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# STATE OF RHODE ISLAND

## IN GENERAL ASSEMBLY

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

## AN ACT

## RELATING TO STATE AFFAIRS AND GOVERNMENT -- INSPECTOR GENERAL

Introduced By: Senators de la Cruz, Rogers, Ciccone, Raptakis, Patalano, Thompson, Paolino, Quezada, and Urso  
Date Introduced: January 09, 2026

Date Introduced: January 09, 2026

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

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

## CHAPTER 9.4

## INSPECTOR GENERAL

#### 42-9.4-1. Purpose.

6        The office of inspector general shall be an independent administrative agency charged with  
7        preventing and detecting fraud, waste, abuse and mismanagement in the expenditure of public  
8        funds, whether federal, state, or local, and relating to any and all state programs and operations as  
9        well as the procurement of any supplies, services, or construction, by agencies, bureaus, divisions,  
10        sections, departments, offices, commissions, institutions and activities of the State of Rhode Island,  
11        including those districts, authorities, or political subdivisions created by the general assembly, the  
12        governor, and any court, including any city or town within the State of Rhode Island. Investigations  
13        may include the expenditures by nongovernmental agencies of federal, state and local public funds.

## **42-9.4-2. Definitions.**

15 As used in this chapter, unless the context requires otherwise, the following terms shall  
16 have the following meanings:

17                   (1) "Construction" means the process of building, altering, repairing, improving, or  
18 demolishing any public structure or building, or other improvements of any kind to any public  
19 property.

1                   (2) "Contract" means all types of agreements, including grants and orders, for the purchase  
2 or disposal of supplies, services, construction, or any other item. It includes:

3                   (i) Awards;

4                   (ii) Contracts of a fixed-price, cost, cost-plus-a-fixed-fee, or incentive type;

5                   (iii) Contracts providing for the issuance of job or task orders;

6                   (iv) Leases;

7                   (v) Letter contracts;

8                   (vi) Purchase orders; and

9                   (vii) Construction management contracts.

10                  It also includes supplemental agreements with respect to any of the foregoing agreements.

11                  (3) "Contractor" means any person, corporation, partnership, business, union, committee,  
12 or other organization entity or group of individuals performing any tasks, or duties defined under a  
13 written or oral contract with and for the State of Rhode Island or the joint committee on legislative  
14 services.

15                  (4) "Procurement" means the purchasing, buying, renting, leasing, or otherwise obtaining  
16 any supplies, services, or construction. It also includes all functions that pertain to the obtaining of  
17 any supply, service, or construction item, including a description of requirements, selection and  
18 solicitation of sources, preparation, and award of contract, and all phases of contract administration.

19                  (5) "Public funds" means state, federal or local funds, either appropriated, non-appropriated  
20 or given under right of grant.

21                  (6) "Services" means the rendering by a contractor of its time and effort rather than the  
22 furnishing of a specific end product, other than reports which are merely incidental to the required  
23 performance of services.

24                  (7) "Supplies" means all property, including, but not limited to, leases of real property,  
25 printing, and insurance, except land or permanent interest in land.

26                  **42-9.4-3. Establishment of office -- Appointment and removal of inspector general.**

27                  (a) There is hereby established an office of inspector general, (hereinafter referred to as the  
28 "office"). There shall be in the office an inspector general, who shall be the administrative head of  
29 the office and who shall be appointed by a majority vote of the governor, the attorney general, the  
30 general treasurer, the lieutenant governor, secretary of state, the speaker and the minority leader of  
31 the house of representatives and the president and minority leader of the senate for a five (5) year  
32 term to begin July 1 and end June 30, five (5) years later. The appointee shall serve one term only.  
33 The person so appointed shall be selected without regard to political affiliation and with a  
34 demonstrated ability in more than one of the following areas: accounting, auditing, financial

1     analysis, law, management analysis, public administration, investigation and criminal justice  
2     administration.

3         (b) The selection process of a qualified inspector general shall include at least one public  
4     forum. If an inspector general is not selected within one month of a new inspector general term, the  
5     governor shall appoint an inspector general. The inspector general shall have at least five (5) years  
6     experience in accounting, criminal justice, or a closely related profession and a bachelor's degree  
7     from an accredited college or university with a major in accounting, criminal justice, or a closely  
8     related field of study.

9         (c) No inspector general shall hold, or be a candidate for, any other elective or appointed  
10    public office while an inspector general and for one year prior. No inspector general shall hold a  
11    position in any political party or political committee, or participate in any political campaign of any  
12    candidate for public office while an inspector general.

13         (d) In case of a vacancy in the position of inspector general, their successor shall be  
14    appointed in the manner described in subsections (a) and (b) of this section, and shall serve from  
15    their date of appointment until the fifth June 30 following their appointment. If this vacancy is not  
16    filled within one month, then the governor shall appoint an inspector general.

17         (e) The person so appointed may be removed from office for cause by a two-thirds (2/3)  
18    vote of the governor, the attorney general, the general treasurer, the lieutenant governor, secretary  
19    of state, the speaker and the minority leader of the house of representatives and the president and  
20    minority leader of the senate. Cause may include substantial neglect of duty, gross misconduct or  
21    conviction of a crime, whether or not it is work related. The reasons for removal of the inspector  
22    general shall be stated in writing and shall include the basis for such removal. The writing shall be  
23    a public document. The inspector general shall have ten (10) days to submit a written appeal, which  
24    shall be a public document. If no appeal is made, the inspector general shall be dismissed from  
25    office. If an appeal is taken, a vote shall be taken in the senate and two-thirds (2/3) vote of the  
26    senate shall be required to dismiss the inspector general.

27         **42-9.4-4. Employees -- Appointment and removal, salaries, qualifications.**

28         (a) The inspector general may appoint and remove such employees as deemed necessary  
29    to perform the duties of the office, including, but not limited to, assistant inspectors general, chief  
30    and deputy counsels, clerks, paralegals, accountants, auditors, financial management analysts and  
31    investigators. The inspector general may determine their salaries and duties; provided, however,  
32    that the total amount of all such salaries shall not exceed the sum appropriated therefor by the  
33    general assembly.

34         (b) The inspector general shall file an annual personnel report not later than the first

1 Wednesday in February with the senate and house finance committees, containing the job  
2 classifications, duties and salary of each officer and employee within the office, together with  
3 personnel regulations applicable to said officers and employees. The inspector general shall file  
4 amendments to such report with the senate and house finance committees, whenever any change  
5 becomes effective.

6 (c) No officer or employee of the office of inspector general shall hold, or be a candidate  
7 for, any elective public office, while an officer or employee, or for one year thereafter, nor shall  
8 they hold a position in any political party or political committee, or participate in any political  
9 campaign of any candidate for public office, while an officer or employee.

10 **42-9.4-5. Inspector general -- Salary and budget.**

11 The general assembly shall annually set the salary of the inspector general and shall  
12 appropriate sufficient funds for the total budget for the office.

13 **42-9.4-6. Rules and regulations.**

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

16 **42-9.4-7. Duties.**

17 (a) The inspector general shall supervise, coordinate and/or conduct audits, criminal, civil  
18 and administrative investigations and inspections or oversight reviews, when necessary, relating to  
19 programs and operations listed in § 42-9.4-1. The inspector general shall review laws and  
20 regulations relating to programs and operations listed in § 42-9.4-1 and shall determine if public  
21 bodies listed in § 42-9.4-1 are in compliance, and shall make recommendations concerning the  
22 effect of such laws or regulations on the prevention and detection of fraud, waste and abuse. The  
23 inspector general may recommend policies that will assist in the prevention or detection of fraud,  
24 waste and abuse and mismanagement. The person in charge of, or the governing body of any public  
25 body listed in § 42-9.4-1, may request the assistance of the inspector general with respect to  
26 implementation of any reviews, audits, and/or investigations as deemed appropriate, and implement  
27 suggested policy or procedure changes. In such events the inspector general may assign personnel  
28 to conduct, supervise, or coordinate such activity, as deemed necessary and appropriate to perform  
29 their duties in a diligent and prudent manner. The inspector general may recommend policies for  
30 the conduct, supervision or coordination of relationships, between state and municipal agencies and  
31 other state and local governmental agencies, as well as federal governmental agencies and  
32 nongovernmental entities, with respect to all matters relating to the prevention and detection of  
33 fraud, waste, abuse and mismanagement in or relating to any and all programs and activities of the  
34 State of Rhode Island as set forth in § 42-9.4-1.

1                   (b) The inspector general shall establish and maintain an information system to receive  
2                   communications from the general public, relating to the duties of the office to guarantee the  
3                   anonymity of the individual supplying the information, consisting of the transmission by email,  
4                   regular mail or other electronic system, that does not involve the use of a telephone line.

5                   **42-9.4-8. Inspection of records and papers –Investigations – Subpoenas.**

6                   (a) The inspector general, in carrying out the duties outlined in this chapter, shall have  
7                   access to all records, reports, audits, reviews, papers, books, documents, recommendations,  
8                   correspondence, including information relative to the purchase of services or anticipated purchase  
9                   of services from any contractor by any public body set forth in § 42-9.4-1, and any other data and  
10                  material that is maintained by or available to any public body, regardless of the media in which it  
11                  is maintained which is, in any way, related to the programs and operations with respect to the State  
12                  of Rhode Island, including any local town, municipality or city.

13                  (b) The inspector general may request information, cooperation and assistance from any  
14                  state or local governmental agency, as may be necessary for carrying out their duties and  
15                  responsibilities. Upon receipt of such request, each person in charge of, or the governing body of  
16                  any public body set forth in § 42-9.4-1, shall furnish to the inspector general or their authorized  
17                  agent or representative such information, cooperation and assistance, including information relative  
18                  to the purchase of services or anticipated purchase of services from any contractor by any public  
19                  body within ten (10) business days of receipt of the inspector general's request. If the request for  
20                  the information requested cannot be complied with, within ten (10) business days, the senior official  
21                  of the governmental agency shall notify the inspector general before the expiration of the ten (10)  
22                  business days as to the reason that the request cannot be complied with within the time frame of  
23                  this section, and shall provide a specific date for expected compliance.

24                  (c) The inspector general may initiate and conduct investigations, audits and compliance  
25                  reviews, and shall prepare detailed reports relating to findings and conclusions concerning the  
26                  administration of the programs and operations of the applicable public bodies listed in § 42-9.4-1,  
27                  as are in the judgment of the inspector general necessary and may conduct an examination of any  
28                  public documents, and any information with respect to whether internal quality controls are in place  
29                  and operating.

30                  (d) The inspector general shall have direct and prompt access to the head of any public  
31                  body set forth in § 42-9.4-1 when necessary for any purpose pertaining to the performance of their  
32                  duties and responsibilities under this chapter.

33                  (e) The inspector general may request the production, on a voluntary basis, of testimony or  
34                  documents from any individual, firm or nongovernmental entity which relate to actions or matters

1       that pertain to state or municipal governmental agencies, as dictated by their duties and  
2       responsibilities.

3           (f)(1) The inspector general may issue a subpoena for the production of all records, reports,  
4       audits, reviews, papers, books, documents, recommendations, correspondence and any other data  
5       and material relevant to any matter under audit or investigation, pursuant to the provisions of this  
6       chapter, no matter in which media the information is maintained.

7           (2) A subpoena may be issued only when a person, corporation or other entity under  
8       investigation or being audited refuses to voluntarily comply with a request from the inspector  
9       general.

10           (3) The subpoena shall be served in the same manner as a subpoena for the production of  
11       documents in civil cases issued on behalf of the State of Rhode Island, and all provisions of law  
12       relative to the subpoena shall apply to a subpoena issued pursuant to this chapter. Any justice of  
13       the superior court may, upon application by the inspector general, issue an order to compel the  
14       production of records, reports, audits, reviews, papers, books, documents, recommendations,  
15       correspondence, and any other data and material as aforesaid in the same manner and to the same  
16       extent as before said superior court. Any failure to obey the order may be punished by the superior  
17       court as a contempt of court.

18           (4) Any subpoena issued pursuant to this section shall not be made public by the inspector  
19       general or any officer or employee of that office, nor shall any documents or records provided  
20       pursuant to this section be made public until such time as it is necessary for the inspector general  
21       to do so in the performance of their official duties. The production of documents or records pursuant  
22       to subpoena, shall be governed by the same provisions with reference to secrecy, which govern the  
23       proceedings of a grand jury. Disclosure of such production, attendance, and testimony may be made  
24       to such members of the staff of the office of the inspector general as is deemed necessary in the  
25       performance of the inspector general's duties and responsibilities under this chapter, and such  
26       members of the staff may be present at the production of records.

27           **42-9.4-9. Subpoena for witness testimony and for release of material evidence.**

28           (a) Whenever the inspector general has reason to believe that a person has information or  
29       evidence in their possession, with respect to any matter which is within the inspector general's  
30       jurisdiction to investigate, a subpoena may issue for the attendance and testimony, under oath, of  
31       any person as designated, or the surrender of identified items of evidence; provided, however, that  
32       the subpoena may be issued by the inspector general only in the performance of official duties  
33       relating to the detection of fraud, waste, abuse and mismanagement. The subpoena for testimony  
34       or specific items identified, as needed in support of an investigation shall include: the name and

1     address of the prospective witness or specific items identified, as needed for the investigation and  
2     the reasons for requesting a subpoena for testimony or production of items deemed necessary to  
3     support the investigation.

4         (b) The inspector general or any other person duly authorized by law shall serve a  
5     subpoena. Once the subpoena is served, the serving officer shall annotate the time and date served,  
6     the person served and the location of service.

7         (c) A witness required by subpoena to attend and testify under oath and/or produce books  
8     and records or other items as demanded, shall be given not less than forty-eight (48) hours notice  
9     of the time and place for the taking of testimony or delivery of subpoenaed items, unless such notice  
10    shall unduly interfere with the conduct of the investigation.

11         (d) The witness, at the time of service of a subpoena, shall be notified of the matter under  
12    investigation concerning which the witness will be required to testify. A subject of an investigation  
13    is a person whose conduct is within the scope of the investigation and is suspected of committing  
14    or being party to an offense under investigation. The failure to furnish the witness with any notice  
15    or information required to be given by this section, shall cause the issued subpoena to be invalid.

16         (e) A person subpoenaed to testify under oath shall appear and testify under oath at the  
17    time and place designated by the subpoena. In addition, the witness shall be notified that they have  
18    a right to consult with and to have an attorney present at the time the testimony is taken, and that  
19    they have a constitutional right not to furnish or produce evidence that may tend to incriminate the  
20    person.

21         (f) The terms of any such subpoena shall be reasonable and focused on specific testimony  
22    or evidence sought and shall directly relate to the matters under investigation. A subpoena issued  
23    that is broad in nature is not considered valid. No subpoena shall be issued for purposes of  
24    harassment or for any illegitimate or improper purpose. All constitutional and statutory rights and  
25    privileges which exist with respect to any subpoena issued by the inspector general, including the  
26    privilege against self-incrimination, shall have the same force and effect with any and all existing  
27    laws and constitutional rights.

28         (g) A subpoenaed person may object to the subpoena served upon them in advance of the  
29    return date of the subpoena, by a motion to quash filed in the superior court of the State of Rhode  
30    Island. The filing of a motion to quash shall stay all pending subpoenas until further order of the  
31    superior court. Any justice of the superior court may, upon application by the inspector general,  
32    issue an order to compel the attendance of witnesses subpoenaed, and the giving of testimony under  
33    oath in furtherance of any audit or investigation under this chapter, in the same manner and to the  
34    same extent as before the superior court. Failure to obey any order of the court with respect to a

1       subpoena may be punished by the court as contempt.

2           (h) Any subpoena issued pursuant to this section, shall not be made public by the inspector  
3       general or any persons subject to their direction or by any member of the inspector general's office  
4       designated to hear testimony under this section, and the same provisions with reference to secrecy,  
5       which govern grand jury proceedings, shall govern testimony given. Whoever violates the  
6       provisions of this subsection shall be punished by imprisonment for not more than six (6) months  
7       or by a fine of not more than one thousand dollars (\$1,000). Disclosure of such testimony may be  
8       made to such members of the staff of the office of inspector general, as is deemed necessary by the  
9       inspector general to assist in the performance of the office's duties and responsibilities and such  
10      members of the staff may be present at the taking of such testimony.

11       **42-9.4-10. Compact – Investigation.**

12           (a) The inspector general shall accept and may investigate or audit complaints or  
13       information from any individual concerning the possible existence of any activity constituting  
14       fraud, waste, abuse and mismanagement, relating to programs and operations as set forth in § 42-  
15      9.4-1.

16           (b) The inspector general shall not, after receipt of a complaint or information from an  
17       employee, contractor or private citizen who requests confidentiality, disclose the identity of that  
18       individual without the written consent of said individual, unless the inspector general determines  
19       such disclosure is necessary and unavoidable during the course of an investigation. In such event,  
20       the individual shall be notified immediately of the disclosure. The inspector general shall set up an  
21       anonymous hotline for reporting possible wrongdoings.

22           (c) Employees are protected under chapter 50 of title 28, ("The Rhode Island  
23       Whistleblower's Protection Act").

24       **42-9.4-11. Reports to the attorney general or United States Attorney.**

25           (a) In carrying out their duties and responsibilities, the inspector general shall report to the  
26       attorney general, the United States Attorney or both, whenever the inspector general has reasonable  
27       grounds to believe there has been a violation of federal or state criminal law. The attorney general  
28       shall institute appropriate proceedings in the furtherance of completing an investigation and, if  
29       warranted, refer a matter for criminal prosecution.

30           (b) The inspector general shall refer audit or investigative findings to the state ethics  
31       commission, or to any other federal, state or local agency, which has an interest in said findings.

32           (c) Any referrals made under this section shall not be made public.

33       **42-9.4-12. Coordination with other state agencies.**

34       The inspector general may coordinate with other state agencies that are responsible for

1 investigating, auditing, reviewing or evaluating the management of state agencies for the purpose  
2 of sharing information and avoiding duplication of effort.

3 **42-9.4-13. Civil actions.**

4 The inspector general shall have the authority to institute a civil recovery action, if  
5 authorized by the attorney general. In any case where the inspector general has discovered  
6 fraudulent acts and believes that civil recovery proceedings may be appropriate, the matter shall be  
7 referred to the attorney general. The attorney general may institute whatever proceedings deemed  
8 appropriate, may refer the matter to another state or local agency, may authorize the initiation of  
9 appropriate civil proceedings by the inspector general, may retain the matter for further  
10 investigation, or may remand the matter to the inspector general for further investigation.

11 **42-9.4-14. Annual and interim reports.**

12 (a) The office of inspector general shall, no later than April 1 of each year, prepare a report  
13 summarizing the activities of the office for the prior calendar year. The office may also prepare  
14 interim reports. These reports shall be forwarded to the governor, lieutenant governor, attorney  
15 general, secretary of state, general treasurer and the general assembly, and shall be made available  
16 to the public.

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

18 (1) A description of significant problems in the areas of fraud, waste and abuse within  
19 programs and operations subject to the jurisdiction of the office;

20 (2) A description of the recommendations for corrective action made by the office during  
21 the reporting period with respect to significant deficiencies in the areas of fraud, waste and abuse;

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

24 (4) A summary of matters referred to prosecuting authorities and the prosecutions and  
25 convictions which have resulted;

26 (5) A summary of any matters concerning the recovery of monies, as a result of a civil suit  
27 by the office or a referral to another agency for the purposes of such suit; and

28 (6) A list of all audit reports completed by the office during the reporting period and a  
29 statement of recommendations of amendments to this chapter or the rules, regulations or procedures  
30 governing the office of inspector general, which would improve the effectiveness or the operation  
31 of the office.

32 (c) The head or governing body of each public body may, within sixty (60) days of receipt,  
33 comment upon any references to the public body contained within the report. The comment, if any,  
34 shall be forwarded to the governor, the attorney general, the general assembly and the office of

1      inspector general.

2            (d) The report of the inspector general shall be made public on the day of filing; provided,  
3            that 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 in those cases in which no  
5            official disposition has been made by the office of inspector general, the department of the attorney  
6            general or the local office of the United States Attorney.

7            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 STATE AFFAIRS AND GOVERNMENT -- INSPECTOR GENERAL

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- 1        This act would establish the office of inspector general as an independent administrative
- 2        agency charged with the responsibility to investigate, detect, and prevent fraud, waste, abuse, and
- 3        mismanagement in the expenditure of public funds.
- 4        This act would take effect upon passage.

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