

2026 -- H 7884

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LC004496
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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

RELATING TO PUBLIC UTILITIES AND CARRIERS -- FEDERAL BACKSTOP
LANGUAGE

Introduced By: Representatives Handy, McGaw, Stewart, Tanzi, Hull, Edwards,
Caldwell, Cruz, Potter, and Furtado

Date Introduced: February 27, 2026

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 39 of the General Laws entitled "PUBLIC UTILITIES AND
2 CARRIERS" is hereby amended by adding thereto the following chapter:

3 CHAPTER 3.1

4 FEDERAL BACKSTOP LANGUAGE

5 **39-3.1-1. Federal backstop language.**

6 If any of the energy or water conservation standards issued or approved for publication by
7 the office of the United States Secretary of Energy as of January 19, 2025, pursuant to the Energy
8 Policy and Conservation Act (Parts 430-431 of Title 10 of the Code of Federal Regulations), are
9 withdrawn, repealed, or otherwise voided, the minimum energy or water efficiency level permitted
10 for products previously subject to federal energy or water conservation standards in this state shall
11 be the applicable federal standards as of January 19, 2025, and no such new product may be sold
12 or offered for sale, lease or rent in this state unless it meets or exceeds such standards. This section
13 shall not apply to any federal energy or water conservation standard set aside by a court upon the
14 petition of a person who will be adversely affected, as provided in Section 6306(b) of Title 42 of
15 the United States Code.

16 **39-3.1-2. Testing, certification, labeling, and enforcement.**

17 (a) The manufacturers of products covered by this chapter shall test samples of their
18 products in accordance with the test procedures found in the Energy Policy and Conservation Act

1 (Parts 430-431 of Title 10 of the Code of Federal Regulations) as of January 19, 2025, in accordance
2 with the federal test procedures as in place on January 19, 2025. Rhode Island energy may adopt
3 updated test methods by regulation when new versions of test methods become available or when
4 an alternative test method has been adopted by another state or the federal government.

5 (b) Manufacturers of new products covered by this chapter shall certify that such products
6 are in compliance with the provisions of this chapter to the Modernized Appliance Efficiency
7 Database System, the State Appliance Standards Database, and the Certified Products Directory,
8 or to an approved third-party database as determined by the Rhode Island office of energy
9 resources. Such certifications shall be based on test results. The agency may promulgate regulations
10 further governing the certification of such products and may coordinate with the certification
11 programs of other states and federal agencies with similar standards.

12 (c) The Rhode Island office of energy resources (the “agency”) may test products covered
13 by this chapter. If products so tested are found not to be in compliance with the minimum efficiency
14 standards, the agency shall:

15 (1) Charge the manufacturer of such product for the cost of product purchase and testing;
16 and

17 (2) Make information available to the attorney general and the public on products found
18 not to be in compliance with the standards.

19 (d) The agency may cause periodic inspections to be made of distributors or retailers in
20 order to determine compliance with the provisions of this chapter. The commission shall investigate
21 complaints received concerning violations of this chapter.

22 (e) If the agency finds that any person has committed a violation of any provision of this
23 chapter, the agency shall issue a warning to such person. Any person who commits a violation after
24 the issuance of such warning shall be subject to a civil penalty, issued by the agency, of up to one
25 hundred dollars (\$100) for each offense. Any further violations committed by such person after a
26 second violation shall be subject to a civil penalty of not more than five hundred dollars (\$500) for
27 each offense. Each product offered, sold, or distributed in violation of this chapter shall constitute
28 a separate violation, each violation shall constitute a separate offense, and each day that such
29 violation occurs shall constitute a separate offense. Penalties assessed under this subsection are in
30 addition to costs assessed under this section.

31 (f) If the agency finds repeated violations have occurred, the agency shall report the results
32 of such violations to the attorney general. The attorney general may institute proceedings to seek
33 an injunction in state court to enforce the provisions of this chapter.

34 (g) The agency may adopt such further rules and regulations as necessary to ensure the

1 [proper implementation and enforcement of the provisions of this chapter.](#)

2 **39-3.1-3. Severability.**

3 [If any provision of this chapter or the applicability thereof to any person or circumstance](#)
4 [is held invalid, the remainder of the chapter and the application of the provision to other persons or](#)
5 [circumstances shall not be affected thereby.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- FEDERAL BACKSTOP
LANGUAGE

1 This act would establish federal back stop language for any provisions of federal law
2 relating to any of the energy or water conservation standards issued or approved for publication by
3 the office of the United States Secretary of Energy as of January 19, 2025, in the event that those
4 standards are withdrawn, repealed, or otherwise voided.

5 This act would take effect upon passage.

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