

LC003332

**IN GENERAL ASSEMBLY**

# AN ACT

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --  
CONSUMER PROTECTION FROM INDEMNIFIED (LIABILITY-FREE) PRODUCTS ACT

Introduced By: Senator E Morgan

Date Introduced: February 06, 2026

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. Title 6 of General Laws entitled "Commercial Law – General Regulatory Provisions" is hereby amended by adding thereto the following chapter:

## CHAPTER 13.4

## CONSUMER PROTECTION FROM INDEMNIFIED (LIABILITY-FREE) PRODUCTS ACT

**6-13.4-1. Short title.**

This chapter shall be known and may be cited as the "Consumer Protection from Indemnified (Liability-Free) Products Act".

### 6-13.4-2. Definitions.

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

(1) "Consumer" means an individual who enters into a transaction primarily for personal, family, or household purposes.

(2) "Educational institution" means an institution of learning not operated for profit that is empowered to confer diplomas, educational, literary, or academic degrees; that has a regular faculty, curriculum, and organized body of pupils or students in attendance throughout the usual school year; that keeps and furnishes to students and others records required and accepted for entrance to schools of secondary, collegiate, or graduate rank.

(3) "Employer" means the state and all political subdivisions of the state and any person in

1 this state employing four (4) or more individuals, and any person acting in the interest of an  
2 employer directly or indirectly.

3 (4) "Employment" means an individual's entire service, if the service is localized in the  
4 state. Service is deemed to be localized in the state if:

5 (i) The service is performed entirely within the state; or

6 (ii) The service is performed both within and without the state; provided, however, the  
7 service performed without the state is incidental to the individual's service within the state;

8 (iii)(A) Employment shall include an individual's service, performed within and without  
9 the state, if the service is not localized in any state; provided, however, some of the service is  
10 performed in the state; and

11 (B) The individual's base of operation is in the state; or

12 (I) If there is no base of operations then the place for which the service is directed or  
13 controlled is in the state; or

14 (II) The individual's base of operation or place from which the service is directed or  
15 controlled is not in any state in which some part of the service is performed; provided, however,  
16 the individual's residence is in the state.

17 (iv) In the event that any employee is denied or fails to receive wage, benefits, or wage  
18 supplements as a result of a violation of this chapter, the employee shall have available civil and  
19 other remedies available at law or equity. The department of labor and training may take any and  
20 all appropriate actions to enforce the provisions of this chapter, including, but not limited to,  
21 injunctions, cease and desist orders, and other penalties provided by law.

22 (v) Recovery pursuant to a violation of this chapter shall be applicable to secure recovery  
23 against the merged, consolidated, or resulting corporation or other successor employer,  
24 notwithstanding anything contained in this chapter or any law to the contrary.

25 (vi) This subsection is enacted in order to protect the employment interests of all persons  
26 engaged in employment in the state under existing labor contracts and shall be liberally construed  
27 in every case in order to achieve that purpose.

28 (5) "Employment opportunity" means an opportunity to be employed.

29 (6) "Government agencies" means any department, division, office, bureau, board,  
30 commission, authority, nonprofit community organization, or any other agency or instrumentality  
31 created by any municipality or by the state, or to which the state is a party, which is responsible for  
32 the regulation, inspection, visitation, or supervision of facilities or which provides services to  
33 residents of facilities.

34 (7) "Guardian" means a person appointed or qualified by a court as a guardian of an

1 individual, including a limited guardian, excluding a person who is only a guardian ad litem.

2 (8) "Harassment" or "harassing" means following a knowing and willful course of conduct  
3 directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and  
4 which serves no legitimate purpose. The course of conduct shall be such as would cause a  
5 reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

6 (9) "Loss of employment" means a person who is no longer employed.

7 (10) "Mandate" means to officially require something or to direct or require something.

8 (11) "Opt out" means to decline or defer.

9 (12) "Private or public education" means the academic program pursued by the person in  
10 obtaining the bachelor's, master's, or doctorate degree, and that the programs include formal course  
11 work, seminars, and practice.

12 (13) "Promotion" means employees who have been found qualified through suitable tests  
13 for promotion to positions in other classes under the provisions of chapter 4 of title 36 and the rules  
14 pertaining thereto.

15 (14) "Recommendation" means a representation in favor of a person or thing.

16 (15) "Requirement" means something that is needed or wanted, compulsory or a necessary  
17 condition.

18 **6-13.4-3. Prohibition of government agencies, employers and educational institutions**  
19 **making recommendations to consumers to accept indemnified products.**

20 (a) Government agencies, employers, private businesses or educational institutions are  
21 prohibited from mandating liability-free products which would result in a consumer's:

22 (1) Loss of employment, employment opportunity, or promotion; or

23 (2) Losing the ability to receive a public or private education.

24 (b) A consumer or guardian of a consumer shall have the right to decline an indemnified  
25 product which an employer, government agency, private business, or educational institution is  
26 recommending to the consumer without incurring harassment, loss of employment, loss of an  
27 employment opportunity, promotion, or the ability to receive a private or public education.

28 **6-13.4-4. Enforcement and employee civil remedies.**

29 (a) The Rhode Island consumer protection unit within the department of the attorney  
30 general shall pursue a case of this nature if loss of or a threat of loss of employment, promotion,  
31 employment opportunity, or the loss of the ability to receive a public or private education or  
32 harassment occurs due to a consumer or guardian of a consumer declining an indemnified product  
33 which an employer or government agency has recommended.

34 (b) As a result of any violation of this chapter, employees may pursue civil and other

1 [remedies at law or equity as set forth in §§ 6-13.4-2\(4\)\(iv\) through \(vi\).](#)

2 **6-13.4-5. Public policy.**

3 [Any provision of a contract or agreement of any kind that purports to waive or limit in any](#)  
4 [way a consumer's rights under this chapter, including, but not limited to, any right to a remedy or](#)  
5 [means of enforcement, shall be deemed contrary to public policy and shall be voided and](#)  
6 [unenforceable. This section shall not prevent a consumer or the guardian of a consumer to decline](#)  
7 [an indemnified product that is recommended by an employer, government agency or educational](#)  
8 [institution.](#)

9 **6-13.4-6. Consumer opt out of indemnified products.**

10 [A consumer or guardian of a consumer shall be able to opt out from recommended](#)  
11 [indemnified products by submitting in writing that they are opting out and shall not be required to](#)  
12 [provide specific reasoning for opting out.](#)

13 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 COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --  
CONSUMER PROTECTION FROM INDEMNIFIED (LIABILITY-FREE) PRODUCTS ACT

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- 1
- This act would prohibit mandating indemnified products to consumers where a refusal or
- 2
- acceptance would result in loss of employment, loss of employment opportunity, loss of promotion,
- 3
- loss of the ability to receive a private or public education, or coercion or harassment if a consumer
- 4
- declines an indemnified product.
- 5
- This act would take effect upon passage.

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