 mandatory annual state reporting of the Core Set of Children's Health Care Quality Measures for  
13 Medicaid and Children's Health Insurance Program, behavioral health measures on the Core Set of  
14 Adult Health Care Quality Measures for Medicaid and the Core Sets of Health Home Quality  
15 Measures for Medicaid to ensure compliance with the Bipartisan Budget Act of 2018, Pub. L. No.  
16 115-123.

17 The directors of the departments, as well as local governments and school departments,  
18 shall assist and cooperate with the secretary in fulfilling this responsibility by providing whatever  
19 resources, information, and support shall be necessary.

20 (5) Resolve administrative, jurisdictional, operational, program, or policy conflicts among  
21 departments and their executive staffs and make necessary recommendations to the governor.

22 (6) Ensure continued progress toward improving the quality, the economy, the  
23 accountability, and the efficiency of state-administered health and human services. In this capacity,  
24 the secretary shall:

25 (i) Direct implementation of reforms in the human resources practices of the executive  
26 office and the departments that streamline and upgrade services, achieve greater economies of scale  
27 and establish the coordinated system of the staff education, cross-training, and career development  
28 services necessary to recruit and retain a highly-skilled, responsive, and engaged health and human  
29 services workforce;

30 (ii) Encourage EOHHS-wide consumer-centered approaches to service design and delivery  
31 that expand their capacity to respond efficiently and responsibly to the diverse and changing needs  
32 of the people and communities they serve;

33 (iii) Develop all opportunities to maximize resources by leveraging the state's purchasing  
34 power, centralizing fiscal service functions related to budget, finance, and procurement,

1 centralizing communication, policy analysis and planning, and information systems and data  
2 management, pursuing alternative funding sources through grants, awards, and partnerships and  
3 securing all available federal financial participation for programs and services provided EOHHS-  
4 wide;

5 (iv) Improve the coordination and efficiency of health and human services legal functions  
6 by centralizing adjudicative and legal services and overseeing their timely and judicious  
7 administration;

8 (v) Facilitate the rebalancing of the long-term system by creating an assessment and  
9 coordination organization or unit for the expressed purpose of developing and implementing  
10 procedures EOHHS-wide that ensure that the appropriate publicly funded health services are  
11 provided at the right time and in the most appropriate and least restrictive setting;

12 (vi) Strengthen health and human services program integrity, quality control and  
13 collections, and recovery activities by consolidating functions within the office in a single unit that  
14 ensures all affected parties pay their fair share of the cost of services and are aware of alternative  
15 financing;

16 (vii) Assure protective services are available to vulnerable elders and adults with  
17 developmental and other disabilities by reorganizing existing services, establishing new services  
18 where gaps exist, and centralizing administrative responsibility for oversight of all related  
19 initiatives and programs.

20 (7) Prepare and integrate comprehensive budgets for the health and human services  
21 departments and any other functions and duties assigned to the office. The budgets shall be  
22 submitted to the state budget office by the secretary, for consideration by the governor, on behalf  
23 of the state's health and human services agencies in accordance with the provisions set forth in §  
24 35-3-4.

25 (8) Utilize objective data to evaluate health and human services policy goals, resource use  
26 and outcome evaluation and to perform short and long-term policy planning and development.

27 (9) Establish an integrated approach to interdepartmental information and data  
28 management that complements and furthers the goals of the unified health infrastructure project  
29 initiative and that will facilitate the transition to a consumer-centered integrated system of state-  
30 administered health and human services.

31 (10) At the direction of the governor or the general assembly, conduct independent reviews  
32 of state-administered health and human services programs, policies, and related agency actions and  
33 activities and assist the department directors in identifying strategies to address any issues or areas  
34 of concern that may emerge thereof. The department directors shall provide any information and

1 assistance deemed necessary by the secretary when undertaking such independent reviews.

2 (11) Provide regular and timely reports to the governor and make recommendations with  
3 respect to the state's health and human services agenda.

4 (12) Employ such personnel and contract for such consulting services as may be required  
5 to perform the powers and duties lawfully conferred upon the secretary.

6 (13) Assume responsibility for complying with the provisions of any general or public law  
7 or regulation related to the disclosure, confidentiality, and privacy of any information or records,  
8 in the possession or under the control of the executive office or the departments assigned to the  
9 executive office, that may be developed or acquired or transferred at the direction of the governor  
10 or the secretary for purposes directly connected with the secretary's duties set forth herein.

11 (14) Hold the director of each health and human services department accountable for their  
12 administrative, fiscal, and program actions in the conduct of the respective powers and duties of  
13 their agencies.

14 (15) Identify opportunities for inclusion with the EOHHS' October 1, 2023, budget  
15 submission, to remove fixed eligibility thresholds for programs under its purview by establishing  
16 sliding scale decreases in benefits commensurate with income increases up to four hundred fifty  
17 percent (450%) of the federal poverty level. These shall include but not be limited to, medical  
18 assistance, childcare assistance, and food assistance.

19 (16) Ensure that insurers minimize administrative burdens on providers that may delay  
20 medically necessary care, including requiring that insurers do not impose a prior authorization  
21 requirement for any admission, item, service, treatment, or procedure ordered by an in-network  
22 primary care provider. Provided, the prohibition shall not be construed to prohibit prior  
23 authorization requirements for prescription drugs. Provided further, that as used in this subsection  
24 (16) of this section, the terms "insurer," "primary care provider," and "prior authorization" means  
25 the same as those terms are defined in § 27-18.9-2.

26 (17) The secretary shall convene, in consultation with the governor, an advisory working  
27 group to assist in the review and analysis of potential impacts of any adopted federal actions related  
28 to Medicaid programs. The working group shall develop options for administrative action or  
29 general assembly consideration that may be needed to address any federal funding changes that  
30 impact Rhode Island's Medicaid programs.

31 (i) The advisory working group may include, but not be limited to, the secretary of health  
32 and human services, director of management and budget, and designees from the following: state  
33 agencies, businesses, healthcare, public sector unions, and advocates.

34 (ii) As soon as practicable after the enactment federal budget for fiscal year 2026, but no

1 later than October 31, 2025, the advisory working group shall forward a report to the governor,  
2 speaker of the house, and president of the senate containing the findings, recommendations and  
3 options for consideration to become compliant with federal changes prior to the governor's budget  
4 submission pursuant to § 35-3-7.

5 (18) The secretary shall implement, in coordination with the health insurance  
6 commissioner, the Achieving Healthcare Efficiency through Accountable Design (AHEAD) Model  
7 Grant Program and produce a report to the governor and the general assembly outlining the  
8 program's activities. The report, due no later than October 31, 2026, and annually thereafter by  
9 October 31 for the duration of the state's participation in the grant, should address, at minimum:

10 (i) A description of activities and funding uses during the grant year;

11 (ii) The legislative authority, including budgetary authority, required to implement changes  
12 to the Rhode Island Medical Assistance program;

13 (iii) Stakeholder interest and participation in the model; and

14 (iv) Overall long-term value of implementing the alternative payment models required by  
15 the AHEAD model.

16 SECTION 5. Chapter 42-72 of the General Laws entitled "Department of Children, Youth  
17 and Families" is hereby amended by adding thereto the following section:

18 **42-72-37. Family care community partnerships.**

19 (a) As used in this section, "family care community partnership" (FCCP) means a specific,  
20 community-based child abuse and neglect prevention service that an agency or entity provides to  
21 children and families through a Medicaid certification, department license, or contract with the  
22 department.

23 (b) There are hereby established five (5) FCCP catchment regions to serve residents of a  
24 specific area within the state, as follows:

25 (1) West Urban Core: The cities of Providence and Cranston;

26 (2) East Urban Core: The cities of East Providence, Central Falls, and Pawtucket;

27 (3) East Bay: The towns of Barrington, Bristol, Jamestown, Little Compton, Middletown,  
28 Portsmouth, Tiverton, and Warren, and the city of Newport;

29 (4) Washington and Kent Counties: The towns of Charlestown, Coventry, East Greenwich,  
30 Exeter, Hopkinton, Narragansett, New Shoreham, North Kingstown, Richmond, South Kingstown,  
31 West Greenwich, West Warwick, and Westerly, and the city of Warwick; and

32 (5) Northern Rhode Island: The towns of Burrillville, Cumberland, Foster, Gloucester,  
33 Johnston, Lincoln, North Providence, North Smithfield, Scituate, Smithfield, and the city of  
34 Woonsocket.

1           (c) Exactly one FCCP Lead Agency shall be permitted to operate in each region set forth  
2 in subsection (b) of this section.

3           SECTION 6. Rhode Island Medicaid Reform Act of 2008 Resolution.

4           WHEREAS, The General Assembly enacted Chapter 12.4 of Title 42 entitled "The Rhode  
5 Island Medicaid Reform Act of 2008"; and

6           WHEREAS, A legislative enactment is required pursuant to Rhode Island general laws §  
7 42-12.4-1, et seq.; and

8           WHEREAS, Rhode Island general laws § 42-7.2-5(3)(i) provides that the secretary of the  
9 executive office of health and human services is responsible for the review and coordination of any  
10 Medicaid section 1115 demonstration waiver requests and renewals as well as any initiatives and  
11 proposals requiring amendments to the Medicaid state plan or category II or III changes as  
12 described in the demonstration, "with potential to affect the scope, amount, or duration of publicly-  
13 funded health care services, provider payments or reimbursements, or access to or the availability  
14 of benefits and services provided by Rhode Island general and public laws"; and

15           WHEREAS, In pursuit of a more cost-effective consumer choice system of care that is  
16 fiscally sound and sustainable, the secretary requests legislative approval of the following proposals  
17 to amend the demonstration; and

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

22           (a) Substance Abuse Residential Services Rates. The secretary of the executive office of  
23 health and human services will pursue and implement any state plan amendments needed to  
24 eliminate annual rate increases for substance abuse residential services.

25           (b) Assisted Living Tier C Rates. The secretary of the executive office of health and human  
26 services is authorized to pursue and implement any waiver amendments, state plan amendments,  
27 and/or changes to the applicable department's rules, regulations, and procedures required to  
28 increase Tier C Assisted Living reimbursement rates by 13 percent starting January 1, 2027

29           (c) Children's Services Rate Setting. The secretary of the executive office of health and  
30 human services is authorized to pursue and implement any waiver amendments, state plan  
31 amendments, and/or changes to the applicable department's rules, regulations, and procedures  
32 required to implement reimbursement rates resulting from the Children's Services Rate Setting  
33 project.

34           (d) Provider Reimbursement Rates. The secretary of the executive office of health and

1 human services is authorized to pursue and implement any waiver amendments, state plan  
2 amendments, and/or changes to the applicable department's rules, regulations, and procedures  
3 required to implement updates to Medicaid provider reimbursement rates consisting of rate  
4 increases limited to the lower amount of the increases recommended or one hundred percent  
5 (100%) of the Medicare rates identified in the Social and Human Service Programs Review Final  
6 Report produced by the office of the health insurance commissioner pursuant to Rhode Island  
7 general laws § 42-14.5-3(t)(2)(x), effective October 1, 2026.

8 (e) Change to Rates for Nursing Facility Services. The secretary of the executive office of  
9 health and human services is authorized to pursue and implement any waiver amendments, state  
10 plan amendments, and/or changes to the applicable department's rules, regulations, and procedures  
11 required to update the behavioral health per-diem add-on program for particularly complex patients  
12 to include, but not limited to, those who:

13 (1) Require nursing home level of care and have complex needs that are barriers to  
14 placement in a traditional nursing home, and have a history of persistent, disruptive behaviors  
15 requiring moderate-to-frequent intervention;

16 (2) Admission to a specialized nursing home is consistent with the least restrictive setting  
17 requirement enunciated in the landmark U.S. Supreme Court case, *Olmstead v. L.C.* (1999); and

18 (3) The individual must meet nursing facility level of care criteria and has been approved  
19 by BHDDH for specialized services through the BHDDH Level II PASRR determination process  
20 prior to admission to a specialized nursing home.

21 (f) Glucagon-like Peptide-1 (GLP-1) Coverage. The secretary of the executive office of  
22 health and human services is authorized to pursue and implement any waiver amendments, state  
23 plan amendments, and/or changes to the applicable department's rules, regulations, and procedures  
24 required to remove coverage for GLP-1 medications, except if prescribed to treat type 2 diabetes.

25 (g) Targeted Case Management. The secretary of the executive office of health and human  
26 services is authorized to pursue and implement any waiver amendments, state plan amendments,  
27 and/or changes to the applicable department's rules, regulations, and procedures required to  
28 implement updates to Medicaid's authority to reimburse for the governmental provision of targeted  
29 case management to Medicaid enrolled children and youth (up to 21 years old) by qualified staff at  
30 the Department of Children, Youth and Families.

31 (h) Graduate Medical Education for Federally Qualified Health Centers. The executive  
32 office of health and human services shall review and assess any Medicaid waiver or state plan  
33 opportunities that support Rhode Island Federally Qualified Health Centers that operate, or  
34 participate in the operation of, accredited primary care-focused physician residency programs. The

1 Secretary shall provide a report with options, recommendations, and estimated fiscal impact to the  
2 General Assembly and Governor by November 1, 2026, for consideration in the FY 2028 enacted  
3 budget.

4 (i) Federal Financing Opportunities. The executive office of health and human services  
5 proposes that it shall review Medicaid requirements and opportunities under the U.S. Patient  
6 Protection and Affordable Care Act of 2010 (PPACA) and various other recently enacted federal  
7 laws and pursue any changes in the Rhode Island Medicaid program that promote, increase and  
8 enhance service quality, access and cost-effectiveness that may require a Medicaid state plan  
9 amendment or amendment under the terms and conditions of Rhode Island's section 1115 waiver,  
10 its successor, or any extension thereof. Any such actions by the executive office of health and  
11 human services shall not have an adverse impact on beneficiaries or cause there to be an increase  
12 in expenditures beyond the amount appropriated for state fiscal year 2027; now, therefore be it

13 RESOLVED, That the General Assembly hereby approves the above-referenced proposals;  
14 and be it further

15 RESOLVED, That the secretary of the executive office of health and human services is  
16 authorized to pursue and implement any waiver amendments, state plan amendments, and/or  
17 changes to the applicable department's rules, regulations and procedures approved herein and as  
18 authorized by chapter 12.4 of title 42; and be it further

19 SECTION 7. Joint Resolution. AUTHORIZING THE SECRETARY OF THE  
20 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO CONTINUE AND  
21 EXPAND AN ACUTE HOSPITAL CARE AT HOME PROGRAM

22 WHEREAS, The State of Rhode Island has received a multi-hundred-million-dollar,  
23 multiyear award from the Centers for Medicare and Medicaid Services called The Rural Health  
24 Transformation Program (RHTP); and

25 WHEREAS, RHTP strongly favors and funds states that have hospitals that participate in  
26 the Centers for Medicare and Medicaid Services Acute Hospital Care at Home initiative, the  
27 services of which are often called hospital at home programs; and

28 WHEREAS, Hospital at home models have shown over decades that advanced care at  
29 home can be a safe, effective way to provide care to patients that is associated with lower costs and  
30 better patient outcomes and satisfaction compared with inpatient hospitalization; and

31 WHEREAS, The hospital at home model is an important component of the shift away from  
32 institutionalized care and has been successful in allowing patients with particular conditions to  
33 remain in their homes and avoid risks associated with inpatient admission and care; and

34 WHEREAS, The Centers for Medicare and Medicaid Services has extended the Acute

1 Hospital Care at Home initiative through September 30, 2030, via the Consolidated Appropriations  
2 Act; and

3 WHEREAS, The Acute Hospital Care at Home initiative applies to Medicare beneficiaries,  
4 but can be extended to Medicaid beneficiaries if states choose to cover such services; and

5 WHEREAS, The State of Rhode Island wishes to extend the Acute Hospital Care at Home  
6 initiative benefits to both traditional and managed Medicaid enrollees;

7 NOW, THEREFORE BE IT RESOLVED,

8 (1) Notwithstanding any provision of law to the contrary, the Executive Office of Health  
9 and Human Services shall establish and maintain a program to cover hospital at home services for  
10 all eligible medical assistance enrollees and managed Medicaid enrollees. The program shall be  
11 established and maintained in a manner that is consistent with the provisions of the Acute Hospital  
12 Care at Home initiative, as authorized by the federal Centers for Medicare and Medicaid Services.

13 (2) Any Rhode Island licensed hospital in receipt of a waiver to operate, or otherwise  
14 approved to participate in the Centers for Medicare and Medicaid Services Acute Hospital Care at  
15 Home initiative, shall be permitted to operate or to continue to operate its program in the manner  
16 permitted under federal law.

17 (3) For as long the Acute Hospital Care at Home initiative, or a successor, remains in effect,  
18 the Rhode Island Medical Assistance program, including managed Medicaid plans, shall provide  
19 coverage and payment for acute hospital care services delivered to a covered person through the  
20 program established pursuant to this resolution, on the same basis as when services are delivered  
21 within the facilities of a hospital. Reimbursement payments under this section shall be provided to  
22 the hospital, facility, or organization providing the services or the individual practitioner who  
23 delivered the reimbursable services, or to the agency, facility, or organization that employs or  
24 contracts with the individual practitioner who delivered the reimbursable services, as appropriate,  
25 at a rate no higher than the payer's then applicable reimbursement rates for the same service in the  
26 same hospital.

27 (4) The program shall not utilize more stringent utilization management criteria than apply  
28 when those services are provided within the facilities of a hospital.

29 (5) The Secretary of the Executive Office of Health and Human Services shall apply for  
30 any State plan amendments or waivers as may be necessary to implement the provisions of this  
31 resolution and to secure federal financial participation for State Medicaid expenditures under the  
32 federal Medicaid program.

33 (6) The Secretary of the Executive Office of Health and Human Services shall adopt rules  
34 and regulations, in accordance with the Administrative Procedure Act, if necessary, to effectuate

1 the provisions of this resolution; and be it further

2           RESOLVED, The Secretary of the Executive Office of Health and Human Services shall  
3 provide a report to the Governor and the General Assembly regarding the cost of the program.

4           SECTION 8. This article shall take effect upon passage, except sections 6 and 7 which  
5 shall take effect on July 1, 2026.

**ARTICLE 9**

RELATING TO LEASES

SECTION 1. This article consists of a Joint Resolution that is submitted pursuant to Rhode Island General Laws § 37-6-2, authorizing various lease agreements for office space and operating space.

SECTION 2. *Rhode Island Department of State (148 West River Street, Providence).*

WHEREAS, The Rhode Island Department of State currently occupies approximately 12,152 square feet at 148 West River Street in the City of Providence; and

WHEREAS, The Rhode Island Department of State currently holds a lease agreement, in full force and effect, with EGMP 146-148 West River LLC for approximately 12,152 square feet of office and customer service space located at 148 West River Street, in the City of Providence; and

WHEREAS, The existing lease expires on July 31, 2026, and the Rhode Island Department of State wishes to enter into a new lease agreement for a period of ten (10) years; and

WHEREAS, The State of Rhode Island, acting by and through the Department of State attests to the fact that there are no clauses in the lease agreement with EGMP 146-148 West River LLC that would interfere with the Department of State's lease agreement or use of the facility; and

WHEREAS, The leased premises provide a critical location for the offices of the Department of State from which the agency can fulfill its mission; and

WHEREAS, The annual fixed rent in the agreement in the current fiscal year, ending June 30, 2026 is \$256,589.52; and

WHEREAS, The annual base rent of the agreement in year one is not to exceed \$261,268.00 which will be followed by annual increases of 2.5% in years two (2) through ten (10), with year ten (10) not to exceed \$326,287.93; and

WHEREAS, The payment of the annual base rent will be made from funds available to the Department of State for the payments of rental and lease costs based on annual appropriations made by the General Assembly; and

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 Department of State and EGMP 146-148 West River LLC for leased space located at

1 148 West River Street, Providence; now therefore be it

2 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves  
3 the lease agreement, for a term not to exceed ten (10) years and an aggregate base rent not to exceed  
4 \$2,927,085.15; and it be further

5 RESOLVED, That this Joint Resolution shall take effect upon passage by the General  
6 Assembly; and it be further

7 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly  
8 certified copies of this resolution to the Governor, the Department of State, the Director of  
9 Administration, the State Budget Officer, and the Chair of the State Properties Committee.

10 SECTION 3. *Rhode Island Department of Environmental Management, (235 Promenade*  
11 *Street, Providence).*

12 WHEREAS, The Rhode Island Department of Environmental Management currently  
13 occupies 126,184 square feet at 235 Promenade Street in the City of Providence; and

14 WHEREAS, The Rhode Island Department of Environmental Management currently holds  
15 a lease agreement in full force and effect, with Foundry Parcel Fifteen Associates, LLC for 126,184  
16 square feet of office and customer service space located at 235 Promenade Street, in the City of  
17 Providence; and

18 WHEREAS, The existing lease expires on July 7, 2026, and the Rhode Island Department  
19 of Environmental Management wishes to enter into a new lease agreement for a period of ten (10)  
20 years; and

21 WHEREAS, The Department of Administration and Rhode Island Department of  
22 Environmental Management received and reviewed proposals for office space that would meet the  
23 Department of Environmental Management's needs; and

24 WHEREAS, Upon completing an evaluation of the submitted lease proposals, the Rhode  
25 Island Department of Environmental Management wishes to enter into a ten-year lease agreement  
26 with Foundry Parcel Fifteen Associates, LLC for approximately 115,733 square feet of office space  
27 located at 235 Promenade Street in the city of Providence; and

28 WHEREAS, The State of Rhode Island, acting by and through the Rhode Island  
29 Department of Environmental Management attests to the fact that there are no clauses in the lease  
30 agreement with Foundry Parcel Fifteen Associates, LLC that would interfere with the Rhode Island  
31 Department of Environmental Management's lease agreement or use of the facility; and

32 WHEREAS, The leased premises provide a critical location for the offices of the Rhode  
33 Island Department of Environmental Management from which the agency can fulfill its mission;  
34 and

1           WHEREAS, The annual fixed rent in the agreement in the current fiscal year, ending June  
2 30, 2026 is \$2,586,772; and

3           WHEREAS, The annual fixed rent of the agreement in each of the first five (5) years of  
4 the renewal term will not exceed \$2,761,716 and shall not exceed \$2,952,675 in each of the  
5 remaining years of the renewal term (or in each of years six (6) through ten (10) of the renewal  
6 term); and

7           WHEREAS, The payment of the annual fixed rent will be made from funds available to  
8 the Rhode Island Department of Environmental Management for the payments of rental and lease  
9 costs based on annual appropriations made by the General Assembly; and

10           WHEREAS, The State Properties Committee now respectfully requests the approval of the  
11 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement  
12 between the Rhode Island Department of Environmental Management and Foundry Parcel Fifteen  
13 Associates, LLC for lease space located at 235 Promenade Street, Providence; now therefore be it

14           RESOLVED, That this General Assembly of the State of Rhode Island hereby approves  
15 the lease agreement, for a term not to exceed ten (10) years and an aggregate fixed rent not to  
16 exceed \$28,571,955; and it be further

17           RESOLVED, That this Joint Resolution shall take effect upon passage by the General  
18 Assembly; and it be further

19           RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly  
20 certified copies of this resolution to the Governor, the Director of the Rhode Island Department of  
21 Environmental Management, the Director of Administration, the State Budget Officer, and the  
22 Chair of the State Properties Committee.

23           SECTION 4. *State of Rhode Island Office of the Public Defender (160 Pine Street,*  
24 *Providence).*

25           WHEREAS, The Office of the Public Defender currently occupies approximately 19,777  
26 square feet at 160 Pine Street in the City of Providence; and

27           WHEREAS, The Office of the Public Defender currently holds a lease agreement, in full  
28 force and effect, with PK Lamb Properties, Inc. for approximately 19,777 square feet of office  
29 space located at 160 Pine Street, in the City of Providence; and

30           WHEREAS, The existing lease expires on July 31, 2026, and the Office of the Public  
31 Defender wishes to renew this lease for an additional five-year term; and

32           WHEREAS, The State of Rhode Island, acting by and through the Office of the Public  
33 Defender attests to the fact that there are no clauses in the lease agreement with PK Lamb  
34 Properties, Inc. that would interfere with the Office of the Public Defender's lease agreement or

1 use of the facility; and

2 WHEREAS, The leased premises provide a critical location for the Office of the Public  
3 Defender from which the agency can fulfill its mission; and

4 WHEREAS, The annual fixed rent in the agreement in the current fiscal year, ending June  
5 30, 2026 is \$393,166.76; and

6 WHEREAS, The annual fixed rent of the agreement in the five (5) years of the renewal  
7 term will not exceed \$483,619; and

8 WHEREAS, The payment of the annual fixed rent will be made from funds available to  
9 the Office of the Public Defender for the payments of rental and lease costs based on annual  
10 appropriations made by the General Assembly; and

11 WHEREAS, The State Properties Committee now respectfully requests the approval of the  
12 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement  
13 between the Office of the Public Defender and PK Lamb Properties, Inc. for leased space located  
14 at 160 Pine Street, Providence; now therefore be it

15 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves  
16 the lease agreement, for a term not to exceed five (5) years and an aggregate fixed rent not to exceed  
17 \$2,418,095; and it be further

18 RESOLVED, That this Joint Resolution shall take effect upon passage by the General  
19 Assembly; and it be further

20 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly  
21 certified copies of this resolution to the Governor, the Public Defender, the Director of  
22 Administration, the State Budget Officer, and the Chair of the State Properties Committee.

23 SECTION 5. *Rhode Island Department of Human Services (77 Dorrance Street,*  
24 *Providence).*

25 WHEREAS, The Rhode Island Department of Human Services currently occupies 25,812  
26 square feet at 77 Dorrance Street in the City of Providence; and

27 WHEREAS, The Rhode Island Department of Human Services currently holds a lease  
28 agreement in full force and effect, with 77 Dorrance, LLC for 25,812 square feet of office and  
29 customer service space located at 77 Dorrance Street, in the City of Providence; and

30 WHEREAS, The existing lease expires on August 31, 2026, and the Rhode Island  
31 Department of Human Services wishes to enter into a new lease agreement for a period of five  
32 years (5) years; and

33 WHEREAS, The State of Rhode Island, acting by and through the Department of Human  
34 Services attests to the fact that there are no clauses in the lease agreement with 77 Dorrance, LLC

1 that would interfere with the Department of Human Service’s lease agreement or use of the facility;  
2 and

3 WHEREAS, The leased premises provide a critical location for the offices of the  
4 Department of Human Services from which the agency can fulfill its mission; and

5 WHEREAS, The annual fixed rent in the agreement in the current fiscal year, ending June  
6 30, 2026 is \$412,992; and

7 WHEREAS, The annual fixed rent of the agreement in the five (5) years of the renewal  
8 term will not exceed \$500,753; and

9 WHEREAS, The payment of the annual fixed rent will be made from funds available to  
10 the Department of Human Services for the payments of rental and lease costs based on annual  
11 appropriations made by the General Assembly; and

12 WHEREAS, The State Properties Committee now respectfully requests the approval of the  
13 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement  
14 between the Department of Human Services and 77 Dorrance, LLC for lease space located at 77  
15 Dorrance Street, Providence; now therefore be it

16 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves  
17 the lease agreement, for a term not to exceed five (5) years and an aggregate fixed rent not to exceed  
18 \$2,503,765; and it be further

19 RESOLVED, That this Joint Resolution shall take effect upon passage by the General  
20 Assembly; and it be further

21 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly  
22 certified copies of this resolution to the Governor, the Director of the Department of Human  
23 Services, the Director of Administration, the State Budget Officer, and the Chair of the State  
24 Properties Committee.

25 SECTION 6. *Office of the Postsecondary Commissioner (83 Tower Street, Westerly).*

26 WHEREAS, The Office of the Postsecondary Commissioner, by and through its governing  
27 council, the Rhode Island Council on Postsecondary Education, desires to lease approximately  
28 2,385 rentable square feet of space at the building located at 83 Tower Street, Westerly, Rhode  
29 Island, owned by Tower Street Center, Inc.; and

30 WHEREAS, To meet the continued demand from employers for a highly trained and  
31 skilled workforce that requires an education credential beyond a high school diploma, the Office  
32 of the Postsecondary Commissioner requires additional educational space. Currently, the Westerly  
33 Education Center is at capacity, offering nine trades to support employees for Electric Boat,  
34 programming from higher education institutions, and space for industry partners to provide

1 incumbent worker training programs; and

2 WHEREAS, The proposed lease is for additional educational space, and there is no existing  
3 lease for the specific premises located at 83 Tower Street, Westerly, Rhode Island; and

4 WHEREAS, Tower Street Center, Inc. entered into a Ground Lease Agreement with the  
5 Town of Westerly, Rhode Island on January 1, 2024, to develop a community center, authorizing  
6 the Landlord to sublease all or any portion of the improvements on the Property, develop the terms  
7 of such permitted sublease(s), and enforce the terms of such permitted sublease(s), according to the  
8 terms set forth in the Ground Lease Agreement; and

9 WHEREAS, The vision for the Tower Street Community Center is to create a  
10 transformative community hub that breaks down barriers to essential services, fosters meaningful  
11 connections, and empowers individuals to thrive. The Tower Street Community Center is  
12 envisioned as a place where health, education, and recreation intersect to build a stronger, more  
13 resilient community; and

14 WHEREAS, The leased premises provide a critical location for the Office of the  
15 Postsecondary Commissioner to expand its operations from which the agency can fulfill its mission;  
16 and

17 WHEREAS, The initial lease term in the lease agreement is for a period of ten (10) years,  
18 and the lease agreement includes three (3) optional extensions of ten (10) years each; and

19 WHEREAS, The Office of the Postsecondary Commissioner received \$1,500,000 in  
20 federal grant funding through the Consolidated Appropriations Act, 2023 (Public Law 117-328),  
21 under the Economic Development Initiative Community Project Funding/Congressionally Directed  
22 Spending program, administered by the United States Department of Housing and Urban  
23 Development, for prepaid rent toward securing a lease agreement for the Education Center  
24 Expansion project at the Tower Street Community Center; and

25 WHEREAS, The base rent of the lease agreement will consist of a lump-sum prepayment  
26 of \$1,500,000 and additional annual base rent not to exceed \$50,000 per year in each of years one  
27 (1) through ten (10), for aggregate base rent not to exceed \$2,000,000 during the initial ten-year  
28 term. The base rent reflects a percentage of the reasonably anticipated cost of construction for this  
29 phase of the project, secures the long-term lease and extension options, and provides the option to  
30 expand the leased premises into a subsequent phase of the project at no additional base rent during  
31 the initial term or any exercised extension term, as applicable, if the Landlord develops subsequent  
32 phases of the project; and

33 WHEREAS, The payment of additional annual base rent will be made from funds available  
34 to the Office of the Postsecondary Commissioner for the payment of rental and lease costs based

1 on annual appropriations made by the General Assembly of the State of Rhode Island from the  
2 higher education and industry centers restricted receipt account pursuant to 16-59-9.; and

3 WHEREAS, The lease agreement is subject to approval by the Rhode Island Council on  
4 Postsecondary Education and the State Properties Committee, and approval of the Rhode Island  
5 House of Representatives and the Rhode Island Senate is requested for the lease agreement between  
6 the Office of the Postsecondary Commissioner, by and through its governing council, the Rhode  
7 Island Council on Postsecondary Education, and Tower Street Center, Inc. for leased space located  
8 at 83 Tower Street, Westerly, Rhode Island; now therefore be it

9 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves  
10 the lease agreement for an initial term not to exceed ten (10) years, with three (3) optional  
11 extensions of ten (10) years each, and authorizes the lease agreement to include an option to expand  
12 the leased premises into a subsequent phase of the project at no additional base rent during the  
13 initial term or any exercised extension term, as applicable, if the Landlord develops subsequent  
14 phases of the project, provided that aggregate base rent during the initial term shall not exceed  
15 \$2,000,000; provided, however, that General Assembly approval granted hereby is subject to and  
16 conditioned upon approval by the Rhode Island Council on Postsecondary Education and the State  
17 Properties Committee; and it be further

18 RESOLVED, That this Joint Resolution shall take effect upon passage by the General  
19 Assembly; and it be further

20 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly  
21 certified copies of this resolution to the Governor, the Rhode Island Commissioner of  
22 Postsecondary Education, the Director of Administration, the State Budget Officer, and the Chair  
23 of the State Properties Committee.

24 SECTION 7. This article shall take effect upon passage.

1 **ARTICLE 10**

2 RELATING TO HEALTH AND HUMAN SERVICES

3 SECTION 1. Section 23-13-22 of the General Laws in Chapter 23-13 entitled "Maternal  
4 and Child Health Services for Children with Special Health Care Needs" is hereby amended to read  
5 as follows:

6 **23-13-22. Early intervention program for developmentally disabled infants.**

7 (a) The ~~director~~ secretary of the ~~department of human services~~ executive office of health  
8 and human services (EOHHS) shall ensure that all developmentally disabled infants from birth to  
9 three (3) years of age shall be enrolled in the early intervention program. Beginning July 1, 2026,  
10 EOHHS and the department of elementary and secondary education shall create a plan to allow  
11 children to remain in early intervention until September 1 after their third birthday, as allowed by  
12 federal law 20 U.S.C. § 1435(c). Further, such plan shall include, but not be limited to, seeking any  
13 federal approvals necessary or desirable to implement the aforesaid policy. By January 1, 2028,  
14 EOHHS shall allow children who turn three (3) years old between May 1 and August 31 to remain  
15 in early intervention until September 1 after the child's third birthday. Regulations governing the  
16 delivery of services under this program, including eligibility criteria, shall be promulgated by the  
17 ~~department of human services~~ EOHHS, with the advice of the interagency coordinating council;  
18 provided, however, that all regulations promulgated by the department of health shall remain in full  
19 force and effect until the time they are replaced by regulations promulgated by the ~~department of~~  
20 ~~human services~~ EOHHS. The regulations shall stipulate, at a minimum, the following provisions  
21 that are consistent with the intent of this chapter:

22 (1) The ~~director~~ secretary shall develop and maintain a procedure for the earliest possible  
23 identification and efficient referral of all developmentally disabled infants;

24 (2) The ~~director~~ secretary shall ensure that every infant identified and referred to this  
25 program is enrolled as soon as possible after birth; and further, that for infants placed on a waiting  
26 list for facility based group programming, an early intervention program shall be made available  
27 within a thirty (30) day period from the time a need is identified in the individual program plan;

28 (3) Unless parents refuse the service, the home visiting component of the program shall  
29 commence as soon as the infant has been identified as having a possible developmental disability;

30 (4) Any parent(s) who is/are dissatisfied with decisions or termination of service or with

1 practices and procedures of a particular agency or the ~~department of human services~~ [EOHHS](#) shall  
2 notify the ~~director~~ [secretary](#) of the ~~department of human services~~ [EOHHS](#) in writing within thirty  
3 (30) calendar days and the complaint shall be reviewed in accordance with ~~department of health~~  
4 [EOHHS](#) policy and procedures, as amended, and the Administrative Procedures Act, chapter 35 of  
5 title 42.

6 (5) An early intervention program for purposes of this section shall mean a comprehensive  
7 array of educational, developmental, health, and social services provided on a calendar year basis  
8 to eligible infants, children, and their families as specified in program regulations.

9 (b) Within ninety (90) days after October 1, 2004, an evaluation plan describing outcome  
10 measures that document the program's successes and shortcomings from the previous fiscal year  
11 shall be submitted to the speaker of the house of representatives, the president of the senate and the  
12 house oversight committee and the governor and the interagency coordinating council.  
13 Development of the plan shall be made in consultation with the entities with expertise in this area  
14 and the interagency coordinating council. The plan shall include a memorandum of understanding  
15 between the department of health, department of human services and the department of elementary  
16 and secondary education that demonstrates coordination and continuity of early intervention  
17 services among these departments.

18 (c) Within six (6) months after January 1, 2005 where prescribed outcomes documented in  
19 the evaluation plan have not been accomplished the responsible agencies shall submit written  
20 explanations for the shortfalls, together with their proposed remedies. The report shall also include  
21 evaluation of the progress of the coordination efforts between the department of health and the  
22 department of human services and the department of elementary and secondary education and the  
23 interagency coordinating council and shall include any recommendations regarding modifications  
24 of the reimbursement mechanisms of this chapter.

25 (d) Within twelve (12) months after August 1, 2005 a final report shall include the progress  
26 of the coordination efforts between the department of health and the department of human services  
27 and department of elementary and secondary education, interagency coordinating council and shall  
28 include any recommendations regarding modifications to the comprehensive array of educational,  
29 developmental, health and social services provided on a calendar year basis to eligible infants,  
30 children and their families as specified in an early intervention system.

31 (e) All reports or documents required to be produced pursuant to 20 U.S.C. § 1471 et seq.,  
32 shall be submitted to the speaker of the house, president of the senate and the chairpersons of the  
33 appropriate house of representatives and senate oversight committees and the governor and the  
34 interagency coordinating council. Adherence to such plans and reporting requirements, and budgets

1 and the timely achievement of goals contained therein shall be considered by the oversight  
2 committees of the house of representatives and senate, among other relevant factors, in determining  
3 appropriations or other systemic changes.

4 (f) In developing and implementing the plan to extend early intervention services beyond  
5 age three (3) as provided in subsection (a) of this section, the secretary shall:

6 (1) Appoint and convene an implementation advisory committee to advise on the  
7 implementation of the plan. The committee shall include:

8 (i) The individual designated by the state to serve as the coordinator for Part C in EOHHS;

9 (ii) The individual designated by the state to serve as the coordinator for Section 619 of the  
10 Individuals with Disabilities Education Act (IDEA) in the department of elementary and secondary  
11 education;

12 (iii) Not fewer than three (3) representatives of early intervention provider agencies;

13 (iv) Not fewer than two (2) representatives of local education agencies (“LEA”);

14 (v) Not fewer than two (2) advocates or experts with demonstrated expertise in early  
15 intervention or early childhood special education; and

16 (vi) Not fewer than two (2) parents of children who have received early intervention  
17 services and have transitioned to early childhood special education within the preceding three (3)  
18 years.

19 (2) The implementation advisory committee shall:

20 (i) Meet for a period of at least one year following the official effective date of the extension  
21 policy;

22 (ii) Identify strategies to reduce administrative burdens on families, early intervention  
23 providers, LEA, and the state including, but not limited to, the use of federal funds earmarked for  
24 early intervention extension to the extent allowable;

25 (iii) Earmark appropriate federal early intervention funding and develop shared resources  
26 to support training and development for early intervention providers and LEA regarding the  
27 extension option; and

28 (iv) Develop strategies to maximize providers’ ability to support the new over-three (3)  
29 population during spring and summer months, including through the appropriate use of group-based  
30 therapies while maintaining services necessary to meet individualized developmental needs.

31 (3) All meetings of the implementation advisory committee shall be open to the public and  
32 conducted in accordance with chapter 46 of title 42.

33 (4) Not later than September 30, 2031, the secretary shall prepare and submit to the speaker  
34 of the house of representatives and the president of the senate a report evaluating the

1 [implementation of the extension plan provided for in subsection \(a\) of this section. The report shall](#)  
2 [include, but not be limited to: data regarding the number of families who elected to extend early](#)  
3 [intervention services and the number of families who declined to extend early intervention services;](#)  
4 [and an assessment of the impact of the extension provided for in subsection \(a\) of this section on](#)  
5 [children, families, early intervention providers, LEA, and the state.](#)

6 SECTION 2. Section 27-18-64 of the General Laws in Chapter 27-18 entitled "Accident  
7 and Sickness Insurance Policies" is hereby amended to read as follows:

8 **27-18-64. Coverage for early intervention services.**

9 (a) Every individual or group hospital or medical expense insurance policy or contract  
10 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
11 2004, shall include coverage of early intervention services which coverage shall take effect no later  
12 than January 1, 2005. Such coverage shall not be subject to deductibles and coinsurance factors.  
13 Any amount paid by an insurer under this section for a dependent child shall not be applied to any  
14 annual or lifetime maximum benefit contained in the policy or contract. For the purpose of this  
15 section, "early intervention services" means, but is not limited to, speech and language therapy,  
16 occupational therapy, physical therapy, evaluation, case management, nutrition, service plan  
17 development and review, nursing services, and assistive technology services and devices for:

18 [\(1\) ~~dependents~~ Dependents](#) from birth to age three (3) who are certified by the executive  
19 office of health and human services ("[EOHHS](#)") as eligible for services under ~~part~~ [Part](#) C of the  
20 Individuals with Disabilities Education Act (20 U.S.C. § 1471 et seq.); [or](#)

21 [\(2\) Dependents who are older than age three \(3\) and are eligible for services pursuant to §](#)  
22 [23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals](#)  
23 [with Disabilities Education Act \(20 U.S.C. § 1431 et seq.\).](#)

24 (b) Insurers shall reimburse certified, early intervention providers, who are designated as  
25 such by the ~~executive office of health and human services~~ ([EOHHS](#)), for early intervention services  
26 as defined in this section at rates of reimbursement equal to, or greater than, the prevailing  
27 integrated state Medicaid rate for early intervention services as established by the ~~executive office~~  
28 ~~of health and human services~~ ([EOHHS](#)).

29 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
30 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
31 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
32 injury or death by accident or both; and (9) Other limited benefit policies.

33 SECTION 3. Section 27-19-55 of the General Laws in Chapter 27-19 entitled "Nonprofit  
34 Hospital Service Corporations" is hereby amended to read as follows:

1           **27-19-55. Coverage for early intervention services.**

2           (a) Every individual or group hospital or medical expense insurance policy or contract  
3 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
4 2004, shall include coverage of early intervention services which coverage shall take effect no later  
5 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)  
6 per dependent child per policy or calendar year and shall not be subject to deductibles and  
7 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
8 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
9 the purpose of this section, "early intervention services" means, but is not limited to: speech and  
10 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,  
11 service plan development and review, nursing services, and assistive technology services and  
12 devices for;

13           (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
14 ~~of executive office of health and~~ human services ("EOHHS") as eligible for services under ~~part~~  
15 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

16           (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
17 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
18 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

19           (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
20 early intervention providers, who are designated as such by the ~~department of human services~~  
21 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
22 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
23 established by the ~~department of human services~~ EOHHS.

24           (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
25 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
26 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
27 injury or death by accident, or both; and (9) Other limited benefit policies.

28           SECTION 4. Section 27-20-50 of the General Laws in Chapter 27-20 entitled "Nonprofit  
29 Medical Service Corporations" is hereby amended to read as follows:

30           **27-20-50. Coverage for early intervention services.**

31           (a) Every individual or group hospital or medical expense insurance policy or contract  
32 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
33 2004, shall include coverage of early intervention services which coverage shall take effect no later  
34 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)

1 per dependent child per policy or calendar year and shall not be subject to deductibles and  
2 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
3 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
4 the purpose of this section, “early intervention services” means, but is not limited to: speech and  
5 language therapy; occupational therapy; physical therapy; evaluation; case management; nutrition;  
6 service plan development and review; nursing services; and assistive technology services and  
7 devices for:

8 (1) ~~dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
9 ~~of executive office of health and~~ human services (“EOHHS”) as eligible for services under ~~part~~  
10 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

11 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
12 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
13 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

14 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
15 early intervention providers, who are designated as such by the ~~department of human services~~  
16 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
17 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
18 established by the ~~department of human services~~ EOHHS.

19 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
20 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
21 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
22 injury or death by accident or both; and (9) Other limited benefit policies.

23 SECTION 5. Section 27-41-68 of the General Laws in Chapter 27-41 entitled "Health  
24 Maintenance Organizations" is hereby amended to read as follows:

25 **27-41-68. Coverage for early intervention services.**

26 (a) Every individual or group hospital or medical expense insurance policy or contract  
27 providing coverage for dependent children, delivered or renewed in this state on or after July 1,  
28 2004, shall include coverage of early intervention services which coverage shall take effect no later  
29 than January 1, 2005. The coverage shall be limited to a benefit of five thousand dollars (\$5,000)  
30 per dependent child per policy or calendar year and shall not be subject to deductibles and  
31 coinsurance factors. Any amount paid by an insurer under this section for a dependent child shall  
32 not be applied to any annual or lifetime maximum benefit contained in the policy or contract. For  
33 the purpose of this section, “early intervention services” means, but is not limited to: speech and  
34 language therapy, occupational therapy, physical therapy, evaluation, case management, nutrition,

1 service plan development and review, nursing services, and assistive technology services and  
2 devices for:

3 ~~(1) dependents~~ Dependents from birth to age three (3) who are certified by the ~~department~~  
4 ~~of executive office of health and~~ human services (“EOHHS”) as eligible for services under ~~part~~  
5 Part C of the Individuals with Disabilities Education Act (20 U.S.C. § 1431 et seq.); or

6 (2) Dependents who are older than age three (3) and are eligible for services pursuant to §  
7 23-13-22 and are certified by the EOHHS as eligible for services under Part C of the Individuals  
8 with Disabilities Education Act (20 U.S.C. § 1431 et seq.).

9 (b) Subject to the annual limits provided in this section, insurers shall reimburse certified  
10 early intervention providers, who are designated as such by the ~~department of human services~~  
11 EOHHS, for early intervention services as defined in this section at rates of reimbursement equal  
12 to or greater than the prevailing integrated state/Medicaid rate for early intervention services as  
13 established by the ~~department of human services~~ EOHHS.

14 (c) This section shall not apply to insurance coverage providing benefits for: (1) Hospital  
15 confinement indemnity; (2) Disability income; (3) Accident only; (4) Long-term care; (5) Medicare  
16 supplement; (6) Limited benefit health; (7) Specified disease indemnity; (8) Sickness or bodily  
17 injury or death by accident or both; and (9) Other limited benefit policies.

18 SECTION 6. Sections 40-5.2-20 and 40-5.2-35 of the General Laws in Chapter 40-5.2  
19 entitled "The Rhode Island Works Program" are hereby amended to read as follows:

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

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

24 (b) **Low-income child care.** The department shall provide child care to all other working  
25 families with incomes at or below ~~two hundred sixty-one percent (261%)~~ two hundred eighty-five  
26 percent (285%) of the federal poverty level if, and to the extent, these other families require child  
27 care in order to work at paid employment as defined in the department’s rules and regulations. The  
28 department shall also provide child care to families with incomes below ~~two hundred sixty-one~~  
29 ~~percent (261%)~~ two hundred eighty-five percent (285%) of the federal poverty level if, and to the  
30 extent, these families require child care to participate on a short-term basis, as defined in the  
31 department’s rules and regulations, in training, apprenticeship, internship, on-the-job training, work  
32 experience, work immersion, or other job-readiness/job-attachment program sponsored or funded  
33 by the human resource investment council (governor’s workforce board) or state agencies that are  
34 part of the coordinated program system pursuant to § 42-102-11. Effective from January 1, 2021,

1 through June 30, 2022, the department shall also provide childcare assistance to families with  
2 incomes below one hundred eighty percent (180%) of the federal poverty level when such  
3 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode  
4 Island public institution of higher education provided that eligibility to receive funding is capped  
5 when expenditures reach \$200,000 for this provision. Effective July 1, 2022 through December 31,  
6 2024, the department shall also provide childcare assistance to families with incomes below two  
7 hundred percent (200%) of the federal poverty level when such assistance is necessary for a  
8 member of these families to enroll or maintain enrollment in a Rhode Island public institution of  
9 higher education. Effective from January 1, 2025 through December 31, 2026, the department shall  
10 also provide childcare assistance to families with incomes below two hundred sixty-one percent  
11 (261%) of the federal poverty level when such assistance is necessary for a member of these  
12 families to enroll or maintain enrollment in a Rhode Island public institution of higher education.  
13 Effective on January 1, 2027, the department shall also provide childcare assistance to families  
14 with incomes below two hundred eighty-five percent (285%) of the federal poverty level when such  
15 assistance is necessary for a member of these families to enroll or maintain enrollment in a Rhode  
16 Island public institution of higher education.

17 (c) The department shall also provide childcare assistance to families who meet the  
18 requirements of the protective services category. For the purposes of this section, "protective  
19 services category" means foster or kinship children served through the department of children,  
20 youth and families.

21 ~~(d)~~(d) No family/assistance unit shall be eligible for childcare assistance under this chapter  
22 if the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which  
23 corresponds to the amount permitted by the federal government under the state plan and set forth  
24 in the administrative rulemaking process by the department. Liquid resources are defined as any  
25 interest(s) in property in the form of cash or other financial instruments or accounts that are readily  
26 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit  
27 union, or other financial institution savings, checking, and money market accounts; certificates of  
28 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments  
29 or accounts. These do not include educational savings accounts, plans, or programs; retirement  
30 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.  
31 The department is authorized to promulgate rules and regulations to determine the ownership and  
32 source of the funds in the joint account.

33 ~~(e)~~(e) As a condition of eligibility for childcare assistance under this chapter, the parent or  
34 caretaker relative of the family must consent to, and must cooperate with, the department in

1 establishing paternity, and in establishing and/or enforcing child support and medical support  
2 orders for any children in the family receiving appropriate child care under this section in  
3 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker  
4 relative is found to have good cause for refusing to comply with the requirements of this subsection.

5 ~~(e)~~(f) For purposes of this section, “appropriate child care” means child care, including  
6 infant, toddler, preschool, nursery school, and school-age, that is provided by a person or  
7 organization qualified, approved, and authorized to provide the care by the state agency or agencies  
8 designated to make the determinations in accordance with the provisions set forth herein.

9 ~~(f)~~(g)(1) Families with incomes below one hundred percent (100%) of the applicable  
10 federal poverty level guidelines shall be provided with free child care. Families with incomes  
11 greater than one hundred percent (100%) and less than two hundred percent (200%) of the  
12 applicable federal poverty guideline shall be required to pay for some portion of the child care they  
13 receive, according to a sliding-fee scale adopted by the department in the department’s rules, not  
14 to exceed seven percent (7%) of income as defined in subsection (h) of this section.

15 (2) Families who are receiving childcare assistance and who become ineligible for  
16 childcare assistance as a result of their incomes exceeding ~~two hundred sixty one percent (261%)~~  
17 two hundred eighty-five percent (285%) of the applicable federal poverty guidelines shall continue  
18 to be eligible for childcare assistance until their incomes exceed three hundred percent (300%) of  
19 the applicable federal poverty guidelines. To be eligible, the families must continue to pay for some  
20 portion of the child care they receive, as indicated in a sliding-fee scale adopted in the department’s  
21 rules, not to exceed seven percent (7%) of income as defined in subsection (h) of this section, and  
22 in accordance with all other eligibility standards.

23 ~~(g)~~(h) In determining the type of child care to be provided to a family, the department shall  
24 take into account the cost of available childcare options; the suitability of the type of care available  
25 for the child; and the parent’s preference as to the type of child care.

26 ~~(h)~~(i) For purposes of this section, “income” for families receiving cash assistance under §  
27 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in  
28 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and  
29 unearned income as determined by departmental regulations.

30 ~~(i)~~(j) The caseload estimating conference established by chapter 17 of title 35 shall forecast  
31 the expenditures for child care in accordance with the provisions of § 35-17-1.

32 ~~(j)~~(k) In determining eligibility for childcare assistance for children of members of reserve  
33 components called to active duty during a time of conflict, the department shall freeze the family  
34 composition and the family income of the reserve component member as it was in the month prior

1 to the month of leaving for active duty. This shall continue until the individual is officially  
2 discharged from active duty.

3 ~~(\*)~~(L) Effective from August 1, 2023, through July 31, ~~2028~~2030, the department shall  
4 provide funding for child care for eligible childcare educators, and childcare staff, who work at  
5 least twenty (20) hours a week in licensed childcare centers and licensed family childcare homes  
6 as defined in the department's rules and regulations. Eligibility is limited to qualifying childcare  
7 educators and childcare staff with family incomes up to three hundred percent (300%) of the  
8 applicable federal poverty guidelines and will have no copayments. Qualifying participants may  
9 select the childcare center or family childcare home for their children. The department shall  
10 promulgate regulations necessary to implement this section, and will collect applicant and  
11 participant data to report estimated demand for state-funded child care for eligible childcare  
12 educators and childcare staff. The report shall be due annually to the governor and the general  
13 assembly by November 1.

14 **40-5.2-35. Child support pass-through.**

15 For any month in which a noncustodial parent makes a child support payment in the month  
16 when due and the support is collected by the department of human services, for a child or children  
17 receiving cash assistance pursuant to this chapter, the first ~~fifty dollars (\$50.00)~~ one hundred dollars  
18 (\$100) of the child support payment, or the actual amount of the child support payment if the  
19 payment is less than ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100), shall be paid to the family  
20 in which the child resides. ~~If more than one noncustodial parent makes a child support payment to~~  
21 ~~children living in the same family, there shall only be one payment of fifty (\$50.00) paid to the~~  
22 ~~family from the child support collected.~~ If more than one child resides in a Rhode Island Works  
23 household, then any child support payment to children living in the same household receiving  
24 Rhode Island Works would increase the payment to two hundred dollars (\$200), a maximum  
25 payment of two hundred dollars (\$200) paid to the family from the child support collected per  
26 month. This payment is known as the "pass through" payment and shall be sent to the family within  
27 two (2) business days of the determination that the amount is due and owing and no later than  
28 within two (2) business days of the end of the month in which the support was collected.

29 SECTION 7. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Child  
30 Care — State Subsidies" is hereby amended to read as follows:

31 **40-6.2-1.1. Rates established.**

32 (a) Through June 30, 2015, subject to the payment limitations in subsection (c), the  
33 maximum reimbursement rates to be paid by the departments of human services and children, youth  
34 and families for licensed childcare centers and licensed family childcare providers shall be based

1 on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the  
2 average of the 75th percentile of the 2002 and the 2004 weekly market rates:

3	Licensed Childcare Centers	75th Percentile of Weekly Market Rate
4	Infant	\$182.00
5	Preschool	\$150.00
6	School-Age	\$135.00
7	Licensed Family Childcare Providers	75th Percentile of Weekly Market Rate
8	Infant	\$150.00
9	Preschool	\$150.00
10	School-Age	\$135.00

11 Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum  
12 reimbursement rates to be paid by the departments of human services and children, youth and  
13 families for licensed childcare centers and licensed family childcare providers shall be based on the  
14 above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of  
15 the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased by  
16 ten dollars (\$10.00) per week for infant/toddler care provided by licensed family childcare  
17 providers and license-exempt providers and then the rates for all providers for all age groups shall  
18 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare  
19 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-  
20 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one  
21 cents (\$161.71) for preschool-age children.

22 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the  
23 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of  
24 human services and children, youth and families for licensed childcare centers shall be  
25 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
26 the state's quality rating system outlined in § 42-12-23.1.

27 (1) For infant/toddler child care, tier one shall be reimbursed two and one-half percent  
28 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above  
29 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY  
30 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly  
31 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly  
32 amount.

33 (2) For preschool reimbursement rates, tier one shall be reimbursed two and one-half  
34 percent (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%)

1 above the FY 2018 weekly amount, tier three shall be reimbursed ten percent (10%) above the FY  
2 2018 weekly amount, tier four shall be reimbursed thirteen percent (13%) above the FY 2018  
3 weekly amount, and tier five shall be reimbursed twenty-one percent (21%) above the FY 2018  
4 weekly amount.

5 (c) [Deleted by P.L. 2019, ch. 88, art. 13, § 4.]

6 (d) By June 30, 2004, and biennially through June 30, 2014, the department of labor and  
7 training shall conduct an independent survey or certify an independent survey of the then-current  
8 weekly market rates for child care in Rhode Island and shall forward the weekly market rate survey  
9 to the department of human services. The next survey shall be conducted by June 30, 2016, and  
10 triennially thereafter. The departments of human services and labor and training will jointly  
11 determine the survey criteria including, but not limited to, rate categories and sub-categories.

12 (e) In order to expand the accessibility and availability of quality child care, the department  
13 of human services is authorized to establish, by regulation, alternative or incentive rates of  
14 reimbursement for quality enhancements, innovative or specialized child care, and alternative  
15 methodologies of childcare delivery, including nontraditional delivery systems and collaborations.

16 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two  
17 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of  
18 reimbursement payments.

19 (g) Effective July 1, 2019, the maximum infant/toddler reimbursement rates to be paid by  
20 the departments of human services and children, youth and families for licensed family childcare  
21 providers shall be implemented in a tiered manner, reflective of the quality rating the provider has  
22 achieved within the state's quality rating system outlined in § 42-12-23.1. Tier one shall be  
23 reimbursed two percent (2%) above the prevailing base rate for step 1 and step 2 providers, three  
24 percent (3%) above prevailing base rate for step 3 providers, and four percent (4%) above the  
25 prevailing base rate for step 4 providers; tier two shall be reimbursed five percent (5%) above the  
26 prevailing base rate; tier three shall be reimbursed eleven percent (11%) above the prevailing base  
27 rate; tier four shall be reimbursed fourteen percent (14%) above the prevailing base rate; and tier  
28 five shall be reimbursed twenty-three percent (23%) above the prevailing base rate.

29 (h) Through December 31, 2021, the maximum reimbursement rates paid by the  
30 departments of human services, and children, youth and families to licensed childcare centers shall  
31 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
32 Infant/Toddler	\$257.54	\$257.54	\$257.54	\$257.54	\$273.00
33 Preschool Age	\$195.67	\$195.67	\$195.67	\$195.67	\$260.00

1 School Age \$200.00 \$200.00 \$200.00 \$200.00 \$245.00

2 The maximum reimbursement rates paid by the departments of human services, and  
 3 children, youth and families to licensed family childcare providers shall be consistent with the  
 4 enhanced emergency rates provided as of June 1, 2021, as follows:

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
5 Infant/Toddler	\$224.43	\$224.43	\$224.43	\$224.43	\$224.43
6 Preschool Age	\$171.45	\$171.45	\$171.45	\$171.45	\$171.45
7 School Age	\$162.30	\$162.30	\$162.30	\$162.30	\$162.30

9 (i) Effective January 1, 2022, the maximum reimbursement rates to be paid by the  
 10 departments of human services and children, youth and families for licensed childcare centers  
 11 shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved  
 12 within the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
 13 reimbursed as follows:

14 Licensed Childcare Centers

	Tier One	Tier Two	Tier Three	Tier Four	Tier Five
15 Infant/Toddler	\$236.36	\$244.88	\$257.15	\$268.74	\$284.39
16 Preschool	\$207.51	\$212.27	\$218.45	\$223.50	\$231.39
17 School-Age	\$180.38	\$182.77	\$185.17	\$187.57	\$189.97

19 The maximum reimbursement rates for licensed family childcare providers paid by the  
 20 departments of human services, and children, youth and families is determined through collective  
 21 bargaining. The maximum reimbursement rates for infant/toddler and preschool age children paid  
 22 to licensed family childcare providers by both departments is implemented in a tiered manner that  
 23 reflects the quality rating the provider has achieved in accordance with § 42-12-23.1.

24 (j) Effective July 1, 2022, the maximum reimbursement rates to be paid by the departments  
 25 of human services and children, youth and families for licensed childcare centers shall be  
 26 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
 27 the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
 28 reimbursed as follows:

29 Licensed Childcare Centers

	Tier One	Tier Two	Tier Three	Tier Four	Tier Five
30 Infant/Toddler	\$265	\$270	\$282	\$289	\$300
31 Preschool	\$225	\$235	\$243	\$250	\$260
32 School-Age	\$200	\$205	\$220	\$238	\$250

34 (k) Effective July 1, 2024, the maximum reimbursement rates to be paid by the departments

1 of human services and children, youth and families for licensed childcare centers shall be  
 2 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
 3 the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
 4 reimbursed as follows:

5 Licensed Childcare Centers

6	Tier One	Tier Two	Tier Three	Tier Four	Tier Five
7 Infant/Toddler	\$278	\$284	\$296	\$303	\$315
8 Preschool	\$236	\$247	\$255	\$263	\$273
9 School-Age	\$210	\$215	\$231	\$250	\$263

10 (l) Effective July 1, 2025, the maximum reimbursement rates to be paid by the departments  
 11 of human services and children, youth and families for licensed childcare centers shall be  
 12 implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
 13 the state’s quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
 14 reimbursed as follows:

15	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
16 Infant	\$334	\$341	\$355	\$364	\$378
17 Toddlers	\$278	\$284	\$296	\$303	\$315
18 Preschoolers	\$236	\$247	\$255	\$263	\$273
19 School Age	\$210	\$215	\$231	\$250	\$263

20 (m) Effective July 1, 2026, the maximum reimbursement rates to be paid by the  
 21 departments of human services and children, youth and families for licensed childcare centers shall  
 22 be implemented in a tiered manner, reflective of the quality rating the provider has achieved within  
 23 the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be  
 24 reimbursed as follows:

25	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>
26 <u>Infant</u>	<u>\$351</u>	<u>\$358</u>	<u>\$373</u>	<u>\$382</u>	<u>\$397</u>
27 <u>Toddlers</u>	<u>\$278</u>	<u>\$284</u>	<u>\$296</u>	<u>\$303</u>	<u>\$315</u>
28 <u>Preschoolers</u>	<u>\$236</u>	<u>\$247</u>	<u>\$255</u>	<u>\$263</u>	<u>\$273</u>
29 <u>School Age</u>	<u>\$210</u>	<u>\$215</u>	<u>\$231</u>	<u>\$250</u>	<u>\$263</u>

30 SECTION 8. Section 40.1-1-13 of the General Laws in Chapter 40.1-1 entitled  
 31 “Department of Behavioral Healthcare, Developmental Disabilities and Hospitals” is hereby  
 32 amended to read as follows:

33 **40.1-1-13. Powers and duties of the office.**

34 Notwithstanding any provision of the Rhode Island general laws to the contrary, the

1 department of behavioral healthcare, developmental disabilities and hospitals shall have the  
2 following powers and duties:

3 (1) To establish and promulgate the overall plans, policies, objectives, and priorities for  
4 state substance abuse education, prevention, and treatment; provided, however, that the director  
5 shall obtain and consider input from all interested state departments and agencies prior to the  
6 promulgation of any such plans or policies;

7 (2) Evaluate and monitor all state grants and contracts to local substance abuse service  
8 providers;

9 (3) Develop, provide for, and coordinate the implementation of a comprehensive state plan  
10 for substance abuse education, prevention, and treatment;

11 (4) Ensure the collection, analysis, and dissemination of information for planning and  
12 evaluation of substance abuse services;

13 (5) Provide support, guidance, and technical assistance to individuals, local governments,  
14 community service providers, public and private organizations in their substance abuse education,  
15 prevention, and treatment activities;

16 (6) Confer with all interested department directors to coordinate the administration of state  
17 programs and policies that directly affect substance abuse treatment and prevention;

18 (7) Seek and receive funds from the federal government and private sources in order to  
19 further the purposes of this chapter;

20 (8) To act in conjunction with the executive office of health and human services as the  
21 state's co-designated agency (42 U.S.C. § 300x-30(a)) for administering federal aid and for the  
22 purposes of the calculation of the expenditures relative to the substance abuse block grant and  
23 federal funding maintenance of effort. The department of behavioral healthcare, developmental  
24 disabilities and hospitals, as the state's substance abuse authority, will have the sole responsibility  
25 for the planning, policy and implementation efforts as it relates to the requirements set forth in  
26 pertinent substance abuse laws and regulations including 42 U.S.C. § 300x-21 et seq.;

27 (9) Propose, review, and/or approve, as appropriate, proposals, policies, or plans involving  
28 insurance and managed care systems for substance abuse services in Rhode Island;

29 (10) To enter into, in compliance with the provisions of chapter 2 of title 37, contractual  
30 relationships and memoranda of agreement as necessary for the purposes of this chapter;

31 (11) To license facilities and programs for the care and treatment of substance abusers and  
32 for the prevention of substance abuse, and provide the list of licensed chemical dependency  
33 professionals (LCDP) and licensed chemical dependency clinical supervisors (LCDCS) (licensed  
34 by the department of health pursuant to chapter 69 of title 5) for use by state agencies including,

1 but not limited to, the adjudication office of the department of transportation, the district court and  
2 superior court and the division of probation and parole for referral of individuals requiring  
3 substance use disorder treatment;

4 (12) To promulgate rules and regulations necessary to carry out the requirements of this  
5 chapter;

6 (13) Perform other acts and exercise any other powers necessary or convenient to carry out  
7 the intent and purposes of this chapter;

8 (14) To exercise the authority and responsibilities relating to education, prevention, and  
9 treatment of substance abuse, as contained in, but not limited to, the following chapters: chapters  
10 1.10, 10.1, and 28.2 of title 23; chapters 21.2 and 21.3 of title 16; chapter 50.1 of title 42 [repealed];  
11 chapter 109 of title 42; chapter 69 of title 5; and § 35-4-18;

12 (15) To establish a Medicare Part D restricted-receipt account in the hospitals and  
13 community rehabilitation services program and the Rhode Island state psychiatric hospital program  
14 to receive and expend Medicare Part D reimbursements from pharmacy benefit providers consistent  
15 with the purposes of this chapter;

16 (16) To establish a RICLAS group home operations restricted-receipt account in the  
17 services for the developmentally disabled program to receive and expend rental income from  
18 RICLAS group clients for group home-related expenditures, including food, utilities, community  
19 activities, and the maintenance of group homes;

20 (17) To establish a non-Medicaid, third-party payor restricted-receipt account in the  
21 hospitals and community rehabilitation services program to receive and expend reimbursement  
22 from non-Medicaid, third-party payors to fund hospital patient services that are not Medicaid  
23 eligible; and

24 (18) To certify any and all recovery housing facilities directly, or through a contracted  
25 entity, as defined by department guidelines, which includes adherence to using National Alliance  
26 for Recovery Residences (NARR) standards. In accordance with a schedule to be determined by  
27 the department, all referrals from state agencies or state-funded facilities shall be to certified  
28 houses, and only certified recovery housing facilities shall be eligible to receive state funding to  
29 deliver recovery housing services. As of January 1, 2027, all recovery housing facilities shall be  
30 registered with the department and shall adhere to the NARR certification process.

31 [\(19\) To establish, operate, and/or designate a RI 9-8-8 Suicide & Crisis Lifeline center or](#)  
32 [centers to provide telephone, text and chat crisis intervention services and crisis care coordination](#)  
33 [to individuals accessing the RI 9-8-8 Suicide & Crisis Lifeline.](#)

34 SECTION 9. Title 40.1 of the General Laws entitled “Behavioral Healthcare, Development

1 Disabilities and Hospitals” is hereby amended by adding thereto the following chapter:

2 CHAPTER 8.6

3 RHODE ISLAND 9-8-8 SUICIDE & CRISIS LIFELINE

4 **40.1-8.6-1. Definitions.**

5 As used in this chapter:

6 (1) "9-8-8 Suicide & Crisis Lifeline" or "lifeline" means the national network system  
7 operated by the National Suicide Prevention Lifeline ("NSPL") or its successor entity, within which  
8 the department-approved or department-operated RI 9-8-8 Suicide & Crisis Lifeline Center  
9 participates.

10 (2) "Department" means the department of behavioral healthcare, developmental  
11 disabilities and hospitals.

12 (3) "Director" means the director of the department of behavioral healthcare,  
13 developmental disabilities and hospitals.

14 (4) "National Suicide Prevention Lifeline" ("NSPL") means the national network of local  
15 crisis centers providing free and confidential emotional support to people in suicidal crisis or  
16 emotional distress twenty-four (24) hours a day, seven (7) days a week. Membership as an NSPL  
17 center requires nationally recognized certification which includes evidence-based training for all  
18 staff and volunteers in the management of NSPL calls.

19 (5) "Rhode Island (RI) 9-8-8 state administrator" means the administrator designated by  
20 the director of the department to manage the locally operated and funded center within the national  
21 network of the 9-8-8 Suicide & Crisis Lifeline within Rhode Island.

22 (6) "Rhode Island (RI) 9-8-8 Suicide & Crisis Lifeline Center" or "lifeline center" means a  
23 department-approved or department-operated center that participates in the National Suicide  
24 Prevention Lifeline Network and responds to statewide or regional 9-8-8 contacts that is operated  
25 by or under contract with the department.

26 **40.1-8.6-2. 9-8-8 Suicide and Crisis Lifeline.**

27 (a) The director is hereby authorized to establish, operate, promulgate regulations with  
28 regard to, and/or designate a RI 9-8-8 Suicide & Crisis Lifeline center or centers to provide  
29 telephone, text and chat crisis intervention services and crisis care coordination to individuals  
30 accessing the RI 9-8-8 Suicide & Crisis Lifeline twenty-four (24) hours a day, seven (7) days a  
31 week.

32 (b) The director shall have the authority to provide general oversight of the RI 9-8-8 Suicide  
33 & Crisis Lifeline Center(s) established by this chapter.

34 (c) The RI 9-8-8 Suicide & Crisis Lifeline center(s) shall have an active agreement with

1 the administrator of the National Suicide Prevention Lifeline ("NSPL") maintained by SAMHSA,  
2 or any successor entity, for participation within the network.

3 (d) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall meet SAMHSA and  
4 NSPL or any successor entity's requirements and best practices guidelines for operational and  
5 clinical standards for adults and children.

6 (e) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall provide and report  
7 data and participate in evaluations and related quality improvement activities as required by the 9-  
8 8-8 state administrator. The department shall provide the department of children, youth, and  
9 families with data regarding utilization of RI 9-8-8 services by children, youth and their families,  
10 consistent with NSPL requirements and state and federal confidentiality and privacy laws and  
11 regulations.

12 (f) The designated RI 9-8-8 Suicide & Crisis Lifeline center(s) shall make referrals,  
13 consistent with guidance and policies established by the NSPL or any successor entity, to follow-  
14 up services for individuals who access the RI 9-8-8 Suicide & Crisis Lifeline.

15 (g) The director shall consult with the director of the department of children, youth, and  
16 families prior to promulgating rules and regulations specific to RI 9-8-8 services for children,  
17 youth, and their families and may require appropriate training regarding children services into a  
18 contract with the 9-8-8 service center provider.

19 (h) Nothing in §§ 40.1-8.6-2, 40.1-8.6-3, or 40.1-8.6-4 shall be construed to restrict the  
20 authority of the department of children, youth and family (DCYF) pursuant to chapters 72 and 72.1  
21 of title 42.

22 **40.1-8.6-3. Funding of the 988 Suicide & Crisis Lifeline.**

23 (a) The director shall have the authority to expend any and all funds allocated to support  
24 the operations of the RI 9-8-8 Suicide & Crisis Lifeline.

25 **40.1-8.6-4. Implementation.**

26 (a) The director shall designate the RI 9-8-8 state administrator. The RI 9-8-8 state  
27 administrator shall be an employee of the department and shall serve at the pleasure of the director,  
28 or shall be a contractor who has a contract with the department and shall serve for the period  
29 designated in the contract and in accordance with the terms of such contract.

30 (b) All state agencies and/or departments shall provide to the department any and all data  
31 and other information necessary for the department to comply with federal and/or state reporting  
32 requirements with respect to the establishment and/or operation of the RI 9-8-8 Suicide & Crisis  
33 Lifeline.

34 SECTION 10. Chapter 42-72 of the General Laws entitled "Department of Children, Youth

1 and Families" is hereby amended by adding thereto the following section:

2 **42-72-37. Application for social security benefits, supplemental security income, and**  
3 **veterans benefits.**

4 (a) Definitions. For the purposes of this section:

5 (1) "Benefits" means social security benefits, supplemental security income, veterans  
6 benefits, and railroad retirement benefits; and

7 (2) "Youth's attorney" and "guardian ad litem" means the person appointed as the youth's  
8 attorney or guardian ad litem in the proceeding in which the department is appointed as the youth's  
9 guardian or custodian.

10 (b) Application for benefits.

11 (1) Upon receiving temporary custody or guardianship of a youth in care, the department  
12 shall assess the youth to determine whether the youth may be eligible for benefits. If, after the  
13 assessment, the department determines that the youth may be eligible for benefits, the department  
14 shall ensure that an application is filed on behalf of the youth. If the department determines the  
15 youth is eligible for an ABLE account as authorized by Section 529A of the Internal Revenue Code  
16 of 1986, the department shall conserve the youth's benefits including SSDI, inheritance, pensions,  
17 life insurance, or other benefits in that account in a manner that appropriately avoids any federal  
18 asset or resource limits, absent a compelling reason to conserve benefits in another manner. The  
19 department shall prescribe by rules and regulations how it will review cases of youth in care at  
20 regular intervals to determine whether the youth may have become eligible for benefits after the  
21 initial assessment. The department shall make reasonable efforts to encourage youth in care over  
22 the age of eighteen (18) who are likely eligible for benefits to cooperate with the application process  
23 and to assist youth with the application process.

24 (2) When applying for benefits under this section for a youth in care the department shall  
25 identify a representative payee in accordance with the requirements of 20 CFR 404.2021 and  
26 416.621. If the department is seeking to be appointed as the youth's representative payee, the  
27 department shall consider input, if provided, from the youth's attorney and guardian ad litem  
28 regarding whether another representative payee, consistent with the requirements of 20 CFR  
29 404.2021 and 416.621, is available. If the department serves as the representative payee for a youth  
30 over the age of eighteen (18), the department shall request a court order.

31 (c) Notifications. The department shall immediately notify a youth over the age of sixteen  
32 (16), the youth's attorney and guardian ad litem, and the youth's parent or legal guardian or another  
33 responsible adult of:

34 (1) Any application for or any application to become representative payee for benefits on

1 behalf of a youth in care;

2 (2) Any communications from the Social Security Administration, the U.S. Department of  
3 Veterans Affairs, or the Railroad Retirement Board pertaining to the acceptance or denial of  
4 benefits or the selection of a representative payee; and

5 (3) Any appeal or other action requested by the department regarding an application for  
6 benefits.

7 (d) Use of benefits. Consistent with federal law, when the department serves as the  
8 representative payee for a youth receiving benefits and receives benefits on the youth's behalf, the  
9 department shall:

10 (1) Beginning January 1, 2027, except as provided in a request for the disbursement of  
11 funds, ensure that youth of any age in the care and custody of the department and until the  
12 department no longer serves as the representative payee, the entirety of the youth's supplemental  
13 security income benefits are conserved.

14 (2) Exercise discretion and seek advisement from the Office of the General Treasurer in  
15 accordance with federal law and in the best interests of the youth when making decisions to use or  
16 conserve the youth's benefits that are less than or not subject to asset or resource limits under federal  
17 law, including using the benefits to address the youth's special needs and conserving the benefits  
18 for the youth's reasonably foreseeable future needs.

19 (3) Appropriately monitor any federal asset or resource limits for the benefits and ensure  
20 that the youth's best interest is served by using or conserving the benefits, including SSDI,  
21 inheritance, pensions, life insurance, or other benefits in a way that avoids violating any federal  
22 asset or resource limits that would affect the youth's eligibility to receive the benefits.

23 (e)(1) Annual accounting. The department shall provide an annual accounting to the youth's  
24 attorney and guardian ad litem of how the youth's benefits have been used and conserved. In  
25 addition, within ten (10) business days of a request from a youth or the youth's attorney and  
26 guardian ad litem, the department shall provide an accounting to the youth of how the youth's  
27 benefits have been used and conserved.

28 (2) Final accounting. When the department's guardianship of the youth is being terminated,  
29 the department shall provide:

30 (i) A final accounting to the Social Security Administration, to the youth's attorney and  
31 guardian ad litem, and to either the person or persons who will assume guardianship of the youth  
32 or who is in the process of adopting the youth, if the youth is under eighteen (18), or to the youth,  
33 if the youth is over eighteen (18); and

34 (ii) Information to the parent, guardian, or youth regarding how to apply to become the

1 representative payee. The department shall adopt rules and regulations to ensure that the  
2 representative payee transitions occur in a timely and appropriate manner.

3 (f) Financial literacy. The department shall provide the youth with financial literacy  
4 training and support, including specific information regarding the existence, availability, and use  
5 of funds conserved for the youth in accordance with this subsection, beginning by age fourteen  
6 (14). The literacy program and support services shall be developed in consultation with input from  
7 the department's statewide speak advisory board and the office of the general treasurer.

8 (g) Adoption of rules and regulations. The department shall adopt rules and regulations to  
9 implement the provisions of this section by October 1, 2026.

10 (h) Reporting. No later than January 1, 2029, the department shall file a report with the  
11 general assembly providing the following information for state fiscal years 2027 and 2028 and  
12 annually beginning January 1, 2030, for the preceding fiscal year:

13 (1) The number of youth entering care.

14 (2) The number of youth entering care receiving each of the following types of benefits:  
15 social security benefits, supplemental security income, veterans benefits, and/or railroad retirement  
16 benefits.

17 (3) The number of youth entering care for whom the department filed an application for  
18 each of the following types of benefits: social security benefits, supplemental security income,  
19 veterans benefits, and/or railroad retirement benefits.

20 (4) The number of youth entering care who were awarded each of the following types of  
21 benefits based on an application filed by the department: social security benefits, supplemental  
22 security income, veterans benefits, and/or railroad retirement benefits.

23 (i) Annually beginning January 1, 2029, the department shall file a report with the general  
24 assembly with the following information regarding the preceding fiscal year:

25 (1) The number of conserved accounts established and maintained for youth in care;

26 (2) The average amount conserved by age group; and

27 (3) The total amount conserved by age group.

28 SECTION 11. Sections 42-160-3 and 42-160-5 of the General Laws in Chapter 42-160  
29 entitled "Rhode Island Pay for Success Act" are hereby amended to read as follows:

30 **42-160-3. Annual reporting.**

31 The executive office, in collaboration with the Rhode Island Coalition to End  
32 Homelessness or other qualified organization as determined by the executive office, shall provide  
33 yearly progress reports to the general assembly beginning no later than January 30, 2022, and  
34 annually thereafter until January 30, ~~2027~~ 2028. These reports will include recommendations on a

1 proposed structure for entering into pay for success contracts, for administering the program, and  
2 for any and all matters related thereto that the executive office deems necessary to administer future  
3 pay for success projects at the conclusion of the pilot program in ~~2026~~ 2027. As a condition of this  
4 project, HUD requires that a third party conduct a transparent and rigorous evaluation of the  
5 intervention to determine whether the outcomes have indeed achieved success. The evaluation  
6 results will be reported yearly to the governor and general assembly.

7 **42-160-5. Pilot program established.**

8 There is established a ~~five-year (5)~~ six-year (6) pay-for-success pilot program to be  
9 administered by the Rhode Island executive office of health and human services. The pilot will  
10 follow the proposal outlined in the 2016 pay-for-success grant proposal to HUD and 2017  
11 feasibility study. The pay-for-success project will provide a person-centered housing and  
12 supportive services intervention (PSH) for one hundred twenty-five (125) persons in Rhode Island  
13 experiencing homelessness who are high utilizers of the healthcare and justice systems. The pilot  
14 program will leverage eight hundred seventy-five thousand dollars (\$875,000) of HUD/DOJ grant  
15 funds. Contract agreements with the executive office of health and human services pursuant to this  
16 chapter shall not exceed one million five hundred thousand dollars (\$1,500,000) per fiscal year or  
17 six million dollars (\$6,000,000) in the aggregate over the ~~five (5)~~ six (6) years of the pilot program,  
18 as determined by the department; provided, no agreements shall be entered by the department after  
19 July 1, ~~2026~~ 2027, without further authorization by the general assembly.

20 SECTION 12. Section 6 of this article shall take effect January 1, 2027, except for the  
21 provisions of §§ 42-5.2-20(c) and 45-5.2-20(I) which shall take effect July 1, 2026. The remainder  
22 of this article shall take effect July 1, 2026.

**ARTICLE 11**

RELATING TO ENERGY

SECTION 1. Sections 37-24-3 and 37-24-5 of the General Laws in Chapter 37-24 entitled "The Green Buildings Act" are hereby amended to read as follows:

**37-24-3. Definitions.**

For purposes of this chapter, the following definitions shall apply:

(1) "Construction" means the process of building, altering, repairing, improving, or demolishing forty percent (40%) or more of any public structures, public buildings, public real property or other public improvements of any kind to any public structures, public buildings or public real property.

(2) "Department" means the ~~department of administration~~ [the office of the state building code commissioner](#).

(3) "Equivalent standard" means a high-performance green building standard, other than LEED, LEED for Neighborhood Development, and SITES, that provides an independent, third-party verification and certification of a rating system or measurement tool, that, when used, leads to outcomes equivalent to, LEED, LEED for Neighborhood Development, and SITES outcomes, in terms of green building, green infrastructure, and green site performance; current accepted equivalent standards include green globes, Northeast collaborative high-performance schools protocol; or other equivalent high-performance green building, green infrastructure, and green site standards accepted by the department.

(4) "LEED" also, "LEED for Neighborhood Development, and SITES certified standard" means the current version of the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) green building rating standard referred to as LEED, LEED for Neighborhood Development, and SITES certified. SITES means the U.S. Green Building Council's SITES — The Sustainable SITES Initiative.

(5) "Public agency" means every state or municipal office, board, commission, committee, bureau, department, or public institution of education, or any political subdivision thereof.

(6) "Public facility" means any public institution, public facility, public equipment, or any physical asset owned, including its public real-property site, leased or controlled in whole or in part by this state, a public agency, a municipality or a political subdivision, that is for public or

1 government use.

2 (7) “Public major facility project” means:

3 (i) A public facility building construction project larger than ten thousand (10,000) gross  
4 square feet of occupied or conditioned space, and its public real-property site; or

5 (ii) A public facility building renovation project larger than ten thousand (10,000) gross  
6 square feet of occupied or conditioned space, and its public real-property site.

7 **37-24-5. Administration and reports — Green buildings advisory committee.**

8 (a) The department shall promulgate such regulations as are necessary to enforce this  
9 section ~~by January 1, 2023.~~ Effective July 1, 2026, the office of the state building code  
10 commissioner will assume responsibility for promulgating the rules and regulations regarding the  
11 green buildings advisory committee. The rules and regulations promulgated under title 220, chapter  
12 70, subchapter 00, part 1 of the Rhode Island code of regulations will remain in full force and effect  
13 and shall be enforced by the department of administration until such a time as the rules and  
14 regulations are properly transferred to and promulgated by the office of the state building code  
15 commissioner title within the Rhode Island code of regulations.

16 Those regulations shall include how the department will determine whether a project  
17 qualifies for an exception from the LEED, LEED for Neighborhood Development, and SITES  
18 certified or equivalent high-performance green building standard, and the green building standards  
19 that may be imposed on projects that are granted exceptions.

20 (b) The department shall monitor and document ongoing operating savings that result from  
21 major facility projects designed, constructed, and certified as meeting the LEED, LEED for  
22 Neighborhood Development, and SITES certified standard annually publish a public report of  
23 findings and recommended changes in policy. The report shall also include a description of projects  
24 that were granted exceptions from the LEED, LEED for Neighborhood Development, and SITES  
25 certified standard, the reasons for exception, and the lesser green building standards imposed.

26 (c) — (f) [Deleted by P.L. 2022, ch. 204, § 1 and P.L. 2022, ch. 205, § 1.]

27 (g) A green buildings advisory committee shall be created composed of nineteen (19)  
28 members. The advisory committee shall have eleven (11) public members and eight (8) public  
29 agency members. Five (5) of the public members shall be appointed by the governor; three (3) of  
30 the public members shall be appointed by the president of the senate; and, three (3) of the public  
31 members shall be appointed by the speaker of the house of representatives.

32 (1) The eleven (11) public members of the advisory committee shall be composed of nine  
33 (9) representatives one from each of the following fields: architecture, engineering, landscape  
34 architecture, energy, labor through the Rhode Island AFL-CIO, general construction contracting,

1 building product and building materials industries who are involved in, and have recognized  
2 knowledge and accomplishment in their respective professions, of high-performance green  
3 building standards, relating to the standards set forth in § 37-24-4; in addition to two (2) public  
4 members, one representing an urban municipality from Providence, Cranston, Warwick,  
5 Pawtucket, Woonsocket, or Newport, and one public member representing the other thirty-two (32)  
6 municipalities in the state in order to ensure geographic diversity.

7 (2) The advisory committee shall have eight (8) public agency members representing  
8 personnel from affected public agencies, and cities and towns, that oversee public works projects  
9 and workforce development, who shall be appointed by the directors or chief executive officers of  
10 the respective public agencies which shall include the department of administration; the department  
11 of environmental management; the department of education; the department of transportation; the  
12 department of labor and training; the office of the state building code commissioner; the Rhode  
13 Island infrastructure bank, and the Rhode Island League of Cities and Towns.

14 (3) The chairperson of the green buildings advisory committee shall be a public member  
15 chosen by the green buildings advisory committee.

16 (4) Of the initial eleven (11) public members, six (6) shall serve three-year (3) terms and  
17 five (5) shall have two-year (2) terms. Each appointing authority shall appoint two (2) public  
18 members to three-year (3) terms with the remainder of the public member appointments serving  
19 two-year terms. Thereafter, all public members shall be appointed to three-year (3) terms.

20 (h) The green buildings advisory committee shall:

21 (1) Make recommendations regarding an ongoing evaluation process of the green buildings  
22 act to help the department and the executive climate change coordinating council implement this  
23 chapter;

24 (2) Identify the needs, actions, and funding required to implement the requirements set  
25 forth in this chapter, in achieving high-performance green building projects for our public  
26 buildings, public structures, and our public real properties;

27 (3) Establish clear, measurable targets for implementing the standards, defined in this  
28 chapter, for all public major facility projects including timeline, workforce needs, anticipated costs  
29 and other measures identified by the green buildings advisory committee and required by chapter  
30 6.2 of title 42 (“2021 act on climate”); and

31 (4) Identify ways to monitor and document ongoing operating savings and greenhouse gas  
32 emission reductions that result from public major facility projects designed, constructed and  
33 certified as meeting the LEED, LEED for Neighborhood Development, SITES certified standard,  
34 Green Globes, Northeast Collaborative for High-Performance Schools Protocol, Version 1.1 or

1 above and annually publish a report to the general assembly and the executive climate change  
2 coordinating council of findings and recommended changes in policy.

3 (i) All requests for proposals, requests for information, requests for bids, requests for  
4 design/build, requests for construction managers, and any requests relating to obtaining the  
5 professional services, pricing, and construction for major facility projects by a public agency for a  
6 public facility, shall include the notice of the statutory requirements of this chapter (“the green  
7 buildings act”).

8 (j) The green buildings advisory committee shall have no responsibility for, and shall not  
9 develop requests for proposals, requests for information, requests for bids, requests for  
10 design/build, requests for construction managers, and any requests relating to obtaining the  
11 professional services, pricing, and construction for major facility projects by a public agency for a  
12 public facility; and the green buildings advisory committee shall have no responsibility for, and  
13 shall not select any vendors for any requests for proposals, requests for information, requests for  
14 bids, requests for design/build, requests for construction managers, and any requests relating to  
15 obtaining the professional services, pricing, and construction for major facility projects by a public  
16 agency for a public facility. Nothing shall prohibit public members of the green buildings advisory  
17 committee from responding to, and being involved with, any submittals of requests for proposals,  
18 requests for information, requests for bids, requests for design/build, requests for construction  
19 managers, and any requests relating to obtaining the professional services, pricing, and construction  
20 for major facility projects by a public agency for a public facility.

21 (k) The department of administration shall commission a report to analyze the costs and/or  
22 benefits of LEED certification compared to equivalent standards. This includes, but is not limited  
23 to, the impact of obtaining formal LEED certification on project budget and timeline.

24 SECTION 2. Section 39-2.2-2 of the General Laws in Chapter 39-2.2 entitled "Rhode  
25 Island Utility Fair Share Roadway Repair Act" is hereby amended to read as follows:

26 **39-2.2-2. Road repair by public utility or utility facility.**

27 (a) Any public utility as defined by § 39-1-2 or any utility facility as defined by chapter 8.1  
28 of title 24 that shall alter, excavate, disrupt, or disturb a roadway shall be responsible for ~~complete~~  
29 ~~repaving and repair of the roadway from curbline to curbline~~ complete repaving and repair or  
30 restoration of the full width of the affected travel lane for the entire length of the excavation or as  
31 required in accordance with the state or municipal utility permit requirements.

32 (b) Any public utility as defined by § 39-1-2 or any utility facility as defined by chapter  
33 8.1 of title 24 shall recover all costs required of this chapter in accordance with generally accepted  
34 accounting principles.

1 SECTION 3. Chapter 39-2 of the General Laws entitled "Duties of Utilities and Carriers"  
2 is hereby amended by adding thereto the following section:

3 **39-2-29. In-state transmission owner required to participate in the regional**  
4 **independent system operator.**

5 On and after the effective date of this section, no electric distribution company, as defined  
6 in § 39-1-2, shall own, operate, or control a transmission facility, as defined in § 39-1-2, located in  
7 the state unless such company joins or is a member of ISO New England, Inc. or its successor  
8 organization as approved by the federal energy regulatory commission.

9 SECTION 4. Section 39-26.1-4 of the General Laws in Chapter 39-26.1 entitled "Long-  
10 Term Contracting Standard for Renewable Energy" is hereby repealed.

11 **~~39-26.1-4. Financial remuneration and incentives.~~**

12 ~~In order to achieve the purposes of this chapter, electric distribution companies shall be~~  
13 ~~entitled to financial remuneration and incentives for long term contracts for newly developed~~  
14 ~~renewable energy resources, which are over and above the base rate revenue requirement~~  
15 ~~established in its cost of service for distribution ratemaking. Such remuneration and incentives shall~~  
16 ~~compensate the electric distribution company for accepting the financial obligation of the long-~~  
17 ~~term contracts. The financial remuneration and incentives described in this section shall apply only~~  
18 ~~to long term contracts for newly developed renewable energy resources. For long term contracts~~  
19 ~~approved pursuant to this chapter before January 1, 2022, the financial remuneration and incentives~~  
20 ~~shall be in the form of annual compensation, equal to two and three quarters percent (2.75%) of the~~  
21 ~~actual annual payments made under the contracts for those projects that are commercially~~  
22 ~~operating, unless determined otherwise by the commission at the time of approval. For long term~~  
23 ~~contracts approved pursuant to this chapter on or after January 1, 2022, including contracts above~~  
24 ~~the minimum long term contract capacity, the financial remuneration and incentives shall be in the~~  
25 ~~form of annual compensation up to one percent (1.0%) of the actual annual payments made under~~  
26 ~~the contracts through December 31, 2026, for those projects that are commercially operating. For~~  
27 ~~all long term contracts approved pursuant to this chapter on or after January 1, 2027, financial~~  
28 ~~remuneration and incentives shall not be applied, unless otherwise granted by the commission. For~~  
29 ~~any calendar year in which the electric distribution company's actual return on equity exceeds the~~  
30 ~~return on equity allowed by the commission in the electric distribution company's last general rate~~  
31 ~~case, the commission shall have the authority to adjust any or all remuneration paid to the electric~~  
32 ~~distribution company pursuant to this section in order to assure that such remuneration does not~~  
33 ~~result in or contribute toward the electric distribution company earning above its allowed return for~~  
34 ~~such calendar year.~~

1 SECTION 5. Sections 39-26.4-2 and 39-26.4-3 of the General Laws in Chapter 39-26.4  
2 entitled "Net Metering" are hereby amended to read as follows:

3 **39-26.4-2. Definitions.**

4 Terms not defined in this section herein shall have the same meaning as contained in  
5 chapter 26 of this title. When used in this chapter:

6 (1) "Community remote net-metering system" means a facility generating electricity using  
7 an eligible net-metering resource that allocates net-metering credits to a minimum of one account  
8 for a system associated with low- or moderate-income housing eligible credit recipients, or three  
9 (3) eligible credit-recipient customer accounts, provided that no more than fifty percent (50%) of  
10 the credits produced by the system are allocated to one eligible credit recipient, and provided further  
11 at least fifty percent (50%) of the credits produced by the system are allocated to the remaining  
12 eligible credit recipients in an amount not to exceed that which is produced annually by twenty-  
13 five kilowatt (25 KW) AC capacity. The community remote net-metering system may transfer  
14 credits to eligible credit recipients in an amount that is equal to or less than the sum of the usage of  
15 the eligible credit recipient accounts measured by the three-year (3) average annual consumption  
16 of energy over the previous three (3) years. A projected annual consumption of energy may be used  
17 until the actual three-year (3) average annual consumption of energy over the previous three (3)  
18 years at the eligible credit recipient accounts becomes available for use in determining eligibility  
19 of the generating system. The community remote net-metering system may be owned by the same  
20 entity that is the customer of record on the net-metered account or may be owned by a third party.

21 (2) "Core forest" refers to unfragmented forest blocks of single or multiple parcels totaling  
22 two hundred fifty (250) acres or greater unbroken by development and at least twenty-five (25)  
23 yards from mapped roads, with eligibility questions to be resolved by the director of the department  
24 of environmental management. Such determination shall constitute a contested case as defined in  
25 § 42-35-1.

26 (3) "Electric distribution company" shall have the same meaning as § 39-1-2, but shall not  
27 include Block Island Power Company or Pascoag Utility District, each of whom shall be required  
28 to offer net metering to customers through a tariff approved by the public utilities commission after  
29 a public hearing. Any tariff or policy on file with the public utilities commission on the date of  
30 passage of this chapter shall remain in effect until the commission approves a new tariff.

31 (4) "Eligible credit recipient" means one of the following eligible recipients in the electric  
32 distribution company's service territory whose electric service account or accounts may receive  
33 net-metering credits from a community remote net-metering system. Eligible credit recipients  
34 include the following definitions:

1 (i) Residential accounts in good standing.

2 (ii) “Low- or moderate-income housing eligible credit recipient” means an electric service  
3 account or accounts in good standing associated with any housing development or developments  
4 owned or operated by a public agency, nonprofit organization, limited-equity housing cooperative,  
5 or private developer that receives assistance under any federal, state, or municipal government  
6 program to assist the construction or rehabilitation of housing affordable to low- or moderate-  
7 income households, as defined in the applicable federal or state statute, or local ordinance,  
8 encumbered by a deed restriction or other covenant recorded in the land records of the municipality  
9 in which the housing is located, that:

10 (A) Restricts occupancy of no less than fifty percent (50%) of the housing to households  
11 with a gross, annual income that does not exceed eighty percent (80%) of the area median income  
12 as defined annually by the United States Department of Housing and Urban Development (HUD);

13 (B) Restricts the monthly rent, including a utility allowance, that may be charged to  
14 residents, to an amount that does not exceed thirty percent (30%) of the gross, monthly income of  
15 a household earning eighty percent (80%) of the area median income as defined annually by HUD;

16 (C) Has an original term of not less than thirty (30) years from initial occupancy.

17 Electric service account or accounts in good standing associated with housing  
18 developments that are under common ownership or control may be considered a single low- or  
19 moderate-income housing eligible credit recipient for purposes of this section. The value of the  
20 credits shall be used to provide benefits to tenants.

21 (iii) “Educational institutions” means public and private schools at the primary, secondary,  
22 and postsecondary levels.

23 (iv) “Commercial or industrial customers” means any nonresidential customer of the  
24 electric distribution company.

25 (5) “Eligible net-metering resource” means eligible renewable energy resource, as defined  
26 in § 39-26-5 including biogas created as a result of anaerobic digestion, but, specifically excluding  
27 all other listed eligible biomass fuels.

28 (6) “Eligible net-metering system” means a facility generating electricity using an eligible  
29 net-metering resource that, for any system with a nameplate capacity in excess of twenty-five  
30 kilowatts (25 KW), is reasonably designed and sized to annually produce electricity in an amount  
31 that is equal to, or less than, the renewable self-generator’s usage at the eligible net-metering system  
32 site measured by the three-year (3) average annual consumption of energy over the previous three  
33 (3) years at the electric distribution account(s) located at the eligible net-metering system site. A  
34 projected annual consumption of energy may be used until the actual three-year (3) average annual

1 consumption of energy over the previous three (3) years at the electric distribution account(s)  
2 located at the eligible net-metering system site becomes available for use in determining eligibility  
3 of the generating system. For any system with a nameplate capacity equal to or less than twenty-  
4 five kilowatts (25 KW), eligibility shall not be restricted based on prior consumption. The eligible  
5 net-metering system may be owned by the same entity that is the customer of record on the net-  
6 metered accounts or may be owned by a third party that is not the customer of record at the eligible  
7 net-metering system site and which may offer a third-party, net-metering financing arrangement or  
8 net-metering financing arrangement, as applicable. Notwithstanding any other provisions of this  
9 chapter, any eligible net-metering resource: (i) Owned by a public entity, educational institution,  
10 hospital, nonprofit, or multi-municipal collaborative; or (ii) Owned and operated by a renewable-  
11 generation developer on behalf of a public entity, educational institution, hospital, nonprofit, or  
12 multi-municipal collaborative through a net-metering financing arrangement shall be treated as an  
13 eligible net-metering system and all accounts designated by the public entity, educational  
14 institution, hospital, nonprofit, or multi-municipal collaborative for net metering shall be treated as  
15 accounts eligible for net metering within an eligible net-metering system site; or (iii) Owned and  
16 operated by a renewable-generation developer on behalf of one or more commercial or industrial  
17 customer(s) through net-metering financing arrangement(s) shall be treated as an eligible net-  
18 metering system within an eligible net-metering system site. Notwithstanding any other provision  
19 to the contrary, effective July 1, 2060, an eligible net-metering system means a facility generating  
20 electricity using an eligible net-metering resource that is interconnected behind the same meter as  
21 the net-metering customer's load.

22 (7) "Eligible net-metering system site" means the site where the eligible net-metering  
23 system or community remote net-metering system is located or is part of the same campus or  
24 complex of sites contiguous to one another and the site where the eligible net-metering system or  
25 community remote net-metering system is located or a farm on which the eligible net-metering  
26 system or community remote net-metering system is located. Except for an eligible net-metering  
27 system owned by or operated on behalf of a public entity, educational institution, hospital,  
28 nonprofit, or multi-municipal collaborative or for a commercial or industrial customer through a  
29 net-metering financing arrangement, the purpose of this definition is to reasonably assure that  
30 energy generated by the eligible net-metering system is consumed by net-metered electric service  
31 account(s) that are actually located in the same geographical location as the eligible net-metering  
32 system. All energy generated from any eligible net-metering system is, and will be considered,  
33 consumed at the meter where the renewable energy resource is interconnected for valuation  
34 purposes. Except for an eligible net-metering system owned by, or operated on behalf of, a public

1 entity, educational institution, hospital, nonprofit, or multi-municipal collaborative, or for a  
2 commercial or industrial customer through a net-metering financing arrangement, or except for a  
3 community remote net-metering system, all of the net-metered accounts at the eligible net-metering  
4 system site must be the accounts of the same customer of record and customers are not permitted  
5 to enter into agreements or arrangements to change the name on accounts for the purpose of  
6 artificially expanding the eligible net-metering system site to contiguous sites in an attempt to avoid  
7 this restriction. However, a property owner may change the nature of the metered service at the  
8 accounts at the site to be master metered in the owner's name, or become the customer of record  
9 for each of the accounts, provided that the owner becoming the customer of record actually owns  
10 the property at which the account is located. As long as the net-metered accounts meet the  
11 requirements set forth in this definition, there is no limit on the number of accounts that may be net  
12 metered within the eligible net-metering system site.

13 (8) "Excess renewable net-metering credit" means a credit that applies to an eligible net-  
14 metering system or community remote net-metering system for that portion of the production of  
15 electrical energy beyond one hundred percent (100%) and no greater than one hundred twenty-five  
16 percent (125%), except for any system with a nameplate capacity equal to or less than twenty-five  
17 kilowatts (25 KW) for which excess renewable net-metering credit applies to all production of  
18 electrical energy beyond one hundred percent (100%) of the renewable self-generator's own  
19 consumption at the eligible net-metering system site or the sum of the usage of the eligible credit  
20 recipient accounts associated with the community remote net-metering system during the  
21 applicable billing period.

22 For electrical energy produced greater than one hundred percent (100%) of the renewable  
23 self-generator's own electricity consumption at the eligible net-metering system site or the sum of  
24 the usage of the eligible credit recipient accounts associated with the community remote net-  
25 metering system during the applicable billing period, excess renewable net-metering credits shall  
26 be equal to the wholesale electricity rate, which is hereby declared to be the ISO-New England  
27 energy clearing price. When applying the ISO-New England energy clearing price to calculate the  
28 value of excess renewable net-metering credits, the electric distribution company, subject to  
29 commission approval and subject to amendment from time to time, may use an annual average,  
30 monthly average, or other time increment and may use Rhode Island zone pricing or other  
31 applicable locational pricing. The commission shall have the authority to make determinations as  
32 to the applicability of this credit to specific generation facilities to the extent there is any uncertainty  
33 or disagreement.

34 (9) "Farm" shall be defined in accordance with § 44-27-2, except that all buildings

1 associated with the farm shall be eligible for net-metering credits as long as: (i) The buildings are  
2 owned by the same entity operating the farm or persons associated with operating the farm; and (ii)  
3 The buildings are on the same farmland as the project on either a tract of land contiguous with, or  
4 reasonably proximate to, such farmland or across a public way from such farmland.

5 (10) "Hospital" means and shall be defined and established as set forth in chapter 17 of  
6 title 23.

7 (11) "Multi-municipal collaborative" means a group of towns and/or cities that enter into  
8 an agreement for the purpose of co-owning a renewable-generation facility or entering into a  
9 financing arrangement pursuant to subsection (15).

10 (12) "Municipality" means any Rhode Island town or city, including any agency or  
11 instrumentality thereof, with the powers set forth in title 45.

12 (13) "Net metering" means using electrical energy generated by an eligible net-metering  
13 system for the purpose of self-supplying electrical energy and power at the eligible net-metering  
14 system site, or with respect to a community remote net-metering system, for the purpose of  
15 generating net-metering credits to be applied to the electric bills of the eligible credit recipients  
16 associated with the community net-metering system. The amount so generated will thereby offset  
17 consumption at the eligible net-metering system site through the netting process established in this  
18 chapter, or with respect to a community remote net-metering system, the amounts generated in  
19 excess of that amount will result in credits being applied to the eligible credit-recipient accounts  
20 associated with the community remote net-metering system.

21 (14) "Net-metering customer" means a customer of the electric distribution company  
22 receiving and being billed for distribution service whose distribution account(s) are being net  
23 metered.

24 (15) "Net-metering financing arrangement" means arrangements entered into by a public  
25 entity, educational institution, hospital, nonprofit, multi-municipal collaborative, or a commercial  
26 or industrial customer with a private entity to facilitate the financing and operation of a net-metering  
27 resource, in which the private entity owns and operates an eligible net-metering resource on behalf  
28 of a public entity, educational institution, hospital, nonprofit, multi-municipal collaborative, or  
29 commercial or industrial customer, where: (i) The eligible net-metering resource is located on  
30 property owned or controlled by the public entity, educational institution, hospital, municipality,  
31 multi-municipal collaborative, or commercial or industrial customer as applicable; and (ii) The  
32 production from the eligible net-metering resource and primary compensation paid by the public  
33 entity, educational institution, hospital, nonprofit, multi-municipal collaborative, or commercial or  
34 industrial customer to the private entity for such production is directly tied to the consumption of

1 electricity occurring at the designated net-metered accounts.

2 (16) “Nonprofit” means a nonprofit corporation as defined and established through chapter  
3 6 of title 7, and shall include religious organizations that are tax exempt pursuant to 26 U.S.C. §  
4 501(d).

5 (17) “Person” means an individual, firm, corporation, association, partnership, farm, town  
6 or city of the state of Rhode Island, multi-municipal collaborative, or the state of Rhode Island or  
7 any department of the state government, governmental agency, or public instrumentality of the  
8 state.

9 (18) “Preferred site” means a location for a renewable energy system that has had prior  
10 development, including, but not limited to: landfills, gravel pits and quarries, highway and major  
11 road median strips, brownfields, superfund sites, parking lots or sites that are designated  
12 appropriate for carports, and all rooftops including, but not limited to, residential, commercial,  
13 industrial, and municipal buildings.

14 (19) “Project” means a distinct installation of an eligible net-metering system or a  
15 community remote net-metering system. An installation will be considered distinct if it is installed  
16 in a different location, or at a different time, or involves a different type of renewable energy.  
17 Subject to the safe-harbor provisions in § 39-26.4-3(a)(1), new and distinct projects cannot be  
18 located on adjoining parcels of land within core forests, except for preferred sites.

19 (20) “Public entity” means the federal government, the state of Rhode Island,  
20 municipalities, wastewater treatment facilities, public transit agencies, or any water distributing  
21 plant or system employed for the distribution of water to the consuming public within this state  
22 including the water supply board of the city of Providence.

23 (21) “Public entity net-metering system” means a system generating renewable energy at  
24 a property owned or controlled by the public entity that is participating in a net-metering financing  
25 arrangement where the public entity has designated accounts in its name to receive net-metering  
26 credits.

27 (22) “Renewable net-metering credit” means a credit that applies to an eligible net-  
28 metering system or a community remote net-metering system up to one hundred percent (100%) of  
29 either the renewable self-generator’s usage at the eligible net-metering system site or the sum of  
30 the usage of the eligible credit-recipient accounts associated with the community remote net-  
31 metering system over the applicable billing period. This credit shall be equal to the total kilowatt  
32 hours of electrical energy generated up to the amount consumed on-site, and/or generated up to the  
33 sum of the eligible credit-recipient account usage during the billing period multiplied by the sum  
34 of the distribution company’s:

1 (i) Last resort service kilowatt-hour charge for the rate class applicable to the net-metering  
2 customer, except that for remote public entity and multi-municipality collaborative net-metering  
3 systems that submit an application for an interconnection study on or after July 1, 2017, and  
4 community remote net-metering systems, the last resort service kilowatt-hour charge shall be net  
5 of the renewable energy standard charge or credit;

6 (ii) Distribution kilowatt-hour charge;

7 (iii) Transmission kilowatt-hour charge; and

8 (iv) Transition kilowatt-hour charge.

9 For projects after April 15, 2023 [that have not elected to receive the fixed renewable net-](#)  
10 [metering credit pursuant to § 39-26.4-3\(f\)](#), subject to the allowable be ~~two hundred seventy-five~~  
11 [one hundred seventy-five](#) megawatts, alternating current (~~275~~ [175](#) MWac), under § 39-26.4-  
12 3(a)(1)(vi), the credit shall be reduced by twenty percent (20%).

13 Notwithstanding the foregoing, except for systems that have requested an interconnection  
14 study for which payment has been received by the distribution company, or if an interconnection  
15 study is not required, a completed and paid interconnection application, by December 31, 2018, the  
16 renewable net-metering credit for all remote public entity and multi-municipal collaborative net-  
17 metering systems shall not include the distribution kilowatt-hour charge commencing on January  
18 1, 2060.

19 (23) “Renewable self-generator” means an electric distribution service customer of record  
20 for the eligible net-metering system or community remote net-metering system at the eligible net-  
21 metering system site which system is primarily designed to produce electrical energy for  
22 consumption by that same customer at its distribution service account(s), and/or, with respect to  
23 community remote net-metering systems, electrical energy which generates net-metering credits to  
24 be applied to offset the eligible credit-recipient account usage.

25 (24) “Third party” means and includes any person or entity, other than the renewable self-  
26 generator, who or that owns or operates the eligible net-metering system or community remote net-  
27 metering system on the eligible net-metering system site for the benefit of the renewable self-  
28 generator.

29 (25) “Third-party, net-metering financing arrangement” means the financing of eligible  
30 net-metering systems or community remote net-metering systems through lease arrangements or  
31 power/credit purchase agreements between a third party and renewable self-generator, except for  
32 those entities under a public entity net-metering financing arrangement. A third party engaged in  
33 providing financing arrangements related to such net-metering systems with a public or private  
34 entity is not a public utility as defined in § 39-1-2.

1           **39-26.4-3. Net metering.**

2           (a) The following policies regarding net metering of electricity from eligible net-metering  
3 systems and community remote net-metering systems and regarding any person that is a renewable  
4 self-generator shall apply:

5           (1)(i) The maximum allowable capacity for eligible net-metering systems, based on  
6 nameplate capacity, shall be ten megawatts (10 MW).

7           (ii) Eligible net-metering systems shall be sited outside of core forests with the exception  
8 of development on preferred sites in the core forest and the exception of systems that, as of April  
9 15, 2023, (A) Have submitted a complete application to the appropriate municipality for any  
10 required permits and/or zoning changes, or (B) Have requested an interconnection study for which  
11 payment has been received by the distribution company, or (C) If an interconnection study is not  
12 required, systems that have a completed and paid interconnection application.

13           (iii) For systems developed in core forests on preferred sites, no more than one hundred  
14 thousand square feet (100,000 sq. ft) of core forest shall be removed, except for work required for  
15 utility interconnection or development of a brownfield, in which case no more core forest than  
16 necessary for interconnection or brownfield development shall be removed.

17           (iv) The aggregate amount of net metering in the Block Island Utility District doing  
18 business as Block Island Power Company and the Pascoag Utility District shall not exceed a  
19 maximum percentage of peak load for each utility district as set by the utility district based on its  
20 operational characteristics, subject to commission approval.

21           (v) Through December 31, 2018, the maximum aggregate amount of community remote  
22 net-metering systems built shall be thirty megawatts (30 MW). Any of the unused MW amount  
23 after December 31, 2018, shall remain available to community remote net-metering systems until  
24 the MW aggregate amount is interconnected.

25           (vi) The maximum aggregate capacity of remote net metering allowable for ground-  
26 mounted eligible net-metering systems, as defined by § 39-26.4-2(6), with the exception of systems  
27 under § 39-26.4-3(e) and systems that have, as of April 15, 2023, submitted a complete application  
28 to the appropriate municipality for any required permits and/or zoning changes or have requested  
29 an interconnection study for which payment has been received by the distribution company, or if  
30 an interconnection study is not required, a completed and paid interconnection application by the  
31 distribution company as of June 24, 2023, shall be ~~two hundred seventy-five~~ one hundred seventy-  
32 five megawatts, alternating current (~~275~~ 175 MWac), excluding off-shore wind. None of the  
33 systems to which this cap applies shall be in core forests unless on a preferred site located within  
34 the core forest. A project counts against this maximum if it is in operation or under construction by

1 ~~July 1, 2030~~ December 31, 2032, as determined by the local distribution company. All eligible  
2 ground-mounted net-metering systems must be under construction or in operation by ~~July 1, 2030~~  
3 December 31, 2032. This restriction shall not apply to the following: (A) The eligible net-metering  
4 system is interconnected behind the same meter as the net-metering customer's load; and/or (B)  
5 The energy generated by the eligible net-metering system is consumed by net-metered electric  
6 service account(s) of the same owner of record that are actually located on the same or contiguous  
7 parcels as the eligible net-metering system.

8 (2) For ease of administering net-metered accounts and stabilizing net-metered account  
9 bills, the electric distribution company may elect (but is not required) to estimate for any twelve-  
10 month (12) period:

11 (i) The production from the eligible net-metering system or community remote net-  
12 metering system; and

13 (ii) Aggregate consumption of the net-metered accounts at the eligible net-metering system  
14 site or the sum of the consumption of the eligible credit-recipient accounts associated with the  
15 community remote net-metering system, and establish a monthly billing plan that reflects the  
16 expected credits that would be applied to the net-metered accounts over twelve (12) months. The  
17 billing plan would be designed to even out monthly billings over twelve (12) months, regardless of  
18 actual production and usage. If such election is made by the electric distribution company, the  
19 electric distribution company would reconcile payments and credits under the billing plan to actual  
20 production and consumption at the end of the twelve-month (12) period and apply any credits or  
21 charges to the net-metered accounts for any positive or negative difference, as applicable. Should  
22 there be a material change in circumstances at the eligible net-metering system site or associated  
23 accounts during the twelve-month (12) period, the estimates and credits may be adjusted by the  
24 electric distribution company during the reconciliation period. The electric distribution company  
25 also may elect (but is not required) to issue checks to any net-metering customer in lieu of billing  
26 credits or carry-forward credits or charges to the next billing period. For residential-eligible net-  
27 metering systems and community remote net-metering systems twenty-five kilowatts (25 KW) or  
28 smaller, the electric distribution company, at its option, may administer renewable net-metering  
29 credits month to month allowing unused credits to carry forward into the following billing period.

30 (3) If the electricity generated by an eligible net-metering system or community remote  
31 net-metering system during a billing period is equal to, or less than, the net-metering customer's  
32 usage at the eligible net-metering system site or the sum of the usage of the eligible credit-recipient  
33 accounts associated with the community remote net-metering system during the billing period, the  
34 customer shall receive renewable net-metering credits, that shall be applied to offset the net-

1 metering customer's usage on accounts at the eligible net-metering system site, or shall be used to  
2 credit the eligible credit-recipient's electric account.

3 (4) If the electricity generated by an eligible net-metering system or community remote  
4 net-metering system during a billing period is greater than the net-metering customer's usage on  
5 accounts at the eligible net-metering system site or the sum of the usage of the eligible credit-  
6 recipient accounts associated with the community remote net-metering system during the billing  
7 period, the customer shall be paid by excess renewable net-metering credits for the excess  
8 electricity generated; provided that, for any excess electricity generated by a system with a  
9 nameplate capacity in excess of twenty-five kilowatts (25 KW), excess renewable net-metering  
10 credits shall be limited to excess up to an additional twenty-five percent (25%) beyond the net-  
11 metering customer's usage at the eligible net-metering system site, or the sum of the usage of the  
12 eligible credit-recipient accounts associated with the community remote net-metering system  
13 during the billing period; unless the electric distribution company and net-metering customer have  
14 agreed to a billing plan pursuant to subsection (a)(2). Subject to the completion of any applicable  
15 annual reconciliation of renewable net-metering credits and excess renewable net metering credits,  
16 customers shall have the option to cash out any credit balance remaining provided that the amount  
17 of the cash out shall be the lower of:

- 18 (i) The credit balance shown from the annual reconciliation of the applicable account; or
- 19 (ii) The credit balance on the applicable account on the date the electric distribution  
20 company processes the cash out.

21 (5) The rates applicable to any net-metered account shall be the same as those that apply  
22 to the rate classification that would be applicable to such account in the absence of net metering,  
23 including customer and demand charges, and no other charges may be imposed to offset net-  
24 metering credits.

25 (b) The commission shall exempt electric distribution company customer accounts  
26 associated with an eligible net-metering system from back-up or standby rates commensurate with  
27 the size of the eligible net-metering system, provided that any revenue shortfall caused by any such  
28 exemption shall be fully recovered by the electric distribution company through rates.

29 (c) Any prudent and reasonable costs incurred by the electric distribution company  
30 pursuant to achieving compliance with subsection (a) and the annual amount of any renewable net-  
31 metering credits or excess renewable net-metering credits provided to accounts associated with  
32 eligible net-metering systems or community remote net-metering systems, shall be aggregated by  
33 the distribution company and billed to all distribution customers on an annual basis through a  
34 uniform, per-kilowatt-hour (KWh) surcharge embedded in the distribution component of the rates

1 reflected on customer bills.

2 (d) The billing process set out in this section shall be applicable to electric distribution  
3 companies thirty (30) days after the enactment of this chapter.

4 (e) The Rhode Island office of energy resources shall redesign the community solar remote  
5 net metering program to reflect the provisions of this chapter and to include a commercial or  
6 industrial anchor tenant up to but not to exceed fifty percent (50%) of the project. The remaining  
7 fifty percent (50%) must be allocated or subscribed to low- and moderate-income (LMI) residents  
8 and/or those living in areas defined as disadvantaged and environmental justice communities. The  
9 Rhode Island office of energy resources shall design the net metering credit rate and factor in  
10 federal energy funding and tax credits to develop the most cost-effective rate for community solar  
11 projects. It is expected that these projects will be operational for a twenty-year (20) period. The  
12 Rhode Island office of energy resources shall file a benefit and cost analysis with any program  
13 proposal filed to the Rhode Island public utilities commission. Once the Rhode Island office of  
14 energy resources files a program proposal to the Rhode Island public utilities commission, a docket  
15 shall be established, and the Rhode Island public utilities commission shall issue a ruling on the  
16 program no later than one hundred and fifty (150) days. If a program is approved, it will be subject  
17 to no greater than twenty megawatts (20 MW) per year for two years until the forty megawatts (40  
18 MW) cap is met. Eligible net-metering systems shall be sited outside of core forests with the  
19 exception of development on preferred sites in the core forest.

20 (f)(1) An eligible net-metering system owned by, or operated on behalf of, a public entity,  
21 educational institution, hospital, nonprofit, or multi-municipal collaborative, or for a commercial  
22 or industrial customer through a net-metering financing arrangement, or an eligible community  
23 remote net-metering system may make a one-time, irrevocable election by the later of: (i) the date  
24 that is ninety (90) days after the commission approves a tariff pursuant to § 39-26.4-3(f)(2); or (ii)  
25 the date that is sixty (60) days after execution of an interconnection agreement, to receive a fixed  
26 renewable net-metering credit rate of nineteen cents (\$0.19) per kilowatt-hour. Such fixed credit  
27 rate shall be increased by 2.75% on a compound annual basis beginning January 1, 2028, and on  
28 January 1 of each year thereafter. The fixed credit rate elected pursuant to this subsection shall  
29 apply for a term of twenty-five (25) years from the date of such election and shall be governed by  
30 § 39-26.4-3(f)(4). Eligible net-metering systems making an election under this subsection shall  
31 remain subject to the requirements of § 39-26.4-3(a)(4).

32 (2) No later than August 15, 2026, the electric distribution company shall file a tariff with  
33 the commission to implement the fixed renewable net-metering credit for eligible net metering  
34 systems that elect such credit, under terms and conditions set forth in the tariff. The tariff shall set

1 forth, at a minimum, the rights and obligations of the eligible net-metering systems and the electric  
2 distribution company, including the conditions governing the calculation and payment of credits  
3 by the electric distribution company. The commission shall approve a tariff no later than December  
4 1, 2026.

5 (3) The commission shall have the authority to determine the final terms and conditions in  
6 the tariff that is filed with the commission pursuant to this section. Once approved, the commission  
7 shall retain exclusive jurisdiction over all payments, terms, conditions, rights, enforcement, and  
8 implementation of the tariff, subject to appeals pursuant to chapter 5 of this title.

9 (4) It is the intention of the general assembly in enacting this provision that the developers,  
10 owners, investors, customers, and lenders of eligible net-metering systems receiving credits under  
11 the tariff be able to rely on the tariff for the entire term of the tariff for purposes of obtaining  
12 financing. Consistent with that intention and expectation, the terms under the tariff, once approved  
13 by the commission, shall not be altered in any way that would undermine such reliance on those  
14 tariffs during the applicable terms of the tariff; and in no circumstance will the credit rate paid to  
15 an eligible net-metering system be reduced during the term of the tariff once a project has elected  
16 to receive a tariff under the terms of this chapter.

17 SECTION 6. Chapter 39-26 of the General Laws entitled "Renewable Energy Standard" is  
18 hereby amended by adding thereto the following section:

19 **39-26-5.1. Zero-emission resources.**

20 (a) Zero-emission resources are:

21 (1) Nuclear energy resources, meaning electricity generated by a nuclear fission or nuclear  
22 fusion facility that is licensed by the United States Regulatory Commission or its successor, and  
23 that produces no direct emissions of greenhouse gases or criteria air pollutants at the point of  
24 generation.

25 (2) Large-scale hydroelectric facilities, meaning hydroelectric generation units that are not  
26 “small hydro facilities” as defined in § 39-26-2, that generate electricity through the conversion of  
27 the energy of flowing or falling water and that produce no direct emissions of greenhouse gases or  
28 criteria air pollutants at the point of generation.

29 (b) For the purposes of the regulations promulgated under this chapter, eligible zero-  
30 emission energy resources are generation units in the NEPOOL control area using zero-emission  
31 energy resources as defined in this section.

32 (c) A generation unit located in an adjacent control area outside of the NEPOOL may  
33 qualify as an eligible zero-emission energy resource, but the associated generation attributes shall  
34 be applied to any zero-emission standard established under this chapter only to the extent that the

1 energy produced by the generation unit is actually delivered into NEPOOL for consumption by  
2 New England customers. The delivery of the energy from the generation unit into NEPOOL shall  
3 be demonstrated by:

4 (1) A unit-specific bilateral contract for the sale and delivery of such energy into NEPOOL;

5 (2) Confirmation from ISO-New England that the zero-emission energy was actually  
6 settled in the NEPOOL system; and

7 (3) Confirmation through the North American Electric Reliability Corporation tagging  
8 system, or its successor, that the import of the energy into NEPOOL actually occurred; or

9 (4) Any such other requirements as the commission deems appropriate.

10 (d) NE-GIS certificates associated with the energy production from off-grid generation and  
11 customer-sited generation facilities certified by the commission as eligible zero-emission energy  
12 resources may also be used to demonstrate compliance with any zero-emission standard.

13 SECTION 7. Sections 39-26-1, 39-26-2, 39-26-4 and 39-26-6 of the General Laws in  
14 Chapter 39-26 entitled "Renewable Energy Standard" are hereby amended to read as follows:

15 **39-26-1. Legislative findings.**

16 The General Assembly finds that:

17 (1) The people and energy users of Rhode Island have an interest in having electricity  
18 supplied in the state come from a diversity of energy sources including renewable and zero-  
19 emission resources;

20 (2) Increased use of renewable and zero-emission energy may have the potential to lower  
21 and stabilize future energy costs and protect ratepayers from the volatility of regional energy  
22 markets;

23 (3) Increased use of renewable and zero-emission energy can reduce air pollutants,  
24 including carbon dioxide emissions, that adversely affect public health and contribute to global  
25 warming;

26 (4) Massachusetts, Connecticut, and other states have established renewable and zero-  
27 emission energy standard programs to encourage the development of renewable energy sources;

28 (5) It is in the interest of the people, in order to protect public health and the environment  
29 and to promote the general welfare and to ensure affordability and reliability, to establish a  
30 renewable and zero-emission energy standard program to increase levels of electrical energy  
31 supplied in the state from renewable resources in a manner that prioritizes efficiency and cost-  
32 effectiveness.

33 **39-26-2. Definitions.**

34 When used in this chapter:

1 ~~(1) “Alternative compliance payment” means a payment to the renewable energy~~  
2 ~~development fund of fifty dollars (\$50.00) per megawatt-hour of renewable energy obligation, in~~  
3 ~~2003 dollars, adjusted annually up or down by the consumer price index, which may be made in~~  
4 ~~lieu of standard means of compliance with this statute.~~

5 (1) “Alternative compliance payment” means a payment made in lieu of standard means of  
6 compliance with this statute, as follows:

7 (i) For new renewable energy and zero-emission resources, an alternative compliance  
8 payment of forty dollars (\$40.00) per megawatt-hour of renewable energy obligation;

9 (ii) For existing renewable energy and zero-emission resources, an alternative compliance  
10 payment of eleven dollars (\$11.00) per megawatt-hour of renewable energy obligation;

11 (iii) All such payments shall be deposited into the renewable energy development fund and  
12 distributed in accordance with § 39-26-7.

13 (2) “Commission” means the Rhode Island public utilities commission.

14 (3) “Compliance year” means a calendar year beginning January 1 and ending December  
15 31, for which an obligated entity must demonstrate that it has met the requirements of this statute.

16 (4) “Customer-sited generation facility” means a generation unit that is interconnected on  
17 the end-use customer’s side of the retail electricity meter in such a manner that it displaces all or  
18 part of the metered consumption of the end-use customer.

19 (5) “Electrical energy product” means an electrical energy offering, including, but not  
20 limited to, last-resort and standard-offer service, that can be distinguished by its generation  
21 attributes or other characteristics, and that is offered for sale by an obligated entity to end-use  
22 customers.

23 (6) “Eligible biomass fuel” means fuel sources including brush, stumps, lumber ends and  
24 trimmings, wood pallets, bark, wood chips, shavings, slash, and other clean wood that is not mixed  
25 with other solid wastes; agricultural waste, food, and vegetative material; energy crops; landfill  
26 methane; biogas; or neat biodiesel and other neat liquid fuels that are derived from such fuel  
27 sources.

28 (7) “Eligible renewable energy resource” means resources as defined in § 39-26-5 and  
29 "zero-emission energy resource" means resources as defined in § 39-26-5.1.

30 (8) “End-use customer” means a person or entity in Rhode Island that purchases electrical  
31 energy at retail from an obligated entity.

32 (9) “Existing renewable and zero-emission energy resources” means generation units using  
33 eligible renewable energy resources and zero-emission resources and first going into commercial  
34 operation before December 31, 1997.

1 (10) “Generation attributes” means the nonprice characteristics of the electrical energy  
2 output of a generation unit including, but not limited to, the unit’s fuel type, emissions, vintage,  
3 and policy eligibility.

4 (11) “Generation unit” means a facility that converts a fuel or an energy resource into  
5 electrical energy.

6 (12) “High-heat medical waste processing facility” means a facility that:

7 (i) Generates electricity from the combustion, gasification, or pyrolysis of regulated  
8 medical waste;

9 (ii) Generates electricity from the combustion of fuel derived from the gasification or  
10 pyrolysis of regulated medical waste; or

11 (iii) Disposes of, processes, or treats regulated medical waste through combustion,  
12 gasification, pyrolysis, or any process that exposes waste to temperatures above four hundred  
13 degrees Fahrenheit (400°F).

14 (13) “NE-GIS” means the generation information system operated by NEPOOL, its  
15 designee or successor entity, that includes a generation information database and certificate system,  
16 and that accounts for the generation attributes of electrical energy consumed within NEPOOL.

17 (14) “NE-GIS certificate” means an electronic record produced by the NE-GIS that  
18 identifies the relevant generation attributes of each megawatt-hour accounted for in the NE-GIS.

19 (15) “NEPOOL” means the New England Power Pool or its successor.

20 (16) “New renewable energy [and zero-emission](#) resources” means generation units using  
21 eligible renewable energy [and zero-emission](#) resources and first going into commercial operation  
22 after December 31, 1997; or the incremental output of generation units using eligible renewable  
23 energy [and zero-emission](#) resources that have demonstrably increased generation in excess of ten  
24 percent (10%) using eligible renewable energy [and zero-emission](#) resources through capital  
25 investments made after December 31, 1997; but in no case involve any new impoundment or  
26 diversion of water with an average salinity of twenty (20) parts per thousand or less.

27 (17) “Obligated entity” means a person or entity who or that sells electrical energy to end-  
28 use customers in Rhode Island, including, but not limited to: nonregulated power producers and  
29 electric utility distribution companies, as defined in § 39-1-2, supplying standard-offer service, last-  
30 resort service, or any successor service to end-use customers, including Narragansett Electric, but  
31 not to include Block Island Power Company as described in § 39-26-7 or Pascoag Utility District.

32 (18) “Off-grid generation facility” means a generation unit that is not connected to a utility  
33 transmission or distribution system.

34 (19) “Renewable energy [and zero-emission](#) resource” means any one or more of the

1 renewable energy [and zero-emission](#) resources described in ~~§~~ §§ 39-26-5(a) [and 39-26-5.1](#).

2 (20) “Reserved certificate” means a NE-GIS certificate sold independent of a transaction  
3 involving electrical energy, pursuant to Rule 3.4 or a successor rule of the operating rules of the  
4 NE-GIS.

5 (21) “Reserved certificate account” means a specially designated account established by  
6 an obligated entity, pursuant to Rule 3.4 or a successor rule of the operating rules of the NE-GIS,  
7 for transfer and retirement of reserved certificates from the NE-GIS.

8 (22) “Self-generator” means an end-use customer in Rhode Island that displaces all or part  
9 of its retail electricity consumption, as metered by the distribution utility to which it interconnects,  
10 through the use of a customer-sited generation facility, and the ownership of any such facility shall  
11 not be considered an obligated entity as a result of any such ownership arrangement.

12 (23) “Small hydro facility” means a facility employing one or more hydroelectric turbine  
13 generators and with an aggregate capacity not exceeding thirty megawatts (30 MW). For purposes  
14 of this definition, “facility” shall be defined in a manner consistent with Title 18 of the Code of  
15 Federal Regulations, section 292.204; provided, however, that the size of the facility is limited to  
16 thirty megawatts (30 MW), rather than eighty megawatts (80 MW).

17 **39-26-4. Renewable energy standard.**

18 (a) Starting in compliance year 2007, all obligated entities shall obtain at least three percent  
19 (3%) of the electricity they sell at retail to Rhode Island end-use customers, adjusted for electric  
20 line losses, from eligible renewable energy resources [and zero-emission resources](#), escalating,  
21 according to the following schedule:

22 (1) At least three percent (3%) of retail electricity sales in compliance year 2007;

23 (2) An additional one-half of one percent (0.5%) of retail electricity sales in each of the  
24 following compliance years 2008, 2009, 2010;

25 (3) An additional one percent (1%) of retail electricity sales in each of the following  
26 compliance years 2011, 2012, 2013, 2014, provided that the commission has determined the  
27 adequacy, or potential adequacy, of renewable energy [and zero-emission](#) supplies to meet these  
28 percentage requirements;

29 [\(4\) There shall be no increase to the renewable energy standard for compliance year 2015,](#)  
30 [and the incremental increases shall resume in the subsequent compliance years as provided in](#)  
31 [subsections \(a\)\(5\) through \(a\)\(12\) of this section;](#)

32 ~~(4)(5)~~ An additional one and one-half percent (1.5%) of retail electricity sales in each of  
33 the following compliance years ~~2015~~, 2016, 2017, 2018, 2019, 2020, 2021, and 2022;

34 ~~(5)(6)~~ [Deleted by P.L. 2016, ch. 144, § 1 and P.L. 2016, ch. 155, § 1.]

1           ~~(6)~~(7) An additional four percent (4%) of retail electricity sales in 2023;  
2           ~~(7)~~(8) An additional five percent (5%) of retail electricity sales in 2024;  
3           ~~(8)~~(9) An additional six percent (6%) of retail electricity sales in 2025;  
4           ~~(9)~~(10) An additional seven percent (7%) of retail electricity sales in 2026 and 2027;  
5           ~~(10)~~(11) An additional seven and one-half percent (7.5%) of retail electricity sales in 2028;  
6           ~~(11)~~(12) An additional eight percent (8%) of retail electricity sales in 2029;  
7           ~~(12)~~(13) An additional eight and one-half percent (8.5%) of retail electricity sales in 2030;  
8           ~~(13)~~(14) An additional nine percent (9%) of retail electricity sales in 2031; and  
9           ~~(14)~~(15) An additional nine and one-half percent (9.5%) of retail electricity sales in 2032  
10 and 2033 to achieve the goal that one hundred percent (100%) of Rhode Island’s retail electricity  
11 ~~demand~~ sales is from renewable energy and zero-emission resources by 2033 and each year  
12 thereafter.

13           (b) For each obligated entity and in each compliance year, the amount of retail electricity  
14 sales used to meet obligations under this statute that are derived from existing renewable energy  
15 and zero-emission resources shall not exceed two percent (2%) of total retail electricity sales for  
16 compliance year 2026, fourteen percent (14%) for compliance year 2027, an additional one percent  
17 (1% ) of total retail electricity sales for compliance years, 2028, 2029, 2030, 2031, 2032, and for  
18 compliance year 2033 and each compliance year thereafter, shall not exceed twenty percent (20%).

19           (c) The minimum renewable energy percentages set forth in subsection (a) shall be met for  
20 each electrical energy product offered to end-use customers, in a manner that ensures that the  
21 amount of renewable energy of end-use customers voluntarily purchasing renewable energy is not  
22 counted toward meeting such percentages. Notwithstanding the foregoing, municipalities engaged  
23 in aggregation pursuant to § 39-3-1.2 may include in their aggregation plan terms that would allow  
24 voluntary renewable energy products to be counted toward meeting such percentages. ~~In 2024, the~~  
25 ~~commission, with input from the office of energy resources, division of public utilities and carriers,~~  
26 ~~obligated entities, other market participants, and the public, shall assess the impact of allowing~~  
27 ~~voluntary renewable energy purchases to be counted toward meeting the annual percentages. The~~  
28 ~~commission shall submit a report of its findings and recommendations to the governor, speaker of~~  
29 ~~the house, and senate president no later than September 1, 2024.~~

30           (d) To the extent consistent with the requirements of this chapter, compliance with the  
31 renewable energy standard may be demonstrated through procurement of NE-GIS certificates  
32 relating to generating units certified by the commission as using eligible renewable energy sources  
33 and zero-emission resources, as evidenced by reports issued by the NE-GIS administrator.  
34 Procurement of NE-GIS certificates from off-grid and customer-sited generation facilities, verified

1 by the commission as eligible renewable energy resources [and zero-emission resources](#), may also  
2 be used to demonstrate compliance. With the exception of contracts for generation supply entered  
3 into prior to 2002, initial title to NE-GIS certificates from off-grid and customer-sited generation  
4 facilities and from all other eligible renewable energy [and zero-emission](#) resources, shall accrue to  
5 the owner of such a generation facility, unless such title has been explicitly deemed transferred  
6 pursuant to contract or regulatory order.

7 (e) In lieu of providing NE-GIS certificates pursuant to subsection (d) of this section, an  
8 obligated entity may also discharge all or any portion of its compliance obligations by making an  
9 alternative compliance payment to the renewable energy development fund established pursuant to  
10 § 39-26-7.

11 (f) Retail electricity sales pursuant to a nonregulated power producer's supply contract that  
12 was executed prior to July 1, 2022, shall be required to obtain an additional one and one-half percent  
13 (1.5%) of retail electricity sales each year and are exempted from the requirements of subsections  
14 (a)(6) through (a)(14) of this section until the end date of the term of the nonregulated power  
15 producer's supply contract.

16 **39-26-6. Duties of the commission.**

17 (a) The commission shall:

18 (1) Develop and adopt regulations on or before December 31, 2005, for implementing a  
19 renewable energy standard, which regulations shall include, but be limited to, provisions for:

20 (i) Verifying the eligibility of renewable energy [and zero-emission](#) generators and the  
21 production of energy from such generators, including requirements to notify the commission in the  
22 event of a change in a generator's eligibility status;

23 (ii) Standards for contracts and procurement plans for renewable energy [and zero-emission](#)  
24 resources to achieve the purposes of this chapter;

25 (iii) Flexibility mechanisms for the purposes of easing compliance burdens; facilitating  
26 bringing new renewable resources on-line; and avoiding and/or mitigating conflicts with state-level  
27 source disclosure requirements and green marketing claims throughout the region; which flexibility  
28 mechanisms shall allow obligated entities to: (A) Demonstrate compliance over a compliance year;  
29 and (B) Bank excess compliance [for new and existing renewable and zero-emissions resources](#) for  
30 ~~two (2) subsequent compliance years, capped at thirty percent (30%) of the current year's obligation~~  
31 [up to three \(3\) subsequent compliance years with no limitation on quantity](#); and

32 (iv) Annual compliance filings to be made by all obligated entities within one month after  
33 NE-GIS reports are available for the fourth (4th) quarter of each calendar year. All electric-utility-  
34 distribution companies shall cooperate with the commission in providing data necessary to assess

1 the magnitude of obligation and verify the compliance of all obligated entities.

2 (2) Authorize rate recovery by electric-utility-distribution companies of all prudent  
3 incremental costs arising from the implementation of this chapter, including, without limitation:  
4 the purchase of NE-GIS certificates [including certificates from zero-emission resources](#); the  
5 payment of alternative compliance payments; required payments to support the NE-GIS;  
6 assessments made pursuant to § 39-26-7(c); and the incremental costs of complying with energy  
7 source disclosure requirements.

8 (3) Certify eligible renewable energy [and zero-emission](#) resources by issuing statements of  
9 qualification within ninety (90) days of application. The commission shall provide prospective  
10 reviews for applicants seeking to determine whether a facility would be eligible.

11 (4) [Deleted by P.L. 2022, ch. 218, § 1 and P.L. 2022, ch. 226, § 1.]

12 (5) Establish sanctions for those obligated entities that, after investigation, have been found  
13 to fail to reasonably comply with the commission's regulations. No sanction or penalty shall relieve  
14 or diminish an obligated entity from liability for fulfilling any shortfall in its compliance obligation;  
15 provided, however, that no sanction shall be imposed if compliance is achieved through alternative  
16 compliance payments. The commission may suspend or revoke the certification of generation units,  
17 certified in accordance with subsection (a)(3) of this section, that are found to provide false  
18 information or that fail to notify the commission in the event of a change in eligibility status or  
19 otherwise comply with its rules. Financial penalties resulting from sanctions from obligated entities  
20 shall not be recoverable in rates.

21 (6) Report, by February 15, 2006, and by February 15 each year thereafter, to the governor,  
22 the speaker of the house, and the president of the senate on the status of the implementation of the  
23 renewable energy standards in Rhode Island and other states, and which report shall include in  
24 2009, and each year thereafter, the level of use of renewable energy certificates by eligible  
25 renewable energy [and zero-emission](#) resources and the portion of renewable energy standards met  
26 through alternative compliance payments, and the amount of rate increases authorized pursuant to  
27 subsection (a)(2) of this section.

28 (b) Consistent with the public policy objective of developing renewable generation as an  
29 option in Rhode Island, and subject to the review and approval of the commission, the electric  
30 distribution company is authorized to propose and implement pilot programs to own and operate  
31 no more than fifteen megawatts (15 MW) of renewable-generation demonstration projects in Rhode  
32 Island and may include the costs and benefits in rates to distribution customers. At least two (2)  
33 demonstration projects shall include renewable generation installed at, or in the vicinity of  
34 nonprofit, affordable-housing projects where energy savings benefits are provided to reduce

1 electric bills of the customers at the nonprofit, affordable-housing projects. Any renewable-  
2 generation proposals shall be subject to the review and approval of the commission. The  
3 commission shall annually make an adjustment to the minimum amounts required under the  
4 renewable energy standard under this chapter in an amount equal to the kilowatt hours generated  
5 by such units owned by the electric distribution company. The electric and gas distribution  
6 company shall also be authorized to propose and implement smart-metering and smart-grid  
7 demonstration projects in Rhode Island, subject to the review and approval of the commission, in  
8 order to determine the effectiveness of such new technologies for reducing and managing energy  
9 consumption, and may include the costs of such demonstration projects in distribution rates to  
10 electric customers to the extent the project pertains to electricity usage and in distribution rates to  
11 gas customers to the extent the project pertains to gas usage.

12 SECTION 8. Chapter 39-26 of the General Laws entitled "Renewable Energy Standard" is  
13 hereby amended by adding thereto the following section:

14 **39-26-4.1. Legislative reporting.**

15 (a) On or before January 1, 2027, the public utilities commission shall conduct a  
16 comprehensive review of:

- 17 (1) The status of the state's progress toward meeting the renewable energy standard;  
18 (2) The status of the state's progress toward meeting the greenhouse gas emissions  
19 reduction requirements;  
20 (3) The extent to which renewable energy procurement and development within the state  
21 is sufficient to ensure long-term compliance with such requirements;  
22 (4) The impact on meeting mandated carbon reduction goals in § 42-6.2-9;  
23 (5) Estimated cost of compliance of the renewable energy standard; and  
24 (6) Recommendations for creation of an intervenor compensation program to provide  
25 compensation in the form of a grant for legal fees, expert witness fees and other reasonable costs  
26 to an intervenor in public utility commission proceedings.

27 (b) On or before December 31, 2027, public utilities commission shall submit a report of  
28 their findings, and recommendation of actions required pursuant to this section, to the governor,  
29 the speaker of the house, the president of the senate, and the chairs of the house committees on  
30 environment and natural resources, finance, and corporations and the senate committees on finance,  
31 environment and agriculture, and commerce. The report shall detail the following:

- 32 (1) Renewable and zero-emission resources used for compliance;  
33 (2) Estimated cost of compliance of the renewable energy standard;  
34 (3) Impact on meeting mandated carbon reduction goals in § 42-6.2-9; and

1           (4) Any statutory changes needed to reach the 2033 targets established pursuant to this  
2 chapter.

3           SECTION 9. Section 39-31-11 of the General Laws in Chapter 39-31 entitled "Affordable  
4 Clean Energy Security Act" is hereby repealed.

5           **39-31-11. Financial remuneration and incentives.**

6           ~~In order to achieve the purposes of this chapter, electric distribution companies shall be~~  
7 ~~entitled to financial remuneration and incentives for long term contracts for newly developed~~  
8 ~~renewable energy resources, which are over and above the base rate revenue requirement~~  
9 ~~established in its cost of service for distribution ratemaking. Such remuneration and incentives shall~~  
10 ~~compensate the electric distribution company for accepting the financial obligation of the long-~~  
11 ~~term contracts. For long term contracts approved pursuant to this chapter on or after January 1,~~  
12 ~~2022, the financial remuneration and incentives shall be in the form of annual compensation up to~~  
13 ~~one percent (1.0%) of the actual annual payments made under the contracts through December 31,~~  
14 ~~2026, for those projects that are commercially operating. For long term contracts approved~~  
15 ~~pursuant to this chapter on or after January 1, 2027, financial remuneration and incentives shall not~~  
16 ~~be applied, unless otherwise granted by the commission. For any calendar year in which the electric~~  
17 ~~distribution company's actual return on equity exceeds the return on equity allowed by the~~  
18 ~~commission in the electric distribution company's last general rate case, the commission shall have~~  
19 ~~the authority to adjust any or all remuneration paid to the electric distribution company pursuant to~~  
20 ~~this section in order to assure that such remuneration does not result in or contribute toward the~~  
21 ~~electric distribution company earning above its allowed return for such calendar year.~~

22           SECTION 10. Chapter 42-12 of the General Laws entitled "Department of Human  
23 Services" is hereby amended by adding thereto the following section:

24           **42-12-1.6. Transfer of functions to the office of energy resources.**

25           (a) There is hereby transferred from the department of human services to the office of  
26 energy resources the administration, management, all functions and resources associated with:

27           (1) The weatherization assistance program which offers weatherization grants and heating  
28 system upgrades using funds from the federal department of energy and the federal low-income  
29 home energy assistance program, and any state funded or privately funded weatherization  
30 assistance program of a similar nature assigned to it;

31           (b) The department is authorized to offer advisory assistance to the office of energy  
32 resources in order to maintain continuity to eligible households.

33           SECTION 11. Section 42-12-1.5 of the General Laws in Chapter 42-12 entitled  
34 "Department of Human Services" is hereby amended to read as follows:

1           **42-12-1.5. Transfer of functions from the office of energy resources.**

2           (a) There is hereby transferred from the office of energy resources to the department of  
3 human services the administration, management, all functions and resources associated with:

4           (1) The federal low-income home energy assistance program (LIHEAP), which provides  
5 heating assistance to eligible low-income persons and any state funded or privately funded heating  
6 assistance program of a similar nature assigned to it for administration;

7           ~~(2) The weatherization assistance program, which offers home weatherization grants and~~  
8 ~~heating system upgrades to LIHEAP eligible households;~~ and,

9           ~~(3)~~(2) The emergency fuel program, which provides oil deliveries to families experiencing  
10 a heating emergency.

11           (b) The department is authorized to request advisory assistance from the office of energy  
12 resources in order to maintain continuity of assistance provided to LIHEAP eligible households  
13 pursuant to § 39-2-1(d).

14           SECTION 12. Section 42-140-3 of the General Laws in Chapter 42-140 entitled "Rhode  
15 Island Energy Resources Act" is hereby amended to read as follows:

16           **42-140-3. Purposes.**

17           The purposes of the office shall be to:

18           (1) Develop and put into effect plans and programs to promote, encourage, and assist the  
19 provision of energy resources for Rhode Island in a manner that enhances economic well-being,  
20 social equity, and environmental quality;

21           (2) Monitor, forecast, and report on energy use, energy prices, and energy demand and  
22 supply forecasts, and make findings and recommendations with regard to energy supply diversity,  
23 reliability, and procurement, including least-cost procurement;

24           (3) Develop and to put into effect plans and programs to promote, encourage, and assist  
25 the efficient and productive use of energy resources in Rhode Island, and to coordinate energy  
26 programs for natural gas, electricity, and heating oil to maximize the aggregate benefits of  
27 conservation and efficiency of investments;

28           (4) Monitor and report technological developments that may result in new and/or improved  
29 sources of energy supply, increased energy efficiency, and reduced environmental impacts from  
30 energy supply, transmission, and distribution;

31           (5) Administer the programs, duties, and responsibilities heretofore exercised by the state  
32 energy office, except as these may be assigned by executive order or the general laws to other  
33 departments and agencies of state government;

34           (6) Develop, recommend, and, as appropriate, implement integrated and/or comprehensive

1 strategies, including at regional and federal levels, to secure Rhode Island’s interest in energy  
2 resources, their supply and efficient use, and as necessary to interact with persons, private sector,  
3 nonprofit, regional, federal entities and departments and agencies of other states to effectuate this  
4 purpose;

5 (7) Cooperate with agencies, departments, corporations, and entities of the state and of  
6 political subdivisions of the state in achieving its purposes;

7 (8) Cooperate with and assist the state planning council and the division of state planning  
8 in developing, maintaining, and implementing state guide plan elements pertaining to energy and  
9 renewable energy;

10 (9) Coordinate the energy efficiency, least-cost procurement, and systems reliability plans  
11 and programs with the energy efficiency and resources management council;

12 (10) Participate in, monitor implementation of, and provide technical assistance for the  
13 low-income home energy assistance program enhancement plan established pursuant to § 39-1-  
14 27.12;

15 ~~(11) Participate in and monitor the distributed generation standard contracts program~~  
16 ~~pursuant to chapter 26.2 of title 39;~~

17 ~~(12)~~(11) Coordinate opportunities with and enter into contracts and/or agreements with the  
18 commerce corporation associated with the energy efficiency, least-cost procurement, system  
19 reliability, and renewable energy fund programs;

20 ~~(13)~~(12) Provide support and information to the division of planning and the state planning  
21 council in the development of a ten-year (10) Rhode Island Energy Guide Plan, which shall be  
22 reviewed and amended if necessary every five (5) years;

23 (13) Administer the federal Weatherization Assistance Program and any state or privately  
24 funded weatherization program;

25 (14) Advise and provide technical assistance to state and federally funded energy programs  
26 to support:

27 (i) The federal low-income home energy assistance program which provides heating  
28 assistance to eligible low-income persons and any state funded or privately funded heating  
29 assistance program of a similar nature assigned to it for administration;

30 (ii) The weatherization assistance program which offers home weatherization grants and  
31 heating system upgrades to eligible persons of low-income;

32 (iii) The emergency fuel program which provides oil deliveries to families experiencing a  
33 heating emergency;

34 (iv) The energy conservation program, which offers service and programs to all sectors;

1 (v) [Deleted by P.L. 2008, ch. 228, § 2, and P.L. 2008, ch. 422, § 2.]

2 (15) Advise the commerce corporation in the development of standards and rules for the  
3 solicitation and award of renewable energy program investment funds in accordance with § 42-64-  
4 13.2;

5 (16) Develop, recommend, and evaluate energy programs for state facilities and operations  
6 in order to achieve and demonstrate the benefits of energy-efficiency, diversification of energy  
7 supplies, energy conservation, and demand management; and

8 (17) Advise the governor and the general assembly with regard to energy resources and all  
9 matters relevant to achieving the purposes of the office.

10 SECTION 13. Chapter 42-140 of the General Laws entitled "Rhode Island Energy  
11 Resources Act" is hereby amended by adding thereto the following section:

12 **42-140-13. Energy Benchmarking And Performance Standards Program.**

13 (a) Definitions. For the purposes of this section:

14 (1) "Department" means all state departments whose directors are enumerated in § 42-6-3  
15 and shall additionally include the executive office of health and human services, the executive  
16 office of commerce, and the executive office of housing.

17 (2) "Public buildings" for the purpose of this section means all municipal and school  
18 buildings owned by a municipality that are at least twenty-five thousand gross square feet (25,000  
19 GSF).

20 (3) "State-owned, state-occupied facilities" means buildings owned by the state that  
21 primarily contain offices or other administrative work space for state employees and are at least  
22 twenty-five thousand gross square feet (25,000 GSF).

23 (b) State facilities energy usage reporting

24 (1) State departments, coordinated and supported by the office of energy resources, shall  
25 be required to measure and report monthly energy usage by energy source for their respective state-  
26 owned, state-occupied facilities, as well as the gross square footage for each building.

27 (2) Beginning March 31, 2029, and recurring annually thereafter, departments, coordinated  
28 and supported by the office of energy resources, shall report to the office energy use data by source  
29 for state-owned, state-occupied facilities for the preceding calendar year. No later than one hundred  
30 eighty (180) days from the March 31 reporting deadline each year, the office shall compile, publish  
31 and post on its website each facility's energy use data by fuel and total emissions.

32 (c) State facilities benchmarking and performance standards program

33 (1) Utilizing the data due March 31, 2029, in subsection (b)(2), the office of energy  
34 resources shall, with consultation from departments, develop and publish performance standards

1 for state-owned, state-occupied facilities by March 31, 2030 and may update the performance  
2 standards and any revision to the standards thereafter. The performance standards published must  
3 include:

4 (i) An annualized emissions standard based on energy usage for each state-owned, state-  
5 occupied facility as necessary, to achieve by specified dates;

6 (ii) A schedule for compliance terminating in 2050; and

7 (iii) The cost-benefit analysis used to determine which state-owned, state-occupied  
8 facilities are assigned performance standards, as set forth in subsection (c)(2) below.

9 (2) The performance standards shall be determined by evaluating:

10 (i) The total amount of emissions reductions that could be achieved while maintaining state  
11 operations;

12 (ii) The relative contribution of the emissions reductions to decadal targets established by  
13 § 42-6.2-2 compared to other strategies, programs, and actions established by the executive climate  
14 change coordinating council in its plan due December 31, 2025, in accordance with § 42-6.2-  
15 2(2)(i); and

16 (iii) The fiscal impacts of achieving the performance standards.

17 (3) The departments shall meet the performance standards set in accordance with  
18 subsection (c)(2). No later than ninety (90) days after each specified compliance date established  
19 in accordance with subsection (c)(1), the office of energy resources shall publish a performance  
20 standards compliance report demonstrating the status of each state-owned, state-occupied facility  
21 subject to a performance standard and post on its website. In the event that a state-owned, state-  
22 occupied facility fails to meet a performance standard, the office of energy resources shall provide  
23 a corrective action plan with which the state-owned, state-occupied facility shall comply within  
24 ninety (90) days of the compliance deadline.

25 (4) Subsections (c)(1), (c)(2), and (c)(3) shall not apply to state-owned, state-occupied  
26 facilities which the office and department of administration determine are not suitable candidates  
27 for achieving greenhouse gas emission reductions due to economic infeasibility or unique  
28 operational or physical limitations. Any such determinations shall be published in addition to the  
29 standards required in subsection (c)(2) and posted on the office's website.

30 (d) Voluntary energy benchmarking program for public buildings

31 (i) The office of energy resources shall provide technical and financial assistance to  
32 municipalities for a voluntary public buildings energy benchmarking program of public buildings  
33 on municipal properties in which buildings are greater than twenty-five thousand square feet  
34 (25,000 ft<sup>2</sup>).

1           (ii) The office of energy resources shall maintain a website that tracks its implementation  
2 of the voluntary public buildings energy benchmarking program. The office shall submit to the  
3 governor and general assembly by May 1, 2028, and annually thereafter a progress report on the  
4 voluntary public buildings energy benchmarking program.

5           SECTION 14. This article shall take effect upon passage.

1 **ARTICLE 12**

2 RELATING TO HEALTH CARE

3 SECTION 1. Section 5-19.1-2 of the General Laws in Chapter 5-19.1 entitled "Pharmacies"  
4 is hereby amended to read as follows:

5 **5-19.1-2. Definitions.**

6 (a) "Biological product" means a "biological product" as defined in the "Public Health  
7 Service Act," 42 U.S.C. § 262.

8 (b) "Board" means the Rhode Island board of pharmacy.

9 (c) "Change of ownership" means:

10 (1) In the case of a pharmacy, manufacturer, or wholesaler that is a partnership, any change  
11 that results in a new partner acquiring a controlling interest in the partnership;

12 (2) In the case of a pharmacy, manufacturer, or wholesaler that is a sole proprietorship, the  
13 transfer of the title and property to another person;

14 (3) In the case of a pharmacy, manufacturer, or wholesaler that is a corporation:

15 (i) A sale, lease exchange, or other disposition of all, or substantially all, of the property  
16 and assets of the corporation; or

17 (ii) A merger of the corporation into another corporation; or

18 (iii) The consolidation of two (2) or more corporations resulting in the creation of a new  
19 corporation; or

20 (iv) In the case of a pharmacy, manufacturer, or wholesaler that is a business corporation,  
21 any transfer of corporate stock that results in a new person acquiring a controlling interest in the  
22 corporation; or

23 (v) In the case of a pharmacy, manufacturer, or wholesaler that is a non-business  
24 corporation, any change in membership that results in a new person acquiring a controlling vote in  
25 the corporation.

26 (d) "Compounding" means the act of combining two (2) or more ingredients as a result of  
27 a practitioner's prescription or medication order occurring in the course of professional practice  
28 based upon the individual needs of a patient and a relationship between the practitioner, patient,  
29 and pharmacist. Compounding does not mean the routine preparation, mixing, or assembling of  
30 drug products that are essentially copies of a commercially available product. Compounding shall

1 only occur in the pharmacy where the drug or device is dispensed to the patient or caregiver and  
2 includes the preparation of drugs or devices in anticipation of prescription orders based upon  
3 routine, regularly observed prescribing patterns.

4 (e) “Controlled substance” means a drug or substance, or an immediate precursor of such  
5 drug or substance, so designated under, or pursuant to, the provisions of chapter 28 of title 21.

6 (f) “Deliver” or “delivery” means the actual, constructive, or attempted transfer from one  
7 person to another of a drug or device, whether or not there is an agency relationship.

8 (g) “Device” means instruments, apparatus, and contrivances, including their components,  
9 parts, and accessories, intended:

10 (1) For use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans  
11 or other animals; or

12 (2) To affect the structure or any function of the body of humans or other animals.

13 (h) “Director” means the director of the Rhode Island state department of health.

14 (i) “Dispense” means the interpretation of a prescription or order for a drug, biological  
15 product, or device and, pursuant to that prescription or order, the proper selection, measuring,  
16 compounding, labeling, or packaging necessary to prepare that prescription or order for delivery or  
17 administration.

18 (j) “Distribute” means the delivery of a drug or device other than by administering or  
19 dispensing.

20 (k) “Drug” means:

21 (1) Articles recognized in the official United States Pharmacopoeia or the Official  
22 Homeopathic Pharmacopoeia of the U.S.;

23 (2) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention  
24 of disease in humans or other animals;

25 (3) Substances (other than food) intended to affect the structure, or any function, of the  
26 body of humans or other animals; or

27 (4) Substances intended for use as a component of any substances specified in subsection  
28 (k)(1), (k)(2), or (k)(3), but not including devices or their component parts or accessories.

29 (l) “Equivalent and interchangeable” means a drug, excluding a biological product, having  
30 the same generic name, dosage form, and labeled potency, meeting standards of the United States  
31 Pharmacopoeia or National Formulary, or their successors, if applicable, and not found in violation  
32 of the requirements of the United States Food and Drug Administration, or its successor agency, or  
33 the Rhode Island department of health.

34 (m) “Interchangeable biological product” means a biological product that the United States

1 Food and Drug Administration has:

2 (1) Licensed and determined meets the standards for interchangeability pursuant to 42  
3 U.S.C. § 262(k)(4) or lists of licensed, biological products with reference product exclusivity and  
4 biosimilarity or interchangeability evaluations; or

5 (2) Determined is therapeutically equivalent as set forth in the latest edition of, or  
6 supplement to, the United States Food and Drug Administration’s Approved Drug Products with  
7 Therapeutic Equivalence Evaluations.

8 (n) “Intern” means:

9 (1) A graduate of an American Council on Pharmaceutical Education (ACPE)-accredited  
10 program of pharmacy;

11 (2) A student who is enrolled in at least the first year of a professional ACPE-accredited  
12 program of pharmacy; or

13 (3) A graduate of a foreign college of pharmacy who has obtained full certification from  
14 the FPGEC (Foreign Pharmacy Graduate Equivalency Commission) administered by the National  
15 Association of Boards of Pharmacy.

16 (o) “Legend drugs” means any drugs that are required by any applicable federal or state  
17 law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

18 (p) “Limited-function test” means those tests listed in the federal register under the Clinical  
19 Laboratory Improvement Amendments of 1988 (CLIA) as waived tests. For the purposes of this  
20 chapter, limited-function test shall include only the following: blood glucose, hemoglobin A1c,  
21 cholesterol tests, and/or other tests that are classified as waived under CLIA and are approved by  
22 the United States Food and Drug Administration for sale to the public without a prescription in the  
23 form of an over-the-counter test kit.

24 (q) “Manufacture” means the production, preparation, propagation, compounding, or  
25 processing of a drug or other substance or device or the packaging or repackaging.

26 (r) “Non-legend” or “nonprescription drugs” means any drugs that may be lawfully sold  
27 without a prescription.

28 (s) “Person” means an individual, corporation, government, subdivision, or agency,  
29 business trust, estate, trust, partnership, or association, or any other legal entity.

30 (t) “Pharmaceutical care” is the provision of drugs and other pharmaceutical services  
31 intended to achieve outcomes related to cure or prevention of a disease, elimination or reduction of  
32 a patient’s symptoms, or arresting or slowing of a disease process. “Pharmaceutical care” includes  
33 the judgment of a pharmacist in dispensing an equivalent and interchangeable drug or device in  
34 response to a prescription after appropriate communication with the prescriber and the patient.

1 (u) "Pharmacist in charge" means a pharmacist licensed in this state as designated by the  
2 owner as the person responsible for the operation of a pharmacy in conformance with all laws and  
3 regulations pertinent to the practice of pharmacy and who is personally in full and actual charge of  
4 such pharmacy and personnel.

5 (v) "Pharmacy" means that portion or part of a premise where prescriptions are  
6 compounded and dispensed, including that portion utilized for the storage of prescription or legend  
7 drugs.

8 (w) "Pharmacy technician" means an individual who meets minimum qualifications  
9 established by the board, that are less than those established by this chapter as necessary for  
10 licensing as a pharmacist, and who works under the direction and supervision of a licensed  
11 pharmacist.

12 (x) "Practice of pharmacy" means the interpretation, evaluation, and implementation of  
13 medical orders; the dispensing of prescription drug orders; participation in drug and device  
14 selection; the compounding of prescription drugs; drug regimen reviews and drug or drug-related  
15 research; the administration of adult immunizations and, medications approved by the department  
16 of health in consultation with the board of pharmacy for administration by a pharmacist except as  
17 provided by § 5-25-7, pursuant to a valid prescription or physician-approved protocol and in  
18 accordance with regulations, to include training requirements as promulgated by the department of  
19 health; the administration of all forms of influenza immunizations to individuals between the ages  
20 of nine (9) years and eighteen (18) years, inclusive, pursuant to a valid prescription or prescriber-  
21 approved protocol, in accordance with the provisions of § 5-19.1-31 and in accordance with  
22 regulations, to include necessary training requirements specific to the administration of influenza  
23 immunizations to individuals between the ages of nine (9) years and eighteen (18) years, inclusive,  
24 as promulgated by the department of health; provision of patient counseling and the provision of  
25 those acts or services necessary to provide pharmaceutical care; the responsibility for the  
26 supervision for compounding and labeling of drugs and devices (except labeling by a manufacturer,  
27 repackager, or distributor of nonprescription drugs and commercially packaged legend drugs and  
28 devices), proper and safe storage of drugs and devices, and maintenance of proper records for them;  
29 and the performance of clinical laboratory tests, ~~provided such testing is limited to limited function~~  
30 ~~tests as defined herein;~~ and engage in the independent prescribing of drugs, drug categories or  
31 devices in accordance with the provision of § 5-19.1-36.1. Nothing in this definition shall be  
32 construed to limit or otherwise affect the scope of practice of any other profession.

33 (y) "Practitioner" means a physician, dentist, veterinarian, nurse, or other person duly  
34 authorized by law in the state in which they practice to prescribe drugs.

1 (z) “Preceptor” means a pharmacist registered to engage in the practice of pharmacy in this  
2 state who has the responsibility for training interns.

3 (aa) “Prescription” means an order for drugs or devices issued by the practitioner duly  
4 authorized by law in the state in which he or she practices to prescribe drugs or devices in the course  
5 of his or her professional practice for a legitimate medical purpose.

6 (bb) “Wholesaler” means a person who buys drugs or devices for resale and distribution to  
7 corporations, individuals, or entities other than consumers.

8 SECTION 2. Chapter 5-19.1 of the General Laws entitled "Pharmacies" is hereby amended  
9 by adding thereto the following section:

10 **5-19.1-36.1. Pharmacists – Drug categories -- Prescribing.**

11 (a) In accordance with this chapter and regulations adopted by the department of health, a  
12 pharmacist may engage in the independent prescribing of drugs, drug categories, or devices that  
13 are critical to the improvement of public health in accordance with such products' federal Food and  
14 Drug Administration-approved labeling:

15 (1) Drugs for medication assisted treatment (MAT) of opioid use disorder;

16 (2) Nicotine/tobacco cessation products;

17 (3) Hyperlipidemia medications;

18 (4) Inhalers for COPD or asthma;

19 (5) Insulin and diabetes medications;

20 (6) Drugs to treat hypertension;

21 (7) Treatment for positive infectious disease point-of-care testing for influenza, COVID-  
22 19, group A strep, and other infections approved by the director;

23 (8) Such other drugs, drug categories, or devices set forth in the regulations promulgated  
24 by the department of health in collaboration with the board of pharmacy. A prescribing pharmacist  
25 may order and review and clinical laboratory test necessary to appropriately prescribe and manage  
26 drugs and devices in accordance with this section.

27 (b) The department, in collaboration with the board of pharmacy, shall promulgate  
28 regulations, including educational requirements, authorizing a pharmacist to prescribe drugs, drug  
29 categories and devices in accordance with this section.

30 (c) A pharmacist shall be authorized to charge fees in line with other practitioners for  
31 services or submit said fees to insurance for reimbursement in accordance with all state and federal  
32 laws governing insurance coverage.

33 (d) The practice of independent prescribing by pharmacists is voluntary and shall not be  
34 mandated by employers or regulatory bodies within this state.

1 SECTION 3. Sections 5-31.1-1, 5-31.1-6.1 and 5-31.1-39 of the General Laws in Chapter  
2 5-31.1 entitled "Dentists and Dental Hygienists" are hereby amended to read as follows:

3 **5-31.1-1. Definitions.**

4 As used in this chapter:

5 (1) "Board" means the Rhode Island board of examiners in dentistry or any committee or  
6 subcommittee of the board.

7 (2) "Chief of the division of oral health" means the chief of the division of oral health of  
8 the Rhode Island department of health who is a licensed dentist possessing a master's degree in  
9 public health or a certificate in public health from an accredited program.

10 (3) "Dental administrator" means the administrator of the Rhode Island board of examiners  
11 in dentistry.

12 (4) "Dental hygienist" means a person with a license to practice dental hygiene in this state  
13 under the provisions of this chapter.

14 (5) "Dentist" means a person with a license to practice dentistry in this state under the  
15 provisions of this chapter.

16 (6) "Dentistry" is defined as the evaluation, diagnosis, prevention, and/or treatment  
17 (nonsurgical, surgical, or related procedures) of diseases, disorders, and/or conditions of the oral  
18 cavity, cranio-maxillofacial area, and/or the adjacent and associated structures and their impact on  
19 the human body, provided by a dentist, within the scope of his or her education, training, and  
20 experience, in accordance with the ethics of the profession and applicable law.

21 (7) "Department" means the Rhode Island department of health.

22 (8) "Direct visual supervision" means supervision by an oral and maxillofacial surgeon  
23 (with a permit to administer deep sedation and general anesthesia) by verbal command and under  
24 direct line of sight.

25 (9) "Director" means the director of the Rhode Island department of health.

26 (10) "Healthcare facility" means any institutional health service provider licensed pursuant  
27 to the provisions of chapter 17 of title 23.

28 (11) "Health-maintenance organization" means a public or private organization licensed  
29 pursuant to the provisions of chapter 17 of title 23 or chapter 41 of title 27.

30 (12) "Limited registrant" means a person holding a limited registration certificate pursuant  
31 to the provisions of this chapter.

32 (13) "Nonprofit medical services corporation" or "nonprofit hospital service corporation"  
33 or "nonprofit dental service corporation" means any corporation organized pursuant to chapter 19  
34 or 20 of title 27 for the purpose of establishing, maintaining, and operating a nonprofit medical,

1 hospital, or dental service plan.

2 (14) "Peer-review board" means any committee of a state, local, dental or dental hygiene  
3 association or society, or a committee of any licensed healthcare facility, or the dental staff of the  
4 committee, or any committee of a dental care foundation or health-maintenance organization, or  
5 any staff committee or consultant of a hospital, medical, or dental service corporation, the function  
6 of which, or one of the functions of which, is to evaluate and improve the quality of dental care  
7 rendered by providers of dental care service or to determine that dental care services rendered were  
8 professionally indicated or were performed in compliance with the applicable standard of care or  
9 that the cost for dental care rendered was considered reasonable by the providers of professional  
10 dental care services in the area and includes a committee functioning as a utilization review  
11 committee under the provisions of Pub. L. No. 89-97, 42 U.S.C. § 1395 et seq. (Medicare law), or  
12 as a professional standards-review organization or statewide professional standards-review council  
13 under the provisions of Pub. L. No. 92-603, 42 U.S.C. § 1301 et seq. (professional standards-review  
14 organizations), or a similar committee or a committee of similar purpose, to evaluate or review the  
15 diagnosis or treatment of the performance or rendition of dental services performed under public  
16 dental programs of either state or federal design.

17 (15) "Person" means any individual, partnership, firm, corporation, association, trust or  
18 estate, state or political subdivision, or instrumentality of a state.

19 (16) "Practice of dental hygiene." Any person is practicing dental hygiene within the  
20 meaning of this chapter who performs those services and procedures that a dental hygienist has  
21 been educated to perform and which services and procedures are, from time to time, specifically  
22 authorized by rules and regulations adopted by the board of examiners in dentistry. [Dental](#)  
23 [hygienists may perform dental hygiene assessment, dental hygiene diagnosis, and dental hygiene](#)  
24 [treatment planning for dental hygiene services. Dental hygienists may prescribe, administer, and](#)  
25 [dispense fluoride supplements, topical anticaries treatments, topical antimicrobials including, but](#)  
26 [not limited to, chlorhexidine, and any other preventive dental supplements, treatments, and](#)  
27 [antimicrobials as determined by the board.](#) Nothing in this section is construed to authorize a  
28 licensed dental hygienist to perform the following: ~~diagnosis and treatment planning~~, surgical  
29 procedures on hard or soft tissue, prescribe medication [except for the purpose of prevention of](#)  
30 [dental disease](#), or administer general anesthesia or injectables other than oral local anesthesia. A  
31 dental hygienist is only permitted to practice dental hygiene under the general supervision of a  
32 dentist licensed and registered in this state under the provisions of this chapter.

33 (i) Provided, that in order to administer local injectable anesthesia to dental patients, dental  
34 hygienists must be under the supervision of a dentist and meet the requirements established by

1 regulation of the board of examiners in dentistry including payment of a permit fee.

2 (17)(i)(A) "Practice of dentistry." Any person is practicing dentistry within the meaning of  
3 this chapter who:

4 (I) Uses or permits to be used, directly or indirectly, for profit or otherwise, for himself,  
5 herself, or for any other person, in connection with his or her name, the word "dentist" or "dental  
6 surgeon," or the title "D.D.S." or "D.M.D.," or any other words, letters, titles, or descriptive matter,  
7 personal or not, that directly or indirectly implies the practice of dentistry;

8 (II) Owns, leases, maintains, operates a dental business in any office or other room or rooms  
9 where dental operations are performed, or directly or indirectly is manager, proprietor, or conductor  
10 of this business;

11 (III) Directly or indirectly informs the public in any language, orally, in writing, or in  
12 printing, or by drawings, demonstrations, specimens, signs, or pictures that he or she can perform  
13 or will attempt to perform, dental operations of any kind;

14 (IV) Undertakes, by any means or method, gratuitously, or for a salary, fee, money, or other  
15 reward paid or granted directly or indirectly to himself or herself, or to any other person, to diagnose  
16 or profess to diagnose, or to treat or profess to treat, or to prescribe for, or profess to prescribe for,  
17 any of the lesions, diseases, disorders, or deficiencies of the human oral cavity, teeth, gums,  
18 maxilla, or mandible, and/or adjacent associated structures;

19 (V) Extracts human teeth, corrects malpositions of the teeth or of the jaws;

20 (VI) Except on the written prescription of a licensed dentist and by the use of impressions  
21 or casts made by a licensed and practicing dentist, directly or indirectly by mail, carrier, personal  
22 agent, or by any other method, furnishes, supplies, constructs, reproduces, or repairs prosthetic  
23 dentures, bridges, appliances, or other structures to be used and worn as substitutes for natural teeth;

24 (VII) Places those substitutes in the mouth and/or adjusts them;

25 (VIII) Administers an anesthetic, either general or local, in the course of any of the  
26 previously stated dental procedures; or

27 (IX) Engages in any of the practices included in the curricula of recognized dental colleges;

28 (B) Provided, that in order to administer any form of anesthesia, other than local, dentists  
29 must meet the requirements established by regulation of the board of examiners in dentistry,  
30 including training in advanced cardiac life support and pediatric advanced life support, and  
31 payment of a permit fee.

32 (ii) The board shall promulgate regulations relating to anesthesia. Those regulations shall  
33 be consistent with the American Dental Association guidelines for the use of conscious sedation,  
34 deep sedation, and general anesthesia in dentistry. Neither the board, nor any regulation

1 promulgated by the board, shall require additional licensing fees for the use of nitrous oxide by  
2 dentists. Prior to the adoption of those regulations, dentists shall be permitted to administer  
3 anesthesia without restriction. From the proceeds of any fees collected pursuant to the provisions  
4 of this chapter, there is created a restricted receipts account that is used solely to pay for the  
5 administrative expenses incurred for expenses of administrating this chapter.

6 (iii) No non-dentist who operates a dental facility in the form of a licensed outpatient  
7 healthcare center or management service organization may interfere with the professional judgment  
8 of a dentist in the practice.

9 (18) "Telemedicine" has the same meaning as provided in § 27-81-3.

10 **5-31.1-6.1. Dental hygienists and dental assistants.**

11 Dentists licensed pursuant to § 5-31.1-6 may supervise and delegate to any dental hygienist  
12 licensed pursuant to § 5-31.1-6, working under the dentist's general supervision and who is  
13 employed on a regular basis by such dentists, any procedures that he or she may deem advisable;  
14 including initial oral-health-screening assessments and other procedures specified under section 13  
15 (or any comparable or successor section) of the rules and regulations pertaining to dentists and  
16 dental hygienists promulgated from time to time by the department of health, ~~and any.~~ [Dental  
17 hygienists may prescribe, administer, and dispense fluoride supplements, topical anticaries  
18 treatments, and topical antimicrobials including, but not limited to, chlorhexidine, for preventive  
19 dental purposes as determined by the board.](#) Any such dental hygienists may engage in the practice  
20 of dental hygiene under the responsibility of the supervising dentists outside of the dentists' office  
21 in order to render to residents of nursing facilities licensed pursuant to chapter 17 of title 23,  
22 whether or not such residents are patients of record of the supervising dentist, without the on-site  
23 direct supervision of a dentist licensed pursuant to § 5-31.1-6, those dental services, procedures,  
24 and duties that he or she has been educated to perform and that are authorized by the board of  
25 examiners in dentistry. Dental hygienists working under general supervision in nursing facilities  
26 shall provide documentation of initial oral health screening assessments to the supervising dentist  
27 and to the licensed nursing facility for appropriate follow-up assessment and treatment, as needed.

28 **5-31.1-39. Public health hygienists.**

29 (a) Any public health dental hygienist, which for purposes of this chapter means any  
30 practicing registered dental hygienist who may perform dental-hygiene procedures in a public-  
31 health setting subject to conditions adopted by the Rhode Island board of examiners in dentistry,  
32 may perform in a public-health setting, without the immediate or direct supervision or direction of  
33 a dentist, any procedure or provide any service that is within the dental-hygiene scope of practice  
34 that has been authorized and adopted by the Rhode Island board of examiners in dentistry as a

1 delegable procedure for a dental hygienist under general supervision in a private practice setting.

2 (b) Public-health settings shall, for purposes of this section, include, but are not limited to,  
3 residences of the homebound, schools, nursing home and long-term-care facilities, clinics,  
4 hospitals, medical facilities, community health centers licensed or certified by the department of  
5 health, mobile and portable dental-health programs licensed or certified by the department of health  
6 and operated by a local or state agency, head-start programs, and any other facilities or programs  
7 deemed appropriate by the department of health.

8 (c) Any public-health hygienist shall enter into a written, collaborative agreement with a  
9 local or state government agency or institution or with a licensed dentist who states that he or she  
10 shall be able to provide the appropriate level of communication and consultation with the dental  
11 hygienist to ensure patient health and safety prior to performing any procedure or providing any  
12 service under this section. The written, collaborative agreement will follow the appropriate  
13 guidelines as determined and established by the Rhode Island board of examiners in dentistry.

14 (d) Any public-health dental hygienist shall provide to the patient, or to the patient's legal  
15 guardian, a consent form to be signed by the patient or legal guardian. The consent form shall be  
16 consistent with current department of health policies that describes services to be rendered and  
17 explains that services rendered are not a substitute for a dental examination by a dentist. The  
18 consent form shall also inform the patient or legal guardian that the patient should obtain a dental  
19 examination by a dentist within ninety (90) days after undergoing a procedure authorized pursuant  
20 to this section. The patient or legal guardian shall also obtain written referral to a dentist and an  
21 assessment of further dental needs.

22 (e) The public-health dental hygienist shall be directly reimbursed for services  
23 administered in a public-health setting by Medicaid or the state healthcare insurance program  
24 except as required by federal Medicaid law, ~~but shall not~~ and may seek reimbursement from any  
25 other insurance or third-party payor. A public-health dental hygienist shall not operate  
26 independently of a dentist, except for a dental hygienist working for a local or state government  
27 agency or institution or practicing in a mobile or portable prevention program licensed or certified  
28 by the department of health. In such cases, the local or state government agency or institution or  
29 mobile or portable prevention program licensed or certified by the department of health may seek  
30 reimbursement from any other third-party payor.

31 (f) A public health dental hygienist may supervise a dental assistant performing assisting  
32 duties to facilitate provision of services within the scope of a dental-hygiene practice in the public  
33 health setting.

34 SECTION 4. Chapter 5-34.3 of the General Laws entitled "Nurse Licensure Compact" is

1 hereby amended by adding thereto the following section:

2 **5-34.3-15. Sunset provision.**

3 [Chapter 34.3 of this title entitled “nurse licensure compact” shall sunset and expire on](#)  
4 [January 1, 2029.](#)

5 SECTION 5. Section 5-37-2.1 of the General Laws in Chapter 5-37 entitled "Board of  
6 Medical Licensure and Discipline" is hereby amended to read as follows:

7 **5-37-2.1. Recertification — Continuing medical education.**

8 Effective beginning in calendar year 2004, every physician licensed to practice medicine  
9 within this state shall, in connection with biannual registration, on or before the first day of June in  
10 each even-numbered year, provide satisfactory evidence to the board of medical licensure and  
11 discipline that in the preceding two (2) years the practitioner has completed a prescribed course of  
12 continuing medical education established by the appropriate medical or osteopathic society and  
13 approved by rule or regulation of the director or by the board of medical licensure and discipline.

14 [At least one hour of the required continuing medical education credits every two \(2\) years must be](#)  
15 [related to the topic of nutrition.](#) The board may extend for only one six-month (6) period these  
16 educational requirements if the board is satisfied that the applicant has suffered hardship that  
17 prevented meeting the educational requirement. No recertification to practice medicine in this state  
18 shall be refused, nor shall any certificate be suspended or revoked except: (1) As provided for in  
19 this chapter, and (2) For failure to provide satisfactory evidence of continuing medical education  
20 as provided for in this section.

21 SECTION 6. Title 5 of the General Laws entitled "BUSINESSES AND PROFESSIONS"  
22 is hereby amended by adding thereto the following chapter:

23 [CHAPTER 54.1](#)

24 [PHYSICIAN ASSISTANT LICENSURE COMPACT](#)

25 **5-54.1-1. Short title.**

26 [The Physician Assistant Licensure Compact, hereinafter referred to as the “PA Licensure](#)  
27 [Compact,” is hereby enacted into law and entered into by the State of Rhode Island with any and](#)  
28 [all states legally joining therein in accordance with its terms.](#)

29 **5-54.1-2. Purpose.**

30 [In order to strengthen access to medical services, and in recognition of the advances in the](#)  
31 [delivery of medical services, the participating states of the PA licensure compact have allied in](#)  
32 [common purpose to develop a comprehensive process that complements the existing authority of](#)  
33 [state licensing boards to license and discipline PAs and seeks to enhance the portability of a license](#)  
34 [to practice as a PA while safeguarding the safety of patients. This compact allows medical services](#)

1 to be provided by PAs, via the mutual recognition of the licensee’s qualifying license by other  
2 compact participating states. This compact also adopts the prevailing standard for PA licensure and  
3 affirms that the practice and delivery of medical services by the PA occurs where the patient is  
4 located at the time of the patient encounter, and therefore requires the PA to be under the  
5 jurisdiction of the state licensing board where the patient is located. State licensing boards that  
6 participate in this compact retain the jurisdiction to impose adverse action against a compact  
7 privilege in that state issued to a PA through the procedures of this compact. The PA licensure  
8 compact will alleviate burdens for military families by allowing active duty military personnel and  
9 their spouses to obtain a compact privilege based on having an unrestricted license in good standing  
10 from a participating state.

11 **5-54.1-3. Definitions.**

12 As used in this compact:

13 (1) “Adverse action” means any administrative, civil, equitable, or criminal action  
14 permitted by a state’s laws which is imposed by a licensing board or other authority against a PA  
15 license or license application or compact privilege such as license denial, censure, revocation,  
16 suspension, probation, monitoring of the licensee, or restriction on the licensee’s practice.

17 (2) “Compact privilege” means the authorization granted by a remote state to allow a  
18 licensee from another participating state to practice as a PA to provide medical services and other  
19 licensed activity to a patient located in the remote state under the remote state’s laws and  
20 regulations.

21 (3) “Conviction” means a finding by a court that an individual is guilty of a felony or  
22 misdemeanor offense through adjudication or entry of a plea of guilt or no contest to the charge by  
23 the offender.

24 (4) “Criminal background check” means the submission of fingerprints or other biometric-  
25 based information for a license applicant for the purpose of obtaining that applicant’s criminal  
26 history record information, as defined in 28 C.F.R. § 20.3(d), from the state’s criminal history  
27 record repository as defined in 28 C.F.R. § 20.3(f).

28 (5) “Data system” means the repository of information about licensees, including but not  
29 limited to license status and adverse actions, which is created and administered under the terms of  
30 this compact.

31 (6) “Executive committee” means a group of directors and ex-officio individuals elected  
32 or appointed pursuant to § 5-54.1-7(f)(2).

33 (7) “Impaired practitioner” means a PA whose practice is adversely affected by health-  
34 related condition(s) that impact their ability to practice.

1           (8) “Investigative information” means information, records, or documents received or  
2 generated by a licensing board pursuant to an investigation.

3           (9) “Jurisprudence requirement” means the assessment of an individual’s knowledge of the  
4 laws and rules governing the practice of a PA in a state.

5           (10) “License” means current authorization by a state, other than authorization pursuant to  
6 a compact privilege, for a PA to provide medical services, which would be unlawful without current  
7 authorization.

8           (11) “Licensee” means an individual who holds a license from a state to provide medical  
9 services as a PA.

10           (12) “Licensing board” means any state entity authorized to license and otherwise regulate  
11 PAAs.

12           (13) “Medical services” means health care services provided for the diagnosis, prevention,  
13 treatment, cure or relief of a health condition, injury, or disease, as defined by a state’s laws and  
14 regulations.

15           (14) “Model compact” means the model for the PA licensure compact on file with the  
16 council of state governments or other entity as designated by the commission.

17           (15) “Participating state” means a state that has enacted this compact.

18           (16) “PA” means an individual who is licensed as a physician assistant in a state. For  
19 purposes of this compact, any other title or status adopted by a state to replace the term “physician  
20 assistant” shall be deemed synonymous with “physician assistant” and shall confer the same rights  
21 and responsibilities to the licensee under the provisions of this compact at the time of its enactment.

22           (17) “PA licensure compact commission,” “compact commission,” or “commission”  
23 means the national administrative body created pursuant to § 5-54.1-7(a) of this compact.

24           (18) “Qualifying license” means an unrestricted license issued by a participating state to  
25 provide medical services as a PA.

26           (19) “Remote state” means a participating state where a licensee who is not licensed as a  
27 PA is exercising or seeking to exercise the compact privilege.

28           (20) “Rule” means a regulation promulgated by an entity that has the force and effect of  
29 law.

30           (21) “Significant investigative information” means investigative information that a  
31 licensing board, after an inquiry or investigation that includes notification and an opportunity for  
32 the PA to respond if required by state law, has reason to believe is not groundless and, if proven  
33 true, would indicate more than a minor infraction.

34           (22) “State” means any formally recognized state, commonwealth, district, or territory of

1 the United States.

2 **5-54.1-4. State participation in this compact.**

3 (a) To participate in this compact, a participating state shall:

4 (1) License PAs.

5 (2) Participate in the compact commission's data system.

6 (3) Have a mechanism in place for receiving and investigating complaints against licensees  
7 and license applicants.

8 (4) Notify the commission, in compliance with the terms of this compact and commission  
9 rules, of any adverse action against a licensee or license applicant and the existence of significant  
10 investigative information regarding a licensee or license applicant.

11 (5) Fully implement a criminal background check requirement, within a time frame  
12 established by commission rule, by its licensing board receiving the results of a criminal  
13 background check and reporting to the commission whether the license applicant has been granted  
14 a license.

15 (6) Comply with the rules of the compact commission.

16 (7) Utilize passage of a recognized national exam such as the National Commission on  
17 Certification of Physician Assistants (NCCPA) Physician Assistant National Certifying  
18 Examination (PANCE) as a requirement for PA licensure.

19 (8) Grant the compact privilege to a holder of a qualifying license in a participating state.

20 (b) Nothing in this compact prohibits a participating state from charging a fee for granting  
21 the compact privilege.

22 **5-54.1-5. Compact privilege.**

23 (a) To exercise the compact privilege, a licensee must:

24 (1) Have graduated from a PA program accredited by the Accreditation Review  
25 Commission on Education for the Physician Assistant, Inc. or other programs authorized by  
26 commission rule.

27 (2) Hold current NCCPA certification.

28 (3) Have no felony or misdemeanor conviction.

29 (4) Have never had a controlled substance license, permit, or registration suspended or  
30 revoked by a state or by the United States Drug Enforcement Administration.

31 (5) Have a unique identifier as determined by commission rule.

32 (6) Hold a qualifying license.

33 (7) Have had no revocation of a license or limitation or restriction on any license currently  
34 held due to an adverse action.

1 (8) If a licensee has had a limitation or restriction on a license or compact privilege due to  
2 an adverse action, two (2) years must have elapsed from the date on which the license or compact  
3 privilege is no longer limited or restricted due to the adverse action.

4 (9) If a compact privilege has been revoked or is limited or restricted in a participating state  
5 for conduct that would not be a basis for disciplinary action in a participating state in which the  
6 licensee is practicing or applying to practice under a compact privilege, that participating state shall  
7 have the discretion not to consider such action as an adverse action requiring the denial or removal  
8 of a compact privilege in that state.

9 (10) Notify the compact commission that the licensee is seeking the compact privilege in  
10 a remote state.

11 (11) Meet any jurisprudence requirement of a remote state in which the licensee is seeking  
12 to practice under the compact privilege and pay any fees applicable to satisfying the jurisprudence  
13 requirement.

14 (12) Report to the commission any adverse action taken by a non-participating state within  
15 thirty (30) days after the action is taken.

16 (b) The compact privilege is valid until the expiration or revocation of the qualifying  
17 license unless terminated pursuant to an adverse action. The licensee must also comply with all of  
18 the requirements of subsection (a) of this section to maintain the compact privilege in a remote  
19 state. If the participating state takes adverse action against a qualifying license, the licensee shall  
20 lose the compact privilege in any remote state in which the licensee has a compact privilege until  
21 all of the following occur:

22 (1) The license is no longer limited or restricted; and

23 (2) Two (2) years have elapsed from the date on which the license is no longer limited or  
24 restricted due to the adverse action.

25 (c) Once a restricted or limited license satisfies the requirements of subsection (b)(1) and  
26 (b)(2) of this section, the licensee must meet the requirements of subsection (a) of this section to  
27 obtain a compact privilege in any remote state.

28 (d) For each remote state in which a PA seeks authority to prescribe controlled substances,  
29 the PA shall satisfy all requirements imposed by such state in granting or renewing such authority.

30 **5-54.1-6. Designation of the state from which licensee is applying for a compact**  
31 **privilege.**

32 (a) Upon a licensee's application for a compact privilege, the licensee shall identify to the  
33 commission the participating state from which the licensee is applying, in accordance with  
34 applicable rules adopted by the commission, and subject to the following requirements:

1           (1) When applying for a compact privilege, the licensee shall provide the commission with  
2 the address of the licensee's primary residence and thereafter shall immediately report to the  
3 commission any change in the address of the licensee's primary residence.

4           (2) When applying for a compact privilege, the licensee is required to consent to accept  
5 service of process by mail at the licensee's primary residence on file with the commission with  
6 respect to any action brought against the licensee by the commission or a participating state,  
7 including a subpoena, with respect to any action brought or investigation conducted by the  
8 commission or a participating state.

9           **5-54.1-7. Adverse actions.**

10           (a) A participating state in which a licensee is licensed shall have exclusive power to  
11 impose adverse action against the qualifying license issued by that participating state.

12           (b) In addition to the other powers conferred by state law, a remote state shall have the  
13 authority, in accordance with existing state due process law, to do all of the following:

14           (1) Take adverse action against a PA's compact privilege within that state to remove a  
15 licensee's compact privilege or take other action necessary under applicable law to protect the  
16 health and safety of its citizens.

17           (2) Issue subpoenas for both hearings and investigations that require the attendance and  
18 testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board  
19 in a participating state for the attendance and testimony of witnesses or the production of evidence  
20 from another participating state shall be enforced in the latter state by any court of competent  
21 jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in  
22 proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses,  
23 mileage and other fees required by the service statutes of the state in which the witnesses or  
24 evidence are located.

25           (3) Notwithstanding subsection (b)(2) of this section, subpoenas may not be issued by a  
26 participating state to gather evidence of conduct in another state that is lawful in that other state for  
27 the purpose of taking adverse action against a licensee's compact privilege or application for a  
28 compact privilege in that participating state.

29           (4) Nothing in this compact authorizes a participating state to impose discipline against a  
30 PA's compact privilege or to deny an application for a compact privilege in that participating state  
31 for the individual's otherwise lawful practice in another state.

32           (c) For purposes of taking adverse action, the participating state which issued the qualifying  
33 license shall give the same priority and effect to reported conduct received from any other  
34 participating state as it would if the conduct had occurred within the participating state which issued

1 the qualifying license. In so doing, that participating state shall apply its own state laws to determine  
2 appropriate action.

3 (d) A participating state, if otherwise permitted by state law, may recover from the affected  
4 PA the costs of investigations and disposition of cases resulting from any adverse action taken  
5 against that PA.

6 (e) A participating state may take adverse action based on the factual findings of a remote  
7 state, provided that the participating state follows its own procedures for taking the adverse action.

8 (f) Joint investigations.

9 (1) In addition to the authority granted to a participating state by its respective state PA  
10 laws and regulations or other applicable state law, any participating state may participate with other  
11 participating states in joint investigations of licensees.

12 (2) Participating states shall share any investigative, litigation, or compliance materials in  
13 furtherance of any joint or individual investigation initiated under this compact.

14 (g) If an adverse action is taken against a PA's qualifying license, the PA's compact  
15 privilege in all remote states shall be deactivated until two (2) years have elapsed after all  
16 restrictions have been removed from the state license. All disciplinary orders by the participating  
17 state which issued the qualifying license that impose adverse action against a PA's license shall  
18 include a statement that the PA's compact privilege is deactivated in all participating states during  
19 the pendency of the order.

20 (h) If any participating state takes adverse action, it promptly shall notify the administrator  
21 of the data system.

22 **5-54.1-8. Establishment of the PA licensure compact commission.**

23 (a) The participating states hereby create and establish a joint government agency and  
24 national administrative body known as the PA licensure compact commission. The commission is  
25 an instrumentality of the compact states acting jointly and not an instrumentality of any one state.  
26 The commission shall come into existence on or after the effective date of the compact as set forth  
27 in § 5-54.1-11(a).

28 (b) Membership, voting, and meetings.

29 (1) Each participating state shall have and be limited to one delegate selected by that  
30 participating state's licensing board or, if the state has more than one licensing board, selected  
31 collectively by the participating state's licensing boards.

32 (2) The delegate shall be either:

33 (i) A current PA, physician or public member of a licensing board or PA  
34 council/committee; or

- 1           (ii) An administrator of a licensing board.
- 2           (3) Any delegate may be removed or suspended from office as provided by the laws of the  
3 state from which the delegate is appointed.
- 4           (4) The participating state licensing board shall fill any vacancy occurring in the  
5 commission within sixty (60) days.
- 6           (5) Each delegate shall be entitled to one vote on all matters voted on by the commission  
7 and shall otherwise have an opportunity to participate in the business and affairs of the commission.  
8 A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may  
9 provide for delegates' participation in meetings by telecommunications, video conference, or other  
10 means of communication.
- 11           (6) The commission shall meet at least once during each calendar year. Additional meetings  
12 shall be held as set forth in this compact and the bylaws.
- 13           (7) The commission shall establish by rule a term of office for delegates.
- 14           (c) The commission shall have the following powers and duties:
- 15           (1) Establish a code of ethics for the commission;
- 16           (2) Establish the fiscal year of the commission;
- 17           (3) Establish fees;
- 18           (4) Establish bylaws;
- 19           (5) Maintain its financial records in accordance with the bylaws;
- 20           (6) Meet and take such actions as are consistent with the provisions of this compact and  
21 the bylaws;
- 22           (7) Promulgate rules to facilitate and coordinate implementation and administration of this  
23 compact. The rules shall have the force and effect of law and shall be binding in all participating  
24 states;
- 25           (8) Bring and prosecute legal proceedings or actions in the name of the commission,  
26 provided that the standing of any state licensing board to sue or be sued under applicable law shall  
27 not be affected;
- 28           (9) Purchase and maintain insurance and bonds;
- 29           (10) Borrow, accept, or contract for services of personnel including, but not limited to,  
30 employees of a participating state;
- 31           (11) Hire employees and engage contractors, elect or appoint officers, fix compensation,  
32 define duties, grant such individuals appropriate authority to carry out the purposes of this compact,  
33 and establish the commission's personnel policies and programs relating to conflicts of interest,  
34 qualifications of personnel, and other related personnel matters;

1           (12) Accept any and all appropriate donations and grants of money, equipment, supplies,  
2 materials and services, and receive, utilize and dispose of the same; provided that at all times the  
3 commission shall avoid any appearance of impropriety or conflict of interest;

4           (13) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold,  
5 improve or use, any property, real, personal or mixed; provided that at all times the commission  
6 shall avoid any appearance of impropriety;

7           (14) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any  
8 property real, personal, or mixed;

9           (15) Establish a budget and make expenditures;

10          (16) Borrow money;

11          (17) Appoint committees, including standing committees composed of members, state  
12 regulators, state legislators or their representatives, and consumer representatives, and such other  
13 interested persons as may be designated in this compact and the bylaws;

14          (18) Provide and receive information from, and cooperate with, law enforcement agencies;

15          (19) Elect a chair, vice chair, secretary and treasurer and such other officers of the  
16 commission as provided in the commission's bylaws;

17          (20) Reserve for itself, in addition to those reserved exclusively to the commission under  
18 the compact, powers that the executive committee may not exercise;

19          (21) Approve or disapprove a state's participation in the compact based upon its  
20 determination as to whether the state's compact legislation departs in a material manner from the  
21 model compact language;

22          (22) Prepare and provide to the participating states an annual report; and

23          (23) Perform such other functions as may be necessary or appropriate to achieve the  
24 purposes of this compact consistent with the state regulation of PA licensure and practice.

25          (d) Meetings of the commission.

26           (1) All meetings of the commission that are not closed pursuant to this subsection shall be  
27 open to the public. Notice of public meetings shall be posted on the commission's website at least  
28 thirty (30) days prior to the public meeting.

29           (2) Notwithstanding subsection (d)(1) of this section, the commission may convene a  
30 public meeting by providing at least twenty-four (24) hours prior notice on the commission's  
31 website, and any other means as provided in the commission's rules, for any of the reasons it may  
32 dispense with notice of proposed rulemaking under § 5-54.1-9(1).

33           (3) The commission may convene in a closed, non-public meeting or non-public part of a  
34 public meeting to receive legal advice or to discuss:

- 1           (i) Non-compliance of a participating state with its obligations under this compact;
- 2           (ii) The employment, compensation, discipline or other matters, practices or procedures  
3 related to specific employees or other matters related to the commission's internal personnel  
4 practices and procedures;
- 5           (iii) Current, threatened, or reasonably anticipated litigation;
- 6           (iv) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real  
7 estate;
- 8           (v) Accusing any person of a crime or formally censuring any person;
- 9           (vi) Disclosure of trade secrets or commercial or financial information that is privileged or  
10 confidential;
- 11           (vii) Disclosure of information of a personal nature where disclosure would constitute a  
12 clearly unwarranted invasion of personal privacy;
- 13           (viii) Disclosure of investigative records compiled for law enforcement purposes;
- 14           (ix) Disclosure of information related to any investigative reports prepared by or on behalf  
15 of or for use of the commission or other committee charged with responsibility of investigation or  
16 determination of compliance issues pursuant to this compact;
- 17           (x) Legal advice; or
- 18           (xi) Matters specifically exempted from disclosure by federal or participating states'  
19 statutes.
- 20           (4) If a meeting, or portion of a meeting, is closed pursuant to this provision, the chair of  
21 the meeting or the chair's designee shall certify that the meeting or portion of the meeting may be  
22 closed and shall reference each relevant exempting provision.
- 23           (5) The commission shall keep minutes that fully and clearly describe all matters discussed  
24 in a meeting and shall provide a full and accurate summary of actions taken, including a description  
25 of the views expressed. All documents considered in connection with an action shall be identified  
26 in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject  
27 to release by a majority vote of the commission or order of a court of competent jurisdiction.
- 28           (e) Financing of the commission.
- 29           (1) The commission shall pay, or provide for the payment of, the reasonable expenses of  
30 its establishment, organization, and ongoing activities.
- 31           (2) The commission may accept any and all appropriate revenue sources, donations, and  
32 grants of money, equipment, supplies, materials, and services.
- 33           (3) The commission may levy on and collect an annual assessment from each participating  
34 state and may impose compact privilege fees on licensees of participating states to whom a compact

1 privilege is granted to cover the cost of the operations and activities of the commission and its staff,  
2 which must be in a total amount sufficient to cover its annual budget as approved by the commission  
3 each year for which revenue is not provided by other sources. The aggregate annual assessment  
4 amount levied on participating states shall be allocated based upon a formula to be determined by  
5 commission rule.

6 (i) A compact privilege expires when the licensee's qualifying license in the participating  
7 state from which the licensee applied for the compact privilege expires.

8 (ii) If the licensee terminates the qualifying license through which the licensee applied for  
9 the compact privilege before its scheduled expiration, and the licensee has a qualifying license in  
10 another participating state, the licensee shall inform the commission that it is changing to that  
11 participating state the participating state through which it applies for a compact privilege and pay  
12 to the commission any compact privilege fee required by commission rule.

13 (4) The commission shall not incur obligations of any kind prior to securing the funds  
14 adequate to meet the same; nor shall the commission pledge the credit of any of the participating  
15 states, except by and with the authority of the participating state.

16 (5) The commission shall keep accurate accounts of all receipts and disbursements. The  
17 receipts and disbursements of the commission shall be subject to the financial review and  
18 accounting procedures established under its bylaws. All receipts and disbursements of funds  
19 handled by the commission shall be subject to an annual financial review by a certified or licensed  
20 public accountant, and the report of the financial review shall be included in and become part of  
21 the annual report of the commission.

22 (f) The executive committee.

23 (1) The executive committee shall have the power to act on behalf of the commission  
24 according to the terms of this compact and commission rules.

25 (2) The executive committee shall be composed of nine (9) members:

26 (i) Seven (7) voting members who are elected by the commission from the current  
27 membership of the commission;

28 (ii) One ex-officio, nonvoting member from a recognized national PA professional  
29 association; and

30 (iii) One ex-officio, nonvoting member from a recognized national PA certification  
31 organization.

32 (3) The ex-officio members will be selected by their respective organizations.

33 (4) The commission may remove any member of the executive committee as provided in  
34 its bylaws.

1           (5) The executive committee shall meet at least annually.

2           (6) The executive committee shall have the following duties and responsibilities:

3           (i) Recommend to the commission changes to the commission’s rules or bylaws, changes  
4 to this compact legislation, fees to be paid by compact participating states such as annual dues, and  
5 any commission compact fee charged to licensees for the compact privilege;

6           (ii) Ensure compact administration services are appropriately provided, contractual or  
7 otherwise;

8           (iii) Prepare and recommend the budget;

9           (iv) Maintain financial records on behalf of the commission;

10          (v) Monitor compact compliance of participating states and provide compliance reports to  
11 the commission.

12          (vi) Establish additional committees as necessary;

13          (vii) Exercise the powers and duties of the commission during the interim between  
14 commission meetings, except for issuing proposed rulemaking or adopting commission rules or  
15 bylaws, or exercising any other powers and duties exclusively reserved to the commission by the  
16 commission’s rules; and

17          (viii) Perform other duties as provided in the commission’s rules or bylaws.

18          (7) All meetings of the executive committee at which it votes or plans to vote on matters  
19 in exercising the powers and duties of the commission shall be open to the public and public notice  
20 of such meetings shall be given as public meetings of the commission are given.

21          (8) The executive committee may convene in a closed, non-public meeting for the same  
22 reasons that the commission may convene in a non-public meeting as set forth in subsection (d)(3)  
23 of this section and shall announce the closed meeting as the commission is required to under  
24 subsection (d)(4) of this section and keep minutes of the closed meeting as the commission is  
25 required to under section subsection (d)(5) of this section.

26          (g) Qualified immunity, defense, and indemnification.

27          (1) The members, officers, executive director, employees and representatives of the  
28 commission shall be immune from suit and liability, both personally and in their official capacity,  
29 for any claim for damage to or loss of property or personal injury or other civil liability caused by  
30 or arising out of any actual or alleged act, error, or omission that occurred, or that the person against  
31 whom the claim is made had a reasonable basis for believing occurred within the scope of  
32 commission employment, duties or responsibilities; provided that nothing in this paragraph shall  
33 be construed to protect any such person from suit or liability for any damage, loss, injury, or liability  
34 caused by the intentional or willful or wanton misconduct of that person. The procurement of

1 insurance of any type by the commission shall not in any way compromise or limit the immunity  
2 granted hereunder.

3 (2) The commission shall defend any member, officer, executive director, employee, and  
4 representative of the commission in any civil action seeking to impose liability arising out of any  
5 actual or alleged act, error, or omission that occurred within the scope of commission employment,  
6 duties, or responsibilities, or as determined by the commission that the person against whom the  
7 claim is made had a reasonable basis for believing occurred within the scope of commission  
8 employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit  
9 that person from retaining their own counsel at their own expense; and provided further, that the  
10 actual or alleged act, error, or omission did not result from that person's intentional or willful or  
11 wanton misconduct.

12 (3) The commission shall indemnify and hold harmless any member, officer, executive  
13 director, employee, and representative of the commission for the amount of any settlement or  
14 judgment obtained against that person arising out of any actual or alleged act, error, or omission  
15 that occurred within the scope of commission employment, duties, or responsibilities, or that such  
16 person had a reasonable basis for believing occurred within the scope of commission employment,  
17 duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result  
18 from the intentional or willful or wanton misconduct of that person.

19 (4) Venue is proper and judicial proceedings by or against the commission shall be brought  
20 solely and exclusively in a court of competent jurisdiction where the principal office of the  
21 commission is located. The commission may waive venue and jurisdictional defenses in any  
22 proceedings as authorized by commission rules.

23 (5) Nothing herein shall be construed as a limitation on the liability of any licensee for  
24 professional malpractice or misconduct, which shall be governed solely by any other applicable  
25 state laws.

26 (6) Nothing herein shall be construed to designate the venue or jurisdiction to bring actions  
27 for alleged acts of malpractice, professional misconduct, negligence, or other such civil action  
28 pertaining to the practice of a PA. All such matters shall be determined exclusively by state law  
29 other than this compact.

30 (7) Nothing in this compact shall be interpreted to waive or otherwise abrogate a  
31 participating state's state action immunity or state action affirmative defense with respect to  
32 antitrust claims under 15 USC 1 et seq. (Sherman Act), as amended from time to time, 15 USC 12-  
33 27 (Clayton Act), as amended from time to time, or any other state or federal antitrust or  
34 anticompetitive law or regulation.

1 (8) Nothing in this compact shall be construed to be a waiver of sovereign immunity by the  
2 participating states or by the commission.

3 **5-54.1-9. Data system.**

4 (a) The commission shall provide for the development, maintenance, operation, and  
5 utilization of a coordinated data and reporting system containing licensure, adverse action, and the  
6 reporting of the existence of significant investigative information on all licensed PAs and applicants  
7 denied a license in participating states.

8 (b) Notwithstanding any other state law to the contrary, a participating state shall submit a  
9 uniform data set to the data system on all PAs to whom this compact is applicable (utilizing a  
10 unique identifier) as required by the rules of the commission, including:

11 (1) Identifying information;

12 (2) Licensure data;

13 (3) Adverse actions against a license or compact privilege;

14 (4) Any denial of application for licensure, and the reason(s) for such denial, excluding the  
15 reporting of any criminal history record information prohibited by section 5-54.1-13.1 of this  
16 chapter or other state or federal law;

17 (5) The existence of significant investigative information; and

18 (6) Other information that may facilitate the administration of this compact, as determined  
19 by the rules of the commission.

20 (c) Significant investigative information pertaining to a licensee in any participating state  
21 shall only be available to other participating states.

22 (d) The commission shall promptly notify all participating states of any adverse action  
23 taken against a licensee or an individual applying for a license that has been reported to it. This  
24 adverse action information shall be available to any other participating state.

25 (e) Participating states contributing information to the data system may, in accordance with  
26 state or federal law, designate information that may not be shared with the public without the  
27 express permission of the contributing state. Notwithstanding any such designation, such  
28 information shall be reported to the commission through the data system.

29 (f) Any information submitted to the data system that is subsequently expunged pursuant  
30 to federal law or the laws of the participating state contributing the information shall be removed  
31 from the data system upon reporting of such by the participating state to the commission.

32 (g) The records and information provided to a participating state pursuant to this compact  
33 or through the data system, when certified by the commission or an agent thereof, shall constitute  
34 the authenticated business records of the commission, and shall be entitled to any associated

1 hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a  
2 participating state.

3 **5-54.1-10. Rulemaking.**

4 (a) The commission shall exercise its rulemaking powers pursuant to the criteria set forth  
5 in this section and the rules adopted thereunder. Commission rules shall become binding as of the  
6 date specified by the commission for each rule.

7 (b) The commission shall promulgate reasonable rules in order to effectively and efficiently  
8 implement and administer this compact and achieve its purposes. A commission rule shall be  
9 invalid and have not force or effect only if a court of competent jurisdiction holds that the rule is  
10 invalid because the commission exercised its rulemaking authority in a manner that is beyond the  
11 scope of the purposes of this compact, or the powers granted hereunder, or based upon another  
12 applicable standard of review.

13 (c) The rules of the commission shall have the force of law in each participating state,  
14 provided however that where the rules of the commission conflict with the laws of the participating  
15 state that establish the medical services a PA may perform in the participating state, as held by a  
16 court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the  
17 extent of the conflict.

18 (d) If a majority of the legislatures of the participating states rejects a commission rule, by  
19 enactment of a statute or resolution in the same manner used to adopt this compact within four (4)  
20 years of the date of adoption of the rule, then such rule shall have no further force and effect in any  
21 participating state or to any state applying to participate in the compact.

22 (e) Commission rules shall be adopted at a regular or special meeting of the commission.

23 (f) Prior to promulgation and adoption of a final rule or rules by the commission, and at  
24 least thirty (30) days in advance of the meeting at which the rule will be considered and voted upon,  
25 the commission shall file a notice of proposed rulemaking:

26 (1) On the website of the commission or other publicly accessible platform; and

27 (2) To persons who have requested notice of the commission's notices of proposed  
28 rulemaking, and

29 (3) In such other way(s) as the commission may by rule specify.

30 (g) The notice of proposed rulemaking shall include:

31 (1) The time, date, and location of the public hearing on the proposed rule and the proposed  
32 time, date and location of the meeting in which the proposed rule will be considered and voted  
33 upon;

34 (2) The text of the proposed rule and the reason for the proposed rule;

1           (3) A request for comments on the proposed rule from any interested person and the date  
2 by which written comments must be received; and

3           (4) The manner in which interested persons may submit notice to the commission of their  
4 intention to attend the public hearing or provide any written comments.

5           (h) Prior to adoption of a proposed rule, the commission shall allow persons to submit  
6 written data, facts, opinions, and arguments, which shall be made available to the public.

7           (i) If the hearing is to be held via electronic means, the commission shall publish the  
8 mechanism for access to the electronic hearing.

9           (1) All persons wishing to be heard at the hearing shall as directed in the notice of proposed  
10 rulemaking, not less than five (5) business days before the scheduled date of the hearing, notify the  
11 commission of their desire to appear and testify at the hearing.

12           (2) Hearings shall be conducted in a manner providing each person who wishes to comment  
13 a fair and reasonable opportunity to comment orally or in writing.

14           (3) All hearings shall be recorded. A copy of the recording and the written comments, data,  
15 facts, opinions, and arguments received in response to the proposed rulemaking shall be made  
16 available to a person upon request.

17           (4) Nothing in this section shall be construed as requiring a separate hearing on each  
18 proposed rule. Proposed rules may be grouped for the convenience of the commission at hearings  
19 required by this section.

20           (j) Following the public hearing the commission shall consider all written and oral  
21 comments timely received.

22           (k) The commission shall, by majority vote of all delegates, take final action on the  
23 proposed rule and shall determine the effective date of the rule, if adopted, based on the rulemaking  
24 record and the full text of the rule.

25           (1) If adopted, the rule shall be posted on the commission's website.

26           (2) The commission may adopt changes to the proposed rule provided the changes do not  
27 enlarge the original purpose of the proposed rule.

28           (3) The commission shall provide on its website an explanation of the reasons for  
29 substantive changes made to the proposed rule as well as reasons for substantive changes not made  
30 that were recommended by commenters.

31           (4) The commission shall determine a reasonable effective date for the rule. Except for an  
32 emergency as provided in subsection (l) of this section, the effective date of the rule shall be no  
33 sooner than thirty (30) days after the commission issued the notice that it adopted the rule.

34           (l) Upon determination that an emergency exists, the commission may consider and adopt

1 an emergency rule with twenty-four (24) hours prior notice, without the opportunity for comment,  
2 or hearing, provided that the usual rulemaking procedures provided in this compact and in this  
3 section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than  
4 ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency  
5 rule is one that must be adopted immediately by the commission in order to:

6 (1) Meet an imminent threat to public health, safety, or welfare;

7 (2) Prevent a loss of commission or participating state funds;

8 (3) Meet a deadline for the promulgation of a commission rule that is established by federal  
9 law or rule; or

10 (4) Protect public health and safety.

11 (m) The commission or an authorized committee of the commission may direct revisions  
12 to a previously adopted commission rule for purposes of correcting typographical errors, errors in  
13 format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted  
14 on the website of the commission. The revision shall be subject to challenge by any person for a  
15 period of thirty (30) days after posting. The revision may be challenged only on grounds that the  
16 revision results in a material change to a rule. A challenge shall be made as set forth in the notice  
17 of revisions and delivered to the commission prior to the end of the notice period. If no challenge  
18 is made, the revision will take effect without further action. If the revision is challenged, the  
19 revision may not take effect without the approval of the commission.

20 (n) No participating state's rulemaking requirements shall apply under this compact.

21 **5-54.1-11. Oversight, dispute resolution, and enforcement.**

22 (a) Oversight

23 (1) The executive and judicial branches of state government in each participating state shall  
24 enforce this compact and take all actions necessary and appropriate to implement the compact.

25 (2) Venue is proper and judicial proceedings by or against the commission shall be brought  
26 solely and exclusively in a court of competent jurisdiction where the principal office of the  
27 commission is located. The commission may waive venue and jurisdictional defenses to the extent  
28 it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein  
29 shall affect or limit the selection or propriety of venue in any action against a licensee for  
30 professional malpractice, misconduct or any such similar matter.

31 (3) The commission shall be entitled to receive service of process in any proceeding  
32 regarding the enforcement or interpretation of the compact or the commission's rules and shall have  
33 standing to intervene in such a proceeding for all purposes. Failure to provide the commission with  
34 service of process shall render a judgment or order in such proceeding void as to the commission.

1 this compact, or commission rules.

2 (b) Default, technical assistance, and termination.

3 (1) If the commission determines that a participating state has defaulted in the performance  
4 of its obligations or responsibilities under this compact or the commission rules, the commission  
5 shall provide written notice to the defaulting state and other participating states. The notice shall  
6 describe the default, the proposed means of curing the default and any other action that the  
7 commission may take and shall offer remedial training and specific technical assistance regarding  
8 the default.

9 (2) If a state in default fails to cure the default, the defaulting state may be terminated from  
10 this compact upon an affirmative vote of a majority of the delegates of the participating states, and  
11 all rights, privileges and benefits conferred by this compact upon such state may be terminated on  
12 the effective date of termination. A cure of the default does not relieve the offending state of  
13 obligations or liabilities incurred during the period of default.

14 (3) Termination of participation in this compact shall be imposed only after all other means  
15 of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given  
16 by the commission to the governor, the majority and minority leaders of the defaulting state's  
17 legislature, and to the licensing board(s) of each of the participating states.

18 (4) A state that has been terminated is responsible for all assessments, obligations, and  
19 liabilities incurred through the effective date of termination, including obligations that extend  
20 beyond the effective date of termination.

21 (5) The commission shall not bear any costs related to a state that is found to be in default  
22 or that has been terminated from this compact, unless agreed upon in writing between the  
23 commission and the defaulting state.

24 (6) The defaulting state may appeal its termination from the compact by the commission  
25 by petitioning the United States District Court for the District of Columbia or the federal district  
26 where the commission has its principal offices. The prevailing member shall be awarded all costs  
27 of such litigation, including reasonable attorney's fees.

28 (7) Upon the termination of a state's participation in the compact, the state shall  
29 immediately provide notice to all licensees within that state of such termination:

30 (i) Licensees who have been granted a compact privilege in that state shall retain the  
31 compact privilege for one hundred eighty (180) days following the effective date of such  
32 termination.

33 (ii) Licensees who are licensed in that state who have been granted a compact privilege in  
34 a participating state shall retain the compact privilege for one hundred eighty (180) days unless the

1 licensee also has a qualifying license in a participating state or obtains a qualifying license in a  
2 participating state before the one hundred eighty (180) day-period ends, in which case the compact  
3 privilege shall continue.

4 (c) Dispute resolution.

5 (1) Upon request by a participating state, the commission shall attempt to resolve disputes  
6 related to this compact that arise among participating states and between participating and non  
7 participating states.

8 (2) The commission shall promulgate a rule providing for both mediation and binding  
9 dispute resolution for disputes as appropriate.

10 (d) Enforcement.

11 (1) The commission, in the reasonable exercise of its discretion, shall enforce the  
12 provisions of this compact and rules of the commission.

13 (2) If compliance is not secured after all means to secure compliance have been exhausted,  
14 by majority vote, the commission may initiate legal action in the United States District Court for  
15 the District of Columbia or the federal district where the commission has its principal offices,  
16 against a participating state in default to enforce compliance with the provisions of this compact  
17 and the commission's promulgated rules and bylaws. The relief sought may include both injunctive  
18 relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be  
19 awarded all costs of such litigation, including reasonable attorney's fees.

20 (3) The remedies herein shall not be the exclusive remedies of the commission. The  
21 commission may pursue any other remedies available under federal or state law.

22 (e) Legal action against the commission.

23 (1) A participating state may initiate legal action against the commission in the United  
24 States District Court for the District of Columbia or the federal district where the commission has  
25 its principal offices to enforce compliance with the provisions of the compact and its rules. The  
26 relief sought may include both injunctive relief and damages. In the event judicial enforcement is  
27 necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable  
28 attorney's fees.

29 (2) No person other than a participating state shall enforce this compact against the  
30 commission.

31 **5-54.1-12. Date of implementation of the PA licensure compact commission.**

32 (a) This compact shall come into effect on the date on which this compact statute is enacted  
33 into law in the seventh participating state.

34 (1) On or after the effective date of the compact, the commission shall convene and review

1 the enactment of each of the states that enacted the compact prior to the commission convening  
2 (“charter participating states”) to determine if the statute enacted by each such charter participating  
3 state is materially different than the model compact.

4 (i) A charter participating state whose enactment is found to be materially different from  
5 the model compact shall be entitled to the default process set forth in § 5-54.1-10(b).

6 (ii) If any participating state later withdraws from the compact or its participation is  
7 terminated, the commission shall remain in existence and the compact shall remain in effect even  
8 if the number of participating states should be less than seven (7). Participating states enacting the  
9 compact subsequent to the commission convening shall be subject to the process set forth in § 5-  
10 54.1-7(c)(21) to determine if their enactments are materially different from the model compact and  
11 whether they qualify for participation in the compact.

12 (2) Participating states enacting the compact subsequent to the seven (7) initial charter  
13 participating states shall be subject to the process set forth in section § 5-54.1-7(c)(21) to determine  
14 if their enactments are materially different from the model compact and whether they qualify for  
15 participation in the compact.

16 3) All actions taken for the benefit of the commission or in furtherance of the purposes of  
17 the administration of the compact prior to the effective date of the compact or the commission  
18 coming into existence shall be considered to be actions of the commission unless specifically  
19 repudiated by the commission.

20 (b) Any state that joins this compact shall be subject to the commission’s rules and bylaws  
21 as they exist on the date on which this compact becomes law in that state. Any rule that has been  
22 previously adopted by the commission shall have the full force and effect of law on the day this  
23 compact becomes law in that state.

24 (c) Any participating state may withdraw from this compact by enacting a statute repealing  
25 the same.

26 (1) A participating state’s withdrawal shall not take effect until one hundred eighty (180)  
27 days after enactment of the repealing statute. During this one hundred eighty (180) day-period, all  
28 compact privileges that were in effect in the withdrawing state and were granted to licensees  
29 licensed in the withdrawing state shall remain in effect. If any licensee licensed in the withdrawing  
30 state is also licensed in another participating state or obtains a license in another participating state  
31 within the one hundred eighty (180) days, the licensee’s compact privileges in other participating  
32 states shall not be affected by the passage of the one hundred eighty (180) days.

33 (2) Withdrawal shall not affect the continuing requirement of the state licensing board(s)  
34 of the withdrawing state to comply with the investigative, and adverse action reporting

1 requirements of this compact prior to the effective date of withdrawal.

2 (3) Upon the enactment of a statute withdrawing a state from this compact, the state shall  
3 immediately provide notice of such withdrawal to all Licensees within that State. Such withdrawing  
4 State shall continue to recognize all licenses granted pursuant to this compact for a minimum of  
5 one hundred eighty (180) days after the date of such notice of withdrawal.

6 (d) Nothing contained in this compact shall be construed to invalidate or prevent any PA  
7 licensure agreement or other cooperative arrangement between participating states and between a  
8 participating state and non-participating state that does not conflict with the provisions of this  
9 compact.

10 (e) This compact may be amended by the participating states. No amendment to this  
11 compact shall become effective and binding upon any participating state until it is enacted  
12 materially in the same manner into the laws of all participating states as determined by the  
13 commission.

14 **5-54.1-13. Construction and severability.**

15 (a) This compact and the commission's rulemaking authority shall be liberally construed  
16 so as to effectuate the purposes, and the implementation and administration of the compact.  
17 Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be  
18 construed to limit the commission's rulemaking authority solely for those purposes.

19 (b) The provisions of this compact shall be severable and if any phrase, clause, sentence or  
20 provision of this compact is held by a court of competent jurisdiction to be contrary to the  
21 constitution of any participating state, a state seeking participation in the compact, or of the United  
22 States, or the applicability thereof to any government, agency, person or circumstance is held to be  
23 unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact  
24 and the applicability thereof to any other government, agency, person or circumstance shall not be  
25 affected thereby.

26 (c) Notwithstanding subsection (b) of this section, the commission may deny a state's  
27 participation in the compact or, in accordance with the requirements of § 5-54.1-10(b), terminate a  
28 participating state's participation in the compact, if it determines that a constitutional requirement  
29 of a participating state is, or would be with respect to a state seeking to participate in the compact,  
30 a material departure from the compact. Otherwise, if this compact shall be held to be contrary to  
31 the constitution of any participating state, the compact shall remain in full force and effect as to the  
32 remaining participating states and in full force and effect as to the participating state affected as to  
33 all severable matters.

34 **5-54.1-14. Binding effect of compact.**

1 (a) Nothing herein prevents the enforcement of any other law of a participating state that  
2 is not inconsistent with this compact.

3 (b) Any laws in a participating state in conflict with this compact are superseded to the  
4 extent of the conflict.

5 (c) All agreements between the commission and the participating states are binding in  
6 accordance with their terms.

7 **5-54.1-14.1. Confidentiality of National Criminal Records Checks.**

8 (a) State and federal criminal history record information of an applicant for a PA license  
9 may be used by the department of health or the board of licensure of physician assistants for the  
10 purpose of screening the applicant.

11 b) State and federal criminal history record information of a licensed PA seeking an initial  
12 compact privilege may be used by the department of health or the board of licensure of physician  
13 assistants for the purpose of taking disciplinary action against the licensee.

14 (c) State and federal criminal history records information received by the Rhode Island  
15 department of health or the board of licensure of physician assistants shall not be disseminated to  
16 the Physician Assistant Licensure Compact Commission established under section 5-54.1-7 of this  
17 chapter.

18 SECTION 7. Chapter 5-91 of the General Laws entitled "Interstate Medical Licensure  
19 Compact" is hereby amended by adding thereto the following section:

20 **5-91-26. Confidentiality of criminal history records information.**

21 (a) State and federal criminal history records information received by the Rhode Island  
22 department of health or the board of licensure of medical licensure and discipline shall not be  
23 disseminated to the Interstate Medical Licensure Compact established under § 5-91-11 of this  
24 chapter.

25 SECTION 8. Section 23-1-46.1 of the General Laws in Chapter 23-1 entitled "Department  
26 of Health" is hereby repealed.

27 ~~**23-1-46.1. Psychiatry resource network account. [See Compiler's Note.]**~~

28 ~~(a) There is created within the general fund a restricted receipt account to be known as the~~  
29 ~~“PRN account.” All money in the account shall be utilized by the department of health to effectuate~~  
30 ~~coverage for the following services: Existing Rhode Island lines including the PediPRN and~~  
31 ~~MomsPRN information lines together with any additional information line, referral service, or~~  
32 ~~hotline which is available to providers or residents in the state, and which is funded pursuant to~~  
33 ~~regulation adopted by the director of the department of health. Amounts collected pursuant to § 42-~~  
34 ~~7.4-3(a)(1)(iv) shall be deposited in the “PRN account.” The funds shall be used solely for the~~

1 ~~purposes of the “PRN account,” and no other.~~

2 ~~(b) Each year’s psychiatry resource network funding requirement in § 42-7.4-3(a)(1)(iv)~~  
3 ~~shall be the amount:~~

4 ~~(1) Projected by the department of health for the services in subsection (a) of this section;~~  
5 ~~plus~~

6 ~~(2) A ten percent (10%) contingency for unexpected expenses; and after~~

7 ~~(3) Deduction for any projected carryover of excess funds from prior assessments.~~

8 ~~(c) The department of health shall submit to the general assembly an annual report on the~~  
9 ~~program and costs related to the program, on or before February 1 of each year. The department~~  
10 ~~shall make available to each insurer required to make a contribution pursuant to § 42-7.4-3, upon~~  
11 ~~its request, detailed information regarding the programs described in subsection (a) of this section~~  
12 ~~and the costs related to those programs.~~

13 ~~(d) The “PRN account” shall be exempt from the indirect costs recovery provisions of §~~  
14 ~~35-4-27.~~

15 SECTION 9. Chapter 23-1 of the General Laws entitled "Department of Health" is hereby  
16 amended by adding thereto the following section:

17 **23-1-46.2. Psychiatry resource network programs.**

18 (a) The department of health shall manage any and all funds available to effectuate  
19 coverage for the following services: Existing Rhode Island PediPRN and MomsPRN  
20 teleconsultation information lines which are available to support pediatric, primary care, perinatal,  
21 and other service providers in the state in providing appropriate and timely mental health care and  
22 referrals to children perinatal patients, and mothers with mental health concerns.

23 SECTION 10. Sections 23-15-2, 23-15-4, 23-15-4.1, 23-15-4.2, 23-15-4.4, 23-15-5, 23-  
24 15-6, 23-15-6.1, 23-15-10 and 23-15-11 of the General Laws in Chapter 23-15 entitled  
25 "Determination of Need for New Healthcare Equipment and New Institutional Health Services" are  
26 hereby amended to read as follows:

27 **23-15-2. Definitions.**

28 As used in this chapter:

29 (1) “Accessible or accessibility” means the ability of underserved populations to access  
30 healthcare and as may be further defined in rules and regulations promulgated by the Rhode Island  
31 state department of health

32 ~~(1)(2) “Affected person” means and includes the person whose proposal is being reviewed,~~  
33 ~~or the applicant, healthcare facilities located within the state that provide institutional health~~  
34 ~~services, the state medical society, the state osteopathic society, those voluntary nonprofit area-~~

1 wide planning agencies that may be established in the state, ~~the state budget office, the office of~~  
2 ~~health insurance commissioner~~, any hospital or medical service corporation organized under the  
3 laws of the state, ~~the statewide health coordinating council, contiguous health systems agencies,~~  
4 and those members of the public who are to be served by the proposed, new institutional health  
5 services or new healthcare equipment.

6 (3) “Affordable” means the relative ability of the people of the state to pay for, or incur,  
7 the cost, resulting from the proposed determination of need and as may be further defined in rules  
8 and regulations promulgated by the Rhode Island state department of health.

9 (4) “Applicant” means the person who has submitted a request for a certificate of need  
10 review and approval in accordance with this chapter.

11 (5) “Capital expenditure” means the total non-recurring expenditures for physical  
12 improvements and the acquisition of existing buildings, land, and/or interests in land, including  
13 costs associated therewith in excess of fifty million dollars (\$50,000,000) and as may be further  
14 defined in rules and regulations promulgated by the department. Further, beginning on July 1, 2026,  
15 and each July 1 thereafter, the amount of the threshold shall be adjusted by the percentage increase  
16 in the consumer price index for all urban consumers (CPI-U) as published by the United States  
17 Department of Labor Statistics as of September 30 of the prior calendar year. Expenditures related  
18 to electronic health and management information systems shall not be considered capital  
19 expenditures for the purposes of this chapter.

20 ~~(2) “Cost impact analysis” means a written analysis of the effect that a proposal to offer or~~  
21 ~~develop new institutional health services or new healthcare equipment, if approved, will have on~~  
22 ~~healthcare costs and shall include any detail that may be prescribed by the state agency in rules and~~  
23 ~~regulations.~~

24 (6) “Department” means the Rhode Island department of health.

25 ~~(3)~~(7) “Director” means the director of the Rhode Island state department of health.

26 ~~(4)~~(8)(i) “Healthcare facility” means ~~any institutional health service provider, facility or~~  
27 ~~institution, place, building, agency, or portion of them, whether a partnership or corporation,~~  
28 ~~whether public or private, whether organized for profit or not, used, operated, or engaged in~~  
29 ~~providing healthcare services that are limited to~~ hospitals (except with respect to hospitals whose  
30 services are limited exclusively to behavioral health), nursing facilities, ~~home nursing care~~  
31 ~~provider, home care provider, hospice provider,~~ inpatient rehabilitation hospital centers ~~(including~~  
32 ~~drug and/or alcohol abuse treatment centers)~~, freestanding emergency-care facilities as defined in  
33 § 23-17-2, ~~certain facilities providing surgical treatment to patients not requiring hospitalization~~  
34 ~~(surgi centers, multi practice, physician ambulatory surgery centers and multi practice, podiatry~~

1 ~~ambulatory surgery centers), and facilities providing inpatient hospice care. Single-practice~~  
2 ~~physician or podiatry ambulatory surgery centers (as defined in § 23-17-2(17), (18), respectively)~~  
3 ~~are exempt from the requirements of chapter 15 of this title; provided, however, that such~~  
4 ~~exemption shall not apply if a single-practice physician or podiatry ambulatory surgery center is~~  
5 ~~established by a medical practice group (as defined in § 5-37-1) within two (2) years following the~~  
6 ~~formation of such medical practice group, when such medical practice group is formed by the~~  
7 ~~merger or consolidation of two (2) or more medical practice groups or the acquisition of one~~  
8 ~~medical practice group by another medical practice group. Medical spas as defined in chapter 105~~  
9 ~~of this title are exempt from the requirements of this chapter.~~ The term “healthcare facility” does  
10 not include Christian Science institutions (also known as Christian Science nursing facilities) listed  
11 and certified by the Commission for Accreditation of Christian Science Nursing  
12 Organizations/Facilities, Inc.

13 (ii) Any provider of hospice care who provides hospice care without charge shall be exempt  
14 from the provisions of this chapter.

15 ~~(5)~~(9) “Healthcare provider” means a person who is a direct provider of healthcare services  
16 (including but not limited to physicians, dentists, nurses, podiatrists, physician assistants, or nurse  
17 practitioners) ~~in that~~ where the person’s primary current activity is the provision of healthcare  
18 services for persons.

19 ~~(6)~~(10) “Health services” means organized program components for preventive,  
20 assessment, maintenance, diagnostic, treatment, and rehabilitative services provided in a healthcare  
21 facility.

22 ~~(7)~~(11) “Health services council” means the advisory body to the Rhode Island state  
23 department of health established in accordance with chapter ~~17 of this title~~ 13.1 of title 17,  
24 appointed and empowered as provided to serve as the advisory body to the ~~state agency~~ department  
25 in its review functions under this chapter.

26 (12) "Innovation" means the potential of the proposal to demonstrate or provide one or  
27 more innovative approaches of methods for attaining a more cost effective and/or efficient  
28 healthcare system as may be further defined in rules and regulations promulgated by the  
29 department.

30 ~~(8)~~(13) "Institutional health services" means health services provided in or through  
31 healthcare facilities and includes the entities in or through ~~that the~~ which such services are provided.

32 ~~(9) “New healthcare equipment” means any single piece of medical equipment (and any~~  
33 ~~components that constitute operational components of the piece of medical equipment) proposed~~  
34 ~~to be utilized in conjunction with the provision of services to patients or the public, the capital costs~~

1 ~~of which would exceed two million two hundred fifty thousand dollars (\$2,250,000); provided,~~  
2 ~~however, that the state agency shall exempt from review any application that proposes one for one~~  
3 ~~equipment replacement as defined in regulation. Further, beginning July 1, 2012, and each July~~  
4 ~~thereafter, the amount shall be adjusted by the percentage of increase in the consumer price index~~  
5 ~~for all urban consumers (CPI-U) as published by the United States Department of Labor Statistics~~  
6 ~~as of September 30 of the prior calendar year.~~

7 ~~(10)(14)~~ “New institutional health services” means and includes:

8 (i) Construction, development, or other establishment of a new healthcare facility.

9 (ii) Any capital expenditure as defined herein, ~~except acquisitions of an existing healthcare~~  
10 ~~facility, that will not result in a change in the services or bed capacity of the healthcare facility by,~~  
11 ~~or on behalf of, an existing healthcare facility in excess of five million two hundred fifty thousand~~  
12 ~~dollars (\$5,250,000) which is a capital expenditure including expenditures for predevelopment~~  
13 ~~activities; provided further, beginning July 1, 2012, and each July thereafter, the amount shall be~~  
14 ~~adjusted by the percentage of increase in the consumer price index for all urban consumers (CPI-~~  
15 ~~U) as published by the United States Department of Labor Statistics as of September 30 of the prior~~  
16 ~~calendar year.~~

17 (iii) Where a person makes an acquisition by, or on behalf of, a healthcare facility ~~or health~~  
18 ~~maintenance organization~~ under lease or comparable arrangement or through donation, which  
19 would have required review if the acquisition had been by purchase, the acquisition shall be deemed  
20 a capital expenditure subject to review.

21 ~~(iv) Any capital expenditure that results in the addition of a health service or that changes~~  
22 ~~the bed capacity of a healthcare facility with respect to which the expenditure is made, except that~~  
23 ~~the state agency may exempt from review, by rules and regulations promulgated for this chapter,~~  
24 ~~any bed reclassifications made to licensed nursing facilities and annual increases in licensed bed~~  
25 ~~capacities of nursing facilities that do not exceed the greater of ten (10) beds or ten percent (10%)~~  
26 ~~of facility licensed bed capacity and for which the related capital expenditure does not exceed two~~  
27 ~~million dollars (\$2,000,000).~~

28 ~~(v) Any health service proposed to be offered to patients or the public by a healthcare~~  
29 ~~facility that was not offered on a regular basis in or through the facility within the twelve month~~  
30 ~~(12) period prior to the time the service would be offered, and that increases operating expenses by~~  
31 ~~more than one million five hundred thousand dollars (\$1,500,000), except that the state agency may~~  
32 ~~exempt from review, by rules and regulations promulgated for this chapter, any health service~~  
33 ~~involving reclassification of bed capacity made to licensed nursing facilities. Further, beginning~~  
34 ~~July 1, 2012, and each July thereafter, the amount shall be adjusted by the percentage of increase~~

1 ~~in the consumer price index for all urban consumers (CPI-U) as published by the United States~~  
2 ~~Department of Labor Statistics as of September 30 of the prior calendar year.~~

3 ~~(vi)(iv)~~ Any new or expanded ~~tertiary or specialty care~~ service in the following areas:  
4 cardiac catheterization, open heart surgery, organ transplantation, linear accelerators, and neonatal  
5 intensive care services., ~~regardless of capital expense or operating expense, as defined by and listed~~  
6 ~~in regulation, the list not to exceed a total of twelve (12) categories of services at any one time and~~  
7 ~~shall include full body magnetic resonance imaging and computerized axial tomography; provided,~~  
8 ~~however, that the state agency shall exempt from review any application that proposes one for one~~  
9 ~~equipment replacement as defined by and listed in regulation. Acquisition of full body magnetic~~  
10 ~~resonance imaging and computerized axial tomography shall not require a certificate of need~~  
11 ~~review and approval by the state agency if satisfactory evidence is provided to the state agency that~~  
12 ~~it was acquired for under one million dollars (\$1,000,000) on or before January 1, 2010, and was~~  
13 ~~in operation on or before July 1, 2010.~~

14 ~~(11)(15)~~ “Person” means any individual, trust or estate, partnership, corporation (including  
15 associations, joint stock companies, limited liability corporations, and insurance companies), state  
16 or political subdivision, or instrumentality of a state.

17 ~~(12) “Predevelopment activities” means expenditures for architectural designs, plans,~~  
18 ~~working drawings, and specifications, site acquisition, professional consultations, preliminary~~  
19 ~~plans, studies, and surveys made in preparation for the offering of a new, institutional health~~  
20 ~~service.~~

21 ~~(13) “State agency” means the Rhode Island state department of health.~~

22 ~~(14)(16)~~ “To develop” means to undertake those activities that, on their completion, will  
23 result in the offering of a new, institutional health service or new healthcare equipment or the  
24 incurring of a financial obligation, in relation to the offering of that service.

25 ~~(15)(17)~~ “To offer” means to hold oneself out as capable of providing, or as having the  
26 means for the provision of, specified health services or healthcare equipment.

27 **23-15-4. Review and approval of new health care equipment and new institutional**  
28 **health services.**

29 (a) No ~~health care provider or health care facility~~ person shall develop or offer new health  
30 care equipment or new institutional health services in Rhode Island, the magnitude of which  
31 exceeds the limits defined by this chapter, without prior review by the health services council and  
32 approval by the ~~state agency~~ department; except that review by the health services council may be  
33 waived in the case of expeditious reviews conducted in accordance with § 23-15-5, ~~and except that~~  
34 ~~health maintenance organizations which fulfill criteria to be established in rules and regulations~~

1 ~~promulgated by the state agency with the advice of the health services council shall be exempted~~  
2 ~~from the review and approval requirement established in this section upon approval by the state~~  
3 ~~agency of an application for exemption from the review and approval requirement established in~~  
4 ~~this section which contain any information that the state agency may require to determine if the~~  
5 ~~health maintenance organization meets the criteria.~~

6 (b) No approval shall be made without an adequate demonstration of need by the applicant  
7 ~~at the time and place and under the circumstances proposed~~, nor shall the approval be made without  
8 a determination that a proposal for which need has been demonstrated is also affordable by the  
9 people of the state.

10 ~~(c) No approval of new institutional health services for the provision of health services to~~  
11 ~~inpatients shall be granted unless the written findings required in accordance with § 23-15-6(b)(6)~~  
12 ~~are made.~~

13 ~~(d)~~(c) Applications for determination of need shall be filed with the ~~state agency on a date~~  
14 ~~fixed by the state agency~~ department together with plans and specifications and any other  
15 appropriate data and information that the ~~state agency~~ department shall require by regulation, ~~and~~  
16 ~~shall be considered in relation to each other no less than once a year~~. A duplicate copy of each  
17 application together with all supporting documentation shall be kept on file by the ~~state agency~~  
18 department as a public record.

19 ~~(e)~~(d) ~~The health services council shall consider, but shall not be limited to, the following~~  
20 ~~in conducting reviews and determining need:~~ In its recommendations to the department, the health  
21 services council may assess criteria including, but not limited to, affordability, accessibility,  
22 innovation and quality standards, as further defined in regulations adopted by the department.

23 ~~(1) The relationship of the proposal to state health plans that may be formulated by the state~~  
24 ~~agency;~~

25 ~~(2) The impact of approval or denial of the proposal on the future viability of the applicant~~  
26 ~~and of the providers of health services to a significant proportion of the population served or~~  
27 ~~proposed to be served by the applicant;~~

28 ~~(3) The need that the population to be served by the proposed equipment or services has~~  
29 ~~for the equipment or services;~~

30 ~~(4) The availability of alternative, less costly, or more effective methods of providing~~  
31 ~~services or equipment, including economies or improvements in service that could be derived from~~  
32 ~~feasible cooperative or shared services;~~

33 ~~(5) The immediate and long term financial feasibility of the proposal, as well as the~~  
34 ~~probable impact of the proposal on the cost of, and charges for, health services of the applicant;~~

- 1           ~~(6) The relationship of the services proposed to be provided to the existing health care~~  
2 ~~system of the state;~~
- 3           ~~(7) The impact of the proposal on the quality of health care in the state and in the population~~  
4 ~~area to be served by the applicant;~~
- 5           ~~(8) The availability of funds for capital and operating needs for the provision of the services~~  
6 ~~or equipment proposed to be offered;~~
- 7           ~~(9) The cost of financing the proposal including the reasonableness of the interest rate, the~~  
8 ~~period of borrowing, and the equity of the applicant in the proposed new institutional health service~~  
9 ~~or new equipment;~~
- 10          ~~(10) The relationship, including the organizational relationship of the services or~~  
11 ~~equipment proposed, to ancillary or support services;~~
- 12          ~~(11) Special needs and circumstances of those entities which provide a substantial portion~~  
13 ~~of their services or resources, or both, to individuals not residing within the state;~~
- 14          ~~(12) Special needs of entities such as medical and other health professional schools,~~  
15 ~~multidisciplinary clinics, and specialty centers; also, the special needs for and availability of~~  
16 ~~osteopathic facilities and services within the state;~~
- 17          ~~(13) In the case of a construction project:~~
- 18           ~~(i) The costs and methods of the proposed construction;~~
- 19           ~~(ii) The probable impact of the construction project reviewed on the costs of providing~~  
20 ~~health services by the person proposing the construction project; and~~
- 21           ~~(iii) The proposed availability and use of safe patient handling equipment in the new or~~  
22 ~~renovated space to be constructed.~~
- 23          ~~(14) Those appropriate considerations that may be established in rules and regulations~~  
24 ~~promulgated by the state agency with the advice of the health services council;~~
- 25          ~~(15) The potential of the proposal to demonstrate or provide one or more innovative~~  
26 ~~approaches or methods for attaining a more cost effective and/or efficient health care system;~~
- 27          ~~(16) The relationship of the proposal to the need indicated in any requests for proposals~~  
28 ~~issued by the state agency;~~
- 29          ~~(17) The input of the community to be served by the proposed equipment and services and~~  
30 ~~the people of the neighborhoods close to the health care facility who are impacted by the proposal;~~
- 31          ~~(18) The relationship of the proposal to any long range capital improvement plan of the~~  
32 ~~health care facility applicant.~~
- 33          ~~(19) Cost impact statements forwarded pursuant to subsection 23-15-6(e).~~
- 34          ~~(f)~~(e) In conducting its review, the health services council shall perform the following:

1 (1) Within one hundred and fifteen (115) days after initiating its review, which must be  
2 commenced no later than thirty-one (31) days after the filing of an application, the health services  
3 council shall ~~determine as to each proposal whether the applicant has demonstrated need at the time~~  
4 ~~and place and under the circumstances proposed, and in doing so may apply the criteria and~~  
5 ~~standards set forth in subsection (e) of this section; provided however, that a determination of need~~  
6 ~~shall not alone be sufficient to warrant a recommendation to the state agency that a proposal should~~  
7 ~~be approved.~~ Make recommendations to the department relative to approval or denial of the new  
8 institutional health services or new healthcare equipment proposed. The director shall render, in  
9 writing, his or her decision within ~~five (5)~~ ten (10) days of the determination of the health services  
10 council.

11 ~~(2) Prior to the conclusion of its review in accordance with § 23-15-6(e), the health services~~  
12 ~~council shall evaluate each proposal for which a determination of need has been established in~~  
13 ~~relation to other proposals, comparing proposals with each other, whether similar or not,~~  
14 ~~establishing priorities among the proposals for which need has been determined, and taking into~~  
15 ~~consideration the criteria and standards relating to relative need and affordability as set forth in~~  
16 ~~subsection (e) of this section and § 23-15-6(f).~~

17 ~~(3) At the conclusion of its review, the health services council shall make recommendations~~  
18 ~~to the state agency relative to approval or denial of the new institutional health services or new~~  
19 ~~health care equipment proposed; provided that:~~

20 ~~(i) The health services council shall recommend approval of only those proposals found to~~  
21 ~~be affordable in accordance with the provisions of § 23-15-6(f); and~~

22 ~~(ii) If the state agency proposes to render a decision that is contrary to the recommendation~~  
23 ~~of the health services council, the state agency must render its reasons for doing so in writing.~~

24 ~~(g)(f)~~ Approval of new institutional health services or new health care equipment by the  
25 ~~state agency~~ department shall be subject to conditions that may be prescribed by rules and  
26 ~~regulations developed by the state agency with the advice of the health services council, but those~~  
27 ~~conditions must relate to the considerations enumerated in subsection (e) and to considerations that~~  
28 ~~may be established in regulations in accordance with subsection (e)(14).~~ may be subject to  
29 conditions as necessary to promote affordability, accessibility, innovation, and quality standards.

30 ~~(h)(g)~~ The offering or developing of new institutional health services or health care  
31 equipment by a health care facility without prior review by the health services council and approval  
32 by the ~~state agency~~ department shall be grounds for the imposition of licensure sanctions on the  
33 facility, including denial, suspension, revocation, or curtailment or for imposition of any monetary  
34 fines that may be statutorily permitted by virtue of individual health care facility licensing statutes.

1           ~~(i)(h)~~ No government agency ~~and no hospital or medical service corporation organized~~  
2 ~~under the laws of the state~~ shall reimburse any ~~health care facility or health care provider~~ person  
3 for the costs associated with offering or developing new institutional health services or new health  
4 care equipment unless ~~the health care facility or health care provider~~ person has received the  
5 approval of the ~~state agency~~ department in accordance with this chapter. ~~Government agencies and~~  
6 ~~hospital and medical service corporations organized under the laws of the state shall, during budget~~  
7 ~~negotiations, hold health care facilities and health care providers accountable to operating~~  
8 ~~efficiencies claimed or projected in proposals which receive the approval of the state agency in~~  
9 ~~accordance with this chapter.~~

10           ~~(j)(i)~~ In addition, the ~~state agency~~ department shall not make grants to, enter into contracts  
11 with, or recommend approval of the use of federal or state funds by any ~~health care facility or health~~  
12 ~~care provider~~ person which proceeds with the offering or developing of new institutional health  
13 services or new health care equipment after disapproval by the ~~state agency~~ department.

14           **23-15-4.1. Exemption for nonclinical capital expenditures.**

15           Notwithstanding the requirements of any other provisions of any general or public laws,  
16 capital expenditures by a health care facility that are not directly related to the provision of health  
17 services as defined in this chapter, ~~including, but not limited to, capital expenditures for parking~~  
18 ~~lots, billing computer systems, and telephone systems,~~ shall not require a certificate of need review  
19 and approval by the state agency.

20           **23-15-4.2. Exemption for research.**

21           Notwithstanding the requirements of any other provisions of any general or public laws,  
22 capital expenditures by a health care facility related to research in basic biomedical or medical  
23 research areas that are not directly related to the provision of clinical or patient care services shall  
24 not require a certificate of need review and approval by the ~~state agency~~ department.

25           ~~**23-15-4.4. Exemption for voter approved capital bond issues for health care facilities**~~  
26 **Exemption for voter approved capital bond issues and state capital plan projects for health**  
27 **care facilities.**

28           Notwithstanding the requirements of any other provisions of any general law or public  
29 laws, voter approved state bond issues authorizing capital expenditures for state health care  
30 facilities and all Rhode Island capital plan fund projects approved by the general assembly shall  
31 not require a certificate of need review and approval by the ~~state agency~~ department.

32           **23-15-5. Expeditious review.**

33           (a) Any person who proposes to offer or develop new institutional health services or new  
34 healthcare equipment for documented emergency needs; or for the purpose of eliminating or

1 preventing documented fire or safety hazards affecting the lives and health of patients or staff; or  
2 for compliance with accreditation standards required for receipt of federal or state reimbursement;  
3 or for any other purpose ~~that the state agency may specify~~ as may be further defined in rules and  
4 regulations promulgated by the department, may apply for an expeditious review. The ~~state agency~~  
5 department may exercise its discretion in recommending approvals through an expeditious review,  
6 ~~except that no new institutional health service or new healthcare equipment may be approved~~  
7 ~~through the expeditious review if provision of the new institutional health service or new healthcare~~  
8 ~~equipment is contra indicated by the state health plan as may be formulated by the state agency.~~  
9 Specific procedures for the conduct of expeditious reviews shall be promulgated in rules and  
10 regulations adopted by the ~~state agency~~ department with the advice of the health services council.

11 ~~(b) The decision of the state agency not to conduct an expeditious review shall be~~  
12 ~~reconsidered upon a written petition to the state agency, and the state agency shall be required to~~  
13 ~~respond to the written petition within ten (10) days stating whether expeditious review is granted.~~  
14 ~~If the request for reconsideration is denied, the state agency shall state the reasons in writing why~~  
15 ~~the expeditious request had been denied.~~

16 ~~(c) The decision of the state agency in connection with an expeditious review shall be~~  
17 ~~rendered within thirty (30) days after the commencement of said review.~~

18 ~~(d) Any healthcare facility that provides a service performed in another state and that is not~~  
19 ~~performed in the state of Rhode Island, or such service is performed in the state on a very limited~~  
20 ~~basis, shall be granted expeditious review upon request under this section, provided that such~~  
21 ~~service, among other things, has a clear effect on the timeliness, access, or quality of care and is~~  
22 ~~able to meet licensing standards.~~

23 **23-15-6. Procedures for review.**

24 (a) The ~~state agency~~ department, with the advice of the health services council, and in  
25 accordance with the Administrative Procedures Act, chapter 35 of title 42, after public hearing  
26 pursuant to reasonable notice, which notice shall include affected persons and healthcare facilities  
27 located within the state that provide institutional health services, shall promulgate appropriate rules  
28 and regulations that may be designated to further the accomplishment of the purposes of this chapter  
29 including the formulation of procedures that may be particularly necessary for the conduct ~~on~~ of  
30 reviews of particular types of new institutional health services or new health care equipment.

31 (b) Review procedures promulgated in accordance with subsection (a) shall include at least  
32 the following, except that substitute procedures for the conduct of expeditious ~~and accelerated~~  
33 reviews may be promulgated by the ~~state agency~~ department in accordance with § 23-15-5:

34 (1) Provision that the ~~state agency~~ department established a process requiring potential

1 applicants to file a detailed letter of intent to submit an application at least forty-five (45) days prior  
2 to the submission of an application and that the state agency shall undertake reviews in a timely  
3 fashion ~~no less often than twice a year~~ and give written notification to affected persons of the  
4 beginning of the review including the proposed schedule for the review, ~~the period within which a  
5 public meeting may be held, and the manner by which notification will be provided of the time and  
6 place of any public meeting so held.~~

7 ~~(2) Provision that no more than one hundred and twenty (120) days shall elapse between  
8 initial notification of affected persons and the final decision of the state agency.~~

9 ~~(3)~~(2) Provision that, if the ~~state agency~~ department fails to act upon an application within  
10 the applicable period established in ~~subsection (b)(2)~~ § 23-15-4(e)(1), the applicant may apply to  
11 the superior court of Providence County to require the ~~state agency~~ department to act upon the  
12 application.

13 ~~(4)~~(3) Provision for review ~~and comment~~ by the health services council and comment by  
14 any affected person, ~~including but not limited to those parties defined in § 23-15-2(1) and the  
15 department of business regulation, the department of behavioral healthcare, developmental  
16 disabilities and hospitals, the department of human services, health maintenance organizations, and  
17 the state professional standards review organization, on every application for the determination of  
18 need.~~

19 ~~(5) Provision that a public meeting may be held during the course of the state agency review  
20 at which any person may have the opportunity to present testimony. Procedures for the conduct of  
21 the public meeting shall be established in rules and regulations promulgated by the state agency  
22 with the advice of the health services council.~~

23 ~~(6)~~(4)(i) Provision for issuance of a written decision by the ~~state agency~~ department which  
24 shall ~~be based upon~~ address and consider the findings and recommendations of the health services  
25 council ~~unless the state agency shall afford written justification for variance from that decision.~~

26 (ii) In the case of any proposed new institutional health service for the provision of health  
27 services to inpatients, a state agency shall not make a finding that the proposed new institutional  
28 health service is needed, unless it makes written ~~findings~~ recommendations as to:

29 (A) The efficiency and appropriateness of the use of existing inpatient facilities providing  
30 inpatient services similar to those proposed;

31 (B) The capital and operating costs (and their potential impact on patient charges),  
32 efficiency, and appropriateness of the proposed new institutional health services; and

33 ~~(C) Makes each of the following findings in writing:~~

34 ~~(1) That superior alternatives to inpatient services in terms of cost, efficiency, and~~

1 ~~appropriateness do not exist and that the development of alternatives is not practicable;~~

2 ~~(II) That, in the case of new construction, alternatives to new construction (e.g.,~~  
3 ~~modernization or sharing arrangements) have been considered and implemented to the maximum~~  
4 ~~extent practicable;~~

5 ~~(III) That patients will experience serious problems in terms of costs, availability, or~~  
6 ~~accessibility, or any other problems that may be identified by the state agency, in obtaining inpatient~~  
7 ~~care of the type proposed in the absence of the proposed new service; and~~

8 ~~(IV) That, in the case of a proposal for the addition of beds for the provision of skilled~~  
9 ~~nursing or intermediate care, the relationship of the addition to the plans of other agencies of the~~  
10 ~~state responsible for providing and financing long term care (including home health services) has~~  
11 ~~been considered.~~

12 ~~(7)(5)~~ Provision for the distribution of the decision of the ~~state agency~~ department,  
13 including its findings and recommendations, to the applicant and to affected persons.

14 ~~(8)(6)~~ Provision that the ~~state agency~~ department may approve or disapprove in whole or  
15 in part any application as submitted, but that the parties may mutually agree to a modification of  
16 any element of an application as submitted, without requiring resubmission of the application.

17 ~~(9)(7)(i) Provision that any person affected may request in writing reconsideration of a~~  
18 ~~state agency decision if the person:~~

19 ~~(A) Presents significant relevant information not previously considered by the state agency;~~  
20 ~~(B) Demonstrates that there have been significant changes in factors or circumstances~~  
21 ~~relied upon by the state agency in reaching its decision;~~

22 ~~(C) Demonstrates that the state agency has materially failed to follow its adopted~~  
23 ~~procedures in reaching its decision; or~~

24 ~~(D) Provides any other basis for reconsideration that the state agency may have determined~~  
25 ~~by regulation to constitute good cause.~~

26 ~~(ii) Procedures for reconsideration shall be established in regulations promulgated by the~~  
27 ~~state agency~~ department with the advice of the health services council.

28 ~~(10)(8) Provision that upon the request of any affected person, the decision of the state~~  
29 ~~agency to issue, deny, or withdraw a certificate of need or to grant or deny an exemption shall be~~  
30 ~~administratively reviewed under an appeals mechanism provided for in the rules and regulations of~~  
31 ~~the state agency, with the review to be conducted by a hearing officer appointed by the director of~~  
32 ~~health. The procedures for judicial review shall be in accordance with the provisions of § 42-35-~~  
33 ~~15. Provision for appeal by the applicant of the department's decision in accordance with § 42-35-~~  
34 15.1(a).

1 (c) The ~~state agency~~ department shall publish at least annually a report of reviews of new  
2 institutional health services and new health care equipment conducted, together with the findings  
3 and decisions rendered in the course of the reviews. ~~The reports shall be published on or about~~  
4 ~~February 1 of each year and shall contain evaluations of the prior year's statutory changes where~~  
5 ~~feasible.~~

6 (d) All applications reviewed by the ~~state agency~~ department and all written materials  
7 pertinent to ~~state agency~~ the department's review, including minutes of all health services council  
8 meetings, shall be accessible to the public upon request.

9 ~~(e) In the case or review of proposals by health care facilities who by contractual~~  
10 ~~agreement, chapter 19 of title 27, or other statute are required to adhere to an annual schedule of~~  
11 ~~budget or reimbursement determination to which the state is a party, the state budget office, the~~  
12 ~~office of the health insurance commissioner, and hospital service corporations organized under~~  
13 ~~chapter 19 of title 27 shall forward to the health services council within forty five (45) days of the~~  
14 ~~initiation of the review of the proposals by the health services council under § 23-15-4(f)(1):~~

15 ~~(1) A cost impact analysis of each proposal which analysis shall include, but not be limited~~  
16 ~~to, consideration of increases in operating expenses, per diem rates, health care insurance~~  
17 ~~premiums, and public expenditures; and~~

18 ~~(2) Comments on acceptable interest rates and minimum equity contributions and/or~~  
19 ~~maximum debt to be incurred in financing needed proposals.~~

20 ~~(f) The health services council shall not make a recommendation to the state agency that a~~  
21 ~~proposal be approved unless it is found that the proposal is affordable to the people of the state. In~~  
22 ~~determining whether or not a proposal is affordable, the health service council shall consider the~~  
23 ~~condition of the state's economy, the statements of authorities and/or parties affected by the~~  
24 ~~proposals, and any other factors that it may deem appropriate.~~

25 **23-15-6.1. Action subsequent to review.**

26 Development of any new institutional health services or new health care equipment  
27 approved by the ~~state agency~~ department must be initiated within ~~one year~~ two (2) years of the date  
28 of the approval ~~and may not exceed the maximum amount of capital expenditures specified in the~~  
29 ~~decision of the state agency without prior authorization of the state agency.~~ The ~~state agency~~  
30 department, with the advice of the health services council, shall ~~adopt procedures~~ promulgate rules  
31 and regulations for the review of the applicant's failure to develop new institutional health services  
32 or new health care equipment within the timeframe ~~and capital limitation~~ stipulated in this section,  
33 and for the withdrawal of approval in the absence of a good faith effort to meet the stipulated  
34 timeframe.

1           **23-15-10. Application fees.**

2           The ~~state agency~~ department shall require that any applicant for certificate of need submit  
3 an application fee prior to requesting any review of matters pursuant to the requirements of this  
4 chapter; except that health care facilities and equipment owned and operated by the state of Rhode  
5 Island shall be exempt from this application fee requirement. The application fee shall be paid by  
6 check made payable to the general treasurer. Except for applications that propose new or expanded  
7 ~~tertiary or specialty care~~ services as defined in ~~subdivision 23-15-2(10)(vi)~~ § 23-15-2(14)(iv),  
8 submission of any application filed in accordance with § 23-15-4(d) shall include an application  
9 fee of five hundred dollars (\$500) per application plus an amount equal to one quarter of one percent  
10 (0.25%) of the total capital expenditure costs associated with the application. ~~For an application~~  
11 ~~filed in accordance with the requirements of § 23-15-5 (Expeditious review), the application shall~~  
12 ~~include an application processing fee of seven hundred and fifty dollars (\$750) per application plus~~  
13 ~~an amount equal to one quarter of one percent (0.25%) of the total capital expenditure costs~~  
14 ~~associated with the application.~~ Applications that propose new or expanded tertiary or specialty  
15 care services as defined in ~~subdivision 23-15-2(10)(vi)~~ § 23-15-2(14)(iv), shall include an  
16 application fee of ten thousand dollars (\$10,000) plus an amount equal to one quarter of one percent  
17 (0.25%) of the total capital expenditure costs associated with the application. Application fees shall  
18 be non-refundable once the formal review of the application has commenced. All fees received  
19 pursuant to this chapter shall be deposited in the general fund.

20           **23-15-11. Reports, use of experts, all costs and expenses.**

21           The ~~state agency~~ department may in effectuating the purposes of this chapter engage  
22 experts or consultants including, but not limited to, actuaries, investment bankers, accountants,  
23 attorneys, or industry analysts. Except for privileged or confidential communications between the  
24 ~~state agency~~ department and engaged attorneys, all copies of final reports prepared by experts and  
25 consultants, and all costs and expenses associated with the reports, shall be public. All costs and  
26 expenses incurred under this provision shall be the responsibility of the applicant in an amount to  
27 be determined by the director as he or she shall deem appropriate. No application made pursuant to  
28 the requirements of this chapter shall be considered complete unless an agreement has been  
29 executed with the director for the payment of all costs and expenses in accordance with this section.  
30 The maximum cost and expense to an applicant for experts and/or consultants that may be required  
31 by the ~~state agency~~ department shall be ~~twenty thousand dollars (\$20,000)~~ fifty thousand dollars  
32 (\$50,000); provided however, that the maximum amount shall be increased ~~by regulations~~  
33 ~~promulgated by the state agency on or after January 1, 2008~~ annually by the most recently available  
34 annual increase in the federal consumer price index as determined by the ~~state agency~~ department.

1 SECTION 11. Legislative findings. The general assembly finds and declares that:

2 (1) Birthing centers, including freestanding centers and hospital-operated birthing units,  
3 play a critical role in ensuring safe, timely, and equitable access to maternal, perinatal, and newborn  
4 care across Rhode Island.

5 (2) The closure or reduction of birthing centers has significant consequences for maternal  
6 morbidity and mortality, newborn outcomes, emergency transport times, and regional healthcare  
7 capacity.

8 (3) Rhode Island law does not require sufficient advance notice, public transparency, or  
9 rigorous financial review before a birthing center is closed or its operations are significantly  
10 reduced.

11 (4) Given ongoing consolidation within regional healthcare systems, it is essential that the  
12 state receive complete and accurate financial information, including system-level data, to determine  
13 whether a birthing center's closure is truly unavoidable.

14 (5) It is in the public interest to establish a strong review process requiring advance notice,  
15 robust financial disclosure, community engagement, and independent analysis to protect Rhode  
16 Island families, particularly in underserved and high-risk communities.

17 SECTION 12. Chapter 23-17.14 of the General Laws entitled "The Hospital Conversions  
18 Act" is hereby amended by adding thereto the following section:

19 **23-17.14-18.1. The Rhode Island birthing center access, transparency, and financial**  
20 **accountability act of 2026.**

21 (a) For purposes of this section:

22 (1) "Applicant" means the birthing center submitting an application pursuant to subsection  
23 (d) of this section.

24 (2) "Birthing center" means any freestanding birthing center licensed under chapter 17 of  
25 title 23, and any birthing unit, maternity unit, perinatal unit, or labor-and-delivery service operated  
26 by a hospital or healthcare facility.

27 (3) "Closure" means the permanent cessation of all birthing services at a birthing center.

28 (4) "Closure application" means the application required by subsection (d) of this section.

29 (5) "Discontinuation of services" means the cessation of any prenatal, perinatal,  
30 postpartum, or birthing-related service or program offered by a birthing center without complete  
31 closure of the facility.

32 (6) "Significant reduction" or "significantly reduced" means:

33 (i) A reduction of twenty-five percent (25%) or more in capacity or annual volume;

34 (ii) A reduction in operating hours by twenty-five percent (25%) or more;

1 (iii) Elimination of labor, delivery, or postpartum services; or  
2 (iv) Any relocation of birthing-related services outside the municipality in which the  
3 service is currently located.

4 (b) No birthing center shall be closed, terminated, relocated, or significantly reduced  
5 without the prior written approval of the director of the department of health.

6 (c) A facility proposing closure or significant reduction of a birthing center shall file a  
7 closure application with the director of the department of health no fewer than one hundred eighty  
8 (180) days prior to the proposed effective closure date. Notice shall also be provided to:

9 (1) The city or town council within the municipality in which the birthing center is located;

10 (2) The birthing center's patients and personnel;

11 (3) The patient advocacy groups within the state that support maternal and child health;

12 (4) All local EMS agencies;

13 (5) Local and state media outlets by written publication; and

14 (6) The speaker of the house and the president of the senate.

15 (d) Prior to the discontinuation or significant reduction of services at a birthing center, its  
16 controlling officers shall provide a closure application to the director of the department of health,  
17 the contents of which shall be a considered public record and posted on the department of health's  
18 website. The closure application shall include:

19 (1) An access impact assessment that details:

20 (i) The number of beds within the impacted birthing unit;

21 (ii) The number of existing patients within the impacted birthing unit;

22 (iii) The number of employees and staff within the impacted birthing unit;

23 (iv) Affected healthcare services for traditionally underserved populations;

24 (v) Affected healthcare services for the affected community; and

25 (vi) Other licensed birthing centers in the affected community and the distance of those  
26 facilities to the applicant's birthing center.

27 (2) A detailed evaluation of:

28 (i) Annual deliveries, prenatal visits, postpartum care, and newborn services;

29 (ii) Impact on high-risk pregnancies, low-income families, and Medicaid members;

30 (iii) EMS transport impacts; and

31 (iv) Projected changes in maternal morbidity and newborn outcomes.

32 (3) A patient transition plan, including:

33 (i) Protocols for laboring patient transfers;

34 (ii) EMS and hospital coordination;

1 (iii) Continuity plans for prenatal patients beyond twenty (20) weeks gestation;  
2 (iv) Transfer agreements with receiving hospitals or birthing centers; and  
3 (v) Protocols for the storage of and access to medical records.  
4 (4) Workforce plan, including detailed descriptions of:  
5 (i) Staffing levels;  
6 (ii) Proposed layoff or reassignment plans; and  
7 (iii) Transition plans for licensed midwives, doulas, nurses, and obstetric clinicians.  
8 (5) Financial justification, certified by a certified public accountant, including:  
9 (i) Five (5) years of audited financial statements for the birthing center and operating  
10 hospital, if applicable, parent health system, and all controlled affiliates, subsidiaries, and  
11 management entities;  
12 (ii) Detailed service-level financials, including, revenues, expenses, and margins, volume  
13 trends, overhead allocation methodology, and documentation of any staffing cuts, resource  
14 reductions, or underinvestment contributing to financial decline;  
15 (iii) Five (5) year forward projection, including, break-even analyses, capital investment  
16 needs, labor costs, and sensitivity analyses for multiple scenarios; and  
17 (iv) Parent system financial capacity review, including, reserves and unrestricted funds,  
18 cash on hand, investments and endowment holdings, executive compensation, and intercompany  
19 transfers or management fees.  
20 (6) Comparative analysis of at least three (3) alternatives to closure including, but not  
21 limited to, shared staffing models, partnerships with community providers or regional systems,  
22 cross-subsidization by the parent system, and/or redesign or modernization; and  
23 (7) The applicant's controlling officers shall certify that neither the birthing center nor  
24 parent system engaged in actions that materially contributed to financial instability including, but  
25 not limited to, understaffing, reduction of capital investment, curtailment of marketing or referral  
26 pathways, diversion of patients, and/or failure to pursue available external funding.  
27 (e) The director of the department of health shall deny a closure application that fails to  
28 satisfy the requirements of this section.  
29 (f) An independent expert, selected by the department of health and paid for by the  
30 applicant, shall evaluate sustainability, feasible restructuring alternatives, and pathways to avoid  
31 closure or significant reduction of services.  
32 (g)(1) Within sixty (60) days of receiving the notice required by subsection (c) of this  
33 section, the director of the department of health shall hold a public hearing. The applicant's  
34 controlling officers shall attend the public hearing and members of the public shall be permitted to

1 participate and offer testimony; the director of the department of health shall provide twenty-one  
2 (21) days written notice on the department of health's website of the date, time, and location of the  
3 public hearing.

4 (2) Within thirty (30) days of receiving a closure application that satisfies the requirements  
5 of subsection (d) of this section, the director of the department of health shall hold a public hearing.  
6 The applicant's controlling officers shall attend the public hearing and members of the public shall  
7 be permitted to participate and offer testimony; the director of the department of health shall  
8 provide twenty-one (21) days written notice on the department of health's website of the date, time,  
9 and location of the public hearing.

10 (h) The director of the department of health shall not approve an application submitted  
11 pursuant to subsection (d) of this section unless the applicant demonstrates, by clear and convincing  
12 evidence, that:

13 (1) The birthing center cannot reasonably be sustained through restructuring, alternative  
14 staffing models, or system-level financial support;

15 (2) No feasible alternatives exist that would maintain safe and accessible birthing services;

16 (3) Closure shall not exacerbate maternal, newborn, racial, economic, or geographic  
17 disparities; and

18 (4) Adequate, timely, and safe birthing access shall remain for the affected population.

19 (i) Notwithstanding any other provision in the general laws, the director of the department  
20 of health shall have the sole authority to review all applications submitted under this section and  
21 shall issue a written decision within ninety (90) days of the public hearing that follows the  
22 applicant's submission of the completed closure application. The decision of the director of the  
23 department of health shall approve, deny, or approve with conditions, the closure application.

24 (j) The department of health shall not amend a facility license issued pursuant to chapter  
25 17 of title 23 to remove a birthing center unless the requirements of this section have been fulfilled.

26 (k) Failure to comply with the requirements of this section shall subject the entity required  
27 to comply with the provisions of this section to civil penalties not to exceed twenty-five thousand  
28 dollars (\$25,000) per violation. Each day of noncompliance shall constitute a separate violation.

29 (l) The department of health shall adopt rules and regulations to implement and enforce the  
30 provisions of this section.

31 SECTION 13. Title 27 of the General Laws entitled "INSURANCE" is hereby amended  
32 by adding thereto the following chapter:

33 CHAPTER 84

34 PHARMACY BENEFIT MANAGER TRANSPARENCY REPORTING AND STUDY ACT

1           **27-84-1. Short title.**

2           This chapter shall be known and may be cited as the “Pharmacy Benefit Manager  
3 Transparency Reporting and Study Act.”

4           **27-84-2. Definitions.**

5           As used in this chapter:

6           (1) “Aggregate retained rebate percentage” means the percentage of all rebates received  
7 from a manufacturer or other entity to a pharmacy benefit manager for prescription drug utilization  
8 which is not passed on to the pharmacy benefit manager’s health carrier clients. The percentage  
9 shall be calculated for each health carrier for rebates in the prior calendar years as follows:

10           (i) The sum total dollar amount of rebates received from all pharmaceutical manufacturers  
11 for all utilization of covered persons of a health carrier that was not passed through to the health  
12 carrier;

13           (ii) Divided by the sum total dollar amount of all rebates received from all pharmaceutical  
14 manufacturers for covered persons of a health carrier.

15           (2) “Health benefit plan” means a policy, contract, certificate or agreement offered or  
16 issued by a health carrier to provide, deliver, arrange for, pay for or reimburse any of the costs of  
17 healthcare services.

18           (3) “Health carrier” means an entity subject to the insurance laws and regulations of this  
19 state, or subject to the jurisdiction of the health insurance commissioner, that contracts or offers to  
20 contract, or enters into an agreement to provide, deliver, arrange for, pay for, or reimburse any of  
21 the cost of healthcare services, including a health insurance company, a health maintenance  
22 organization, a hospital and health services corporation, or any other entity providing a plan of  
23 health insurance, health benefits or healthcare services.

24           (4) “Pharmacy benefit manager” means a person, business, or other entity that, pursuant to  
25 a contract or under an employment relationship with a health carrier, a self-insurance plan, or other  
26 third-party payer, either directly or through an intermediary, manages the prescription drug  
27 coverage provided by the health carrier, self-insurance plan, or other third-party payer including,  
28 but not limited to, the processing and payment of claims for prescription drugs, the performance of  
29 drug utilization review, the processing of drug prior authorization requests, the adjudication of  
30 appeals or grievances related to prescription drug coverage contracting with network pharmacies,  
31 and controlling the cost of covered prescription drugs.

32           (5) “Rebates” means all price concessions paid by a manufacturer to a pharmacy benefit  
33 manager or health carrier, including rebates, discounts, and other price concessions that are based  
34 on actual or estimated utilization of a prescription drug. Rebates also include price concessions

1 based on the effectiveness of a drug as in a value-based or performance-based contract.

2 (6) "Spread pricing" means any amount charged or claimed by a pharmacy benefit manager  
3 to a health carrier that is in excess of the amount the pharmacy benefit manager paid to the  
4 pharmacy that filled the prescription.

5 (7) "Trade secrets" has the meaning found in § 6-41-1.

6 **27-84-3. Pharmacy benefit manager transparency.**

7 (a) Beginning March 1, 2027, and annually thereafter, each pharmacy benefit manager shall  
8 submit a transparency report containing data from the prior calendar year to the health insurance  
9 commissioner. The transparency report shall contain the following information:

10 (1) The aggregate amount of all rebates that the pharmacy benefit manager received from  
11 all pharmaceutical manufacturers for all health carrier clients and for each health carrier client;

12 (2) The aggregate administrative fees that the pharmacy benefit manager received from all  
13 manufacturers for all health carrier clients and for each health carrier client;

14 (3) The aggregate retained rebates that the pharmacy benefit manager received from all  
15 pharmaceutical manufacturers and did not pass through to health carriers;

16 (4) The aggregate retained rebate percentage as defined in § 27-84-2;

17 (5) The highest, lowest, and mean aggregate retained rebate percentage for all health carrier  
18 clients and for each health carrier client; and

19 (6) A response to a set of standard questions developed by the health insurance  
20 commissioner regarding business practices including, but not limited to, rebate pass through  
21 practices, spread pricing, pharmacy network development, and utilization management.

22 (b) A pharmacy benefit manager providing information under this section shall provide  
23 complete information to the health insurance commissioner but may request that the health  
24 insurance commissioner designate certain material as a trade secret with a factual and legal analysis  
25 supporting such request. Disclosure, however, may be ordered by a court of this state for good  
26 cause shown or made in a court filing.

27 (c) Within sixty (60) days of receipt of complete reports, the health insurance commissioner  
28 shall publish the transparency report of each pharmacy benefit manager on the agency's website in  
29 a form and manner that does not violate state trade secrets law.

30 (d) The health insurance commissioner may impose administrative penalties in accordance  
31 with § 42-14-16 for violations of this section.

32 **27-84-4. Pharmacy benefit manager study.**

33 (a) On or before October 1, 2027, the health insurance commissioner shall provide the  
34 governor and the general assembly with an analysis of the reporting information furnished pursuant

1 to § 27-84-3. The report shall also include a review of the role of pharmacy benefit managers in the  
2 structure and cost of health insurance, a review of approaches to pharmacy benefit manager  
3 regulation in other states, and any recommended actions to improve the oversight of pharmacy  
4 benefit managers doing business in Rhode Island.

5 (b) The health insurance commissioner may contract with actuaries and other subject  
6 matter experts to assist the commissioner in conducting the study required under this section. The  
7 actuaries and other experts shall serve under the direction of the health insurance commissioner.  
8 Health insurance companies doing business in this state including, but not limited to, nonprofit  
9 hospital service corporations and nonprofit medical service corporations established pursuant to  
10 chapters 19 and 20 of title 27, and health maintenance organizations established pursuant to chapter  
11 41 of title 27, shall bear the cost of these actuaries and subject matter experts according to a  
12 schedule of their direct writing of health insurance in this state as determined by the health  
13 insurance commissioner. The amount to be invoiced to and paid by the above-described health  
14 insurance companies doing business in this state for the study conducted under this section shall  
15 not exceed a total of one hundred seventy-five thousand dollars (\$175,000).

16 **27-84-5. Regulations.**

17 The health insurance commissioner may promulgate rules and regulations as are necessary  
18 to carry out and effectuate the provisions of this chapter.

19 SECTION 14. Section 42-7.4-3 of the General Laws in Chapter 42-7.4 entitled "The  
20 Healthcare Services Funding Plan Act" is hereby amended to read as follows:

21 **42-7.4-3. Imposition of healthcare services funding contribution.**

22 (a) Each insurer is required to pay the healthcare services funding contribution for each  
23 contribution enrollee of the insurer at the time the contribution is calculated and paid, at the rate set  
24 forth in this section.

25 (1) Beginning January 1, 2016, the secretary shall set the healthcare services funding  
26 contribution each fiscal year in an amount equal to: (i) The child immunization funding requirement  
27 described in § 23-1-46; plus (ii) The adult immunization funding requirement described in § 23-1-  
28 46; plus (iii) The children's health services funding requirement described in § 42-12-29; and all  
29 as divided by (iv) The number of contribution enrollees of all insurers.

30 (2) The contribution set forth herein shall be in addition to any other fees or assessments  
31 upon the insurer allowable by law.

32 (b) The contribution shall be paid by the insurer; provided, however, a person providing  
33 health benefits coverage on a self-insurance basis that uses the services of a third-party  
34 administrator shall not be required to make a contribution for a contribution enrollee where the

1 contribution on that enrollee has been or will be made by the third-party administrator.

2 (c) Beginning calendar year 2026, [and sunseting effective October 1, 2026](#), in addition to  
3 the assessment collection pursuant to subsection (a), there shall be an additional amount assessed  
4 pursuant to (i) and (ii), to support primary care and other critical healthcare programs totaling thirty  
5 million dollars (\$30,000,000) [annualized](#), which shall be deposited as general revenues.

6 SECTION 15. Section 42-14.5-2.1 of the General Laws in Chapter 42-14.5 entitled "The  
7 Rhode Island Health Care Reform Act of 2004 — Health Insurance Oversight" is hereby amended  
8 to read as follows:

9 **42-14.5-2.1. Definitions.**

10 As used in this chapter:

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

20 [\(2\) "Accountable care organization" means, for the purposes of § 42-14.5-3.2, a provider  
21 organization contracted with one or more payers and held accountable for the quality of health care,  
22 outcomes and total cost of care of an attributed commercial and/or Medicare population.](#)

23 [\(3\) "Accountable entity" means, for the purposes of § 42-14.5-3.2, a provider organization  
24 contracted with one or more Rhode Island Medicaid insurers and held accountable for the quality  
25 of health care, outcomes and total cost of care of an attributed Medicaid population.](#)

26 ~~(2)~~(4) "Executive Office of Health and Human Services (EOHHS)" means the department  
27 that serves as "principal agency of the executive branch of state government" (§ 42-7.2-2)  
28 responsible for managing the departments and offices of: health (RIDOH), human services (DHS),  
29 healthy aging (OHA), veterans services (VETS), children, youth and families (DCYF), and  
30 behavioral healthcare, developmental disabilities and hospitals (BHDDH). EOHHS is also  
31 designated as the single state agency with authority to administer the Medicaid program in Rhode  
32 Island.

33 [\(5\) "Healthcare cost growth target" means the targeted annual per capita growth rate for  
34 Rhode Island's total healthcare spending, expressed as the percentage growth from the prior year's](#)

1 per capita spending.

2 (6) "Large provider entity" means a provider organization contracted with one or more  
3 payers that, at a minimum, includes professional providers to whom patients can be attributed, and  
4 that collectively, during any given calendar year, has at least sixty thousand (60,000) attributed  
5 member months across payers in the commercial, Medicaid or Medicare market, enabling the  
6 organization to participate in total cost of care contracts, even if it is not engaged in a total cost of  
7 care contract as an Accountable Care Organization or a Medicaid Accountable Entity.

8 (7) "Market" means the highest level of categorization of the health insurance market and  
9 shall include Medicare Fee-For-Service and Medicare Managed Care, collectively referred to as  
10 the "Medicare market;" Medicaid Fee-for-Service and Medicaid Managed Care, collectively  
11 referred to as the "Medicaid market;" and individual, self-insured, small and large group markets  
12 and student health insurance, collectively referred to as the "commercial market."

13 (8) "Net cost of private health insurance" means the costs to Rhode Island residents  
14 associated with the administration of private health insurance, including Medicare Managed Care  
15 and Medicaid Managed Care. It is defined as the difference between health premiums earned and  
16 benefits incurred, and consists of insurers' costs of paying bills, advertising, sales commission and  
17 other administrative costs, premium taxes, and profits (or contributions to reserves) or losses.

18 (9) "Payer" means any public payer, including Medicaid and Medicare; any health insurer  
19 offering Medicaid Managed Care or Medicare Managed Care plans in Rhode Island; any  
20 commercial health insurer, defined as an entity subject to the insurance laws and regulations of  
21 Rhode Island, or subject to the jurisdiction of the health insurance commissioner, that contracts or  
22 offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of healthcare  
23 services including, without limitation, an insurance company offering accident and sickness  
24 insurance, a health maintenance organization, a nonprofit hospital service corporation, a nonprofit  
25 medical service corporation, and a nonprofit hospital and medical service corporation; and any  
26 commercial health insurer that provides benefit administration for self-insured employers or labor  
27 trusts, or both.

28 (10) "Pharmaceutical manufacturer" means any entity holding legal title to or possession  
29 of a national drug code number issued by the federal Food and Drug Administration.

30 (11) "Pharmacy benefit manager" has the same meaning as defined in § 27-19-26.2.

31 (12) "Primary care expenditures" means all claims-based and non-claims-based payments  
32 by commercial health insurers, Medicaid, and Medicare directly to a primary care practice or  
33 accountable care organization for primary care services delivered to Rhode Island residents at a  
34 primary care site of care, which shall include a primary care outpatient setting, federally qualified

1 health center, school-based health center, or via telehealth, but shall not include a third-party  
2 telehealth vendor that does not contract with such sites of care to deliver services. A primary care  
3 site of care also does not include urgent care centers or retail pharmacy clinics.

4 ~~(3)~~(13) “Primary care services” means, for the purposes of reporting required under § 42-  
5 14.5-3(t), professional services rendered by primary care providers at a primary care site of care,  
6 including care management services performed in the context of team-based primary care.

7 (14) "Provider" has the same meaning as defined in §§ 27-18-1.1, 27-19-1, and 27-20-1.

8 ~~(4)~~(15) “Rate review” means the process of reviewing and reporting of specific trending  
9 factors that influence the cost of service that informs rate setting.

10 ~~(5)~~(16) “Rate setting” means the process of establishing rates for social and human service  
11 programs that are based on a thorough rate review process.

12 ~~(6)~~(17) “Social and human service program” means a social, mental health, developmental  
13 disability, child welfare, juvenile justice, prevention services, habilitative, rehabilitative, substance  
14 use disorder treatment, residential care, adult or adolescent day services, vocational, employment  
15 and training, or aging service program or accommodations purchased by the state.

16 ~~(7)~~(18) “Social and human service provider” means a provider of social and human service  
17 programs pursuant to a contract with the state or any subdivision or agency to include, but not be  
18 limited to, the department of children, youth and families (DCYF), the department of behavioral  
19 healthcare, developmental disabilities and hospitals (BHDDH), the department of human services  
20 (DHS), the department of health (DOH), and Medicaid.

21 ~~(8)~~(19) “State government and the provider network” refers to the contractual relationship  
22 between a state agency or subdivision of a state agency and private companies the state contracts  
23 with to provide the network of mandated and discretionary social and human services.

24 (20) "Total healthcare expenditures" means the total medical expense incurred by Rhode  
25 Island residents for all healthcare services for all payers reporting to the office of the health  
26 insurance commissioner, inclusive of prescription drugs, plus their net cost of private health  
27 insurance.

28 (21) "Total medical expense" means the sum of the allowed amount of total claims and  
29 total non-claims spending paid to providers, inclusive of prescription drugs, incurred by Rhode  
30 Island residents for all healthcare services.

31 SECTION 16. Chapter 42-14.5 of the General Laws entitled "The Rhode Island Health  
32 Care Reform Act of 2004 — Health Insurance Oversight" is hereby amended by adding thereto the  
33 following section:

34 **42-14.5-3.2. Health spending accountability and transparency program.**

1           (a) The health insurance commissioner shall establish a health spending accountability and  
2 transparency program with the following goals that are designed to promote affordability and curb  
3 healthcare spending growth in Rhode Island:

4           (1) Understand and create transparency around healthcare costs and the drivers of cost  
5 growth;

6           (2) Create shared accountability for healthcare costs and cost growth among insurers,  
7 providers, and government by measuring performance against a cost growth target tied to one or  
8 more economic indicators; and

9           (3) Lessen the negative impact of rising healthcare costs on Rhode Island residents,  
10 businesses, and government.

11           (b) The health insurance commissioner shall administer the health spending accountability  
12 and transparency program and shall convene and chair the following advisory bodies to provide  
13 input into the implementation of the program:

14           (1) An affordability advisory committee comprised of individuals without direct financial  
15 interests in the healthcare system including, but not limited to, independent health policy experts,  
16 consumers or consumer representatives, employers or employer representatives, and  
17 representatives of organized labor. The affordability advisory committee shall consist of eight (8)  
18 members, as follows:

19           (i) Two (2) independent health policy expert members shall be appointed by the governor;

20           (ii) One consumer representative and one employer or organized labor representative shall  
21 be appointed by the president of the senate;

22           (iii) One consumer representative and one employer or organized labor representative shall  
23 be appointed by the speaker of the house;

24           (iv) The secretary of health and human services or their designee; and

25           (v) The health insurance commissioner or their designee;

26           (2) A stakeholder advisory council that includes, but shall not be limited to, representatives  
27 of hospitals, health insurers, providers, and pharmaceutical manufacturers, in addition to  
28 independent health policy experts, consumers or consumer representatives, employers or employer  
29 representatives, and representatives of organized labor, all of whom shall be appointed by the health  
30 insurance commissioner.

31           (c) For calendar years 2026 and 2027, the health insurance commissioner shall establish  
32 the annual healthcare cost growth targets pursuant to the 2023 Compact to Reduce the Growth in  
33 Healthcare Costs while Improving Healthcare Access, Equity, Patient Experience, and Quality in  
34 Rhode Island.

1 (d) Not later than July 1, 2027, and every five (5) years thereafter, the health insurance  
2 commissioner shall establish annual healthcare cost growth targets for the succeeding five (5)  
3 calendar years for payers and large provider entities. In developing the healthcare cost growth  
4 targets, the commissioner shall minimally consider:

5 (1) Historical and forecasted changes in median household income in the state;

6 (2) The growth rate of potential gross state product;

7 (3) The most recent annual report prepared by the health insurance commissioner, pursuant  
8 to subsection (g) of this section;

9 (4) Recommendations from the affordability advisory committee and stakeholder advisory  
10 council established pursuant to subsections (b)(1) and (b)(2) of this section, including any  
11 information and analyses used to inform such recommendations.

12 (e) Not later than July 1, 2027, and every five (5) years thereafter, the health insurance  
13 commissioner, in collaboration with the executive office of health and human services, shall  
14 establish annual all-payer primary care investment targets for the succeeding five (5) calendar  
15 years. In developing the all-payer primary care investment targets, the commissioner shall consider  
16 recommendations from the affordability advisory committee and stakeholder advisory council  
17 pursuant to subsections (b)(1) and (b)(2) of this section.

18 (f) The health insurance commissioner shall establish requirements for payers to report data  
19 and other information necessary to calculate and monitor healthcare cost growth; evaluate  
20 performance against the healthcare cost growth target established under subsections (c) and (d) of  
21 this section; evaluate performance against the all-payer primary care investment target established  
22 under subsection (e) of this section; and measure quality, public health, and health equity  
23 performance, as defined by the health insurance commissioner. Such data shall include but not be  
24 limited to:

25 (1) Total and per capita healthcare expenditures;

26 (2) Total and per capita medical expenses;

27 (3) Net cost of private health insurance;

28 (4) Primary care expenditures;

29 (5) Quality performance data from the office of the health insurance commissioner's  
30 aligned measure set, as designated by the health insurance commissioner, with input from a  
31 workgroup with expertise in quality measure alignment convened by the health insurance  
32 commissioner; and

33 (6) Performance on a set of public health and accountability measures, as designated by the  
34 health insurance commissioner, with input from the executive office of health and human services,

1 the department of health, and a workgroup with expertise in public health convened by the health  
2 insurance commissioner.

3 (g) The health insurance commissioner shall publish an annual report on healthcare  
4 spending and quality in Rhode Island which includes, but is not limited to, the following:

5 (1) Total and per capita healthcare spending trends at the statewide, insurance market,  
6 individual payer, and large provider entity levels, including performance against the cost growth  
7 target at each of these levels;

8 (2) Net cost of private health insurance by insurance market and payer;

9 (3) Primary care spending as a percentage of total medical expenses and annual primary  
10 care spending growth, including progress toward meeting the all-payer primary care investment  
11 target established in subsection (e) of this section;

12 (4) An analysis of the drivers of healthcare spending growth by service category, as well  
13 as the relative contribution of utilization and price on the rate of growth, using data from the All-  
14 Payer Claims Database;

15 (5) Performance on select quality measures from the health insurance commissioner  
16 commissioner's aligned measure set, pursuant to subsection (f)(5) of this section;

17 (6) Performance on a set of public health and accountability measures pursuant to  
18 subsection (f)(6) of this section;

19 (7) Status of ongoing performance improvement plans, results of performance  
20 improvement plans completed during the prior performance year, and any penalties imposed due  
21 to non-compliance with developing or implementing a performance improvement plan pursuant to  
22 subsection (i) of this section; and

23 (8) Recommendations for policy changes that may include, but not be limited to, strategies  
24 to improve affordability for Rhode Island residents, control healthcare spending growth while  
25 maintaining high standards for quality health care, and improve the oversight, performance and  
26 efficiency of Rhode Island's healthcare system.

27 (h)(1) The health insurance commissioner shall convene an annual public hearing  
28 following the release of the annual report required pursuant to subsection (g) of this section. Such  
29 public hearing shall involve an examination of:

30 (i) The report most recently prepared by the health insurance commissioner pursuant to  
31 subsection (g) of this section;

32 (ii) The expenditures of provider entities and payers including, but not limited to,  
33 healthcare cost trends, primary care spending as a percentage of total medical expenses, and the  
34 factors contributing to such costs and expenditures; and

1 (iii) Any other matters that the health insurance commissioner deems relevant for the  
2 purposes of this section.

3 (2) The health insurance commissioner may require any payer or provider entity that, for  
4 the performance year, is found to have exceeded the healthcare cost growth target or has failed to  
5 meet the all-payer primary care investment target, to participate in such hearing. The health  
6 insurance commissioner may further require any payer, provider entity, or other entity including,  
7 but not limited to, a pharmaceutical manufacturer or pharmacy benefit manager, that is found to  
8 have significantly contributed to healthcare spending growth in the state, as determined by the  
9 commissioner, to participate in such hearing. Each payer, provider entity, or other entity that is  
10 required to participate in such hearing shall provide testimony on issues identified by the health  
11 insurance commissioner and provide additional information on actions taken to reduce such payer's  
12 or entity's contribution to future statewide healthcare spending or to increase such payer's or  
13 provider entity's primary care spending as a percentage of total medical expenses.

14 (3) The health insurance commissioner shall allow representatives from consumer groups,  
15 employers, organized labor, community organizations, members of the public, and other interested  
16 parties to provide testimony as part of the annual public hearing.

17 (i)(1) The health insurance commissioner may require any commercial health insurer or  
18 large provider entity that has commercial market spending growth that exceeds the healthcare cost  
19 growth target in any two (2) out of three (3) performance years to develop and implement a  
20 performance improvement plan. For the purposes of requiring a performance improvement plan, a  
21 large provider entity must have at least one hundred twenty thousand (120,000) attributed member  
22 months across commercial health insurers.

23 (2) A performance improvement plan must:

24 (i) Identify key spending drivers and include concrete strategies and steps a large provider  
25 entity or commercial health insurer will take to address such spending drivers;

26 (ii) Identify an appropriate timeline for implementation, including a timeframe by which  
27 the large provider entity or commercial health insurer will be subject to an evaluation by the health  
28 insurance commissioner; and

29 (iii) Have clear measurements of success. The commissioner may provide guidance,  
30 feedback, and additional recommendations to a commercial health insurer or large provider entity  
31 in developing a performance improvement plan.

32 (3) The health insurance commissioner shall review and approve, modify, or reject all  
33 performance improvement plans.

34 (4) The health insurance commissioner shall monitor implementation throughout the

1 duration of the performance improvement plan to assess compliance with the performance  
2 improvement plan's terms and shall determine at the conclusion of the performance improvement  
3 plan whether the entity has adequately addressed the targeted spending drivers.

4 (5) If the health insurance commissioner determines that the performance improvement  
5 plan does not adequately meet the requirements in subsection (i)(2) of this section, or that an entity  
6 has failed to comply with the terms of the performance improvement plan pursuant to subsection  
7 (i)(4), the commissioner may impose a financial penalty on the commercial health insurer or large  
8 provider entity. The health insurance commissioner shall develop criteria for imposing the financial  
9 penalty based on factors that include, but are not limited to:

10 (i) The degree to which the large provider entity or commercial health insurer exceeded the  
11 target;

12 (ii) The size of the large provider entity or commercial health insurer entity;

13 (iii) The good faith efforts of the large provider entity or commercial health insurer to  
14 address healthcare spending growth; and

15 (iv) The financial condition of the large provider entity or commercial health insurer,  
16 according to criteria adopted by the health insurance commissioner.

17 (6) The total cost of the health insurance commissioner's review of a performance  
18 improvement plan pursuant to subsection (i)(3) of this section, monitoring implementation of a  
19 performance improvement plan pursuant to subsection (i)(4) of this section, and determination of  
20 compliance with a performance improvement plan pursuant to subsection (i)(4) of this section shall  
21 be borne by the commercial health insurer or large provider entity subject to the performance  
22 improvement plan, according to parameters defined by the health insurance commissioner.

23 (j) The health insurance commissioner may establish data sharing agreements with the  
24 executive office of health and human services, department of health, and any other identified state  
25 agency to meet the requirements of this section and ensure a comprehensive view of healthcare  
26 spending trends.

27 (k) The health insurance commissioner shall adopt a schedule of civil penalties determined  
28 by the severity of the violation for:

29 (1) Any payer that fails to submit required data, submits incomplete data, or otherwise  
30 obstructs data reporting pursuant to subsection (f) of this section; and

31 (2) Any payer, provider, or other entity that fails to comply with the health insurance  
32 commissioner's request to provide testimony during the annual public hearing pursuant to  
33 subsection (h) of this section.

34 SECTION 17. Title 42 of the General Laws entitled "STATE AFFAIRS AND

1 GOVERNMENT" is hereby amended by adding thereto the following chapter:

2 CHAPTER 157.2

3 RHODE ISLAND MARKETPLACE AFFORDABILITY PROGRAM ACT OF 2026

4 **42-157.2-1. Short title and purpose.**

5 (a) This chapter shall be known and may be cited as the "Rhode Island Marketplace  
6 Affordability Program Act of 2026."

7 (b) The purpose of this chapter is to create a state affordability program to reduce health  
8 insurance premiums for low- and moderate-income consumers enrolled in health insurance  
9 coverage through the Rhode Island health benefit exchange.

10 **42-157.2-2. Definitions.**

11 As used in this chapter:

12 (1) "Exchange" means the Rhode Island health benefit exchange established within the  
13 department of administration by § 42-157-1.

14 (2) "Health insurance coverage" has the same meaning as set forth in § 27-18.5-2.

15 (3) "Individual market" has the same meaning as set forth in § 27-18.5-2.

16 (4) "Insurer" has the same meaning as set forth in § 42-157-2.

17 (5) "Program" means the Rhode Island individual market affordability program established  
18 by § 42-157.2-3.

19 (6) "State" means the State of Rhode Island.

20 **42-157.2-3. Establishment of the Rhode Island individual market affordability**  
21 **program.**

22 (a) The exchange is authorized to establish and administer a state-based affordability  
23 program, to be known as the Rhode Island individual market affordability program.

24 (b) The program is intended to mitigate the impact of high and rising healthcare costs for  
25 low- and middle-income Rhode Islanders who purchase health insurance coverage through the  
26 exchange.

27 (c) The program may provide state-based subsidies to individuals enrolled in health  
28 insurance coverage through the exchange to make health insurance coverage more accessible and  
29 affordable for individuals and households.

30 **42-157.2-4. General program parameters.**

31 (a) State-based subsidy amounts shall be based on annual affordability percentages,  
32 following the methodology established by the exchange under § 42-157.2-5.

33 (b) Any state-based subsidy provided by the program will be remitted by the exchange to  
34 the insurer selected by the eligible enrollee.

1 (c) A state-based subsidy provided by the program shall be provided only to a Rhode Island  
2 resident who is determined eligible by the exchange for the federal premium tax credit authorized  
3 under § 36B of the Internal Revenue Code and enrolled in health insurance coverage through the  
4 exchange.

5 (1) A state-based subsidy may also be provided by the program to a Rhode Island resident  
6 whose household income exceeds the limit set forth under § 36B of the Internal Revenue Code but  
7 meets all other eligibility criteria for the federal premium tax credit authorized under § 36B of the  
8 Internal Revenue Code, and is enrolled in health insurance coverage through the exchange.

9 **42-157.2-5. Adoption of methodology and annual affordability percentages.**

10 (a) Subject to appropriation, the exchange shall adopt by September 30, and may amend,  
11 annual affordability percentages for each upcoming coverage year to implement this chapter.

12 (b) Methodology for determining annual affordability percentages shall be set forth in  
13 regulations promulgated by the exchange, consistent with the purposes of this chapter. The  
14 exchange shall utilize this methodology to develop the annual affordability percentages.

15 (c) Annual affordability percentages, and any amendments thereto, shall be adopted by the  
16 exchange after a duly noticed public meeting with advice from the exchange advisory board  
17 established under § 42-157-7.

18 (1) The affordability percentages adopted for a coverage year shall be based on funds  
19 appropriated for the fiscal year that includes the first six (6) months of that coverage year to the  
20 program for that coverage year and consistent with the parameters specified in § 42-157.2-4.

21 (i) All unexpended or unencumbered balances of appropriations at the end of any fiscal  
22 year shall be reappropriated to the following fiscal year and made immediately available for same  
23 purposes as the former appropriations.

24 (2) The exchange shall provide appropriate opportunities for stakeholders and the public  
25 to consult in the adoption of the affordability percentages.

26 (3) The affordability percentages shall be tailored to maximize impact, targeting premium  
27 assistance to enrollees based on their income and premium burden after accounting for other federal  
28 and state assistance.

29 (i) For the year beginning January 1, 2027, the affordability percentages shall prioritize  
30 households with incomes below two hundred percent (200%) of the federal poverty level.

31 **42-157.2-6. Rules and regulations.**

32 (a) The exchange may promulgate regulations as necessary to carry out the purposes of this  
33 chapter.

34 (b) The requirements of chapter 35 of title 42 (the "administrative procedures act") shall

1 apply for any rules or regulations established or issued by the exchange pursuant to this chapter,  
2 except for the first implementation year of the program established under this chapter.

3 (1) For the first implementation year, the exchange shall provide opportunities for  
4 stakeholders and the public to provide input. This shall include, but is not limited to:

5 (i) A duly noticed public meeting with advice from the exchange advisory board  
6 established under § 42-157-7;

7 (ii) A thirty (30) day public comment period; and

8 (iii) Presentation by the exchange to the public of accompanying explanatory  
9 documentation outlining any proposed regulatory adoption, any significant changes thereto, and  
10 the rationale for those decisions.

11 **42-157.2-7. Construction.**

12 (a) This chapter shall not be construed to create an entitlement, medical assistance, or  
13 public assistance program of any kind, to appropriate any funds, to require the general assembly to  
14 appropriate any funds, or to increase or decrease taxes owed by a taxpayer.

15 (b) In construing this chapter, the regulations promulgated by the exchange pursuant to §  
16 42-157-14 shall apply to the extent those regulations do not conflict with this chapter or regulations  
17 promulgated by the exchange pursuant to § 42-157.2-6(a).

18 **42-157.2-8. Severability.**

19 The provisions of this chapter are severable, and if any provision hereof shall be held  
20 invalid in any circumstances, any invalidity shall not affect any other provisions or circumstances.

21 SECTION 18. Section 42-166-2 of the General Laws in Chapter 42-166 entitled "The  
22 Ladders to Licensure Program" is hereby amended to read as follows:

23 **42-166-2. Use of appropriated funds.**

24 Any appropriated funds shall be used to provide grants to ~~three (3) or four (4)~~ at least two  
25 (2) grantee partnerships, consisting of multiple private sector health and human services employer  
26 organizations and education grantee partnerships (with at least one focused on behavioral health  
27 and one focused on nursing). Employers will be required to contribute a twenty-five percent (25%)  
28 in-kind match and a ten percent (10%) cash match.

29 SECTION 19. This article shall take effect upon passage.

**ARTICLE 13**

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2026

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, 2026. The amounts identified for federal funds and restricted receipts shall be made available pursuant to § 35-4-22 and chapter 41 of title 42. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw the state controller’s 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 the state controller of properly authenticated vouchers.

	FY 2026	FY 2026	FY 2026
	Enacted	Change	FINAL
<b>Administration</b>			
<i>Central Management</i>			
General Revenues	4,359,358	(364,055)	3,995,303
Federal Funds			
Federal Funds	33,000,000	(26,168,445)	6,831,555
Federal Funds – State Fiscal Recovery Fund			
Community Learning Center Programming			
Support Grant	0	2,000,000	2,000,000
Municipal Public Safety Infrastructure	0	4,400,236	4,400,236
Public Health Response Warehouse Support	0	1,000,562	1,000,562
Restricted Receipts	193,701	0	193,701
Total - Central Management	37,553,059	(19,131,702)	18,421,357
<i>Legal Services</i>			
General Revenues	2,872,990	(92,294)	2,780,696
<i>Accounts and Control</i>			
General Revenues	5,804,845	214,013	6,018,858
Restricted Receipts - OPEB Board Administration	150,959	23,575	174,534
Restricted Receipts - Grants Management			

1	Administration	2,540,109	(1,385,873)	1,154,236
2	Total - Accounts and Control	8,495,913	(1,148,285)	7,347,628
3	<i>Office of Management and Budget</i>			
4	General Revenues	11,000,012	(726,931)	10,273,081
5	Federal Funds			
6	Federal Funds	151,689	(1,097)	150,592
7	Federal Funds – Capital Projects Fund			
8	CPF Administration	530,582	922,803	1,453,385
9	Federal Funds – State Fiscal Recovery Fund			
10	Pandemic Recovery Office	1,436,547	(211,894)	1,224,653
11	Restricted Receipts	300,000	0	300,000
12	Other Funds	1,242,011	(71,378)	1,170,633
13	Total - Office of Management and Budget	14,660,841	(88,497)	14,572,344
14	<i>Purchasing</i>			
15	General Revenues	4,008,986	(170,228)	3,838,758
16	Restricted Receipts	1,262,987	511,718	1,774,705
17	Other Funds	636,500	10,265	646,765
18	Total - Purchasing	5,908,473	351,755	6,260,228
19	<i>Human Resources</i>			
20	General Revenues	889,580	86,675	976,255
21	<i>Personnel Appeal Board</i>			
22	General Revenues	160,838	(9,891)	150,947
23	<i>Information Technology</i>			
24	General Revenues	1,838,147	222,030	2,060,177
25	<u>Of this amount, \$1,360,177 is provided for the state match for the State and Local</u>			
26	<u>Cybersecurity Grant Program. Provided further that any unexpended or unencumbered balances</u>			
27	<u>as of June 30, 2026 are hereby reappropriated to the following fiscal year.</u>			
28	Federal Funds – State Fiscal Recovery Fund			
29	ERP Implementation Support	0	563,506	563,506
30	Restricted Receipts	1,162,424	34,969,669	36,132,093
31	Total - Information Technology	3,000,571	35,755,205	38,755,776
32	<i>Library and Information Services</i>			
33	General Revenues	2,143,053	18,188	2,161,241
34	Federal Funds	1,617,500	(5,765)	1,611,735

1	Restricted Receipts	6,990	0	6,990
2	Total - Library and Information Services	3,767,543	12,423	3,779,966
3	<i>Planning</i>			
4	General Revenues	1,222,229	(68,716)	1,153,513
5	Federal Funds	3,050	(3,050)	0
6	Restricted Receipts	50,000	0	50,000
7	Other Funds			
8	Air Quality Modeling	24,000	0	24,000
9	Federal Highway - PL Systems Planning	3,821,438	(34,123)	3,787,315
10	State Transportation Planning Match	504,926	150,794	655,720
11	FTA - Metro Planning Grant	1,525,830	22,142	1,547,972
12	Total - Planning	7,151,473	67,047	7,218,520
13	<i>General</i>			
14	General Revenues			
15	Miscellaneous Grants/Payments	811,678	0	811,678
16	Torts Court Awards	1,750,000	(250,000)	1,500,000
17	Wrongful Conviction Awards	1,000,000	(1,000,000)	0
18	Resource Sharing and State Library Aid	12,095,022	0	12,095,022
19	Library Construction Aid	2,115,628	0	2,115,628
20	Hospital Financing Support Debt Service Reserve			
21	Fund (Pursuant to P.L. 2026, Ch. 1)	0	18,000,000	18,000,000
22	Federal Funds- Capital Projects Fund			
23	Community Learning Center Municipal			
24	Grant Program	0	70,765,063	70,765,063
25	Restricted Receipts	1,113,557	482,443	1,596,000
26	Other Funds			
27	Rhode Island Capital Plan Funds			
28	Security Measures State Buildings	700,000	48,142	748,142
29	Cranston Street Armory	600,000	(500,000)	100,000
30	State House Renovations	1,759,000	4,058,137	5,817,137
31	Zambarano Buildings and Campus	4,500,000	18,775,952	23,275,952
32	Replacement of Fueling Tanks	430,000	1,061,480	1,491,480
33	Environmental Compliance	225,000	475,605	700,605
34	Big River Management Area	797,000	649,895	1,446,895

1	Shepard Building Upgrades	2,805,000	1,663,020	4,468,020
2	RI Convention Center Authority	2,800,000	0	2,800,000
3	Pastore Center Power Plant	2,000,000	552,612	2,552,612
4	DoIT Enterprise Operations Center	5,550,000	(1,382,995)	4,167,005
5	Cannon Building	150,000	47,658	197,658
6	Old State House	600,000	1,179,347	1,779,347
7	State Office Building	500,000	600,111	1,100,111
8	State Office Reorganization & Relocation	750,000	1,012,964	1,762,964
9	William Powers Building	2,500,000	2,300,453	4,800,453
10	Pastore Center Non-Hospital Buildings Asset			
11	Protection	7,750,000	11,069,333	18,819,333
12	Washington County Government Center	100,000	27,311	127,311
13	Chapin Health Laboratory	100,000	100,655	200,655
14	560 Jefferson Blvd Asset Protection	2,050,000	(203,580)	1,846,420
15	Arrigan Center	200,000	94,888	294,888
16	Civic Center	3,800,000	0	3,800,000
17	Veterans Auditorium	380,000	0	380,000
18	Pastore Center Hospital Buildings Asset			
19	Protection	1,000,000	988,418	1,988,418
20	Pastore Campus Infrastructure	15,000,000	19,227,222	34,227,222
21	Community Facilities Asset Protection	225,000	490,380	715,380
22	Medical Examiners - New Facility	50,000	1,742,038	1,792,038
23	Group Home Replacement & Rehabilitation	5,000,000	1,984,225	6,984,225
24	Expo Center	500,000	922,590	1,422,590
25	Group Homes Consolidation	5,350,000	1,780,051	7,130,051
26	Accessibility - Facility Renovations	0	420,686	420,686
27	BHDDH Group Homes	0	139,769	139,769
28	Hospital Reorganization	0	12,175,644	12,175,644
29	Pastore Center Buildings Demolition	0	5,545,540	5,545,540
30	Statewide Facility Master Plan	0	545,258	545,258
31	State Land Use Planning Study	0	250,000	250,000
32	Zambarano LTAC Hospital	0	6,439,929	6,439,929
33	Total - General	87,056,885	182,280,244	269,337,129
34	<i>Debt Service Payments</i>			

1	General Revenues	178,801,286	(13,260,160)	165,541,126
2	Other Funds			
3	Transportation Debt Service	32,982,697	(330,710)	32,651,987
4	Investment Receipts - Bond Funds	100,000	0	100,000
5	Total - Debt Service Payments	211,883,983	(13,590,870)	198,293,113
6	<i>Rhode Island Health Benefits Exchange</i>			
7	General Revenues	1,889,227	(776,000)	1,113,227
8	Federal Funds	10,758,473	(1,203,479)	9,554,994
9	Restricted Receipts	17,298,973	4,055,119	21,354,092
10	Total - Rhode Island Health Benefits			
11	Exchange	29,946,673	2,075,640	32,022,313
12	<i>Division of Equity, Diversity &amp; Inclusion</i>			
13	General Revenues	2,308,469	(492,065)	1,816,404
14	Other Funds	108,978	174	109,152
15	Total - Division of Equity, Diversity &			
16	Inclusion	2,417,447	(491,891)	1,925,556
17	<i>Capital Asset Management and Maintenance</i>			
18	General Revenues	10,990,302	98,234	11,088,536
19	Federal Funds	0	750,000	750,000
20	Total - Capital Asset Management and Maintenance	10,990,302	848,234	11,838,536
21	<i>Statewide Personnel and Operations</i>			
22	FEMA Contingency Reserve			
23	General Revenues	2,500,000	(559,909)	1,940,091
24	Primary Care Health Assessment State Cost			
25	General Revenues	750,000	(750,000)	0
26	Federal Funds	100,500	(100,500)	0
27	Restricted Receipts	44,575	(44,575)	0
28	Other Funds	477,295	(477,295)	0
29	Total - Statewide Personnel and Operations	3,872,370	(1,932,279)	1,940,091
30	Grand Total - Administration	430,628,941	184,991,514	615,620,455
31	<b>Office of Energy Resources</b>			
32	General Revenues	0	275,313	275,313
33	<u>Provided that \$56,111 is allocated to support the electric bicycle rebate program and</u>			
34	<u>\$219,202 is for the electric leaf blower rebate program. Provided further that unexpended or</u>			

1 [unencumbered balances as of June 30, 2026 are hereby reappropriated to the following fiscal year.](#)

2	Federal Funds			
3	Federal Funds	31,554,214	(15,716,395)	15,837,819
4	Federal Funds – State Fiscal Recovery Fund			
5	Electric Heat Pump Grant Program	0	697,440	697,440
6	Restricted Receipts	39,089,028	(1,384,204)	37,704,824
7	Other Funds			
8	National Electric Vehicle Infrastructure Formula			
9	Program	4,668,785	2,401,355	7,070,140
10	Rhode Island Capital Plan Funds			
11	Energy Efficiency Improvements	1,000,000	0	1,000,000
12	Grand Total – Office of Energy Resources	76,312,027	(13,726,491)	62,585,536
13	<b>Business Regulation</b>			
14	<i>Central Management</i>			
15	General Revenues	4,360,810	(417,655)	3,943,155
16	Restricted Receipts	39,014	0	39,014
17	Total - Central Management	4,399,824	(417,655)	3,982,169
18	<i>Banking Regulation</i>			
19	General Revenues	2,107,972	(68,694)	2,039,278
20	Restricted Receipts	50,000	50,000	100,000
21	Total - Banking Regulation	2,157,972	(18,694)	2,139,278
22	<i>Securities Regulation</i>			
23	General Revenues	1,000,863	(5,105)	995,758
24	<i>Insurance Regulation</i>			
25	General Revenues	5,125,539	5,773	5,131,312
26	Restricted Receipts	1,617,538	800,000	2,417,538
27	Total - Insurance Regulation	6,743,077	805,773	7,548,850
28	<i>Office of the Health Insurance Commissioner</i>			
29	General Revenues	3,107,152	(75,848)	3,031,304
30	Federal Funds			
31	Federal Funds	439,300	90,000	529,300
32	Rural Health Transformation Program	0	414,675	414,675
33	Restricted Receipts	603,592	(7,267)	596,325
34	Total - Office of the Health Insurance			

1	Commissioner	4,150,044	421,560	4,571,604
2	<i>Board of Accountancy</i>			
3	General Revenues	5,490	0	5,490
4	<i>Commercial Licensing and Gaming and Athletics Licensing</i>			
5	General Revenues	1,268,739	95,957	1,364,696
6	Restricted Receipts	1,045,581	201,906	1,247,487
7	Total - Commercial Licensing and Gaming and Athletics			
8	Licensing	2,314,320	297,863	2,612,183
9	<i>Building, Design and Fire Professionals</i>			
10	General Revenues	8,793,216	242,341	9,035,557
11	Federal Funds	346,788	(2,500)	344,288
12	Restricted Receipts	2,130,377	310,041	2,440,418
13	Other Funds			
14	Quonset Development Corporation	52,983	14,323	67,306
15	Rhode Island Capital Plan Funds			
16	Fire Academy Expansion	7,000,000	839,925	7,839,925
17	Total - Building, Design and Fire			
18	Professionals	18,323,364	1,404,130	19,727,494
19	Grand Total - Business Regulation	39,094,954	2,487,872	41,582,826
20	<b>RI Cannabis Control Commission</b>			
21	Restricted Receipts	7,303,563	(17,033)	7,286,530
22	<b>Executive Office of Commerce</b>			
23	<i>Central Management</i>			
24	General Revenues	2,369,982	16,871	2,386,853
25	<i>Quasi-Public Appropriations</i>			
26	General Revenues			
27	Rhode Island Commerce Corporation	8,506,041	0	8,506,041
28	Airport Impact Aid	1,010,036	0	1,010,036
29	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be			
30	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the			
31	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)			
32	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2025			
33	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,			
34	T.F. Green International Airport and Westerly Airport, respectively. The Rhode Island commerce			

1 corporation shall make an impact payment to the towns or cities in which the airport is located  
 2 based on this calculation. Each community upon which any part of the above airports is located  
 3 shall receive at least \$25,000.

4	STAC Research Alliance	900,000	0	900,000
5	Innovative Matching Grants/Internships	1,000,000	0	1,000,000
6	I-195 Redevelopment District Commission	1,245,050	0	1,245,050
7	Polaris Manufacturing Grant	500,000	0	500,000
8	East Providence Waterfront Commission	50,000	0	50,000
9	Urban Ventures	140,000	0	140,000
10	Chafee Center at Bryant	476,200	0	476,200
11	Blackstone Valley Visitor Center	75,000	0	75,000
12	Industrial Recreational Building Authority			
13	Obligations	105,094	0	105,094
14	Federal Funds – State Fiscal Recovery Fund			
15	Port of Davisville	0	279	279
16	Other Funds			
17	Rhode Island Capital Plan Funds			
18	I-195 Redevelopment District Commission	700,000	34,602	734,602
19	I-195 Park Improvements	1,100,000	1,374,643	2,474,643
20	Quonset Infrastructure	2,500,000	0	2,500,000
21	PFAS Mitigation at Quonset Business Park	1,000,000	0	1,000,000
22	Total - Quasi-Public Appropriations	19,307,421	1,409,524	20,716,945
23	<i>Economic Development Initiatives Fund</i>			
24	General Revenues			
25	Rebuild RI Tax Credit Fund	10,085,000	0	10,085,000
26	Destination Marketing	1,400,000	0	1,400,000
27	RI Innovation Ecosystem	250,000	0	250,000
28	Federal Funds			
29	Federal Funds	20,000,000	(19,305,563)	694,437
30	Federal Funds – State Fiscal Recovery Fund			
31	Assistance to Impacted Industries	0	1,341,963	1,341,963
32	Total - Economic Development Initiatives			
33	Fund	31,735,000	(17,963,600)	13,771,400
34	<i>Commerce Programs</i>			

1	General Revenues			
2	Wavemaker Fellowship	2,566,621	0	2,566,621
3	Air Service Development Fund	2,728,800	0	2,728,800
4	Main Street RI Streetscape Improvement Fund	125,000	0	125,000
5	Federal Funds			
6	Federal Funds – Capital Projects Fund			
7	Broadband	0	24,644,868	24,644,868
8	Federal Funds – State Fiscal Recovery Fund			
9	Bioscience Investments	0	24,189,278	24,189,278
10	Total - Commerce Programs	5,420,421	48,834,146	54,254,567
11	Grand Total - Executive Office of			
12	Commerce	58,832,824	32,296,941	91,129,765
13	<b>Housing</b>			
14	General Revenues	6,464,465	502,660	6,967,125
15	Provided that \$100,000 shall support Sojourner House’s supportive housing and rapid			
16	rehousing activities.			
17	Federal Funds			
18	Federal Funds	15,596,037	6,060,779	21,656,816
19	Federal Funds – State Fiscal Recovery Fund			
20	Homelessness Assistance Program	0	9,010,861	9,010,861
21	Development of Affordable Housing	0	40,002,001	40,002,001
22	Home Repair and Community Revitalization	0	9,738,194	9,738,194
23	Homelessness Infrastructure	0	4,185,576	4,185,576
24	Housing Related Infrastructure	0	1,927,964	1,927,964
25	Municipal Homelessness Support Initiative	0	719,104	719,104
26	Municipal Planning	0	1,658,224	1,658,224
27	Predevelopment and Capacity Building	0	41,192	41,192
28	Site Acquisition	0	900	900
29	Proactive Housing Development	0	700,000	700,000
30	Statewide Housing Plan	0	1,017,513	1,017,513
31	Targeted Housing Development	0	18,001,903	18,001,903
32	Workforce Housing	0	8,325,097	8,325,097
33	Restricted Receipts	23,018,954	16,789,136	39,808,090
34	Grand Total - Housing	45,079,456	118,681,104	163,760,560

1	<b>Labor and Training</b>			
2	<i>Central Management</i>			
3	General Revenues	1,661,890	(209,450)	1,452,440
4	Restricted Receipts	488,494	(71,995)	416,499
5	Total - Central Management	2,150,384	(281,445)	1,868,939
6	<i>Workforce Development Services</i>			
7	General Revenues	878,758	1,105	879,863
8	Federal Funds	19,112,629	1,528,002	20,640,631
9	Other Funds	0	41,336	41,336
10	Total - Workforce Development Services	19,991,387	1,570,443	21,561,830
11	<i>Workforce Regulation and Safety</i>			
12	General Revenues	5,347,291	65,466	5,412,757
13	<i>Income Support</i>			
14	General Revenues	3,684,566	199,291	3,883,857
15	Federal Funds			
16	Federal Funds	22,883,898	534,009	23,417,907
17	Federal Funds – State Fiscal Recovery Fund			
18	Unemployment Insurance Trust Fund Contribution	0	1,196	1,196
19	Restricted Receipts	4,635,586	549,819	5,185,405
20	Other Funds			
21	Temporary Disability Insurance Fund	287,480,146	966,971	288,447,117
22	Employment Security Fund	249,200,000	19,200,000	268,400,000
23	Total - Income Support	567,884,196	21,451,286	589,335,482
24	<i>Injured Workers Services</i>			
25	Restricted Receipts	11,233,092	1,189,330	12,422,422
26	<i>Labor Relations Board</i>			
27	General Revenues	556,737	75,807	632,544
28	<i>Governor’s Workforce Board</i>			
29	General Revenues	6,050,000	565,780	6,615,780
30	Provided that \$600,000 of these funds shall be used for enhanced training for direct care			
31	and support services staff to improve resident quality of care and address the changing health care			
32	needs of nursing facility residents due to higher acuity and increased cognitive impairments			
33	pursuant to § 23-17.5-36.			
34	Federal Funds			

1	Rural Health Transformation Program	0	361,584	361,584
2	Federal Funds – State Fiscal Recovery Fund			
3	Enhanced Real Jobs	0	65,508	65,508
4	Restricted Receipts	19,054,596	1,610,479	20,665,075
5	Provided that at least \$150,000 of these funds shall be used to provide hospitality industry			
6	workforce training grants including, but not limited to, certified food and alcohol safety training			
7	programs offered in multiple languages.			
8	Total - Governor’s Workforce Board	25,104,596	2,603,351	27,707,947
9	Grand Total - Labor and Training	632,267,683	26,674,238	658,941,921
10	<b>Department of Revenue</b>			
11	<i>Director of Revenue</i>			
12	General Revenues	3,168,518	(239,886)	2,928,632
13	<i>Office of Revenue Analysis</i>			
14	General Revenues	1,173,041	30,757	1,203,798
15	<i>Lottery Division</i>			
16	Other Funds			
17	Other Funds	448,042,227	(14,705,340)	433,336,887
18	Rhode Island Capital Plan Funds			
19	Lottery Building Enhancements	0	756,319	756,319
20	Total - Lottery Division	448,042,227	(13,949,021)	434,093,206
21	<i>Municipal Finance</i>			
22	General Revenues	2,045,839	(41,494)	2,004,345
23	<i>Taxation</i>			
24	General Revenues	38,331,490	(242,921)	38,088,569
25	Restricted Receipts	4,660,479	(2,899,352)	1,761,127
26	Other Funds			
27	Motor Fuel Tax Evasion	175,000	0	175,000
28	Total - Taxation	43,166,969	(3,142,273)	40,024,696
29	<i>Registry of Motor Vehicles</i>			
30	General Revenues	35,374,576	1,419,872	36,794,448
31	Federal Funds	493,061	(93,061)	400,000
32	Restricted Receipts	5,429,330	200,000	5,629,330
33	Total - Registry of Motor Vehicles	41,296,967	1,526,811	42,823,778
34	<i>State Aid</i>			

1	General Revenues			
2	Distressed Communities Relief Fund	14,884,458	0	14,884,458
3	Payment in Lieu of Tax Exempt Properties	51,317,647	0	51,317,647
4	Motor Vehicle Excise Tax Payments	239,547,419	2,817	239,550,236
5	Property Revaluation Program	712,390	0	712,390
6	Tangible Tax Exemption Program	25,903,228	5,241	25,908,469
7	Restricted Receipts	995,120	129,880	1,125,000
8	Total - State Aid	333,360,262	137,938	333,498,200
9	<i>Collections</i>			
10	General Revenues	994,263	81,979	1,076,242
11	Grand Total - Revenue	873,248,086	(15,595,189)	857,652,897
12	<b>Legislature</b>			
13	General Revenues	58,734,623	8,425,979	67,160,602
14	Restricted Receipts	2,690,297	48,607	2,738,904
15	Grand Total - Legislature	61,424,920	8,474,586	69,899,506
16	<b>Lieutenant Governor</b>			
17	General Revenues	1,519,219	13,043	1,532,262
18	<b>Secretary of State</b>			
19	<i>Administration</i>			
20	General Revenues	5,975,167	190,914	6,166,081
21	Provided that \$100,000 be allocated to support the Rhode Island Council for the			
22	Humanities for grant making to civic and cultural organizations, and \$50,000 to support Rhode			
23	Island's participation in the We the People Civics Challenge.			
24	<i>Corporations</i>			
25	General Revenues	2,913,879	(234,144)	2,679,735
26	<i>State Archives</i>			
27	General Revenues	356,659	97,534	454,193
28	Restricted Receipts	404,790	(18,631)	386,159
29	Other Funds			
30	Rhode Island Capital Plan Funds			
31	Rhode Island Archives and History Center	0	60,000	60,000
32	Total - State Archives	761,449	138,903	900,352
33	<i>Elections and Civics</i>			
34	General Revenues	2,107,040	(350,018)	1,757,022

1	Federal Funds	2,000,000	0	2,000,000
2	Total - Elections and Civics	4,107,040	(350,018)	3,757,022
3	<i>State Library</i>			
4	General Revenues	668,263	(5,695)	662,568
5	Provided that \$125,000 be allocated to support the Rhode Island Historical Society and			
6	\$18,000 be allocated to support the Newport Historical Society, pursuant to §§ 29-2-1 and 29-2-2,			
7	and \$25,000 be allocated to support the Rhode Island Black Heritage Society.			
8	<i>Office of Public Information</i>			
9	General Revenues	840,724	(11,441)	829,283
10	Receipted Receipts	25,000	0	25,000
11	Total - Office of Public Information	865,724	(11,441)	854,283
12	Grand Total - Secretary of State	15,291,522	(271,481)	15,020,041
13	<b>General Treasurer</b>			
14	<i>Treasury</i>			
15	General Revenues	3,665,773	786,537	4,452,310
16	<a href="#"><u>Provided that unexpended or unencumbered balances for the Medical Debt Relief program</u></a>			
17	<a href="#"><u>as of June 30, 2026 are hereby reappropriated to the following fiscal year.</u></a>			
18	Federal Funds	365,134	(3,358)	361,776
19	Other Funds			
20	Temporary Disability Insurance Fund	246,415	(526)	245,889
21	Tuition Savings Program - Administration	388,916	(16,292)	372,624
22	Total - Treasury	4,666,238	766,361	5,432,599
23	<i>State Retirement System</i>			
24	Restricted Receipts			
25	Admin Expenses - State Retirement System	13,193,967	(23,242)	13,170,725
26	Retirement - Treasury Investment Operations	2,846,571	191,370	3,037,941
27	Defined Contribution - Administration	277,654	(19,151)	258,503
28	Total - State Retirement System	16,318,192	148,977	16,467,169
29	<i>Unclaimed Property</i>			
30	Restricted Receipts	3,338,043	32,855	3,370,898
31	<i>Crime Victim Compensation</i>			
32	General Revenues	934,450	504	934,954
33	Federal Funds	467,993	0	467,993
34	Restricted Receipts	250,000	(29,751)	220,249

1	Total - Crime Victim Compensation	1,652,443	(29,247)	1,623,196
2	Grand Total - General Treasurer	25,974,916	918,946	26,893,862
3	<b>Board of Elections</b>			
4	General Revenues	4,474,931	506,347	4,981,278
5	<b>Rhode Island Ethics Commission</b>			
6	General Revenues	2,419,632	40,783	2,460,415
7	<b>Office of Governor</b>			
8	General Revenues			
9	General Revenues	9,184,918	34,593	9,219,511
10	Contingency Fund	150,000	0	150,000
11	Grand Total - Office of Governor	9,334,918	34,593	9,369,511
12	<b>Commission for Human Rights</b>			
13	General Revenues	2,249,158	36,699	2,285,857
14	Federal Funds	523,529	(25,306)	498,223
15	Grand Total - Commission for Human Rights	2,772,687	11,393	2,784,080
16	<b>Public Utilities Commission</b>			
17	Federal Funds	753,555	17,552	771,107
18	Restricted Receipts	14,754,719	142,294	14,897,013
19	Grand Total - Public Utilities Commission	15,508,274	159,846	15,668,120
20	<b>Executive Office of Health and Human Services</b>			
21	<i>Central Management</i>			
22	General Revenues			
23	General Revenues	32,413,726	496,315	32,910,041
24	Provided that of this amount, \$900,000 will be for Mobile Response and Stabilization			
25	Services for uninsured and underinsured child and youth and cover services and costs not otherwise			
26	reimbursed. Also <del>\$500,000 is for Thundermist's Family Residency Program contingent upon</del>			
27	<del>receiving federal funds and</del> \$150,000 will be for an Olmstead Plan Coordinator.			
28	H.R. 1 Preventive Health Care Provider Access Fund	0	1,000,000	1,000,000
29	<u>Provided that funding is to be made available to health care providers ineligible for federal</u>			
30	<u>Medicaid reimbursement pursuant to Section 71113 of P.L. 119-21. Any unspent funds are</u>			
31	<u>automatically reappropriated to fiscal year 2027.</u>			
32	All-Payer Claims Database	509,950	31,160	541,110
33	Health System Planning and Oversight	777,260	(82,610)	694,650
34	Medicaid Enterprise System	1,873,838	(1,134,991)	738,847

1	Medicaid Management Information System	6,064,700	1,462,975	7,527,675
2	Unified Health Infrastructure Project	22,368,654	(7,286,326)	15,082,328
3	Federal Funds			
4	Federal Funds	70,793,907	5,655,677	76,449,584
5	All-Payer Claims Database	10,212,239	(2,718,244)	7,493,995
6	Health System Planning and Oversight	153,750	1,583,250	1,737,000
7	Medicaid Enterprise System	12,364,541	(5,714,922)	6,649,619
8	Medicaid Management Information System	19,566,585	7,657,041	27,223,626
9	Rural Health Transformation Program	0	5,649,573	5,649,573
10	Unified Health Infrastructure Project	56,336,615	(853,219)	55,483,396
11	<a href="#"><u>Provided that of this amount, \$960,784 shall be for statewide interagency initiatives to</u></a>			
12	<a href="#"><u>implement and support the community engagement requirements of the federal reconciliation bill</u></a>			
13	<a href="#"><u>known as H.R. 1, to be developed and administered in coordination with the Department of Human</u></a>			
14	<a href="#"><u>Services and the Department of Labor and Training, to the extent compliance with guidance from</u></a>			
15	<a href="#"><u>Centers for Medicare &amp; Medicaid Services.</u></a>			
16	Federal Funds - State Fiscal Recovery Fund			
17	Certified Community Behavioral Health Clinics	205,295	1,703,127	1,908,422
18	Restricted Receipts			
19	Restricted Receipts	15,463,598	16,310,181	31,773,779
20	Unified Health Infrastructure Project	0	7,587,139	7,587,139
21	Total - Central Management	249,104,658	31,346,126	280,450,784
22	<i>Medical Assistance</i>			
23	General Revenues			
24	Managed Care	464,278,305	(12,453,741)	451,824,564
25	Hospitals	136,238,010	428,323	136,666,333
26	Nursing Facilities	204,266,507	(10,382,507)	193,884,000
27	Home and Community Based Services	125,703,952	984,048	126,688,000
28	Other Services	160,879,834	(27,090,071)	133,789,763
29	Pharmacy	100,069,654	(5,298,975)	94,770,679
30	Rhody Health	234,976,854	33,466,840	268,443,694
31	Federal Funds			
32	Managed Care	653,184,013	(15,008,577)	638,175,436
33	Hospitals	285,888,183	(6,154,515)	279,733,668
34	Nursing Facilities	273,055,474	(13,939,474)	259,116,000

1	Home and Community Based Services	168,075,434	1,236,566	169,312,000
2	Other Services	796,373,214	(50,318,972)	746,054,242
3	Pharmacy	4,130,346	(3,701,025)	429,321
4	Rhody Health	326,578,917	45,060,790	371,639,707
5	Other Programs	32,611,481	12,788,519	45,400,000
6	Restricted Receipts	11,021,948	(3,649,355)	7,372,593
7	Total - Medical Assistance	3,977,332,126	(54,032,126)	3,923,300,000
8	Grand Total – Executive Office of Health			
9	and Human Services	4,226,436,784	(22,686,000)	4,203,750,784
10	<b>Children, Youth and Families</b>			
11	<i>Central Management</i>			
12	General Revenues	17,937,159	2,411,228	20,348,387
13	The director of the department of children, youth and families shall provide to the speaker			
14	of the house and president of the senate at least every ninety (90) days beginning September 30,			
15	2025, a report on the process to maintain accreditation in accordance with § 42-72-5.3. The report			
16	shall, at minimum, provide data regarding recruitment and retention efforts, including maintaining			
17	a diverse workforce, documentation of newly filled and vacated positions, and progress in reducing			
18	worker caseloads.			
19	It shall also contain the number of filled full-time equivalent positions compared to the			
20	department’s authorization and disaggregated by job classification, and as compared to the staffing			
21	recommended in the October 1, 2020 accreditation plan that was funded beginning in the fiscal			
22	year 2022 budget. The report shall also include information on turnover assumptions, expressed			
23	as funded positions compared to filled and authorized.			
24	Federal Funds			
25	Federal Funds	15,237,654	6,321,923	21,559,577
26	Federal Funds – State Fiscal Recovery Fund			
27	Provider Workforce Stabilization	0	257,093	257,093
28	Total - Central Management	33,174,813	8,990,244	42,165,057
29	<i>Children's Behavioral Health Services</i>			
30	General Revenues	7,109,636	1,963,945	9,073,581
31	Federal Funds			
32	Federal Funds	8,824,070	(440,778)	8,383,292
33	Federal Funds – State Fiscal Recovery Fund			
34	Psychiatric Residential Treatment Facility	0	225,495	225,495

1	Residential Treatment Facility	0	6,335,635	6,335,635
2	Total - Children's Behavioral Health Services	15,933,706	8,084,297	24,018,003
3	<i>Youth Development Services</i>			
4	General Revenues	25,678,366	1,811,657	27,490,023
5	Federal Funds	647,931	9,493	657,424
6	Restricted Receipts	1,500	(1,500)	0
7	Other Funds			
8	Rhode Island Capital Plan Funds			
9	Training School Asset Protection	250,000	323,459	573,459
10	Residential Treatment Facilities	11,000,000	9,168,000	20,168,000
11	Psychiatric Residential Treatment Facility			
12	Modifications	0	6,335,635	6,335,635
13	Total - Youth Development Services	37,577,797	17,646,744	55,224,541
14	<i>Child Welfare</i>			
15	General Revenues	211,849,897	(3,194,805)	208,655,092
16	Federal Funds	93,910,710	(3,525,445)	90,385,265
17	Restricted Receipts	1,743,471	127,133	1,870,604
18	Total - Child Welfare	307,504,078	(6,593,117)	300,910,961
19	<i>Higher Education Incentive Grants</i>			
20	General Revenues	200,000	0	200,000
21	Provided that these funds and any unexpended or unencumbered previous years' funding			
22	are to be used exclusively to fund awards to eligible youth.			
23	Grand Total - Children, Youth and			
24	Families	394,390,394	28,128,168	422,518,562
25	<b>Health</b>			
26	<i>Central Management</i>			
27	General Revenues			
28	General Revenues	2,588,732	(588,634)	2,000,098
29	Of this amount, \$50,000 is to support the Gloria Gemma Breast Cancer Resource			
30	Foundation and the organization's new survivorship and well-being center in Lincoln, RI.			
31	Psychiatry Resource Network	750,000	123	750,123
32	Primary Care Training Sites Program	2,000,000	502,422	2,502,422
33	Provided that unexpended or unencumbered balances as of June 30, 2026 are hereby			
34	reappropriated to the following fiscal year.			

1	Federal Funds	4,884,431	853,865	5,738,296
2	Restricted Receipts	22,233,391	5,787,392	28,020,783
3	Provided that the disbursement of any indirect cost recoveries on federal grants budgeted			
4	in this line item that are derived from grants authorized under The Coronavirus Preparedness and			
5	Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus			
6	Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-			
7	136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the			
8	Consolidated Appropriations Act, 2021 (P.L. 116-260); and the American Rescue Plan Act of 2021			
9	(P.L. 117-2), are hereby subject to the review and prior approval of the director of management and			
10	budget. No obligation or expenditure of these funds shall take place without such approval.			
11	Total - Central Management	32,456,554	6,555,168	39,011,722
12	<i>Community Health and Equity</i>			
13	General Revenues	2,051,358	718	2,052,076
14	Federal Funds	88,096,432	1,442,680	89,539,112
15	Restricted Receipts	67,695,968	(14,858,963)	52,837,005
16	Total - Community Health and Equity	157,843,758	(13,415,565)	144,428,193
17	<i>Environmental Health</i>			
18	General Revenues	6,836,896	403,097	7,239,993
19	Federal Funds	14,433,189	(843,484)	13,589,705
20	Restricted Receipts	1,104,785	53,291	1,158,076
21	Total - Environmental Health	22,374,870	(387,096)	21,987,774
22	<i>Health Laboratories</i>			
23	General Revenues	9,514,520	1,265,129	10,779,649
24	Federal Funds	2,666,663	225,700	2,892,363
25	Other Funds			
26	Rhode Island Capital Plan Funds			
27	Health Laboratories & Medical Examiner			
28	Equipment	400,000	550,736	950,736
29	New Health Laboratory Building	8,363,883	6,742,388	15,106,271
30	Total - Health Laboratories	20,945,066	8,783,953	29,729,019
31	<i>State Medical Examiners</i>			
32	General Revenues	4,521,784	(322,864)	4,198,920
33	Federal Funds	67,325	0	67,325
34	Total – State Medical Examiners	4,589,109	(322,864)	4,266,245

1	<i>Healthcare Quality and Safety</i>			
2	General Revenues	7,868,321	183,160	8,051,481
3	Federal Funds	6,746,561	788,639	7,535,200
4	Restricted Receipts	1,199,564	(152,271)	1,047,293
5	Total – Healthcare Quality and Safety	15,814,446	819,528	16,633,974
6	<i>Policy, Information and Communications</i>			
7	General Revenues	2,785,613	(139,025)	2,646,588
8	<del>    Provided that \$200,000 of this amount and its corresponding federal match is used for loan</del>			
9	<del>repayment assistance specifically for primary care physicians and pediatricians through the Health</del>			
10	<del>Professional Loan Repayment Program authorized by § 23-14.1.</del>			
11	Federal Funds			
12	Federal Funds	5,593,898	145,097	5,738,995
13	Rural Health Transformation Program	0	2,345,713	2,345,713
14	Restricted Receipts	842,433	(42,630)	799,803
15	Total - Policy, Information and			
16	Communications	9,221,944	2,309,155	11,531,099
17	<i>Emergency Preparedness and Infectious Disease</i>			
18	General Revenues	1,907,851	(164,678)	1,743,173
19	Federal Funds	15,196,529	1,691,217	16,887,746
20	Total – Emergency Preparedness and			
21	Infectious Disease	17,104,380	1,526,539	18,630,919
22	<i>COVID-19</i>			
23	Federal Funds			
24	Federal Funds	15,176,647	2,384,012	17,560,659
25	Federal Funds – State Fiscal Recovery Fund			
26	COVID-19 Operational Support	0	229,342	229,342
27	Total – COVID-19	15,176,647	2,613,354	17,790,001
28	Grand Total - Health	295,526,774	8,482,172	304,008,946
29	<b>Human Services</b>			
30	<i>Central Management</i>			
31	General Revenues	8,050,831	(1,391,873)	6,658,958
32	Of this amount, \$400,000 is to support the domestic violence prevention fund to provide			
33	direct services through the Coalition Against Domestic Violence, \$25,000 for the Center for			
34	Southeast Asians, \$450,000 to support Project Reach activities provided by the RI Alliance of Boys			

1 and Girls Clubs, \$300,000 is for outreach and supportive services through Day One, \$950,000 is  
 2 for food collection and distribution through the Rhode Island Community Food Bank, \$500,000 for  
 3 services provided to the homeless at Crossroads Rhode Island, \$600,000 for the Community Action  
 4 Fund, \$250,000 is for the Institute for the Study and Practice of Nonviolence’s Reduction Strategy,  
 5 \$200,000 to provide operational support to the United Way’s 211 system, \$125,000 is to support  
 6 services provided to the immigrant and refugee population through Higher Ground International,  
 7 \$50,000 is for services provided to refugees through the Refugee Dream Center and \$150,000 for  
 8 the Substance Use and Mental Health Leadership Council of RI.

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

17 Federal Funds	8,064,314	452,931	8,517,245
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18 Of this amount, \$3.0 million is to sustain Early Head Start and Head Start programs.

19 Restricted Receipts	300,000	1,060,207	1,360,207
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20 Total - Central Management	16,415,145	121,265	16,536,410
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21 *Child Support Enforcement*

22 General Revenues	4,390,046	110,877	4,500,923
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23 Federal Funds	10,229,053	(1,475,268)	8,753,785
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24 Restricted Receipts	3,816,099	391,310	4,207,409
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25 Total - Child Support Enforcement	18,435,198	(973,081)	17,462,117
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26 *Individual and Family Support*

27 General Revenues	35,143,366	(581,136)	34,562,230
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28 Federal Funds

29 Federal Funds	128,579,088	10,789,211	139,368,299
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30 Federal Funds – State Fiscal Recovery Fund

31 Child Care Support	0	1,004,309	1,004,309
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32 Restricted Receipts	115,000	0	115,000
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33 Other Funds

34 Rhode Island Capital Plan Funds

1	Blind Vending Facilities	165,000	0	165,000
2	Total - Individual and Family Support	164,002,454	11,212,384	175,214,838
3	<i>Office of Veterans Services</i>			
4	General Revenues	33,499,864	(538,599)	32,961,265
5	Of this amount, \$200,000 is to provide support services through veterans' organizations,			
6	\$50,000 is to support Operation Stand Down, and \$100,000 is to support the Veterans Services			
7	Officers (VSO) program through the Veterans of Foreign Wars.			
8	Federal Funds	15,752,830	1,624,289	17,377,119
9	Restricted Receipts	1,725,342	(393,921)	1,331,421
10	Other Funds			
11	Rhode Island Capital Plan Funds			
12	Veterans Home Asset Protection	665,000	442,224	1,107,224
13	Veterans Memorial Cemetery Asset Protection	300,000	415,003	715,003
14	Total - Office of Veterans Services	51,943,036	1,548,996	53,492,032
15	<i>Health Care Eligibility</i>			
16	General Revenues	10,511,087	513,511	11,024,598
17	Federal Funds	16,662,419	309,990	16,972,409
18	Total - Health Care Eligibility	27,173,506	823,501	27,997,007
19	<i>Supplemental Security Income Program</i>			
20	General Revenues	16,680,780	30,300	16,711,080
21	<i>Rhode Island Works</i>			
22	General Revenues	9,891,538	(10,142)	9,881,396
23	Federal Funds	109,225,738	(19,764,474)	89,461,264
24	Total - Rhode Island Works	119,117,276	(19,774,616)	99,342,660
25	<i>Other Programs</i>			
26	General Revenues	2,231,840	3,748,198	5,980,038
27	Federal Funds			
28	Federal Funds	382,432,873	(36,822,408)	345,610,465
29	Federal Funds – State Fiscal Recovery Fund			
30	Retail SNAP Incentives Pilot Program	0	1,350	1,350
31	Restricted Receipts	8,000	350,000	358,000
32	Total - Other Programs	384,672,713	(32,722,860)	351,949,853
33	<i>Office of Healthy Aging</i>			
34	General Revenues	15,623,340	(734,103)	14,889,237

1           Of this amount, \$325,000 is to provide elder services, including respite, through the  
 2 Diocese of Providence; \$40,000 is for ombudsman services provided by the Alliance for Long  
 3 Term Care in accordance with chapter 66.7 of title 42; and \$1,600,000 is for Senior Services  
 4 Support and \$730,000 is for elderly nutrition, of which \$680,000 is for Meals on Wheels.

5	Federal Funds	19,011,572	(626,688)	18,384,884
6	Restricted Receipts	46,200	138,068	184,268
7	Other Funds			
8	Intermodal Surface Transportation Fund	4,267,406	19,460	4,286,866

9           The Office shall reimburse the Rhode Island public transit authority for the elderly/disabled  
 10 transportation program expenses no later than fifteen (15) days of the authority's submission of a  
 11 request for payment.

12	Total - Office of Healthy Aging	38,948,518	(1,203,263)	37,745,255
13	Grand Total - Human Services	837,388,626	(40,937,374)	796,451,252

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

15 *Central Management*

16	General Revenues	8,058,892	2,105,705	10,164,597
17	Federal Funds	2,631,491	(829,069)	1,802,422
18	Restricted Receipts	559,071	1,186,952	1,746,023
19	Total - Central Management	11,249,454	2,463,588	13,713,042

20 *Services for the Developmentally Disabled*

21	General Revenues	218,735,702	5,318,262	224,053,964
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22           Provided that of this general revenue funding, an amount certified by the department shall  
 23 be expended on certain community-based department of behavioral healthcare, developmental  
 24 disabilities and hospitals (BHDDH) developmental disability private provider and self-directed  
 25 consumer direct care service worker raises and associated payroll costs as authorized by BHDDH  
 26 and to finance the new services rates implemented by BHDDH pursuant to the Consent Decree  
 27 Addendum. Any increase for direct support staff and residential or other community-based setting  
 28 must first receive the approval of BHDDH.

29           Provided further that of this general revenue funding, \$928,200 shall be expended on a  
 30 Transformation Fund to be used for I/DD integrated day activities and supported employment  
 31 services, or which a total of \$650,000 shall be expended specifically on those who self-direct for  
 32 creation of regional service advisement models and pool of substitute staff. All unexpended or  
 33 unencumbered balances of this designation at the end of the fiscal year shall be reappropriated to  
 34 the ensuing fiscal year and made immediately available for the same purpose.

1	Federal Funds	286,950,145	2,998,425	289,948,570
2	Provided that of this federal funding, an amount certified by the department shall be			
3	expended on certain community-based department of behavioral healthcare, developmental			
4	disabilities and hospitals (BHDDH) developmental disability private provider and self-directed			
5	consumer direct care service worker raises and associated payroll costs as authorized by BHDDH			
6	and to finance the new services rates implemented by BHDDH pursuant to the Consent Decree			
7	Addendum. Any increase for direct support staff and residential or other community-based setting			
8	must first receive the approval of BHDDH.			
9	Provided further that of this federal funding, \$371,800 shall be expended on a			
10	Transformation Fund to be used for I/DD integrated day activities and supported employment			
11	services. All unexpended or unencumbered balances of this designation at the end of the fiscal year			
12	shall be reappropriated to the ensuing fiscal year and made immediately available for the same			
13	purpose.			
14	Restricted Receipts	1,300,866	711,700	2,012,566
15	Other Funds			
16	Rhode Island Capital Plan Funds			
17	DD Residential Support	100,000	195,618	295,618
18	Total - Services for the Developmentally			
19	Disabled	507,086,713	9,224,005	516,310,718
20	<i>Behavioral Healthcare Services</i>			
21	General Revenues	4,817,486	397,689	5,215,175
22	Federal Funds			
23	Federal Funds	32,467,553	3,856,223	36,323,776
24	Provided that \$250,000 from Social Services Block Grant funds is awarded to The			
25	Providence Center to coordinate with Oasis Wellness and Recovery Center for its support and			
26	services program offered to individuals with behavioral health issues.			
27	Rural Health Transformation Program	0	452,647	452,647
28	Federal Funds – State Fiscal Recovery Fund			
29	9-8-8 Hotline	1,800,000	612,677	2,412,677
30	Crisis Intervention Trainings	0	1,217,506	1,217,506
31	Restricted Receipts	5,416,046	10,563,831	15,979,877
32	Provided that <del>\$450,000</del> <u>\$486,850</u> from the opioid stewardship fund is distributed equally			
33	to the seven regional substance abuse prevention task forces to fund priorities determined by each			
34	Task Force.			

1	Total - Behavioral Healthcare Services	44,501,085	17,100,573	61,601,658
2	<i>Hospital and Community Rehabilitative Services</i>			
3	General Revenues	53,723,206	10,266,909	63,990,115
4	Federal Funds	61,515,889	(11,466,581)	50,049,308
5	Restricted Receipts	4,634,700	889,515	5,524,215
6	Other Funds			
7	Rhode Island Capital Plan Funds			
8	Hospital Equipment	300,000	312,311	612,311
9	Total - Hospital and Community Rehabilitative			
10	Services	120,173,795	2,154	120,175,949
11	<i>State of RI Psychiatric Hospital</i>			
12	General Revenues	33,443,552	443,890	33,887,442
13	Restricted Receipts	144,000	0	144,000
14	Other Funds			
15	Rhode Island Capital Plan Funds			
16	RISPH Equipment	100,000	0	100,000
17	Total - State of RI Psychiatric Hospital			
18	Grand Total - Behavioral Healthcare,			
19	Developmental Disabilities and Hospitals	716,698,599	29,234,210	745,932,809
20	<b>Office of the Child Advocate</b>			
21	General Revenues	2,264,613	(79,603)	2,185,010
22	<b>Commission on the Deaf and Hard of Hearing</b>			
23	General Revenues	786,233	(18,570)	767,663
24	Restricted Receipts	142,921	66,368	209,289
25	Grand Total - Comm. On Deaf and			
26	Hard-of-Hearing	929,154	47,798	976,952
27	<b>Governor's Commission on Disabilities</b>			
28	General Revenues			
29	General Revenues	870,754	24,087	894,841
30	Livable Home Modification Grant Program	515,278	585,533	1,100,811

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 unexpended  
34 or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the ensuing fiscal

1 year, and made immediately available for the same purpose.

2	Federal Funds	340,067	25	340,092
3	Restricted Receipts	79,943	(12,753)	67,190

4 Grand Total - Governor's Commission

5	on Disabilities	1,806,042	596,892	2,402,934
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6 **Office of the Mental Health Advocate**

7	General Revenues	1,117,164	(184,723)	932,441
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8 **Elementary and Secondary Education**

9 *Administration of the Comprehensive Education Strategy*

10	General Revenues	34,222,798	4,978,723	39,201,521
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11 Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's  
12 Hospital pursuant to § 16-7-20; \$395,000 be allocated to support child opportunity zones through  
13 agreements with the department of elementary and secondary education to strengthen education,  
14 health and social services for students and their families as a strategy to accelerate student  
15 achievement; \$450,000 and 3.0 full-time equivalent positions be allocated to support a special  
16 education function to facilitate individualized education program (IEP) and 504 services; and  
17 further provided that \$130,000 be allocated to City Year for the Whole School Whole Child  
18 Program, which provides individualized support to at-risk students; and further provided that all  
19 unexpended or unencumbered balances as of June 30, 2026, relating to the Learn365RI program  
20 are hereby reappropriated to the following fiscal year.

21 Provided further that of this amount, \$1,860,000 is allocated toward a special education  
22 settlement to provide compensatory special education services, related administrative costs, and  
23 attorneys' fees pursuant to a legal settlement authorized by the Rhode Island board of education,  
24 of which all unexpended or unencumbered balances at the end of the fiscal year shall be  
25 reappropriated to the ensuing fiscal year and made immediately available for the same purpose until  
26 the requirements of the settlement agreement have been satisfied.

27 Federal Funds

28	Federal Funds	255,593,813	15,223,355	270,817,168
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29 Provided that \$684,000 from the department's administrative share of Individuals with  
30 Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to  
31 support the Rhode Island Vision Education and Services Program.

32	Rural Health Transformation Program	0	1,051,421	1,051,421
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33 Federal Funds – State Fiscal Recovery Fund

34	Adult Education Providers	128,373	1,410,989	1,539,362
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1	Out of School Time Education Providers	0	2,047,238	2,047,238
2	Restricted Receipts			
3	Restricted Receipts	1,724,551	410,348	2,134,899
4	HRIC Adult Education Grants	3,500,000	0	3,500,000
5	Total - Admin. of the Comprehensive Ed.			
6	Strategy	295,169,535	25,122,074	320,291,609
7	<i>Davies Career and Technical School</i>			
8	General Revenues	18,532,152	951,765	19,483,917
9	Federal Funds	924,285	312,154	1,236,439
10	Restricted Receipts	5,471,394	151,212	5,622,606
11	Other Funds			
12	Rhode Island Capital Plan Funds			
13	Davies School HVAC	50,000	151,286	201,286
14	Davies School Asset Protection	750,000	149,614	899,614
15	Davies School Healthcare Classroom			
16	Renovations	6,911,727	(6,911,727)	0
17	Davies School Wing Renovation	34,515,423	(25,892,838)	8,622,585
18	Total - Davies Career and Technical School	67,154,981	(31,088,534)	36,066,447
19	<i>RI School for the Deaf</i>			
20	General Revenues	8,809,938	19,673	8,829,611
21	Federal Funds	271,830	(46,465)	225,365
22	Restricted Receipts	1,097,000	505,000	1,602,000
23	Other Funds			
24	Rhode Island Capital Plan Funds			
25	School for the Deaf Asset Protection	100,000	311,780	411,780
26	Total - RI School for the Deaf	10,278,768	789,988	11,068,756
27	<i>Metropolitan Career and Technical School</i>			
28	General Revenues	12,966,926	0	12,966,926
29	Other Funds			
30	Rhode Island Capital Plan Funds			
31	MET School Asset Protection	250,000	1,971,348	2,221,348
32	Total - Metropolitan Career and Technical			
33	School	13,216,926	1,971,348	15,188,274
34	<i>Education Aid</i>			

1	General Revenues	1,272,230,353	42,542	1,272,272,895
2	Provided that the criteria for the allocation of early childhood funds shall prioritize pre-			
3	kindergarten seats and classrooms for four-year-olds whose family income is at or below one			
4	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities			
5	with higher concentrations of low performing schools.			
6	Restricted Receipts	38,952,936	9,630,716	48,583,652
7	Total - Education Aid	1,311,183,289	9,673,258	1,320,856,547
8	<i>Central Falls School District</i>			
9	General Revenues	54,567,882	0	54,567,882
10	<i>School Construction Aid</i>			
11	General Revenues			
12	School Housing Aid	119,887,755	(5,868,581)	114,019,174
13	<i>Teachers' Retirement</i>			
14	General Revenues	137,991,006	(4,390,928)	133,600,078
15	Grand Total - Elementary and Secondary			
16	Education	2,009,450,142	(3,791,375)	2,005,658,767
17	<b>Public Higher Education</b>			
18	<i>Office of Postsecondary Commissioner</i>			
19	General Revenues	33,322,291	(449,285)	32,873,006
20	Provided that \$455,000 shall be allocated to Onward We Learn pursuant to § 16-70-5,			
21	\$75,000 shall be allocated to Best Buddies Rhode Island to support its programs for children with			
22	developmental and intellectual disabilities. It is also provided that <del>\$7,367,460</del> <u>\$7,536,773</u> shall be			
23	allocated to the Rhode Island promise scholarship program; \$151,410 shall be used to support			
24	Rhode Island's membership in the New England Board of Higher Education; <del>\$5,476,723</del>			
25	<u>\$4,971,825</u> shall be allocated to the Rhode Island hope scholarship program; and \$100,000 shall be			
26	allocated to the Rhode Island School for Progressive Education to support access to higher			
27	education opportunities for teachers of color.			
28	Federal Funds			
29	Federal Funds	5,582,208	(212,342)	5,369,866
30	Guaranty Agency Administration	60,000	0	60,000
31	Federal Funds - State Fiscal Recovery Fund			
32	Fresh Start Scholarship	0	1,199,287	1,199,287
33	RI Reconnect	0	4,600,385	4,600,385
34	RIC Cybersecurity Center	0	475,006	475,006

1	Restricted Receipts			
2	Restricted Receipts	8,383,189	(65,235)	8,317,954
3	Tuition Savings Program - Scholarships			
4	and Grants	3,400,000	0	3,400,000
5	Other Funds			
6	Nursing Education Center - Operating	3,295,810	69,836	3,365,646
7	Rhode Island Capital Plan Funds			
8	WEC Expansion - Annex Site	1,220,000	(820,000)	400,000
9	Total - Office of Postsecondary			
10	Commissioner	55,263,498	4,797,652	60,061,150
11	<i>University of Rhode Island</i>			
12	General Revenues			
13	General Revenues	115,308,021	(68,907)	115,239,114
14	Provided that in order to leverage federal funding and support economic development,			
15	\$700,000 shall be allocated to the small business development center, \$125,000 shall be allocated			
16	to the Institute for Labor Studies & Research, \$50,000 shall be allocated to Special Olympics Rhode			
17	Island to support its mission of providing athletic opportunities for individuals with intellectual and			
18	developmental disabilities, and \$874,069 shall be used to support programming related to career			
19	readiness, career placement, internships, and work-based learning.			
20	Debt Service	31,526,482	3,228,750	34,755,232
21	RI State Forensics Laboratory	1,803,420	0	1,803,420
22	Other Funds			
23	University and College Funds	847,374,010	(1,497,801)	845,876,209
24	Debt - Dining Services	781,957	4,070	786,027
25	Debt - Education and General	5,076,811	(700)	5,076,111
26	Debt - Health Services	16,032	(50)	15,982
27	Debt - Housing Loan Funds	13,863,455	24,359	13,887,814
28	Debt - Memorial Union	758,853	1,792	760,645
29	Debt - Ryan Center	2,888,322	(511,944)	2,376,378
30	Debt - Parking Authority	889,077	(79,798)	809,279
31	URI Restricted Debt Service - Energy			
32	Conservation	536,169	0	536,169
33	URI Debt Service - Energy Conservation	1,956,906	0	1,956,906
34	Rhode Island Capital Plan Funds			

1	Asset Protection	14,606,536	3,313,057	17,919,593
2	Mechanical, Electric, and Plumbing			
3	Improvements	7,293,838	(1,989,199)	5,304,639
4	Fire Protection Academic Buildings	1,641,903	1,789,836	3,431,739
5	Bay Campus	8,146,722	(43,200)	8,103,522
6	Athletics Complex	33,942,707	3,377,715	37,320,422
7	Provided that total Rhode Island capital plan funds provide no more than 80.0 percent of			
8	the total project.			
9	Stormwater Management	4,252,678	(1,048,324)	3,204,354
10	PFAS Removal Water Treatment Plant	13,759,400	(13,509,400)	250,000
11	Campus Accessibility	2,300,000	0	2,300,000
12	Building Envelope Improvements	3,000,000	0	3,000,000
13	Total - University of Rhode Island	1,111,723,299	(7,009,744)	1,104,713,555
14	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as			
15	of June 30, 2026 relating to the university of Rhode Island are hereby reappropriated to fiscal year			
16	2027.			
17	<i>Rhode Island College</i>			
18	General Revenues			
19	General Revenues	70,714,722	(95,387)	70,619,335
20	Provided that \$464,377 shall be used to support programming related to career readiness, career			
21	placement, internships, and work-based learning.			
22	Debt Service	7,933,336	796,740	8,730,076
23	Rhode Island Vision Education and Services			
24	Program	1,800,000	0	1,800,000
25	Other Funds			
26	University and College Funds	120,309,539	5,949,928	126,259,467
27	Debt - Education and General	1,478,585	(762,376)	716,209
28	Debt - Student Union	212,200	0	212,200
29	Debt - G.O. Debt Service	1,585,353	0	1,585,353
30	Debt - Energy Conservation	762,375	0	762,375
31	Rhode Island Capital Plan Funds			
32	Asset Protection	5,950,000	5,136,325	11,086,325
33	Infrastructure Modernization	5,675,000	6,172,208	11,847,208
34	Phase IV: Whipple Hall	0	500,000	500,000

1	Total - Rhode Island College	216,421,110	17,697,438	234,118,548
2	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as			
3	of June 30, 2026, relating to Rhode Island college are hereby reappropriated to fiscal year 2027.			
4	<i>Community College of Rhode Island</i>			
5	General Revenues			
6	General Revenues	63,740,346	555,615	64,295,961
7	Provided that \$391,175 shall be used to support programming related to career readiness,			
8	career placement, internships, and work-based learning.			
9	Debt Service	1,097,898	(5,760)	1,092,138
10	Restricted Receipts	953,442	15,333	968,775
11	Other Funds			
12	University and College Funds	114,885,691	4,564,291	119,449,982
13	Rhode Island Capital Plan Funds			
14	Asset Protection	3,469,452	1,222,758	4,692,210
15	Data, Cabling, and Power Infrastructure	5,750,000	(5,000,000)	750,000
16	Flanagan Campus Renovations	3,200,000	(1,700,000)	1,500,000
17	CCRI Renovation and Modernization			
18	Phase I	15,000,000	(1,250,000)	13,750,000
19	CCRI Renovation and Modernization			
20	Phase II - IV	6,100,000	(5,600,000)	500,000
21	CCRI Accessibility Improvements	290,000	10,000	300,000
22	Total - Community College of RI	214,486,829	(7,187,763)	207,299,066
23	Notwithstanding the provisions of § 35-3-15, all unexpended or unencumbered balances as			
24	of June 30, 2026, relating to the community college of Rhode Island are hereby reappropriated to			
25	fiscal year 2027.			
26	Grand Total - Public Higher Education	1,597,894,736	8,297,583	1,606,192,319
27	<b>RI State Council on the Arts</b>			
28	General Revenues			
29	Operating Support	1,224,685	1,443	1,226,128
30	Grants	1,190,000	0	1,190,000
31	Provided that \$400,000 be provided to support the operational costs of WaterFire			
32	Providence art installations.			
33	Federal Funds	1,022,711	70,862	1,093,573
34	Restricted Receipts	115,058	(115,058)	0

1	Other Funds			
2	Art for Public Facilities	690,000	11,000	701,000
3	Grand Total - RI State Council on the Arts	4,242,454	(31,753)	4,210,701
4	<b>RI Atomic Energy Commission</b>			
5	General Revenues	1,278,282	3,909	1,282,191
6	Federal Funds	0	7,936	7,936
7	Restricted Receipts	25,036	10,000	35,036
8	Other Funds			
9	URI Sponsored Research	361,177	(33,093)	328,084
10	Rhode Island Capital Plan Funds			
11	Asset Protection	50,000	7,966	57,966
12	Grand Total - RI Atomic Energy			
13	Commission	1,714,495	(3,282)	1,711,213
14	<b>RI Historical Preservation and Heritage Commission</b>			
15	General Revenues	1,969,751	(152,718)	1,817,033
16	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration			
17	activities and that \$25,000 shall be allocated to Rhode Island Slave History Medallions.			
18	Federal Funds	822,451	(15,198)	807,253
19	Restricted Receipts	511,827	0	511,827
20	Other Funds			
21	RIDOT Project Review	144,602	(4,202)	140,400
22	Rhode Island Capital Plan Funds			
23	Archaeological Collection Facility	0	50,000	50,000
24	Grand Total - RI Historical Preservation and			
25	Heritage Comm.	3,448,631	(122,118)	3,326,513
26	<b>Attorney General</b>			
27	<i>Criminal</i>			
28	General Revenues	23,147,524	643,171	23,790,695
29	Federal Funds	3,404,012	(215,563)	3,188,449
30	Restricted Receipts	2,096,085	(143,314)	1,952,771
31	Total - Criminal	28,647,621	284,294	28,931,915
32	<i>Civil</i>			
33	General Revenues	7,301,706	(856,568)	6,445,138
34	Federal Funds	100,000	25,553	125,553

1	Restricted Receipts	4,724,238	49,076	4,773,314
2	Total - Civil	12,125,944	(781,939)	11,344,005
3	<i>Bureau of Criminal Identification</i>			
4	General Revenues	2,440,742	26,983	2,467,725
5	Federal Funds	64,547	(30,000)	34,547
6	Restricted Receipts	1,329,498	607,284	1,936,782
7	Total - Bureau of Criminal Identification	3,834,787	604,267	4,439,054
8	<i>General</i>			
9	General Revenues	5,354,455	331,878	5,686,333
10	Other Funds			
11	Rhode Island Capital Plan Funds			
12	Building Renovations and Repairs	2,525,000	(2,525,000)	0
13	Total - General	7,879,455	(2,193,122)	5,686,333
14	Grand Total - Attorney General	52,487,807	(2,086,500)	50,401,307
15	<b>Corrections</b>			
16	<i>Central Management</i>			
17	General Revenues	24,875,748	765,443	25,641,191
18	Federal Funds	0	177,680	177,680
19	Total – Central Management	24,875,748	943,123	25,818,871
20	<i>Parole Board</i>			
21	General Revenues	1,673,257	(61,155)	1,612,102
22	<i>Custody and Security</i>			
23	General Revenues	182,260,831	1,315,196	183,576,027
24	Federal Funds	1,371,846	200,245	1,572,091
25	Other Funds			
26	Rhode Island Capital Plan Funds			
27	Intake Service Center HVAC	27,818,335	(19,277,223)	8,541,112
28	Total - Custody and Security	211,451,012	(17,761,782)	193,689,230
29	<i>Institutional Support</i>			
30	General Revenues	40,099,600	1,123,674	41,223,274
31	Other Funds			
32	Rhode Island Capital Plan Funds			
33	Asset Protection	8,277,650	2,100,000	10,377,650
34	Correctional Facilities – Renovations	3,179,677	(3,179,677)	0

1	Total - Institutional Support	51,556,927	43,997	51,600,924
2	<i>Institutional Based Rehab/Population Management</i>			
3	General Revenues	15,027,101	(468,665)	14,558,436
4	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender			
5	discharge planning.			
6	The director of the department of corrections shall provide to the speaker of the house and			
7	president of the senate at least every ninety (90) days beginning September 1, 2022, a report on			
8	efforts to modernize the correctional industries program. The report shall, at minimum, provide			
9	data on the past ninety (90) days regarding program participation; changes made in programming			
10	to more closely align with industry needs; new or terminated partnerships with employers,			
11	nonprofits, and advocacy groups; current program expenses and revenues; and the employment			
12	status of all persons on the day of discharge from department care who participated in the			
13	correctional industries program.			
14	Federal Funds	386,256	391,550	777,806
15	Restricted Receipts	1,300,000	193,379	1,493,379
16	Total - Institutional Based Rehab/Population			
17	Mgt.	16,713,357	116,264	16,829,621
18	<i>Healthcare Services</i>			
19	General Revenues	37,051,880	3,124,127	40,176,007
20	<i>Community Corrections</i>			
21	General Revenues	23,026,186	(316,473)	22,709,713
22	Federal Funds	0	47,814	47,814
23	Restricted Receipts	3,091	(604)	2,487
24	Total - Community Corrections	23,029,277	(269,263)	22,760,014
25	Grand Total - Corrections	366,351,458	(13,864,689)	352,486,769

26 **Judiciary**

27 *Supreme Court*

28 General Revenues

29	General Revenues	36,665,481	1,811,372	38,476,853
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30 Provided however, that no more than \$1,430,073 in combined total shall be offset to the  
31 public defender's office, the attorney general's office, the department of corrections, the department  
32 of children, youth and families, and the department of public safety for square-footage occupancy  
33 costs in public courthouses and further provided that \$500,000 be allocated to the Rhode Island  
34 Coalition Against Domestic Violence for the domestic abuse court advocacy project pursuant to §

1	12-29-7 and that \$90,000 be allocated to Rhode Island Legal Services, Inc. to provide housing and			
2	eviction defense to indigent individuals.			
3	Defense of Indigents	7,875,432	(20,000)	7,855,432
4	Federal Funds	205,395	(74,085)	131,310
5	Restricted Receipts	4,312,243	(59,477)	4,252,766
6	Other Funds			
7	Rhode Island Capital Plan Funds			
8	Judicial Complexes - HVAC	500,000	5,885	505,885
9	Judicial Complexes Asset Protection	1,500,000	22,618	1,522,618
10	Judicial Complexes Fan Coil Unit			
11	Replacements	500,000	3,082	503,082
12	Garrahy Courthouse Restoration	1,125,000	18,183	1,143,183
13	Total - Supreme Court	52,683,551	1,707,578	54,391,129
14	<i>Judicial Tenure and Discipline</i>			
15	General Revenues	188,686	89	188,775
16	<i>Superior Court</i>			
17	General Revenues	30,216,228	66,823	30,283,051
18	Restricted Receipts	325,000	0	325,000
19	Total - Superior Court	30,541,228	66,823	30,608,051
20	<i>Family Court</i>			
21	General Revenues	29,167,951	66,679	29,234,630
22	Federal Funds	5,392,549	(421,847)	4,970,702
23	Total - Family Court	34,560,500	(355,168)	34,205,332
24	<i>District Court</i>			
25	General Revenues	17,697,776	73,018	17,770,794
26	Federal Funds	696,951	(374,123)	322,828
27	Restricted Receipts	60,000	0	60,000
28	Total - District Court	18,454,727	(301,105)	18,153,622
29	<i>Traffic Tribunal</i>			
30	General Revenues	11,704,985	36,532	11,741,517
31	<i>Workers' Compensation Court</i>			
32	Restricted Receipts	11,090,756	(7,217)	11,083,539
33	Grand Total - Judiciary	159,224,433	1,147,532	160,371,965
34	<b>Military Staff</b>			

1	General Revenues	3,424,058	84,034	3,508,092
2	Federal Funds	28,982,412	38,849,854	67,832,266
3	Restricted Receipts			
4	RI Military Family Relief Fund	55,000	0	55,000
5	RING Counterdrug Program	11,000	0	11,000
6	Other Funds			
7	Rhode Island Capital Plan Funds			
8	Aviation Readiness Center	4,538,673	(4,020,059)	518,614
9	Asset Protection	2,564,675	(192,808)	2,371,867
10	Quonset Airport Runway Reconstruction	446,663	380,922	827,585
11	Counter-Drug Training Facility	1,025,250	1,558,558	2,583,808
12	Squadron Ops Facility (Air Guard)	600,000	0	600,000
13	Quonset Air National Guard HQ Facility	0	1,893,948	1,893,948
14	Grand Total - Military Staff	41,647,731	38,554,449	80,202,180
15	<b>Public Safety</b>			
16	<i>Central Management</i>			
17	General Revenues	1,899,154	9,487,402	11,386,556
18	Provided that <del>\$400,000</del> <u>\$558,089</u> shall be allocated to support the Family Service of Rhode			
19	Island's GO Team program of on-scene support to children who are victims of violence and other			
20	traumas. <u>It is also provided that \$9,047,396 shall be allocated as the state contribution for the</u>			
21	<u>statewide body-worn camera program, subject to all program and reporting rules, regulations,</u>			
22	<u>policies, and guidelines prescribed in the Rhode Island General Laws. Notwithstanding the</u>			
23	<u>provision of § 35-3-15 of the general laws, all unexpended or unencumbered balances as of June</u>			
24	<u>30, 2026 from this appropriation are hereby reappropriated to fiscal year 2027.</u>			
25	Federal Funds			
26	Federal Funds	18,479,969	(4,076,435)	14,403,534
27	Federal Funds – State Fiscal Recovery Fund			
28	Support for Survivors of Domestic Violence	29,753	4,501,250	4,531,003
29	Restricted Receipts	738,584	220,244	958,828
30	Total - Central Management	21,147,460	10,132,461	31,279,921
31	<i>E-911 Emergency Telephone System</i>			
32	Restricted Receipts	10,730,138	243,942	10,974,080
33	<i>Security Services</i>			
34	General Revenues	33,685,555	(2,679,484)	31,006,071

1	<i>Municipal Police Training Academy</i>			
2	General Revenues	349,440	16,020	365,460
3	Federal Funds	417,455	71,773	489,228
4	Total - Municipal Police Training Academy	766,895	87,793	854,688
5	<i>State Police</i>			
6	General Revenues	96,907,970	1,632,633	98,540,603
7	Federal Funds	8,126,146	2,732,983	10,859,129
8	Restricted Receipts	2,845,158	0	2,845,158
9	Other Funds			
10	Airport Corporation Assistance	151,310	(540)	150,770
11	Road Construction Reimbursement	3,355,100	2,200,000	5,555,100
12	Weight and Measurement Reimbursement	402,401	226,281	628,682
13	Rhode Island Capital Plan Funds			
14	DPS Asset Protection	1,205,000	1,911,587	3,116,587
15	Southern Barracks	16,750,000	12,243,957	28,993,957
16	Training Academy Upgrades	1,550,000	325,148	1,875,148
17	Statewide Communications System Network	245,048	0	245,048
18	Total - State Police	131,538,133	21,272,049	152,810,182
19	Grand Total - Public Safety	197,868,181	29,056,761	226,924,942
20	<b>Office of Public Defender</b>			
21	General Revenues	18,178,679	11,095	18,189,774
22	Federal Funds	85,035	0	85,035
23	Grand Total - Office of Public Defender	18,263,714	11,095	18,274,809
24	<b>Emergency Management Agency</b>			
25	General Revenues	7,457,256	186,926	7,644,182
26	<u>Provided that of this general revenue amount, \$250,000 is to be used to cover security</u>			
27	<u>expenses incurred by state agencies associated with the FIFA 2026 World Cup that would not be</u>			
28	<u>reimbursed by other available funding sources. All unexpended or unencumbered balances of this</u>			
29	<u>designation, as of June 30, 2026, shall be reappropriated to the ensuing fiscal year and made</u>			
30	<u>immediately available for the same purpose.</u>			
31	Federal Funds	34,906,616	12,840,348	47,746,964
32	Restricted Receipts	428,308	213,109	641,417
33	Other Funds			
34	Rhode Island Capital Plan Funds			

1	RI Statewide Communications Infrastructure	315,404	85,162	400,566
2	RI Statewide Communications Network Tower	550,000	0	550,000
3	State Emergency Ops Center	0	64,000	64,000
4	Grand Total - Emergency Management			
5	Agency	43,657,584	13,389,545	57,047,129
6	<b>Environmental Management</b>			
7	<i>Office of the Director</i>			
8	General Revenues	9,446,875	(127,764)	9,319,111
9	Of this general revenue amount, \$180,000 is appropriated to the conservation districts and			
10	\$100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a			
11	veterinarian at the Wildlife Clinic of Rhode Island.			
12	Federal Funds	354,975	329,383	684,358
13	Restricted Receipts	5,930,220	1,150,812	7,081,032
14	Total - Office of the Director	15,732,070	1,352,431	17,084,501
15	<i>Natural Resources</i>			
16	General Revenues	32,325,750	1,619,333	33,945,083
17	Provided that of this general revenue amount, \$150,000 is to be used for marine mammal			
18	response activities in conjunction with matching federal funds.			
19	Federal Funds	31,528,201	264,097	31,792,298
20	Restricted Receipts	6,185,022	721,371	6,906,393
21	Other Funds			
22	DOT Recreational Projects	762,000	26,547	788,547
23	Blackstone Bike Path Design	1,000,000	0	1,000,000
24	Rhode Island Capital Plan Funds			
25	Dam Repair	6,815,000	(6,422,589)	392,411
26	Fort Adams Rehabilitation	500,000	216,595	716,595
27	Port of Galilee	20,500,000	(5,779,101)	14,720,899
28	Newport Pier Upgrades	500,000	(385,000)	115,000
29	Recreation Facilities Asset Protection	750,000	0	750,000
30	Recreational Facilities Improvements	2,900,000	4,735,607	7,635,607
31	Natural Resources Office and Visitor's Center	1,836,709	(1,602,632)	234,077
32	Fish & Wildlife Maintenance Facilities	200,000	19,291	219,291
33	Marine Infrastructure/Pier Development	700,000	752,413	1,452,413
34	Total - Natural Resources	106,502,682	(5,834,068)	100,668,614

1	<i>Environmental Protection</i>			
2	General Revenues	16,607,743	219,983	16,827,726
3	Federal Funds	12,825,343	2,885,397	15,710,740
4	Restricted Receipts	12,660,382	62,782	12,723,164
5	Other Funds			
6	Transportation MOU	95,967	(35,866)	60,101
7	Total - Environmental Protection	42,189,435	3,132,296	45,321,731
8	Grand Total - Environmental Management	164,424,187	(1,349,341)	163,074,846
9	<b>Coastal Resources Management Council</b>			
10	General Revenues	3,904,812	269,201	4,174,013
11	Federal Funds	3,331,166	(222,509)	3,108,657
12	Restricted Receipts	624,768	(288,957)	335,811
13	Other Funds			
14	Rhode Island Capital Plan Funds			
15	South Coast Restoration Project	7,000,000	0	7,000,000
16	Pawcatuck Resiliency Elevation Study	0	50,000	50,000
17	Grand Total - Coastal Resources Mgmt.			
18	Council	14,860,746	(192,265)	14,668,481
19	<b>Transportation</b>			
20	<i>Central Management</i>			
21	Federal Funds	13,777,360	91,840	13,869,200
22	Other Funds			
23	Gasoline Tax	9,004,830	(1,279,968)	7,724,862
24	Total - Central Management	22,782,190	(1,188,128)	21,594,062
25	<i>Management and Budget</i>			
26	Other Funds			
27	Gasoline Tax	3,839,065	1,635,875	5,474,940
28	<i>Infrastructure Engineering</i>			
29	Federal Funds			
30	Federal Funds	460,804,783	107,101,455	567,906,238
31	Federal Funds – State Fiscal Recovery Fund			
32	Municipal Roads Grant Program	0	11,421,717	11,421,717
33	Washington Bridge Project	0	16,895,328	16,895,328
34	Restricted Receipts	6,066,037	(4,166,072)	1,899,965

1 Other Funds

2 Gasoline Tax 88,272,135 (7,045,921) 81,226,214

3 Provided that of this amount, \$6,500,000 is appropriated to the Municipal Roads Grant  
 4 Program known as RhodeRestore to provide funding to municipalities for the construction and  
 5 maintenance of roads, sidewalks, and bridges. Provided that twenty-five percent (25%) of the funds  
 6 shall be distributed equally to each city and town, and seventy-five percent (75%) shall be allocated  
 7 proportionally based on each municipality’s share of municipally maintained road miles, as  
 8 determined by the most recent data available from the Rhode Island department of transportation.  
 9 Provided further that each municipality is required to provide a sixty-seven percent (67%) match.

10 Provided that of this amount, sufficient funds from the Rhode Island public transit  
 11 authority’s share of gasoline tax proceeds shall be allocated to the state paratransit program,  
 12 including the expansion pilot program known as ride anywhere to ensure statewide paratransit  
 13 services are maintained.

14 Land Sale Revenue 6,239,422 (135,005) 6,104,417

15 Tolling Revenue 10,000,000 (10,000,000) 0

16 Rhode Island Capital Plan Funds

17 Highway Improvement Program 115,617,814 (2,047,814) 113,570,000

18 Bike Path Asset Protection 400,000 0 400,000

19 RIPTA - Land and Buildings 6,905,927 (3,773,544) 3,132,383

20 RIPTA - Pawtucket/Central Falls Bus Hub

21 Passenger Facility 1,500,000 690,534 2,190,534

22 RIPTA - Providence High-Capacity Transit

23 Corridor Study 90,000 103,368 193,368

24 RIPTA - Kingston Station Mobility Hub 0 300,000 300,000

25 RIPTA - Pawtucket Bus Hub 0 126,000 126,000

26 Total - Infrastructure Engineering 695,896,118 109,470,046 805,366,164

27 *Infrastructure Maintenance*

28 Other Funds

29 Gasoline Tax 41,781,096 13,287,722 55,068,818

30 The department of transportation will establish a municipal roadway database, which will  
 31 include information concerning the name, condition, length, roadway infrastructure, and pedestrian  
 32 features of each municipal roadway, updated annually by municipalities. The database will serve  
 33 as a comprehensive and transparent list of municipal roadway conditions.

34 Rhode Island Highway Maintenance

1	Account	114,037,366	190,370,938	304,408,304
2	Rhode Island Capital Plan Funds			
3	Maintenance Capital Equipment Replacement	1,800,000	1,858,569	3,658,569
4	Maintenance Facilities Improvements	859,756	362,407	1,222,163
5	Welcome Center	150,000	397,183	547,183
6	Salt Storage Facilities	1,150,000	(36,338)	1,113,662
7	Train Station Asset Protection	500,000	1,024,237	1,524,237
8	Total - Infrastructure Maintenance	160,278,218	207,264,718	367,542,936
9	Grand Total - Transportation	882,795,591	317,182,511	1,199,978,102
10	<b>Statewide Totals</b>			
11	General Revenues	5,809,363,121	28,143,725	5,837,506,846
12	Federal Funds	5,108,485,986	346,082,639	5,454,568,625
13	Restricted Receipts	458,544,467	91,837,535	550,382,002
14	Other Funds	2,959,985,019	268,416,806	3,228,401,825
15	Statewide Grand Total	14,336,378,593	734,480,705	15,070,859,298

16 SECTION 2. Each line appearing in section 1 of this article shall constitute an  
17 appropriation.

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

28	Account	Expenditure Limit		
29		<b>FY 2026</b>	<b>FY 2026</b>	<b>FY 2026</b>
30		<b>Enacted</b>	<b>Change</b>	<b>FINAL</b>
31	State Assessed Fringe Benefit Internal			
32	Service Fund	37,255,808	94,704	37,350,512
33	Administration Central Utilities Internal			
34	Service Fund	30,366,642	0	30,366,642

1	State Central Mail Internal Service Fund	9,020,425	(835)	9,019,590
2	State Telecommunications Internal			
3	Service Fund	3,426,061	3,173	3,429,234
4	State Automotive Fleet Internal Service Fund	21,610,397	14,815	21,625,212
5	Surplus Property Internal Service Fund	44,789	0	44,789
6	Health Insurance Internal Service Fund	272,933,573	69,971,421	342,904,994
7	Other Post-Employment Benefits Fund	63,854,008	(23,438,854)	40,415,154
8	Capitol Police Internal Service Fund	1,659,403	188,969	1,848,372
9	Corrections Central Distribution Center			
10	Internal Service Fund	8,679,440	79,813	8,759,253
11	Correctional Industries Internal Service Fund	8,477,292	52,361	8,529,653
12	Secretary of State Record Center Internal			
13	Service Fund	1,231,684	(76,237)	1,155,447
14	Human Resources Internal Service Fund	18,711,878	(233,544)	18,478,334
15	DCAMM Facilities Internal Service Fund	40,492,965	40,486	40,533,451
16	Information Technology Internal			
17	Service Fund	70,587,805	102,554	70,690,359

18 SECTION 4. Departments and agencies listed below may not exceed the number of full-  
19 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do  
20 not include limited period positions or, seasonal or intermittent positions whose scheduled period  
21 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not  
22 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor  
23 do they include individuals engaged in training, the completion of which is a prerequisite of  
24 employment. Provided, however, that the governor or designee, speaker of the house of  
25 representatives or designee, and the president of the senate or designee may authorize an adjustment  
26 to any limitation. Prior to the authorization, the state budget officer shall make a detailed written  
27 recommendation to the governor, the speaker of the house, and the president of the senate. A copy  
28 of the recommendation and authorization to adjust shall be transmitted to the chairman of the house  
29 finance committee, senate finance committee, the house fiscal advisor, and the senate fiscal advisor.

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

33 **FY 2026 FTE POSITION AUTHORIZATION**

34 **Departments and Agencies** **Full-Time Equivalent**

1	Administration	<del>684.6</del> <u>683.6</u>
2	Provided that no more than 434.1 of the total authorization would be limited to positions	
3	that support internal service fund programs.	
4	Office of Energy Resources	17.0
5	Business Regulation	<del>155.0</del> <u>157.0</u>
6	Rhode Island Cannabis Control Commission	26.0
7	Executive Office of Commerce	5.0
8	Housing	38.0
9	Labor and Training	461.7
10	Revenue	605.5
11	Legislature	298.5
12	Office of the Lieutenant Governor	8.0
13	Office of the Secretary of State	62.0
14	Office of the General Treasurer	92.0
15	Board of Elections	13.0
16	Rhode Island Ethics Commission	12.0
17	Office of the Governor	45.0
18	Commission for Human Rights	15.0
19	Public Utilities Commission	57.0
20	Executive Office of Health and Human Services	<del>243.0</del> <u>248.0</u>
21	Children, Youth and Families	<del>713.5</del> <u>719.5</u>
22	Health	572.6
23	Human Services	<del>779.0</del> <u>789.0</u>
24	Office of Veterans Services	267.0
25	Office of Healthy Aging	33.0
26	Behavioral Healthcare, Developmental Disabilities and Hospitals	<del>1,223.4</del> <u>1,225.4</u>
27	Provided that 18.0 of the total authorization would be limited to independent facilitators	
28	positions to comply with the Consent Decree Addendum.	
29	Office of the Child Advocate	13.0
30	Commission on the Deaf and Hard of Hearing	4.0
31	Governor's Commission on Disabilities	5.0
32	Office of the Mental Health Advocate	6.0
33	Elementary and Secondary Education	156.1
34	Provided that 3.0 of the total authorization would be available only for positions that are	

1 supported by the healthy environments advance learning grant at the school building authority.

2 School for the Deaf 61.0

3 Davies Career and Technical School 125.0

4 Office of Postsecondary Commissioner 48.0

5 Provided that 1.0 of the total authorization would be available only for positions that are  
6 supported by third-party funds, 12.0 would be available only for positions at the state’s higher  
7 education centers located in Woonsocket and Westerly, 10.0 would be available only for positions  
8 at the nursing education center, and 9.0 would be available for the longitudinal data systems  
9 program.

10 University of Rhode Island 2,671.0

11 Provided that 378.8 of the total authorization would be available only for positions that are  
12 supported by third-party funds, and 424.5 would be available only for positions that support  
13 auxiliary operations.

14 Rhode Island College 949.2

15 Provided that 76.0 of the total authorization would be available only for positions that are  
16 supported by third-party funds.

17 Community College of Rhode Island 849.1

18 Provided that 89.0 of the total authorization would be available only for positions that are  
19 supported by third-party funds.

20 Rhode Island State Council on the Arts 10.0

21 RI Atomic Energy Commission 8.6

22 Historical Preservation and Heritage Commission 15.6

23 Office of the Attorney General 268.1

24 Corrections 1,461.0

25 Judicial 749.3

26 Military Staff 93.0

27 Emergency Management Agency 38.0

28 Public Safety ~~634.0~~ 635.0

29 Office of the Public Defender 104.0

30 Environmental Management 439.0

31 Coastal Resources Management Council 32.0

32 Transportation 755.0

33 **Total** ~~15,921.8~~ 15,946.8

34 No agency or department may employ contracted employee services where contract

1 employees would work under state employee supervisors without determination of need by the  
2 director of administration acting upon positive recommendations by the budget officer and the  
3 personnel administrator and fifteen (15) days after a public hearing.

4 Nor may any agency or department contract for services replacing work done by state  
5 employees at that time without determination of need by the director of administration acting upon  
6 the positive recommendations of the state budget officer and the personnel administrator and thirty  
7 (30) days after a public hearing.

8 SECTION 5. The appropriations from federal funds contained in section 1 shall not be  
9 construed to mean any federal funds or assistance appropriated, authorized, allocated or  
10 apportioned to the State of Rhode Island from the state fiscal recovery fund and capital projects  
11 fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2026  
12 except for those instances specifically designated.

13 The State fiscal recovery fund and capital projects fund appropriations herein shall be made  
14 in support of the following projects:

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

16 **Department of Administration (DOA)**

17 DOA- Pandemic Recovery Office. These funds shall be allocated to finance the pandemic  
18 recovery office established within the department of administration.

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

21 DOA - Community Learning Center Programming Support Grant. These funds shall be  
22 distributed to municipalities that have approved community learning center projects under the  
23 coronavirus capital projects fund community learning center municipal grant program. An equal  
24 amount of funding will be allocated to each approved community learning center project that  
25 reaches substantial completion as defined by the U.S. Department of Treasury by October 31, 2026.  
26 Municipalities with projects that do not reach substantial completion as defined by the U.S.  
27 Department of Treasury by October 31, 2026, shall return their funding no later than November 15,  
28 2026, for redistribution among other qualified community learning centers. These funds must be  
29 used to support the establishment of U.S. Department of the Treasury compliant health monitoring,  
30 work, and or education programming that will take place in a community learning center.

31 DOA - Municipal Public Safety Infrastructure. These funds shall be used to provide  
32 matching support to cities and towns to make significant public safety facilities infrastructure  
33 improvements including new construction. Funding priority shall be based on project readiness and  
34 limited to those for which the total costs exceed \$1.0 million. Matching funds to any municipality

1 will be limited to \$5.0 million for projects that serve a regional purpose and \$1.0 million for others.

2 DOA - ERP Implementation Support. These funds shall be used to support the  
3 implementation of a new cloud-based enterprise resource platform for the State of Rhode Island to  
4 more efficiently and strategically administer human resources, payroll, and finance operations.

5 **Office of Energy Resources (OER)**

6 OER - 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 **Department of Labor and Training (DLT)**

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

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

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

23 EOC - Bioscience Investments. These funds shall support a program to invest in the  
24 biosciences industry in Rhode Island in conjunction with the Rhode Island life science hub as  
25 established in chapter 99 of title 23. This program will include, but is not limited to, the  
26 development of one or more wet lab incubator spaces in collaboration with industry partners; the  
27 creation of a fund that will support wrap-around services to aid in the commercialization of  
28 technology and business development, growth of the biosciences talent pipeline, and support for  
29 staff to implement the bioscience investments initiative.

30 EOC - Assistance to Impacted Industries. These funds shall be allocated to provide  
31 assistance to the tourism, hospitality, and events industries for outdoor and public space capital  
32 improvements and event programming.

33 **Executive Office of Housing**

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

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

14 Housing - Targeted Housing Development. These funds shall create a program at the  
15 department of housing to develop housing in targeted areas and/or priority projects. Of this overall  
16 program, twenty-two million dollars (\$22,000,000) shall be allocated into a priority project fund  
17 that advances the following categories: permanent supportive housing, housing dedicated to  
18 vulnerable populations, individuals transitioning out of state care, and extremely low-income  
19 Rhode Islanders. Of this overall program, four million dollars (\$4,000,000) shall be allocated to  
20 support the development of transit-oriented housing as approved by the secretary of housing.

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

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

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

1 residents are low-and moderate-income persons. Of this amount, four million five hundred  
2 thousand dollars (\$4,500,000) will support critical home repairs within the same communities.

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

7 Housing - Municipal Planning. Of these funds, one million three hundred thousand dollars  
8 (\$1,300,000) shall support a housing development-focused municipal fellows program within the  
9 department of housing and one million dollars (\$1,000,000) shall support municipalities to study  
10 and implement zoning changes that up-zone or otherwise enable additional housing development  
11 in proximity to transit.

12 Housing - Homelessness Assistance Program. These funds shall support a program to  
13 expand housing navigation, behavioral health, and stabilization services to address pandemic-  
14 related homelessness. The program will support services for people transitioning from  
15 homelessness to housing, including individuals transitioning out of the adult correctional  
16 institutions.

17 Housing - Homelessness Infrastructure. These funds shall be used to support a program to  
18 respond to and prevent homelessness, including but not limited to, acquisition or construction of  
19 temporary or permanent shelter and other housing solutions and stabilization programs.

20 Housing - Municipal Homelessness Support Initiative. These funds shall be used to support  
21 a program to award grants to cities and towns for public safety expenses and other municipal  
22 services that support individuals and families experiencing homelessness.

23 Housing - Proactive Housing Development. These funds shall be used to support the  
24 creation, staffing, and initial activities of a proactive development subsidiary of the Rhode Island  
25 housing and mortgage finance corporation, established pursuant to § 42-55-5.1.

26 Housing - Housing Related Infrastructure. These funds shall be allocated to the Rhode  
27 Island infrastructure bank as established in chapter 12.2 of title 46 to support physical infrastructure  
28 that is necessary to produce additional housing. All expenditures made with these funds must be  
29 for the pre-development and development of site-related infrastructure for housing that meets  
30 affordable housing pricing and/or income criteria and other criteria established by the department  
31 of housing.

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

1 disproportionately impacted individuals and communities. These funds shall be used to support  
2 municipal planning efforts to identify and cultivate viable sites and housing projects.

3 **Quonset Development Corporation (QDC)**

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

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

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

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

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

16 DCYF - Psychiatric Treatment Facility. These funds shall be allocated to expand existing  
17 psychiatric residential treatment facility capacity to provide intensive residential treatment options  
18 for adolescent girls and young women who face severe and complex behavioral health challenges.  
19 Any funds that are unexpended shall be allocated to the construction of intensive residential  
20 treatment facilities that will provide female youth in Rhode Island more placement options to  
21 receive appropriate care for their individual levels of need.

22 **Department of Health (DOH)**

23 DOH - COVID-19 Operational Support. These funds shall be allocated to continue  
24 COVID-19 mitigation activities at the department of health and to address the public health impacts  
25 of the pandemic in Rhode Island.

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

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

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

3 DHS - SNAP Retail Incentive Pilot. The funds allocated to the Supplemental Nutritional  
4 Assistance Program (SNAP) Retail Incentive Pilot shall be used to reimburse the expenditures  
5 made from general revenue prior to January 1, 2025, in support of the Rhode Island Eat Well, Be  
6 Well Rewards Program. The Rhode Island Eat Well, Be Well Rewards Program is the first and  
7 only statewide retail SNAP incentive program in the United States and provides SNAP recipients  
8 an additional fifty cents (\$0.50) for every one dollar (\$1.00) of SNAP benefits spent on eligible  
9 fresh fruit and vegetable purchases, up to twenty-five dollars (\$25).

10 **Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**  
11 **(BHDDH)**

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

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

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

21 RIDE - Adult Education Providers. These funds shall be directly distributed through the  
22 office of adult education to nonprofit adult education providers to expand access to educational  
23 programs and literary services.

24 RIDE - Out of School Time Education Providers. These funds shall be directly distributed  
25 through the office of student, community and academic supports to expand access to educational  
26 programs.

27 **Office of Postsecondary Commissioner (OPC)**

28 OPC - RI Reconnect. These funds shall support a program to improve postsecondary  
29 degree and credential attainment among working-age Rhode Islanders. The program will assist  
30 students in addressing barriers to education completion, particularly among communities of color  
31 and lower socio-economic strata. A portion of these funds will be used to address barriers to the  
32 attainment of teacher certification as a second language education teacher, grades PK-12, and as an  
33 all grades special education teacher.

34 OPC - RIC Cybersecurity Center. These funds shall support the establishment of the

1 [institute for cybersecurity and emerging technologies at Rhode Island College, which will provide](#)  
2 [certificate, baccalaureate, and master's level courses with focuses on research and developing](#)  
3 [highly skilled cybersecurity professionals. Funding shall be appropriated through the office of](#)  
4 [postsecondary commissioner.](#)

5 [OPC - Fresh Start Scholarship. These funds shall support a program to provide scholarships](#)  
6 [to adult students with some college credits, but no degree, with a focus on students who dropped-](#)  
7 [out of the community college of Rhode Island. This program will target students who are not](#)  
8 [meeting satisfactory academic progress requirements, which makes them ineligible for federal](#)  
9 [financial assistance.](#)

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

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

15 **Department of Transportation (DOT)**

16 [DOT - Municipal Roads Grant Program. These funds shall support a program to distribute](#)  
17 [grants with a required local match for the replacement, rehabilitation, preservation, and](#)  
18 [maintenance of existing roads, sidewalks, and bridges. These funds shall be distributed equally to](#)  
19 [each city and town provided that each municipality is required to provide a sixty-seven percent](#)  
20 [\(67%\) match.](#)

21 [DOT - Washington Bridge Project. These funds shall support the non-federal share or](#)  
22 [matching requirement on federal funds for priority transportation projects, including but not limited](#)  
23 [to the Washington Bridge project.](#)

24 **Federal Funds - Capital Projects Fund**

25 **Department of Administration (DOA)**

26 DOA - CPF Administration. These funds shall be allocated to the department of  
27 administration to oversee the implementation of the capital projects fund award from the American  
28 Rescue Plan Act.

29 [DOA - Community Learning Center Municipal Grant Program. These funds shall be](#)  
30 [allocated to a program for cities and towns that renovate or build a community learning center that](#)  
31 [meets the work, education, and health monitoring requirements identified by the U.S. Department](#)  
32 [of the Treasury.](#)

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

34 [EOC - Broadband. These funds shall be allocated to the executive office of commerce to](#)

1 invest in broadband projects to provide high-speed, reliable internet to all Rhode Islanders. The  
2 secretary of commerce, in partnership with the director of business regulation, will run a series of  
3 requests for proposals for broadband infrastructure projects, providing funds to municipalities,  
4 public housing authorities, business cooperatives and local internet service providers for projects  
5 targeted at those underserved by the current infrastructure using the evidentiary bases authorized  
6 by the United States department of the treasury for the capital projects fund. These funds shall be  
7 used in accordance with the statewide broadband strategic plan and may not be obligated nor  
8 expended prior to its submission in accordance with the requirements of the Rhode Island  
9 broadband development program set forth in chapter 162 of title 42.

10 SECTION 6. Notwithstanding any general laws to the contrary, the department of revenue  
11 shall transfer to the state controller by June 30, 2026, the sum of five million dollars (\$5,000,000)  
12 from the Marijuana Trust Fund restricted receipt account.

13 SECTION 7. This article shall take effect upon passage.

1

## **ARTICLE 14**

2

### RELATING TO EFFECTIVE DATE

3

SECTION 1. This act shall take effect as of July 1, 2026, except as otherwise provided

4

herein.

5

SECTION 2. The article shall take effect upon passage.