

**2023 -- H 5200 SUBSTITUTE A AS AMENDED**

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LC000715/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2023**

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**A N A C T**

**MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL  
YEAR ENDING JUNE 30, 2024**

Introduced By: Representative Marvin L. Abney

Date Introduced: January 19, 2023

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 2024
- 2 ARTICLE 2 RELATING TO STATE FUNDS
- 3 ARTICLE 3 RELATING TO GOVERNMENT REFORM AND REORGANIZATION
- 4 ARTICLE 4 RELATING TO TAXES
- 5 ARTICLE 5 RELATING TO ENERGY AND THE ENVIRONMENT
- 6 ARTICLE 6 RELATING TO HOUSING
- 7 ARTICLE 7 RELATING TO ECONOMIC DEVELOPMENT
- 8 ARTICLE 8 RELATING EDUCATION
- 9 ARTICLE 9 RELATING TO HUMAN SERVICES
- 10 ARTICLE 10 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY
- 11 2023
- 12 ARTICLE 11 RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND
- 13 OPERATING SPACE
- 14 ARTICLE 12 RELATING TO PENSIONS
- 15 ARTICLE 13 RELATING TO EFFECTIVE DATE

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LC000715/SUB A  
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**ARTICLE 1 AS AMENDED**

"RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2024

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, 2024. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her 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 him or her of properly authenticated vouchers.

**Administration**

*Central Management*

General Revenues	3,419,152
Federal Funds	
Federal Funds	54,029,495
Federal Funds - State Fiscal Recovery Fund	
Public Health Response Warehouse Support	1,400,000
Ongoing COVID-19 Response	41,787,709
Municipal Public Safety Infrastructure	11,000,000
Total - Central Management	111,636,356

*Legal Services*

General Revenues	2,440,410
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*Accounts and Control*

General Revenues	5,315,642
Federal Funds	
Federal Funds - Capital Projects Fund	
CPF Administration	4,828,079
Federal Funds - State Fiscal Recovery Fund	
Pandemic Recovery Office	6,918,788
Restricted Receipts - OPEB Board Administration	197,320

1	Restricted Receipts - Grants Management Administration	2,507,384
2	Total - Accounts and Control	19,767,213
3	<i>Office of Management and Budget</i>	
4	General Revenues	9,431,527
5	Federal Funds	101,250
6	Restricted Receipts	300,000
7	Other Funds	1,220,255
8	Total - Office of Management and Budget	11,053,032
9	<i>Purchasing</i>	
10	General Revenues	3,868,405
11	Restricted Receipts	446,294
12	Other Funds	612,914
13	Total - Purchasing	4,927,613
14	<i>Human Resources</i>	
15	General Revenues	937,996
16	<i>Personnel Appeal Board</i>	
17	General Revenues	100,881
18	<i>Information Technology</i>	
19	General Revenues	14,221,340
20	Provided that of this general revenue amount, \$13,000,000 shall be transferred to the Large	
21	Systems Initiatives Fund by July 14, 2023.	
22	Restricted Receipts	6,333,491
23	Total - Information Technology	20,554,831
24	<i>Library and Information Services</i>	
25	General Revenues	1,903,636
26	Federal Funds	1,565,679
27	Restricted Receipts	6,990
28	Total - Library and Information Services	3,476,305
29	<i>Planning</i>	
30	General Revenues	1,138,335
31	Federal Funds	3,050
32	Other Funds	
33	Air Quality Modeling	24,000
34	Federal Highway - PL Systems Planning	3,321,572

1	State Transportation Planning Match	385,317
2	FTA - Metro Planning Grant	1,733,742
3	Total-Planning	6,606,016
4	<i>General</i>	
5	General Revenues	
6	Miscellaneous Grants/Payments	130,000
7	Provided that this amount be allocated to City Year for the Whole School Whole Child	
8	Program, which provides individualized support to at-risk students.	
9	Torts Court Awards	675,000
10	Wrongful Conviction Awards	250,000
11	Resource Sharing and State Library Aid	11,475,314
12	Library Construction Aid	1,909,317
13	Defeasance of Existing Debt	35,000,000
14	Federal Funds - Capital Projects Fund	
15	Municipal and Higher Ed Matching Grant Program	58,360,065
16	Restricted Receipts	700,000
17	Other Funds	
18	Rhode Island Capital Plan Funds	
19	Security Measures State Buildings	500,000
20	Energy Efficiency Improvements	1,000,000
21	Cranston Street Armory	2,250,000
22	State House Renovations	6,389,000
23	Zambarano Buildings and Campus	7,245,000
24	Replacement of Fueling Tanks	430,000
25	Environmental Compliance	200,000
26	Big River Management Area	200,000
27	Shepard Building Upgrades	1,500,000
28	RI Convention Center Authority	10,237,500
29	Accessibility - Facility Renovations	1,180,000
30	DoIT Enterprise Operations Center	4,140,000
31	BHDDH MH & Community Facilities - Asset Protection	950,000
32	BHDDH DD & Community Homes - Fire Code	325,000
33	BHDDH DD Regional Facilities - Asset Protection	1,800,000
34	BHDDH Substance Abuse Asset Protection	600,000

1	BHDDH Group Homes	1,350,000
2	Statewide Facility Master Plan	2,000,000
3	Cannon Building	3,725,000
4	Old State House	100,000
5	State Office Building	100,000
6	State Office Reorganization & Relocation	1,450,000
7	William Powers Building	4,750,000
8	Pastore Center Non-Hospital Buildings Asset Protection	10,330,000
9	Washington County Government Center	650,000
10	Chapin Health Laboratory	425,000
11	560 Jefferson Blvd Asset Protection	1,750,000
12	Arrigan Center	125,000
13	Civic Center	6,212,500
14	Pastore Center Buildings Demolition	1,000,000
15	Veterans Auditorium	100,000
16	Pastore Center Hospital Buildings Asset Protection	500,000
17	Pastore Campus Infrastructure	25,000,000
18	Pastore Center Power Plant Rehabilitation	450,000
19	Community Facilities Asset Protection	70,000
20	Zambarano LTAC Hospital	6,569,677
21	Medical Examiners - New Facility	5,168,529
22	Group Home Replacement & Rehabilitation	5,000,000
23	State Land Use Planning Study	250,000
24	Total - General	224,521,902
25	<i>Debt Service Payments</i>	
26	General Revenues	182,821,772
27	Out of the general revenue appropriations for debt service, the General Treasurer is	
28	authorized to make payments for the I-195 Redevelopment District Commission loan up to the	
29	maximum debt service due in accordance with the loan agreement.	
30	<i>Other Funds</i>	
31	Transportation Debt Service	35,226,154
32	Investment Receipts - Bond Funds	100,000
33	Total - Debt Service Payments	218,147,926
34	<i>Energy Resources</i>	

1	Federal Funds	
2	Federal Funds	1,628,101
3	Federal Funds - State Fiscal Recovery Fund	
4	Electric Heat Pump Grant Program	20,000,000
5	Restricted Receipts	21,905,399
6	Other Funds	4,000,000
7	Total - Energy Resources	47,533,500
8	<i>Rhode Island Health Benefits Exchange</i>	
9	General Revenues	4,744,746
10	Federal Funds	
11	Federal Funds	9,733,677
12	Federal Funds - State Fiscal Recovery Fund	
13	Auto-Enrollment Program	1,325,358
14	Restricted Receipts	16,089,640
15	Total - Rhode Island Health Benefits Exchange	31,893,421
16	<i>Division of Equity, Diversity &amp; Inclusion</i>	
17	General Revenues	1,898,258
18	Other Funds	109,062
19	Total - Division of Equity, Diversity & Inclusion	2,007,320
20	<i>Capital Asset Management and Maintenance</i>	
21	General Revenues	12,161,961
22	Grand Total - Administration	717,766,683
23	<b>Business Regulation</b>	
24	<i>Central Management</i>	
25	General Revenues	4,609,968
26	<i>Banking Regulation</i>	
27	General Revenues	1,801,125
28	Restricted Receipts	63,000
29	Total - Banking Regulation	1,864,125
30	<i>Securities Regulation</i>	
31	General Revenues	865,851
32	Restricted Receipts	15,000
33	Total - Securities Regulation	880,851
34	<i>Insurance Regulation</i>	

1	General Revenues	4,669,856
2	Restricted Receipts	1,883,195
3	Total - Insurance Regulation	6,553,051
4	<i>Office of the Health Insurance Commissioner</i>	
5	General Revenues	2,933,710
6	Federal Funds	322,958
7	Restricted Receipts	522,210
8	Total - Office of the Health Insurance Commissioner	3,778,878
9	<i>Board of Accountancy</i>	
10	General Revenues	5,490
11	<i>Commercial Licensing and Gaming and Athletics Licensing</i>	
12	General Revenues	1,194,966
13	Restricted Receipts	888,870
14	Total - Commercial Licensing and Gaming and Athletics Licensing	2,083,836
15	<i>Building, Design and Fire Professionals</i>	
16	General Revenues	8,290,502
17	Federal Funds	318,545
18	Restricted Receipts	2,033,537
19	Other Funds	
20	Quonset Development Corporation	71,915
21	Rhode Island Capital Plan Funds	
22	Fire Academy Expansion	5,715,000
23	Total - Building, Design and Fire Professionals	16,429,499
24	<i>Office of Cannabis Regulation</i>	
25	Restricted Receipts	6,117,205
26	Grand Total - Business Regulation	42,322,903
27	<b>Executive Office of Commerce</b>	
28	<i>Central Management</i>	
29	General Revenues	2,249,368
30	<i>Quasi-Public Appropriations</i>	
31	General Revenues	
32	Rhode Island Commerce Corporation	8,290,488
33	Airport Impact Aid	1,010,036
34	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be	

1 distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the  
 2 total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)  
 3 of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2022  
 4 at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,  
 5 T.F. Green International Airport and Westerly Airport, respectively. The Rhode Island Commerce  
 6 Corporation shall make an impact payment to the towns or cities in which the airport is located  
 7 based on this calculation. Each community upon which any part of the above airports is located  
 8 shall receive at least \$25,000.

9	STAC Research Alliance	900,000
10	Innovative Matching Grants/Internships	1,000,000
11	I-195 Redevelopment District Commission	1,245,050
12	Polaris Manufacturing Grant	450,000
13	East Providence Waterfront Commission	50,000
14	Urban Ventures	140,000
15	Chafee Center at Bryant	476,200
16	Federal Funds - State Fiscal Recovery Fund	
17	Port of Davisville	59,000,000
18	Other Funds	
19	Rhode Island Capital Plan Funds	
20	I-195 Redevelopment District Commission	805,000
21	Total - Quasi-Public Appropriations	73,366,774
22	<i>Economic Development Initiatives Fund</i>	
23	General Revenues	
24	Innovation Initiative	2,000,000
25	Rebuild RI Tax Credit Fund	26,360,000
26	Small Business Promotion	1,000,000
27	Small Business Assistance	2,000,000
28	I-195 Redevelopment Fund	2,000,000
29	First Wave Closing Fund	10,000,000
30	Federal Funds	
31	Federal Funds	20,000,000
32	Federal Funds - State Fiscal Recovery Fund	
33	Destination Marketing	1,500,000
34	Total - Economic Development Initiatives Fund	64,860,000



1	<i>Commerce Programs</i>	
2	General Revenues	
3	Wavemaker Fellowship	4,000,000
4	Air Service Development Fund	2,250,000
5	Main Streets Revitalization	1,000,000
6	Federal Funds - State Fiscal Recovery Fund	
7	Minority Business Accelerator	4,000,000
8	Bioscience Investments	45,000,000
9	South Quay Marine Terminal	35,000,000
10	Small Business Assistance	327,999
11	Federal Funds - Capital Projects Fund	
12	Broadband	9,573,500
13	Total - Commerce Programs	101,151,499
14	Grand Total - Executive Office of Commerce	241,627,641
15	<b>Housing</b>	
16	<i>Central Management</i>	
17	General Revenues	32,997,895
18	Federal Funds	
19	Federal Funds	15,493,898
20	Federal Funds - State Fiscal Recovery Fund	
21	OHCD Predevelopment and Capacity Fund	500,000
22	Development of Affordable Housing	55,000,000
23	Homelessness Assistance Program	13,000,000
24	Site Acquisition	10,000,000
25	Down Payment Assistance	20,000,000
26	Workforce Housing	8,000,000
27	Affordable Housing Predevelopment Program	7,500,000
28	Home Repair and Community Revitalization	9,500,000
29	Homelessness Infrastructure	30,000,000
30	Proactive Housing Development	1,400,000
31	Targeted Housing Development	31,000,000
32	Housing Related Infrastructure	4,300,000
33	Preservation of Affordable Units	500,000
34	Municipal Planning	2,300,000

1	Municipal Homelessness Support Initiative	2,500,000
2	Restricted Receipts	7,664,150
3	Grand Total - Housing	251,655,943
4	<b>Labor and Training</b>	
5	<i>Central Management</i>	
6	General Revenues	1,465,751
7	Restricted Receipts	375,872
8	Total - Central Management	1,841,623
9	<i>Workforce Development Services</i>	
10	General Revenues	1,107,295
11	Provided that \$200,000 of this amount is used to support Year Up.	
12	Federal Funds	26,734,994
13	Total - Workforce Development Services	27,842,289
14	<i>Workforce Regulation and Safety</i>	
15	General Revenues	4,828,609
16	<i>Income Support</i>	
17	General Revenues	3,691,640
18	Federal Funds	27,968,384
19	Restricted Receipts	2,422,361
20	Other Funds	
21	Temporary Disability Insurance Fund	262,177,859
22	Employment Security Fund	142,775,000
23	Total - Income Support	439,035,244
24	<i>Injured Workers Services</i>	
25	Restricted Receipts	10,320,752
26	<i>Labor Relations Board</i>	
27	General Revenues	553,932
28	<i>Governor's Workforce Board</i>	
29	General Revenues	6,050,000
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 Rhode Island General Laws, Section 23-17.5-36.	
34	Federal Funds - State Fiscal Recovery Fund	

1	Enhanced Real Jobs	20,000,000
2	Restricted Receipts	17,161,583
3	Total - Governor's Workforce Board	43,211,583
4	Grand Total - Labor and Training	527,634,032
5	<b>Department of Revenue</b>	
6	<i>Director of Revenue</i>	
7	General Revenues	2,348,848
8	<i>Office of Revenue Analysis</i>	
9	General Revenues	983,531
10	<i>Lottery Division</i>	
11	Other Funds	
12	Other Funds	390,909,764
13	Rhode Island Capital Plan Funds	
14	Lottery Building Enhancements	850,000
15	Total - Lottery Division	391,759,764
16	<i>Municipal Finance</i>	
17	General Revenues	1,759,431
18	<i>Taxation</i>	
19	General Revenues	34,604,969
20	Restricted Receipts	5,067,295
21	Other Funds	
22	Motor Fuel Tax Evasion	175,000
23	Total - Taxation	39,847,264
24	<i>Registry of Motor Vehicles</i>	
25	General Revenues	31,812,522
26	Federal Funds	825,339
27	Restricted Receipts	3,494,403
28	Total - Registry of Motor Vehicles	36,132,264
29	<i>State Aid</i>	
30	General Revenues	
31	Distressed Communities Relief Fund	12,384,458
32	Payment in Lieu of Tax Exempt Properties	49,201,412
33	Motor Vehicle Excise Tax Payments	234,712,307
34	Property Revaluation Program	906,329

1	Tangible Tax Exemption Program	28,000,000
2	Provided that all unexpended or unencumbered balances as of June 30, 2024, appropriated	
3	for tangible tax exemption reimbursements pursuant to Rhode Island General Law, Chapter 44-5.3	
4	are hereby reappropriated to the following fiscal year.	
5	Restricted Receipts	995,120
6	Total - State Aid	326,199,626
7	<i>Collections</i>	
8	General Revenues	1,002,552
9	Grand Total - Revenue	800,033,280
10	<b>Legislature</b>	
11	General Revenues	50,998,683
12	Restricted Receipts	2,090,093
13	Grand Total - Legislature	53,088,776
14	<b>Lieutenant Governor</b>	
15	General Revenues	1,411,331
16	<b>Secretary of State</b>	
17	<i>Administration</i>	
18	General Revenues	4,639,961
19	Provided that \$100,000 be allocated to support the Rhode Island Council for the	
20	Humanities for grant making to civic and cultural organizations, and \$50,000 support Rhode	
21	Island's participation in the We the People Civics Challenge.	
22	<i>Corporations</i>	
23	General Revenues	2,815,916
24	<i>State Archives</i>	
25	General Revenues	198,351
26	Restricted Receipts	558,028
27	Total - State Archives	756,379
28	<i>Elections and Civics</i>	
29	General Revenues	2,676,107
30	Federal Funds	2,001,207
31	Total - Elections and Civics	4,677,314
32	<i>State Library</i>	
33	General Revenues	879,042
34	Provided that \$125,000 be allocated to support the Rhode Island Historical Society and	

1	\$18,000 be allocated to support the Newport Historical Society, pursuant to Sections 29-2-1 and	
2	29-2-2 of the Rhode Island General Laws, and \$25,000 be allocated to support the Rhode Island	
3	Black Heritage Society.	
4	<i>Office of Public Information</i>	
5	General Revenues	630,466
6	Receipted Receipts	25,000
7	Total - Office of Public Information	655,466
8	Grand Total - Secretary of State	14,424,078
9	<b>General Treasurer</b>	
10	<i>Treasury</i>	
11	General Revenues	3,096,255
12	Federal Funds	343,876
13	Other Funds	
14	Temporary Disability Insurance Fund	262,277
15	Tuition Savings Program - Administration	432,979
16	Total -Treasury	4,135,387
17	<i>State Retirement System</i>	
18	Restricted Receipts	
19	Admin Expenses - State Retirement System	13,111,836
20	Retirement - Treasury Investment Operations	1,979,142
21	Defined Contribution - Administration	328,028
22	Total - State Retirement System	15,419,006
23	<i>Unclaimed Property</i>	
24	Restricted Receipts	2,604,026
25	<i>Crime Victim Compensation</i>	
26	General Revenues	899,553
27	Federal Funds	422,493
28	Restricted Receipts	555,000
29	Total - Crime Victim Compensation	1,877,046
30	Grand Total - General Treasurer	24,035,465
31	<b>Board of Elections</b>	
32	General Revenues	3,981,728
33	<b>Rhode Island Ethics Commission</b>	
34	General Revenues	2,137,059

1	<b>Office of Governor</b>	
2	General Revenues	
3	General Revenues	8,256,547
4	Contingency Fund	150,000
5	Grand Total - Office of Governor	8,406,547
6	<b>Commission for Human Rights</b>	
7	General Revenues	2,009,246
8	Federal Funds	359,101
9	Grand Total - Commission for Human Rights	2,368,347
10	<b>Public Utilities Commission</b>	
11	Federal Funds	593,775
12	Restricted Receipts	13,667,525
13	Grand Total - Public Utilities Commission	14,261,300
14	<b>Office of Health and Human Services</b>	
15	<i>Central Management</i>	
16	General Revenues	47,288,469
17	Provided that \$220,000 shall be for the children’s cabinet, established under Rhode Island	
18	General Law, Chapter 42-7.5, to assist with the planning for an early childhood governance	
19	structure of and for the transition of established early childhood programs to such an office.	
20	Federal Funds	172,720,592
21	Provided that \$250,000 shall be for the Executive Office to develop an Olmstead Plan.	
22	Restricted Receipts	33,522,192
23	Total - Central Management	253,531,253
24	<i>Medical Assistance</i>	
25	General Revenues	
26	Managed Care	452,752,540
27	Hospitals	121,333,847
28	Of the general revenue funding, \$2.5 million shall be provided for Graduate Medical	
29	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center,	
30	\$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care and \$0.5 million	
31	is for the residential training program at Landmark Hospital.	
32	Nursing Facilities	152,569,575
33	Home and Community Based Services	59,029,500
34	Other Services	161,342,668

1	Pharmacy	96,525,250
2	Rhody Health	223,304,955
3	Federal Funds	
4	Managed Care	617,201,624
5	Hospitals	240,332,049
6	Nursing Facilities	192,220,425
7	Home and Community Based Services	74,370,500
8	Other Services	840,530,263
9	Pharmacy	474,750
10	Rhody Health	278,696,684
11	Other Programs	32,247,569
12	Restricted Receipts	18,550,306
13	Total - Medical Assistance	3,561,482,505
14	Grand Total - Office of Health and Human Services	3,815,013,758
15	<b>Children, Youth and Families</b>	
16	<i>Central Management</i>	
17	General Revenues	14,968,321
18	The director of the department of children, youth and families shall provide to the speaker	
19	of the house and president of the senate at least every sixty (60) days beginning September 1, 2021,	
20	a report on its progress implementing the accreditation plan filed in accordance with Rhode Island	
21	General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The	
22	report shall, at minimum, provide data regarding recruitment and retention efforts including	
23	attaining and maintaining a diverse workforce, documentation of newly filled and vacated	
24	positions, and progress towards reducing worker caseloads.	
25	Federal Funds	
26	Federal Funds	26,232,025
27	Federal Funds - State Fiscal Recovery Fund	
28	Provider Workforce Stabilization	7,920,766
29	Provided that these funds be used for workforce stabilization supplemental wage payments	
30	and sign-on bonuses to eligible direct care and support care staff only until a contracted service	
31	provider's new contract takes effect at which time payments cease.	
32	Foster Home Lead Abatement & Fire Safety	375,000
33	Total - Central Management	49,496,112
34	<i>Children's Behavioral Health Services</i>	

1	General Revenues	8,714,168
2	Federal Funds	8,767,860
3	Total - Children's Behavioral Health Services	17,482,028
4	<i>Youth Development Services</i>	
5	General Revenues	23,178,477
6	Federal Funds	193,194
7	Restricted Receipts	141,260
8	Other Funds	
9	Rhode Island Capital Plan Funds	
10	Training School Asset Protection	250,000
11	Residential Treatment Facility	15,000,000
12	Total - Youth Development Services	38,762,931
13	<i>Child Welfare</i>	
14	General Revenues	170,201,780
15	Federal Funds	88,869,694
16	Restricted Receipts	1,349,863
17	Total - Child Welfare	260,421,337
18	<i>Higher Education Incentive Grants</i>	
19	General Revenues	200,000
20	Provided that these funds and any unexpended or unencumbered previous years' funding	
21	are to be used exclusively to fund awards to eligible youth.	
22	The director of the department of children, youth and families shall provide to the governor,	
23	speaker of the house and president of the senate a report on higher education participation for	
24	department affiliated youth. The report due on December 1 and July 1 of each year shall, at	
25	minimum, include data by institution on the past 180 days regarding amounts awarded, each	
26	awardee's unmet need, the number of youth eligible, applications, and awards made by the	
27	department, and the number of students who dropped out. It shall also include participation	
28	information on trade school and workforce development programs.	
29	Grand Total - Children, Youth and Families	366,362,408
30	<b>Health</b>	
31	<i>Central Management</i>	
32	General Revenues	3,845,945
33	Federal Funds	7,898,826
34	Restricted Receipts	16,723,583



1            Provided that the disbursement of any indirect cost recoveries on federal grants budgeted  
2 in this line item that are derived from grants authorized under The Coronavirus Preparedness and  
3 Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus  
4 Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-  
5 136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the  
6 Consolidated Appropriations Act, 2021 (P.L. 116-260); and the American Rescue Plan Act of 2021  
7 (P.L. 117-2), are hereby subject to the review and prior approval of the Director of Management  
8 and Budget. No obligation or expenditure of these funds shall take place without such approval.

9	Total - Central Management	28,468,354
10	<i>Community Health and Equity</i>	
11	General Revenues	1,577,479
12	Federal Funds	79,024,850
13	Restricted Receipts	43,524,137
14	Total - Community Health and Equity	124,126,466
15	<i>Environmental Health</i>	
16	General Revenues	6,042,901
17	Federal Funds	11,275,046
18	Restricted Receipts	895,252
19	Total - Environmental Health	18,213,199
20	<i>Health Laboratories and Medical Examiner</i>	
21	General Revenues	12,757,344
22	Federal Funds	2,669,840
23	Other Funds	
24	Rhode Island Capital Plan Funds	
25	Health Laboratories & Medical Examiner Equipment	400,000
26	Total - Health Laboratories and Medical Examiner	15,827,184
27	<i>Customer Services</i>	
28	General Revenues	8,216,978
29	Federal Funds	7,514,546
30	Restricted Receipts	4,425,552
31	Total - Customer Services	20,157,076
32	<i>Policy, Information and Communications</i>	
33	General Revenues	982,376
34	Federal Funds	3,438,259

1	Restricted Receipts	882,254
2	Total - Policy, Information and Communications	5,302,889
3	<i>Preparedness, Response, Infectious Disease &amp; Emergency Services</i>	
4	General Revenues	2,232,149
5	Federal Funds	19,777,182
6	Total - Preparedness, Response, Infectious Disease & Emergency Services	22,009,331
7	<i>COVID-19</i>	
8	Federal Funds	
9	Federal Funds	58,581,958
10	Federal Funds - State Fiscal Recovery Fund	
11	COVID-19 Operational Support	34,909,578
12	Total - COVID-19	93,491,536
13	Grand Total - Health	327,596,035

14 **Human Services**

15 *Central Management*

16	General Revenues	5,954,150
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17       Of this amount, \$400,000 is to support the Domestic Violence Prevention Fund to provide  
18 direct services through the Coalition Against Domestic Violence, \$25,000 for the Center for  
19 Southeast Asians, \$450,000 to support Project Reach activities provided by the RI Alliance of Boys  
20 and Girls Clubs, \$267,000 is for outreach and supportive services through Day One, \$550,000 is  
21 for food collection and distribution through the Rhode Island Community Food Bank, \$500,000 for  
22 services provided to the homeless at Crossroads Rhode Island, \$600,000 for the Community Action  
23 Fund, \$250,000 is for the Institute for the Study and Practice of Nonviolence's Reduction Strategy,  
24 \$75,000 is to support services provided to the immigrant and refugee population through Higher  
25 Ground International, and \$50,000 is for services provided to refugees through the Refugee Dream  
26 Center.

27       The director of the department of human services shall provide to the speaker of the house,  
28 president of the senate, and chairs of the house and senate finance committees at least every sixty  
29 (60) days beginning August 1, 2022, a report on its progress in recruiting and retaining customer  
30 serving staff. The report shall include: documentation of newly filled and vacated positions,  
31 including lateral transfers, position titles, civil service information, including numbers of eligible  
32 and available candidates, plans for future testing and numbers of eligible and available candidates  
33 resulting from such testing, impacts on caseload backlogs and call center wait times, as well as  
34 other pertinent information as determined by the director.

1	Federal Funds	
2	Federal Funds	8,060,913
3	Of this amount, \$3.0 million is to sustain Early Head Start and Head Start programs.	
4	Federal Funds - State Fiscal Recovery Fund	
5	Rhode Island Community Food Bank	3,000,000
6	Restricted Receipts	300,000
7	Total - Central Management	17,315,063
8	<i>Child Support Enforcement</i>	
9	General Revenues	4,541,800
10	Federal Funds	10,035,378
11	Restricted Receipts	3,613,859
12	Total - Child Support Enforcement	18,191,037
13	<i>Individual and Family Support</i>	
14	General Revenues	47,213,539
15	Federal Funds	
16	Federal Funds	121,621,808
17	Federal Funds – State Fiscal Recovery Fund	
18	Child Care Support	16,717,000
19	Restricted Receipts	185,000
20	Other Funds	
21	Rhode Island Capital Plan Funds	
22	Blind Vending Facilities	165,000
23	Total - Individual and Family Support	185,902,347
24	<i>Office of Veterans Services</i>	
25	General Revenues	34,617,133
26	Of this amount, \$200,000 is to provide support services through Veterans’ organizations,	
27	\$50,000 is to support Operation Stand Down, and \$100,000 is to support the Veterans Services	
28	Officers (VSO) program through the Veterans of Foreign Wars.	
29	Federal Funds	12,222,903
30	Restricted Receipts	1,765,801
31	Other Funds	
32	Rhode Island Capital Plan Funds	
33	Veterans Home Asset Protection	500,000
34	Veterans Memorial Cemetery Asset Protection	750,000

1	Total - Office of Veterans Services	49,855,837
2	<i>Health Care Eligibility</i>	
3	General Revenues	10,354,082
4	Federal Funds	17,291,822
5	Total - Health Care Eligibility	27,645,904
6	<i>Supplemental Security Income Program</i>	
7	General Revenues	17,095,200
8	<i>Rhode Island Works</i>	
9	General Revenues	10,186,745
10	Federal Funds	87,955,655
11	Total - Rhode Island Works	98,142,400
12	<i>Other Programs</i>	
13	General Revenues	
14	General Revenues	1,935,456
15	Of this appropriation, \$90,000 shall be used for hardship contingency payments.	
16	Retail SNAP Incentives Pilot Program	10,000,000
17	Federal Funds	369,208,211
18	Restricted Receipts	8,000
19	Total - Other Programs	381,151,667
20	<i>Office of Healthy Aging</i>	
21	General Revenues	13,654,589
22	Of this amount, \$325,000 is to provide elder services, including respite, through the	
23	Diocese of Providence, \$40,000 is for ombudsman services provided by the Alliance for Long Term	
24	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 is for security for	
25	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, and	
26	\$1,200,000 is for Senior Services Support and \$680,000 is for elderly nutrition, of which \$630,000	
27	is for Meals on Wheels.	
28	Federal Funds	20,834,138
29	Restricted Receipts	61,000
30	Other Funds	
31	Intermodal Surface Transportation Fund	4,147,184
32	Total - Office of Healthy Aging	38,696,911
33	Grand Total - Human Services	833,996,366
34	<b>Behavioral Healthcare, Developmental Disabilities and Hospitals</b>	

1	<i>Central Management</i>	
2	General Revenues	2,445,310
3	Federal Funds	734,228
4	Total - Central Management	3,179,538
5	<i>Hospital and Community System Support</i>	
6	General Revenues	1,260,208
7	Federal Funds	65,739
8	Restricted Receipts	448,659
9	Total - Hospital and Community System Support	1,774,606
10	<i>Services for the Developmentally Disabled</i>	
11	General Revenues	207,551,352
12	Provided that of this general revenue funding, \$33,194,667 shall be expended on certain	
13	community-based department of behavioral healthcare, developmental disabilities and hospitals	
14	(BHDDH) developmental disability private provider and self-directed consumer direct care service	
15	worker raises and associated payroll costs as authorized by BHDDH and to finance the new services	
16	rates implemented by BHDDH pursuant to the Consent Decree Action Plan. Any increase for direct	
17	support staff and residential or other community-based setting must first receive the approval of	
18	BHDDH.	
19	Federal Funds	260,062,877
20	Provided that of this federal funding, \$41,821,645 shall be expended on certain	
21	community-based department of behavioral healthcare, developmental disabilities and hospitals	
22	(BHDDH) developmental disability private provider and self-directed consumer direct care service	
23	worker raises and associated payroll costs as authorized by BHDDH and to finance the new services	
24	rates implemented by BHDDH pursuant to the Consent Decree Action Plan. Any increase for direct	
25	support staff and residential or other community-based setting must first receive the approval of	
26	BHDDH.	
27	Restricted Receipts	1,395,777
28	Other Funds	
29	Rhode Island Capital Plan Funds	
30	DD Residential Support	100,000
31	Total - Services for the Developmentally Disabled	469,110,006
32	<i>Behavioral Healthcare Services</i>	
33	General Revenues	4,345,293
34	Federal Funds	

1	Federal Funds	34,025,449
2	Provided that \$250,000 from Social Services Block Grant funds is awarded to The	
3	Providence Center to coordinate with Oasis Wellness and Recovery Center for its support and	
4	services program offered to individuals with behavioral health issues.	
5	Federal Funds - State Fiscal Recovery Fund	
6	Crisis Intervention Trainings	1,650,000
7	9-8-8 Hotline	1,600,000
8	Restricted Receipts	7,334,361
9	Provided that \$500,000 from the Opioid Stewardship Fund is distributed equally to the	
10	seven Regional Substance Abuse Prevention Task Forces to fund priorities determined by each	
11	Task Force.	
12	Total - Behavioral Healthcare Services	48,955,103
13	<i>Hospital and Community Rehabilitative Services</i>	
14	General Revenues	60,067,815
15	Federal Funds	51,095,254
16	Restricted Receipts	3,150,000
17	Other Funds	
18	Rhode Island Capital Plan Funds	
19	Hospital Equipment	300,000
20	Total - Hospital and Community Rehabilitative Services	114,613,069
21	<i>State of RI Psychiatric Hospital</i>	
22	General Revenues	35,216,359
23	Grand Total - Behavioral Healthcare,	
24	Developmental Disabilities and Hospitals	672,848,681
25	<b>Office of the Child Advocate</b>	
26	General Revenues	1,649,914
27	<b>Commission on the Deaf and Hard of Hearing</b>	
28	General Revenues	764,208
29	Restricted Receipts	104,467
30	Grand Total - Comm. On Deaf and Hard-of-Hearing	868,675
31	<b>Governor's Commission on Disabilities</b>	
32	General Revenues	
33	General Revenues	776,252
34	Livable Home Modification Grant Program	766,699

1            Provided that this will be used for home modification and accessibility enhancements to  
 2     construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.  
 3     This will be in consultation with the Executive Office of Health and Human Services. All  
 4     unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the  
 5     ensuing fiscal year, and made immediately available for the same purpose.

6	Federal Funds	378,638
7	Restricted Receipts	62,131
8	Grand Total - Governor’s Commission on Disabilities	1,983,720

9     **Office of the Mental Health Advocate**

10	General Revenues	976,078
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11    **Elementary and Secondary Education**

12    *Administration of the Comprehensive Education Strategy*

13	General Revenues	28,924,723
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14            Provided that \$90,000 be allocated to support the hospital school at Hasbro Children’s  
 15     Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to  
 16     support child opportunity zones through agreements with the Department of Elementary and  
 17     Secondary Education to strengthen education, health and social services for students and their  
 18     families as a strategy to accelerate student achievement and further provided that \$450,000 and 3.0  
 19     full-time equivalent positions be allocated to support a special education function to facilitate  
 20     individualized education program (IEP) and 504 services.

21	Federal Funds	
22	Federal Funds	282,135,648

23            Provided that \$684,000 from the Department’s administrative share of Individuals with  
 24     Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to  
 25     support the Rhode Island Vision Education and Services Program and that \$270,000 of the  
 26     Department’s allocation of education stabilization discretionary funds be used to support the RI  
 27     Auditory Oral Program.

28	Federal Funds – State Fiscal Recovery Fund	
29	Adult Education Providers	3,000,000
30	Out of School Time Education Providers	4,000,000
31	Restricted Receipts	
32	Restricted Receipts	2,381,954
33	HRIC Adult Education Grants	3,500,000
34	Total - Admin. of the Comprehensive Ed. Strategy	323,942,325

1	<i>Davies Career and Technical School</i>	
2	General Revenues	15,721,293
3	Federal Funds	2,069,097
4	Restricted Receipts	4,448,690
5	Other Funds	
6	Rhode Island Capital Plan Funds	
7	Davies School HVAC	1,200,000
8	Davies School Asset Protection	500,000
9	Davies School Healthcare Classrooms	6,886,250
10	Davies School Wing Renovation	2,500,000
11	Total - Davies Career and Technical School	33,325,330
12	<i>RI School for the Deaf</i>	
13	General Revenues	8,505,617
14	Federal Funds	312,070
15	Restricted Receipts	619,262
16	Other Funds	
17	School for the Deaf Transformation Grants	59,000
18	Rhode Island Capital Plan Funds	
19	School for the Deaf Asset Protection	331,000
20	Total - RI School for the Deaf	9,826,949
21	<i>Metropolitan Career and Technical School</i>	
22	General Revenues	10,610,928
23	Federal Funds	2,707,864
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	MET School Asset Protection	2,000,000
27	Total - Metropolitan Career and Technical School	15,318,792
28	<i>Education Aid</i>	
29	General Revenues	1,146,299,565
30	Provided that the criteria for the allocation of early childhood funds shall prioritize	
31	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one	
32	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities	
33	with higher concentrations of low performing schools.	
34	Federal Funds	159,747,998



1	Restricted Receipts	36,395,639
2	Other Funds	
3	Permanent School Fund	300,000
4	Total - Education Aid	1,342,743,202
5	<i>Central Falls School District</i>	
6	General Revenues	49,413,751
7	Federal Funds	10,869,398
8	Total - Central Falls School District	60,283,149
9	<i>School Construction Aid</i>	
10	General Revenues	
11	School Housing Aid	104,162,946
12	<i>Teachers' Retirement</i>	
13	General Revenues	132,744,129
14	Grand Total - Elementary and Secondary Education	2,022,346,822
15	<b>Public Higher Education</b>	
16	<i>Office of Postsecondary Commissioner</i>	
17	General Revenues	30,102,355
18	Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to	
19	the Rhode Island General Law, Section 16-70-5, \$75,000 shall be allocated to Best Buddies Rhode	
20	Island to support its programs for children with developmental and intellectual disabilities. It is also	
21	provided that \$8,568,644 shall be allocated to the Rhode Island Promise Scholarship program,	
22	\$151,410 shall be used to support Rhode Island's membership in the New England Board of Higher	
23	Education, \$4,000,000 shall be allocated to the Rhode Island Hope Scholarship Program, and	
24	\$200,000 shall be allocated to the Rhode Island School for Progressive Education to support access	
25	to higher education opportunities for teachers of color.	
26	Federal Funds	
27	Federal Funds	4,156,833
28	Guaranty Agency Administration	400,000
29	Guaranty Agency Operating Fund - Scholarships & Grants	3,900,000
30	Federal Funds - State Fiscal Recovery Fund	
31	RI Reconnect	8,000,000
32	Cybersecurity Center	2,000,000
33	Fresh Start Scholarship	5,000,000
34	Restricted Receipts	5,904,272

1	Other Funds	
2	Tuition Savings Program - Dual Enrollment	2,300,000
3	Tuition Savings Program - Scholarships and Grants	895,000
4	Nursing Education Center - Operating	2,894,863
5	Total - Office of Postsecondary Commissioner	65,553,323
6	<i>University of Rhode Island</i>	
7	General Revenues	
8	General Revenues	105,389,557
9	Provided that in order to leverage federal funding and support economic development,	
10	\$700,000 shall be allocated to the Small Business Development Center, \$100,000 shall be allocated	
11	to the Institute for Labor Studies & Research and that \$50,000 shall be allocated to Special	
12	Olympics Rhode Island to support its mission of providing athletic opportunities for individuals	
13	with intellectual and developmental disabilities.	
14	Debt Service	31,813,173
15	RI State Forensics Laboratory	1,618,744
16	Federal Funds - State Fiscal Recovery Funds	
17	PFAS Water Treatment Plant	20,000,000
18	Other Funds	
19	University and College Funds	745,170,430
20	Debt - Dining Services	992,421
21	Debt - Education and General	7,633,681
22	Debt - Health Services	119,986
23	Debt - Housing Loan Funds	12,979,112
24	Debt - Memorial Union	425,523
25	Debt - Ryan Center	2,378,224
26	Debt - Parking Authority	819,763
27	URI Restricted Debt Service - Energy Conservation	507,250
28	URI Debt Service - Energy Conservation	1,885,825
29	Rhode Island Capital Plan Funds	
30	Asset Protection	13,494,395
31	Mechanical, Electric, and Plumbing Improvements	4,400,000
32	Fire Protection Academic Buildings	3,081,532
33	Bay Campus	6,000,000
34	Athletics Complex	26,270,000

1            Provided that total Rhode Island Capital Plan funds provide no more than 80.0 percent of  
2 the total project.

3	Stormwater Management	256,338
4	Fine Arts Center Renovation	8,000,000
5	Total - University of Rhode Island	993,235,954

6            Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
7 unencumbered balances as of June 30, 2024 relating to the University of Rhode Island are hereby  
8 reappropriated to fiscal year 2025.

9 *Rhode Island College*

10 General Revenues

11	General Revenues	66,013,913
12	Debt Service	8,732,729
13	Rhode Island Vision Education and Services Program	1,800,000

14 Other Funds

15	University and College Funds	106,541,381
16	Debt - Education and General	1,579,049
17	Debt - Housing	369,079
18	Debt - Student Center and Dining	155,000
19	Debt - Student Union	208,800
20	Debt - G.O. Debt Service	1,643,056
21	Debt - Energy Conservation	717,975
22	Rhode Island Capital Plan Funds	
23	Asset Protection	5,432,000
24	Infrastructure Modernization	5,275,000
25	Master Plan Phase III	10,000,000
26	Total - Rhode Island College	208,467,982

27            Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
28 unencumbered balances as of June 30, 2024 relating to Rhode Island College are hereby  
29 reappropriated to fiscal year 2025.

30 *Community College of Rhode Island*

31 General Revenues

32	General Revenues	58,529,873
33	Debt Service	807,992
34	Restricted Receipts	828,372

1	Other Funds	
2	University and College Funds	98,389,036
3	Rhode Island Capital Plan Funds	
4	Asset Protection	2,653,124
5	Knight Campus Renewal	1,390,000
6	Data, Cabling, and Power Infrastructure	3,300,000
7	Flanagan Campus Renovations	4,500,000
8	CCRI Renovation and Modernization Phase I	12,000,000
9	Total - Community College of RI	182,398,397
10	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or	
11	unencumbered balances as of June 30, 2024 relating to the Community College of Rhode Island	
12	are hereby reappropriated to fiscal year 2025.	
13	Grand Total - Public Higher Education	1,449,655,656
14	<b>RI State Council on the Arts</b>	
15	General Revenues	
16	Operating Support	1,102,758
17	Grants	1,190,000
18	Provided that \$400,000 be provided to support the operational costs of WaterFire	
19	Providence art installations.	
20	Federal Funds	987,000
21	Restricted Receipts	5,000
22	Other Funds	
23	Art for Public Facilities	585,000
24	Grand Total - RI State Council on the Arts	3,869,758
25	<b>RI Atomic Energy Commission</b>	
26	General Revenues	1,158,737
27	Restricted Receipts	25,036
28	Other Funds	
29	URI Sponsored Research	344,971
30	Rhode Island Capital Plan Funds	
31	Asset Protection	50,000
32	Grand Total - RI Atomic Energy Commission	1,578,744
33	<b>RI Historical Preservation and Heritage Commission</b>	
34	General Revenues	1,905,557

1	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration	
2	activities and that \$25,000 shall be allocated to Rhode Island Slave History Medallions.	
3	Federal Funds	1,143,147
4	Restricted Receipts	422,800
5	Other Funds	
6	RIDOT Project Review	110,327
7	Grand Total - RI Historical Preservation and Heritage Comm.	3,581,831
8	<b>Attorney General</b>	
9	<i>Criminal</i>	
10	General Revenues	21,038,345
11	Federal Funds	2,909,219
12	Restricted Receipts	1,290,066
13	Total - Criminal	25,237,630
14	<i>Civil</i>	
15	General Revenues	7,010,429
16	Restricted Receipts	2,718,995
17	Total - Civil	9,729,424
18	<i>Bureau of Criminal Identification</i>	
19	General Revenues	2,145,184
20	Restricted Receipts	1,296,624
21	Total - Bureau of Criminal Identification	3,441,808
22	<i>General</i>	
23	General Revenues	4,668,933
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	Building Renovations and Repairs	150,000
27	Total - General	4,818,933
28	Grand Total - Attorney General	43,227,795
29	<b>Corrections</b>	
30	<i>Central Management</i>	
31	General Revenues	23,382,719
32	<i>Parole Board</i>	
33	General Revenues	1,382,965
34	<i>Custody and Security</i>	

1	General Revenues	160,215,200
2	Federal Funds	1,413,868
3	Total - Custody and Security	161,629,068
4	<i>Institutional Support</i>	
5	General Revenues	29,751,849
6	Other Funds	
7	Rhode Island Capital Plan Funds	
8	Asset Protection	4,100,000
9	Total - Institutional Support	33,851,849
10	<i>Institutional Based Rehab/Population Management</i>	
11	General Revenues	14,344,016
12	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender	
13	discharge planning.	
14	The director of the department of corrections shall provide to the speaker of the house and	
15	president of the senate at least every ninety (90) days beginning September 1, 2022, a report on	
16	efforts to modernize the correctional industries program. The report shall, at minimum, provide	
17	data on the past ninety (90) days regarding program participation, changes made in programming	
18	to more closely align with industry needs, new or terminated partnerships with employers,	
19	nonprofits, and advocacy groups, current program expenses and revenues, and the employment	
20	status of all persons on the day of discharge from department care who participated in the	
21	correctional industries program.	
22	Federal Funds	630,449
23	Restricted Receipts	64,600
24	Total - Institutional Based Rehab/Population Mgt.	15,039,065
25	<i>Healthcare Services</i>	
26	General Revenues	30,735,600
27	Restricted Receipts	1,331,585
28	Total - Healthcare Services	32,067,185
29	<i>Community Corrections</i>	
30	General Revenues	21,198,507
31	Federal Funds	175,542
32	Restricted Receipts	36,924
33	Total - Community Corrections	21,410,973
34	Grand Total - Corrections	288,763,824

1	<b>Judiciary</b>	
2	<i>Supreme Court</i>	
3	General Revenues	
4	General Revenues	34,670,879
5	Provided however, that no more than \$1,453,387 in combined total shall be offset to the	
6	Public Defender's Office, the Attorney General's Office, the Department of Corrections, the	
7	Department of Children, Youth and Families, and the Department of Public Safety for square-	
8	footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to	
9	the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy	
10	project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to	
11	Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.	
12	Defense of Indigents	5,075,432
13	Federal Funds	213,725
14	Restricted Receipts	4,179,552
15	Other Funds	
16	Rhode Island Capital Plan Funds	
17	Garrahy Courtroom Restoration	750,000
18	Judicial Complexes - HVAC	1,000,000
19	Judicial Complexes Asset Protection	2,250,000
20	Judicial Complexes Fan Coil Unit Replacements	500,000
21	Garrahy Courthouse Restoration	1,125,000
22	Total - Supreme Court	49,764,588
23	<i>Judicial Tenure and Discipline</i>	
24	General Revenues	174,733
25	<i>Superior Court</i>	
26	General Revenues	27,552,736
27	Federal Funds	70,028
28	Restricted Receipts	665,000
29	Total - Superior Court	28,287,764
30	<i>Family Court</i>	
31	General Revenues	26,408,476
32	Federal Funds	3,866,908
33	Total - Family Court	30,275,384
34	<i>District Court</i>	

1	General Revenues	16,319,444
2	Federal Funds	821,532
3	Restricted Receipts	60,000
4	Total - District Court	17,200,976
5	<i>Traffic Tribunal</i>	
6	General Revenues	11,185,670
7	<i>Workers' Compensation Court</i>	
8	Restricted Receipts	10,008,315
9	Grand Total - Judiciary	146,897,430
10	<b>Military Staff</b>	
11	General Revenues	3,650,802
12	Federal Funds	64,747,657
13	Restricted Receipts	
14	RI Military Family Relief Fund	55,000
15	Other Funds	
16	Rhode Island Capital Plan Funds	
17	Aviation Readiness Center	138,272
18	Asset Protection	1,753,294
19	Quonset Airport Runway Reconstruction	1,774,119
20	Quonset Air National Guard HQ Facility	3,000,000
21	Sun Valley Armory	788,161
22	Grand Total - Military Staff	75,907,305
23	<b>Public Safety</b>	
24	<i>Central Management</i>	
25	General Revenues	14,866,598
26	Provided that \$13,500,000 shall be allocated as the state contribution for the Statewide	
27	Body-worn Camera Program, subject to all program and reporting rules, regulations, policies, and	
28	guidelines prescribed in the Rhode Island General Laws. Notwithstanding the provisions of section	
29	35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2024 from	
30	this appropriation are hereby reappropriated to fiscal year 2025.	
31	Federal Funds	
32	Federal Funds	11,284,115
33	Federal Funds - State Fiscal Recovery Fund	
34	Support for Survivors of Domestic Violence	7,000,000



1	Restricted Receipts	191,311
2	Total - Central Management	33,342,024
3	<i>E-911 Emergency Telephone System</i>	
4	Restricted Receipts	9,269,543
5	<i>Security Services</i>	
6	General Revenues	30,293,311
7	<i>Municipal Police Training Academy</i>	
8	General Revenues	290,366
9	Federal Funds	399,095
10	Total - Municipal Police Training Academy	689,461
11	<i>State Police</i>	
12	General Revenues	91,562,926
13	Federal Funds	5,474,011
14	Restricted Receipts	889,670
15	Other Funds	
16	Airport Corporation Assistance	150,069
17	Road Construction Reimbursement	3,354,650
18	Weight and Measurement Reimbursement	510,198
19	Rhode Island Capital Plan Funds	
20	DPS Asset Protection	2,053,000
21	Southern Barracks	10,465,719
22	Training Academy Upgrades	1,400,000
23	Statewide Communications System Network	249,754
24	Total - State Police	116,109,997
25	Grand Total - Public Safety	189,704,336
26	<b>Office of Public Defender</b>	
27	General Revenues	15,694,120
28	Federal Funds	100,665
29	Grand Total - Office of Public Defender	15,794,785
30	<b>Emergency Management Agency</b>	
31	General Revenues	6,632,962
32	Federal Funds	38,504,601
33	Restricted Receipts	406,774
34	Other Funds	

1	Rhode Island Capital Plan Funds	
2	RI Statewide Communications Network Tower	500,000
3	RI Statewide Communications Infrastructure	1,190,000
4	RI Statewide Communications 700 MHZ Project	2,776,375
5	RI Statewide Communications Warehouse	250,000
6	Grand Total - Emergency Management Agency	50,260,712
7	<b>Environmental Management</b>	
8	<i>Office of the Director</i>	
9	General Revenues	9,227,652
10	Of this general revenue amount, \$100,000 is appropriated to the Conservation Districts and	
11	\$100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a	
12	veterinarian at the Wildlife Clinic of Rhode Island.	
13	Federal Funds	40,100
14	Restricted Receipts	4,463,201
15	Total - Office of the Director	13,730,953
16	<i>Natural Resources</i>	
17	General Revenues	33,553,651
18	Provided that of this general revenue amount, \$150,000 is to be used for marine mammal	
19	response activities in conjunction with matching federal funds.	
20	Federal Funds	20,162,255
21	Restricted Receipts	5,573,096
22	Other Funds	
23	DOT Recreational Projects	762,000
24	Blackstone Bike Path Design	1,000,000
25	Rhode Island Capital Plan Funds	
26	Dam Repair	311,500
27	Fort Adams Rehabilitation	300,000
28	Port of Galilee	10,823,702
29	Newport Pier Upgrades	1,000,000
30	Recreation Facilities Asset Protection	750,000
31	Recreational Facilities Improvement	4,145,000
32	Natural Resources Office and Visitor's Center	250,000
33	Fish & Wildlife Maintenance Facilities	200,000
34	Marine Infrastructure/Pier Development	650,000

1	Total - Natural Resources	79,481,204
2	<i>Environmental Protection</i>	
3	General Revenues	15,897,257
4	Federal Funds	10,885,928
5	Restricted Receipts	7,770,181
6	Other Funds	
7	Transportation MOU	44,552
8	Total - Environmental Protection	34,597,918
9	Grand Total - Environmental Management	127,810,075
10	<b>Coastal Resources Management Council</b>	
11	General Revenues	3,396,395
12	Federal Funds	2,264,374
13	Restricted Receipts	250,000
14	Grand Total - Coastal Resources Mgmt. Council	5,910,769
15	<b>Transportation</b>	
16	<i>Central Management</i>	
17	Federal Funds	15,010,567
18	Other Funds	
19	Gasoline Tax	8,696,240
20	Total - Central Management	23,706,807
21	<i>Management and Budget</i>	
22	Other Funds	
23	Gasoline Tax	4,210,497
24	<i>Infrastructure Engineering</i>	
25	Federal Funds	
26	Federal Funds	424,349,096
27	Federal Funds – State Fiscal Recovery Funds	
28	RIPTA R-Line Service Pilot	750,000
29	Municipal Roads Grant Program	20,000,000
30	RI Turnpike and Bridge Authority – Safety Barriers Study	750,000
31	Restricted Receipts	6,210,256
32	Other Funds	
33	Gasoline Tax	81,370,442
34	The Rhode Island public transit authority is authorized and directed to establish a	

1 paratransit voucher program. The program shall operate as a one-year pilot program to study the  
 2 feasibility of expanding paratransit services to underserved communities and providing those  
 3 utilizing the program with prepaid voucher(s) to cover the expense of paratransit services to be  
 4 provided by the authority. The program shall begin no later than January 1, 2024. On or before  
 5 June 1, 2025, the authority shall submit a report to the speaker of the house and the president of the  
 6 senate, detailing the outcome of the pilot program. Of this amount, \$500,000 is appropriated for  
 7 the authority for the pilot program.

8	Toll Revenue	1,500,000
9	Land Sale Revenue	9,523,299
10	Rhode Island Capital Plan Funds	
11	Highway Improvement Program	133,406,300
12	Bike Path Asset Protection	400,000
13	RIPTA - Land and Buildings	10,372,818
14	RIPTA - URI Mobility Hub	250,000
15	RIPTA - Pawtucket/Central Falls Bus Hub Passenger Facility	1,500,000
16	Total - Infrastructure Engineering	690,382,211

17 *Infrastructure Maintenance*

18 Other Funds

19	Gasoline Tax	29,321,651
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20 The department of transportation will establish a Municipal Roadway Database, which will  
 21 include information concerning the name, condition, length, roadway infrastructure, and pedestrian  
 22 features of each municipal roadway, updated annually by municipalities. The database will serve  
 23 as a comprehensive and transparent list of municipal roadway conditions.

24	Rhode Island Highway Maintenance Account	107,492,944
25	Rhode Island Capital Plan Funds	
26	Maintenance Capital Equipment Replacement	1,800,000
27	Maintenance Facilities Improvements	500,000
28	Welcome Center	200,000
29	Salt Storage Facilities	1,080,000
30	Train Station Asset Protection	395,000
31	Total - Infrastructure Maintenance	140,789,595
32	Grand Total - Transportation	859,089,110

33 **Statewide Totals**

34	General Revenues	5,425,140,429
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1	Federal Funds	5,643,023,203
2	Restricted Receipts	392,134,921
3	Other Funds	2,550,551,147
4	Statewide Grand Total	14,010,849,700

5 SECTION 2. Each line appearing in Section 1 of this Article shall constitute an  
6 appropriation.

7 SECTION 3. Upon the transfer of any function of a department or agency to another  
8 department or agency, the Governor is hereby authorized by means of executive order to transfer  
9 or reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected  
10 thereby; provided, however, in accordance with Rhode Island General Law, Section 42-6-5, when  
11 the duties or administrative functions of government are designated by law to be performed within  
12 a particular department or agency, no transfer of duties or functions and no re-allocation, in whole  
13 or part, or appropriations and full-time equivalent positions to any other department or agency shall  
14 be authorized.

15 SECTION 4. From the appropriation for contingency shall be paid such sums as may be  
16 required at the discretion of the Governor to fund expenditures for which appropriations may not  
17 exist. Such contingency funds may also be used for expenditures in the several departments and  
18 agencies where appropriations are insufficient, or where such requirements are due to unforeseen  
19 conditions or are non-recurring items of an unusual nature. Said appropriations may also be used  
20 for the payment of bills incurred due to emergencies or to any offense against public peace and  
21 property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as  
22 amended. All expenditures and transfers from this account shall be approved by the Governor.

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

33	Account	Expenditure Limit
34	State Assessed Fringe Benefit Internal Service Fund	37,390,672

1	Administration Central Utilities Internal Service Fund	39,364,206
2	State Central Mail Internal Service Fund	8,076,555
3	State Telecommunications Internal Service Fund	3,659,422
4	State Automotive Fleet Internal Service Fund	13,069,648
5	Surplus Property Internal Service Fund	44,789
6	Health Insurance Internal Service Fund	272,732,438
7	Other Post-Employment Benefits Fund	63,858,483
8	Capitol Police Internal Service Fund	1,411,825
9	Corrections Central Distribution Center Internal Service Fund	7,534,562
10	Correctional Industries Internal Service Fund	8,339,394
11	Secretary of State Record Center Internal Service Fund	1,175,426
12	Human Resources Internal Service Fund	17,117,623
13	DCAMM Facilities Internal Service Fund	61,150,543
14	Information Technology Internal Service Fund	56,136,183

15 SECTION 6. Legislative Intent - The General Assembly may provide a written "statement  
16 of legislative intent" signed by the chairperson of the House Finance Committee and by the  
17 chairperson of the Senate Finance Committee to show the intended purpose of the appropriations  
18 contained in Section 1 of this Article. The statement of legislative intent shall be kept on file in the  
19 House Finance Committee and in the Senate Finance Committee.

20 At least twenty (20) days prior to the issuance of a grant or the release of funds, which  
21 grant or funds are listed on the legislative letter of intent, all department, agency and corporation  
22 directors, shall notify in writing the chairperson of the House Finance Committee and the  
23 chairperson of the Senate Finance Committee of the approximate date when the funds are to be  
24 released or granted.

25 SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby  
26 appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds  
27 required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund  
28 and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2024.

29 SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated  
30 pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed  
31 for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2024.

32 SECTION 9. Appropriation of Lottery Division Funds -- There is hereby appropriated to  
33 the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of  
34 paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2024.

1 SECTION 10. Appropriation of CollegeBoundSaver Funds - There is hereby appropriated  
2 to the Office of the General Treasurer designated funds received under the CollegeBoundSaver  
3 program for transfer to the Division of Higher Education Assistance within the Office of the  
4 Postsecondary Commissioner to support student financial aid for the fiscal year ending June 30,  
5 2024.

6 SECTION 11. Departments and agencies listed below may not exceed the number of full-  
7 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do  
8 not include limited period positions or, seasonal or intermittent positions whose scheduled period  
9 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not  
10 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor  
11 do they include individuals engaged in training, the completion of which is a prerequisite of  
12 employment. Provided, however, that the Governor or designee, Speaker of the House of  
13 Representatives or designee, and the President of the Senate or designee may authorize an  
14 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a  
15 detailed written recommendation to the Governor, the Speaker of the House, and the President of  
16 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the  
17 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor,  
18 and the Senate Fiscal Advisor.

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

22 FY 2024 FTE POSITION AUTHORIZATION

23	Departments and Agencies	Full-Time Equivalent
24	Administration	674.7
25	Provided that no more than 419.1 of the total authorization would be limited to positions	
26	that support internal service fund programs.	
27	Business Regulation	181.0
28	Executive Office of Commerce	5.0
29	Housing	38.0
30	Labor and Training	461.7
31	Revenue	575.5
32	Legislature	298.5
33	Office of the Lieutenant Governor	8.0
34	Office of the Secretary of State	61.0

1	Office of the General Treasurer	91.0
2	Board of Elections	13.0
3	Rhode Island Ethics Commission	12.0
4	Office of the Governor	45.0
5	Commission for Human Rights	15.0
6	Public Utilities Commission	54.0
7	Office of Health and Human Services	218.0
8	Children, Youth and Families	705.5
9	Health	574.4
10	Human Services	770.0
11	Office of Veterans Services	267.0
12	Office of Healthy Aging	33.0
13	Behavioral Healthcare, Developmental Disabilities and Hospitals	1,202.4
14	Office of the Child Advocate	10.0
15	Commission on the Deaf and Hard of Hearing	4.0
16	Governor's Commission on Disabilities	5.0
17	Office of the Mental Health Advocate	6.0
18	Elementary and Secondary Education	150.1
19	School for the Deaf	61.0
20	Davies Career and Technical School	123.0
21	Office of Postsecondary Commissioner	45.0
22	Provided that 1.0 of the total authorization would be available only for positions that are	
23	supported by third-party funds, 11.0 would be available only for positions at the State's Higher	
24	Education Centers located in Woonsocket and Westerly, 10.0 would be available only for positions	
25	at the Nursing Education Center, and 7.0 would be available for the longitudinal data systems	
26	program.	
27	University of Rhode Island	2,551.0
28	Provided that 353.8 of the total authorization would be available only for positions that are	
29	supported by third-party funds.	
30	Rhode Island College	949.2
31	Provided that 76.0 of the total authorization would be available only for positions that are	
32	supported by third-party funds.	
33	Community College of Rhode Island	849.1
34	Provided that 89.0 of the total authorization would be available only for positions that are	



1 supported by third-party funds.

2	Rhode Island State Council on the Arts	10.0
3	RI Atomic Energy Commission	8.6
4	Historical Preservation and Heritage Commission	15.6
5	Office of the Attorney General	264.1
6	Corrections	1,460.0
7	Judicial	743.3
8	Military Staff	93.0
9	Emergency Management Agency	37.0
10	Public Safety	632.2
11	Office of the Public Defender	104.0
12	Environmental Management	425.0
13	Coastal Resources Management Council	32.0
14	Transportation	755.0
15	<b>Total</b>	<b>15,636.9</b>

16 No agency or department may employ contracted employee services where contract  
17 employees would work under state employee supervisors without determination of need by the  
18 Director of Administration acting upon positive recommendations by the Budget Officer and the  
19 Personnel Administrator and 15 days after a public hearing.

20 Nor may any agency or department contract for services replacing work done by state  
21 employees at that time without determination of need by the Director of Administration acting upon  
22 the positive recommendations of the State Budget Officer and the Personnel Administrator and 30  
23 days after a public hearing.

24 SECTION 12. The amounts reflected in this Article include the appropriation of Rhode  
25 Island Capital Plan funds for fiscal year 2024 and supersede appropriations provided for FY 2024  
26 within Section 12 of Article 1 of Chapter 231 of the P.L. of 2022.

27 The following amounts are hereby appropriated out of any money in the State's Rhode  
28 Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending  
29 June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028. These amounts supersede  
30 appropriations provided within Section 12 of Article 1 of Chapter 231 of the P.L. of 2022.

31 For the purposes and functions hereinafter mentioned, the State Controller is hereby  
32 authorized and directed to draw his or her orders upon the General Treasurer for the payment of  
33 such sums and such portions thereof as may be required by him or her upon receipt of properly  
34 authenticated vouchers.

1		FY Ending	FY Ending	FY Ending	FY Ending
2	Project	06/30/2025	06/30/2026	06/30/2027	06/30/2028
3	DOA - 560 Jefferson Boulevard	1,100,000	50,000	50,000	50,000
4	DOA - Accessibility Facility Renovations	1,000,000	1,000,000	1,000,000	1,022,200
5	DOA - Civic Center	2,100,000	2,300,000	2,300,000	1,850,000
6	DOA - Cranston Street Armory	3,250,000	1,600,000	100,000	100,000
7	DOA - DoIT Enterprise Operations Center	3,050,000	1,050,000	50,000	50,000
8	DOA - Hospital Reorganization	25,000,000	0	0	0
9	DOA - Pastore Building Demolition	2,150,000	1,000,000	1,000,000	1,000,000
10	DOA - Pastore Center Hospital Buildings	4,500,000	4,500,000	2,500,000	500,000
11	DOA - Pastore Center Non-Hospital Buildings	5,000,000	4,500,000	4,500,000	4,600,000
12	DOA - Pastore Campus Infrastructure	25,000,000	25,000,000	25,000,000	15,000,000
13	DOA - RI Convention Center Authority	3,340,000	2,500,000	2,500,000	2,500,000
14	DOA - Shepard Building Upgrades	250,000	0	0	0
15	DOA - State House Renovations	18,529,000	17,379,000	17,379,000	16,000,000
16	DOA - William Powers Building	2,400,000	2,200,000	2,000,000	2,040,000
17	DOA - Zambarano Buildings and Campus	4,740,000	2,850,000	250,000	1,800,000
18	DOA – Zambarano LTAC Hospital	26,185,740	26,065,740	23,804,439	24,427,656
19	DBR - Fire Academy Expansion	2,616,000	0	0	0
20	EOC - I-195 Redevelopment Commission	700,000	700,000	700,000	700,000
21	DCYF - Residential Treatment Facility	15,000,000	15,000,000	0	0
22	ELSEC - Davies Career and Technical				
23	School Wing Renovation	30,000,000	2,500,000	0	0
24	ELSEC - MET School Asset Protection	2,000,000	250,000	250,000	255,000
25	URI - Asset Protection	14,006,225	14,606,536	15,236,863	15,528,074
26	URI - Athletics Complex	26,270,000	13,300,000	0	0
27	URI - Fine Arts Center Renovation	8,000,000	0	0	0
28	URI - Fire Protection Academic Buildings	3,311,666	0	0	0
29	URI - Bay Campus	6,000,000	12,500,000	12,500,000	0
30	URI – Mechanical, Electric, & Plumbing Improv.	13,205,467			
31	RIC - Asset Protection	5,785,000	5,950,000	6,025,000	6,157,000
32	RIC - Infrastructure Modernization	5,675,000	5,675,000	5,675,000	5,925,000
33	RIC - Clarke Science	5,000,000	0	0	0
34	CCRI - Asset Protection	2,719,452	2,719,452	2,719,452	2,780,000

Art1

"RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2024

(Page -41-)

1	CCRI - Data, Cabling, & Power Infrastructure	3,700,000	4,650,000	1,300,000	0
2	CCRI - Flanagan Campus Renovations	5,000,000	2,800,000	0	0
3	CCRI - Renovation and Modernization	14,000,000	12,000,000	0	0
4	DOC - Asset Protection	4,100,000	4,100,000	4,100,000	4,100,000
5	Military Staff - Aviation Readiness Center	1,125,800	1,599,115	0	0
6	Military Staff - Quonset Airport				
7	Runway Reconstruction	732,176	0	0	0
8	DPS - Asset Protection	1,271,000	600,000	730,000	511,000
9	DPS - Southern Barracks	10,162,390	0	0	0
10	DPS - Training Academy Upgrades	1,920,000	715,000	150,000	150,000
11	DPS - RISON Microwave Tower Replacement	249,754	249,754	0	0
12	DEM - Dam Repair	3,565,000	2,515,000	1,165,000	1,015,000
13	DEM - Marine Infrastructure & Pier Development	650,000	0	0	0
14	DEM - Port of Galilee	11,500,000	16,500,000	14,113,820	2,800,000
15	DEM - Natural Resources Offices and				
16	Visitor's Center	2,500,000	2,000,000	0	0
17	DEM - Recreational Facilities Improvement	5,729,077	2,900,000	3,338,551	3,260,000
18	CRMC - Confined Aquatic Dredged				
19	Material Disposal Cells	20,600,000	0	0	0
20	DOT - Highway Improvement Program	121,102,060	27,200,000	27,200,000	27,200,000
21	DOT - Maintenance Capital Equipment				
22	Replacement	1,800,000	1,800,000	1,800,000	1,800,000
23	DOT - Salt Storage Facilities	1,150,000	1,150,000	1,150,000	1,500,000
24	DOT - RIPTA Land & Building Enhancements	11,214,401	4,561,885	500,000	500,000
25	DOT - RIPTA Pawtucket Bus Hub Passenger Facility	3,500,000	0	0	0

26 SECTION 13. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects.  
27 Any unexpended and unencumbered funds from Rhode Island Capital Plan Fund project  
28 appropriations shall be reappropriated in the ensuing fiscal year and made available for the same  
29 purpose. However, any such reappropriations are subject to final approval by the General Assembly  
30 as part of the supplemental appropriations act. Any unexpended funds of less than five hundred  
31 dollars (\$500) shall be reappropriated at the discretion of the State Budget Officer.

32 SECTION 14. For the Fiscal Year ending June 30, 2024, the Rhode Island Housing and  
33 Mortgage Finance Corporation shall provide from its resources such sums as appropriate in support  
34 of the Neighborhood Opportunities Program. The Corporation shall provide a report detailing the

1 amount of funding provided to this program, as well as information on the number of units of  
2 housing provided as a result to the Director of Administration, the Chair of the Housing Resources  
3 Commission, the Chair of the House Finance Committee, the Chair of the Senate Finance  
4 Committee and the State Budget Officer.

5 SECTION 15. Appropriation of Economic Activity Taxes in accordance with the city of  
6 Pawtucket downtown redevelopment statute -- There is hereby appropriated for the fiscal year  
7 ending June 30, 2024, all State Economic Activity Taxes to be collected pursuant to § 45-33.4-4 of  
8 the Rhode Island General Laws, as amended (including, but not limited to, the amount of tax  
9 revenues certified by the Commerce Corporation in accordance with § 45-33.4-1(13) of the Rhode  
10 Island General Laws), for the purposes of paying debt service on bonds, funding debt service  
11 reserves, paying costs of infrastructure improvements in and around the ballpark district, arts  
12 district, and the growth center district, funding future debt service on bonds, and funding a  
13 redevelopment revolving fund established in accordance with § 45-33-1 of the Rhode Island  
14 General Laws.

15 SECTION 16. The appropriations from federal funds contained in Section 1 shall not be  
16 construed to mean any federal funds or assistance appropriated, authorized, allocated or  
17 apportioned to the State of Rhode Island from the State Fiscal Recovery Fund and Capital Projects  
18 Fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2024  
19 except for those instances specifically designated. Projected out-year expenditures for State Fiscal  
20 Recovery Fund and Capital Projects Fund projects have been consolidated into appropriations for  
21 the fiscal year ending June 30, 2024 to ensure the timely obligation of these funds to comply with  
22 rules promulgated by the U.S. Department of the Treasury.

23 The State Fiscal Recovery Fund and Capital Projects Fund appropriations herein shall be  
24 made in support of the following projects:

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

26 **Department of Administration (DOA)**

27 DOA - Electric Heat Pump Grant Program. These funds shall support a grant program  
28 within the office of energy resources to assist homeowners and small-to-mid-size business owners  
29 with the purchase and installation of high-efficiency electric heat pumps, with an emphasis on  
30 families in environmental justice communities, minority-owned businesses, and community  
31 organizations who otherwise cannot afford this technology. The office of energy resources shall  
32 report to the Speaker of the House and Senate President no later than April 1 of each year the results  
33 of this program, including but not limited to, the number of grants issued, amount of each grant and  
34 the average grant amount, and the expected cumulative carbon emissions reductions associated

1 with heat pumps that received a grant.

2 DOA - Ongoing COVID-19 Response. These funds shall be allocated to continue COVID-  
3 19 mitigation activities and to address the public health impacts of the pandemic in Rhode Island,  
4 to be administered by the director of administration, in consultation with the director of health and  
5 the secretary of health and human services.

6 DOA - Pandemic Recovery Office. These funds shall be allocated to finance the Pandemic  
7 Recovery Office established within the Department of Administration.

8 DOA - Public Health Response Warehouse Support. These funds shall be allocated to the  
9 proper of PPE and other necessary COVID-19 response related supplies.

10 DOA - Auto-Enrollment Program. These funds shall support a program for automatically  
11 enrolling qualified individuals transitioned off Medicaid coverage at the end of the COVID-19  
12 public health emergency into qualified health plans to avoid gaps in coverage, administered by  
13 HealthSource RI.

14 DOA - Municipal Public Safety Infrastructure. These funds shall be used to provide  
15 matching support to cities and towns to make significant public safety facilities infrastructure  
16 improvements including new construction. Funding priority shall be based on project readiness and  
17 limited to those for which the total costs exceed \$1.0 million. Matching funds to any municipality  
18 will be limited to \$5.0 million for projects that serve a regional purpose and \$1.0 million for others.

19 **Department of Labor and Training (DLT)**

20 DLT - Enhanced Real Jobs. These funds shall support the Real Jobs Rhode Island program  
21 in the development of job partnerships, connecting industry employers adversely impacted by the  
22 pandemic to individuals enrolled in workforce training programs.

23 **Executive Office of Commerce (EOC)**

24 EOC - Destination Marketing. These funds shall be used for destination tourism marketing  
25 in support of airline routes to Rhode Island T.F. Green International Airport. The Commerce  
26 Corporation is required to supply equivalent matching funds out of its portion of the state hotel tax.

27 EOC - Minority Business Accelerator. These funds shall support a program to invest  
28 additional resources to enhance the growth of minority business enterprises as defined in chapter  
29 14.1 of title 37. The initiative will support a range of assistance and programming, including  
30 financial and technical assistance, entrepreneurship training, space for programming and co-  
31 working, and assistance accessing low-interest loans. Commerce shall work with minority small  
32 business associations, including the Rhode Island Black Business Association (RIBBA), to advance  
33 this program.

34 EOC - South Quay Marine Terminal. These funds shall support the development of an

1 integrated and centralized hub of intermodal shipping designed to support the offshore wind  
2 industry along memorial parkway in the East Providence waterfront special development district.  
3 Funds may be used for design and development of the waterfront portion of the terminal into a  
4 marine-industrial facility. These funds shall only be allocated and spent if sufficient matching  
5 funds for completion of the project are committed by February 1, 2024.

6 EOC - Bioscience Investments. These funds shall support a program to invest in the  
7 biosciences industry in Rhode Island in conjunction with the creation of the Rhode Island Life  
8 Science Hub. This program will include, but is not limited to, the development of one or more wet  
9 lab incubator spaces in collaboration with industry partners; the creation of a fund that will support  
10 wrap-around services to aid in the commercialization of technology and business development,  
11 growth of the biosciences talent pipeline, and support for staff to implement the bioscience  
12 investments initiative.

13 EOC - Small Business Assistance. These funds shall be allocated to a program of financial  
14 and technical assistance to small businesses and COVID-impacted industries as follows: twelve  
15 million five hundred thousand dollars (\$12,500,000) shall be provided as direct payments to  
16 businesses for lost revenue, eighteen million dollars (\$18,000,000) shall support technical  
17 assistance for long-term business capacity building, public health upgrades, energy efficiency  
18 improvements, and outdoor programming, and one million five hundred thousand dollars  
19 (\$1,500,000) shall be allocated to support administration of these programs. To be eligible to  
20 receive funds or support under this program a business must have less than two million dollars  
21 (\$2,000,000) in annual gross revenues and demonstrate a negative impact from the COVID-19  
22 pandemic as determined by the Rhode Island Commerce Corporation. Under this program, total  
23 support in the form of direct payments, or technical assistance grants shall not exceed ten thousand  
24 dollars (\$10,000) per eligible business through either program. Total support in the form of direct  
25 payments, technical assistance, and grants for public health upgrades, energy efficiency and  
26 outdoor programming shall not exceed thirty thousand dollars (\$30,000) in the aggregate. Provided  
27 further that at least twenty percent (20%) of all funds must be reserved for awards to assist minority  
28 business enterprises as defined in chapter 14.1 of title 37.

29 **Department of Housing**

30 Housing - Development of Affordable Housing. These funds shall expand a program at the  
31 Rhode Island housing and mortgage finance corporation to provide additional investments in the  
32 development of affordable housing units in conjunction with general obligation bond funds and  
33 other sources of available financing according to guidelines approved by the Coordinating  
34 Committee of the Housing Resources Commission. Of this amount, ten million dollars

1 (\$10,000,000) shall be available to Rhode Island housing and mortgage finance corporation to  
2 establish a pilot program, which may include the establishment of a revolving fund, that shall direct  
3 funds to support low income public housing through project-based rental assistance vouchers and  
4 financing for pre-development, improvement, and housing production costs. Within eighteen (18)  
5 months, any money available for the pilot that is not yet allocated to viable projects, or which has  
6 been awarded to public housing authorities which are unable to demonstrate substantial completion  
7 of all work within eighteen (18) months of receipt of any such funds, shall be returned to this  
8 program and no longer be included in the pilot. Determination of viability and substantial  
9 completion under the pilot shall be at the sole discretion of the secretary of housing.

10         Housing - Targeted Housing Development. These funds shall create a program at the  
11 department of housing to develop housing in targeted areas and/or priority projects. Of this overall  
12 program, twenty-seven million dollars (\$27,000,000) shall be allocated into a priority project fund  
13 that advances the following categories: permanent supportive housing, housing dedicated to  
14 vulnerable populations, individuals transitioning out of state care, and extremely low-income  
15 Rhode Islanders. Of this overall program, four million dollars (\$4,000,000) shall be allocated to  
16 support the development of transit-oriented housing as approved by the secretary of housing.

17         Housing - Site Acquisition. These funds shall be allocated to the Rhode Island housing and  
18 mortgage finance corporation toward the acquisition of properties for redevelopment as affordable  
19 and supportive housing to finance projects that include requirements for deed restrictions not less  
20 than thirty (30) years, and a non-recourse structure.

21         Housing - Down Payment Assistance. Administered by the Rhode Island housing and  
22 mortgage finance corporation, these funds shall be allocated to a program to provide up to \$20,000  
23 in down payment assistance to eligible first-time home buyers to promote homeownership.

24         Housing - Workforce Housing. These funds shall be allocated to the Rhode Island housing  
25 and mortgage finance corporation to support a program to increase the housing supply for families  
26 earning up to 120 percent of area median income.

27         Housing - Affordable Housing Predevelopment Program. These funds shall be allocated to  
28 the Rhode Island housing mortgage finance corporation to support predevelopment work, for  
29 proposed affordable housing developments to build a pipeline of new projects and build the  
30 capacity of affordable housing developers in the state to expand affordable housing production.

31         Housing - Home Repair and Community Revitalization. These funds shall expand the  
32 acquisition and revitalization program administered by the Rhode Island housing and mortgage  
33 finance corporation to finance the acquisition and redevelopment of blighted properties to increase  
34 the number of commercial and community spaces in disproportionately impacted communities and

1 or to increase the development of affordable housing. Residential development will serve  
2 households earning no more than 80 percent of area median income. Commercial and community  
3 spaces must serve or meet the needs of residents of a census tract where at least 51 percent of the  
4 residents are low-and moderate-income persons. Of this amount, four million five hundred  
5 thousand dollars (\$4,500,000) will support critical home repairs within the same communities.

6 Housing - Preservation of Affordable Housing Units. These funds shall support a program  
7 to preserve affordable housing units at risk of foreclosure or blight.

8 Housing - Predevelopment and Capacity Building. These funds shall support a program to  
9 increase contract staffing capacity to administer proposed affordable housing projects. These funds  
10 will support research and data analysis, stakeholder engagement, and the expansion of services for  
11 people experiencing homelessness.

12 Housing – Municipal Planning. Of these funds, one million three hundred thousand dollars  
13 (\$1,300,000) shall support a housing development-focused municipal fellows program within the  
14 department of housing and one million dollars (\$1,000,000) shall support grants for municipalities,  
15 including to study and implement zoning changes that up-zone or otherwise enable additional  
16 housing development in proximity to transit.

17 Housing - Homelessness Assistance Program. These funds shall support a program to  
18 expand housing navigation, behavioral health, and stabilization services to address pandemic-  
19 related homelessness. The program will support both operating subsidies for extremely low-income  
20 housing units and services for people transitioning from homelessness to housing, including  
21 individuals transitioning out of the adult correctional institutions.

22 Housing - Homelessness Infrastructure. These funds shall be used to support a program to  
23 respond to and prevent homelessness, including but not limited to, acquisition or construction of  
24 temporary or permanent shelter and other housing solutions and stabilization programs.

25 Housing - Municipal Homelessness Support Initiative. These funds shall be used to  
26 support a program to award grants to municipalities for public safety expenses and other municipal  
27 services that support individuals and families experiencing homelessness.

28 Housing - Proactive Housing Development. These funds shall be used to support the  
29 creation, staffing, and initial activities of a proactive development subsidiary of the Rhode Island  
30 Housing and Mortgage Finance Corporation, established pursuant to Section 42-55-5.1 of the  
31 general laws.

32 Housing - Housing Related Infrastructure. These funds shall be allocated to the Rhode  
33 Island infrastructure bank as established in Rhode Island General Laws Chapter 46-12.2 to support  
34 physical infrastructure that is necessary to produce additional housing. All expenditures made with



1 these funds must be for the pre-development and development of site-related infrastructure for  
2 housing that meets affordable housing pricing and/or income criteria and other criteria established  
3 by the Department of Housing.

4 **Quonset Development Corporation (QDC)**

5 QDC - Port of Davisville. These funds shall be allocated to expand a program developing  
6 port infrastructure and services at the Port of Davisville in Quonset in accordance with the  
7 corporation's master plan.

8 **Department of Children, Youth and Families (DCYF)**

9 DCYF - Provider Workforce Stabilization. These funds shall be allocated to support  
10 workforce stabilization supplemental wage payments and sign-on bonuses to eligible direct care  
11 and supporting care staff of contracted service providers.

12 DCYF - Foster Home Lead Abatement & Fire Safety. These funds shall be allocated to  
13 provide financial assistance to foster families for lead remediation and fire suppression upgrades.

14 **Department of Health (DOH)**

15 DOH - COVID-19 Operational Support. These funds shall be allocated to continue  
16 COVID-19 mitigation activities at the department of health and to address the public health impacts  
17 of the pandemic in Rhode Island.

18 **Department of Human Services (DHS)**

19 DHS - Child Care Support. To address the adverse impact the pandemic has had on the  
20 child care sector, the funds allocated to this program will provide retention bonuses for direct care  
21 staff at child care centers and licensed family providers in response to pandemic-related staffing  
22 shortages and start up and technical assistance grants for family child care providers. Retention  
23 bonuses shall be paid monthly or as often as administratively feasible, but not less than quarterly.  
24 The director of the department of human services and the director of the department of children,  
25 youth and families may waive any fees otherwise assessed upon child care provider applicants who  
26 have been awarded the family child care provider incentive grant. The allocation to this program  
27 will also support quality improvements, the creation of a workforce registry and additional funds  
28 for educational opportunities for direct care staff.

29 DHS - Rhode Island Community Food Bank. These funds shall be allocated to provide  
30 financial assistance for food collection and distribution through the Rhode Island Community Food  
31 Bank to assist households in need, including those that received enhanced nutrition benefits during  
32 the public health emergency.

33 **Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**  
34 **(BHDDH)**

1           BHDDH - Crisis Intervention Trainings. To respond to the increased volume of mental-  
2 health related calls reported by police departments, these funds shall be allocated to the crisis  
3 intervention training program to provide training every three years for law enforcement as well as  
4 continuing education opportunities.

5           BHDDH - 9-8-8 Hotline. These funds shall be allocated for the creation of a 9-8-8 hotline  
6 to maintain compliance with the National Suicide Hotline Designation Act of 2020 and the Federal  
7 Communications Commission-adopted rules to assure that all citizens receive a consistent level of  
8 9-8-8 and crisis behavioral health services.

9           **Rhode Island Department of Elementary and Secondary Education (ELSEC)**

10          RIDE - Adult Education Providers. These funds shall be directly distributed through the  
11 Office of Adult Education to nonprofit adult education providers to expand access to educational  
12 programs and literary services.

13          RIDE - Out of School Time Education Providers. These funds shall be directly distributed  
14 through the Office of Student, Community and Academic Supports to expand access to educational  
15 programs.

16          **Office of the Postsecondary Commissioner**

17          OPC - RI Reconnect. These funds shall support a program to improve postsecondary  
18 degree and credential attainment among working-age Rhode Islanders. The program will assist  
19 students in addressing barriers to education completion, particularly among communities of color  
20 and lower socio-economic strata. A portion of these funds will be used to address barriers to the  
21 attainment of teacher certification as a Second Language Education Teacher, Grades PK-12, and  
22 as an All Grades Special Education Teacher.

23          OPC - RIC Cybersecurity Center. These funds shall support the establishment of the  
24 Institute for Cybersecurity and Emerging Technologies at Rhode Island College, which will provide  
25 certificate, baccalaureate, and master's level courses with focuses on research and developing  
26 highly skilled cybersecurity professionals. Funding shall be appropriated through the Office of  
27 Postsecondary Commissioner.

28          OPC - Fresh Start Scholarship. These funds shall support a program to provide  
29 scholarships to adult students with some college credits, but no degree, with a focus on students  
30 who dropped-out of the Community College of Rhode Island. This program will target students  
31 who are not meeting Satisfactory Academic Progress requirements, which makes them ineligible  
32 for federal financial assistance.

33          **University of Rhode Island**

34          URI-PFAS Water Treatment Plant. These funds shall support the implementation of a

1 permanent water filtration solution to reduce PFAS concentrations in the University of Rhode  
2 Island's water supply.

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

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

8 **Department of Transportation (DOT)**

9 DOT - Municipal Roads Grant Program. These funds shall support a program to distribute  
10 grants with a required local match for the replacement, rehabilitation, preservation, and  
11 maintenance of existing roads, sidewalks, and bridges. Provided that \$5.0 million of these funds  
12 shall be distributed equally to each city and town and \$15.0 million shall be distributed  
13 proportionally to cities and towns based on non-federal land miles of roads in each  
14 community. Provided further that each municipality is required to provide a 67 percent  
15 match. Any funding that is not obligated to municipal projects by June 30, 2024 may be used by  
16 RIDOT for statewide paving projects.

17 DOT - RIPTA R-Line Free Service Pilot. These funds shall be allocated to the Rhode  
18 Island Public Transit Authority (RIPTA) to provide free fare bus route service along the "R-Line"  
19 for a twelve (12) month period beginning September 1, 2022. RIPTA will track ridership data and  
20 submit a report to the Speaker of the House, the President of the Senate, and the Governor no later  
21 than March 1, 2024.

22 DOT - Turnpike and Bridge Authority – Safety Barriers Study. These funds shall be used  
23 by the Turnpike and Bridge Authority to conduct a study to identify and evaluate the options to  
24 prevent and address the risk of suicide on bridges under its purview.

25 **Federal Funds - Capital Projects Fund**

26 **Department of Administration (DOA)**

27 DOA - CPF Administration. These funds shall be allocated to the department of  
28 administration to oversee the implementation of the Capital Projects Fund award from the  
29 American Rescue Plan Act.

30 DOA - Municipal and Higher Ed Matching Grant Program. These funds shall be allocated  
31 to a matching fund program for cities and towns that renovate or build a community wellness center  
32 that meets the work, education and health monitoring requirements identified by the U.S.  
33 Department of the Treasury.

34 **Executive Office of Commerce (EOC)**

1 EOC - Broadband. These funds shall be allocated to the executive office of commerce to  
2 invest in broadband projects to provide high-speed, reliable internet to all Rhode Islanders. The  
3 secretary of commerce, in partnership with the director of business regulation, will run a series of  
4 requests for proposals for broadband infrastructure projects, providing funds to municipalities,  
5 public housing authorities, business cooperatives and local internet service providers for projects  
6 targeted at those unserved and underserved by the current infrastructure as defined by national  
7 telecommunications and information administration standards. This investment shall be used to  
8 augment or provide a match for federal funds for broadband investment made available through the  
9 Infrastructure Investment and Jobs Act. These funds shall be used in accordance with the statewide  
10 broadband strategic plan and may not be obligated nor expended prior to its submission in  
11 accordance with the requirements of the Rhode Island Broadband Development Program set forth  
12 in Chapter 42-162.

13 SECTION 17. Reappropriation of Funding for State Fiscal Recovery Fund and Capital  
14 Projects Fund. Notwithstanding any provision of general law, any unexpended and unencumbered  
15 federal funds from the State Fiscal Recovery Fund and Capital Projects Fund shall be  
16 reappropriated in the ensuing fiscal year and made available for the same purposes. However, any  
17 such reappropriations are subject to final approval by the General Assembly as part of the  
18 supplemental appropriations act.

19 SECTION 18. The pandemic recovery office shall monitor the progress and performance  
20 of all programs financed by the State Fiscal Recovery Fund and the Capital Projects Fund. On or  
21 before October 31, 2023, and quarterly thereafter, the office shall provide a report to the speaker of  
22 the house and senate president, with copies to the chairpersons of the house and senate finance  
23 committees, identifying programs that are at risk of significant underspending or noncompliance  
24 with federal or state requirements. The report, at a minimum must include an assessment of how  
25 programs that are at risk can be remedied.

26 SECTION 19. Notwithstanding any general laws to the contrary, the State Controller shall  
27 transfer \$55,000,000 to the Supplemental State Budget Reserve Account by July 14, 2023.

28 SECTION 20. Notwithstanding any general laws to the contrary, the State Controller shall  
29 transfer \$114,998,958 from the Information Technology Restricted Receipt Account to the Large  
30 Systems Initiatives Fund by July 14, 2023. Appropriations herein to the Large Systems Initiatives  
31 Fund (LSIF) shall be made in support of the following projects:

32 Enterprise Resource Planning. For the project already in progress, at an estimated project  
33 cost of \$68,700,000, of which no more than \$50,000,000 shall be supported by the LSIF, these  
34 funds support the implementation and roll-out of a new enterprise resource planning software

1 system.

2 Comprehensive Child Welfare Information System. For the project already in progress, at  
3 an estimated project cost of \$54,700,000, of which no more than \$24,650,000 shall be supported  
4 by the LSIF, these funds support the replacement of the existing case management system with a  
5 new comprehensive child welfare information system.

6 DEM Legacy Modernization. For the project already in progress, at an estimated project  
7 cost of \$5,800,000, these funds support the modernization of the permit application and license  
8 tracking and processing systems.

9 Wi-Fi and Tech at the ACI. For the project already in progress, at an estimated project cost  
10 of \$3,300,000, these funds support upgrades to the networking infrastructure at the department of  
11 corrections.

12 RIBridges Mobile Access and Child Care Tracking. For the project already in progress, at  
13 an estimated project cost of \$6,700,000, these funds support an expansion of the existing mobile  
14 application.

15 Gateway to Government. For the project already in progress, at an estimated project cost  
16 of \$7,500,000, these funds support the transition of licensing processes toward a paperless platform  
17 housing digital identities and credentialing information.

18 DLT Mainframe Legacy Modernization. For the project already in progress, at an estimated  
19 project cost of \$19,400,000, these funds support the modernization of obsolete hardware and  
20 applications at the department of labor and training.

21 Electronic Medical Records System. For the project already in progress, at an estimated  
22 project cost of \$22,400,000, these funds support implementation of a comprehensive system to  
23 track clinical, administrative and financial needs of these hospitals.

24 SECTION 21. With respect to the project and the funds allocated to the DCYF –  
25 Residential Treatment Facility, the provisions of Chapter 45-22.2 and Chapter 45-24 of the General  
26 Laws shall not apply.

27 SECTION 22. This article shall take effect as of July 1, 2023, except as otherwise provided  
28 herein.

**ARTICLE 2**

RELATING TO STATE FUNDS

SECTION 1. Section 23-3-25 of the General Laws in Chapter 23-3 entitled "Vital Records" is hereby amended to read as follows:

**23-3-25. Fees for copies and searches**

(a) The state registrar shall charge fees for searches and copies as follows:

(1) For a search of two (2) consecutive calendar years under one name and for issuance of a certified copy of a certificate of birth, fetal death, death, or marriage, or a certification of birth, or a certification that the record cannot be found, and each duplicate copy of a certificate or certification issued at the same time, the fee is as set forth in § 23-1-54.

(2) For each additional calendar year search, if applied for at the same time or within three (3) months of the original request and if proof of payment for the basic search is submitted, the fee is as set forth in § 23-1-54.

(3) For providing expedited service, the additional handling fee is as set forth in § 23-1-54.

(4) For processing of adoptions, legitimations, or paternity determinations as specified in §§ 23-3-14 and 23-3-15, there shall be a fee as set forth in § 23-1-54.

(5) For making authorized corrections, alterations, and additions, the fee is as set forth in § 23-1-54; provided, no fee shall be collected for making authorized corrections or alterations and additions on records filed before one year of the date on which the event recorded has occurred.

(6) For examination of documentary proof and the filing of a delayed record, there is a fee as set forth in § 23-1-54; and there is an additional fee as set forth in § 23-1-54 for the issuance of a certified copy of a delayed record.

(b) Fees collected under this section by the state registrar shall be deposited in the general fund of this state, according to the procedures established by the state treasurer.

(c) The local registrar shall charge fees for searches and copies of records as follows:

(1) For a search of two (2) consecutive calendar years under one name and for issuance of a certified copy of a certificate of birth, fetal death, death, delayed birth, or marriage, or a certification of birth or a certification that the record cannot be found, the fee is twenty dollars (\$20.00). For each duplicate copy of a certificate or certification issued at the same time, the fee is fifteen dollars (\$15.00).

1 (2) For each additional calendar year search, if applied for at the same time or within three  
2 (3) months of the original request and if proof of payment for the basic search is submitted, the fee  
3 is two dollars (\$2.00).

4 (d) Fees collected under this section by the local registrar shall be deposited in the city or  
5 town treasury according to the procedures established by the city or town treasurer except that six  
6 dollars (\$6.00) of the certified copy fees shall be submitted to the state registrar for deposit in the  
7 general fund of this state.

8 (e) To acquire, maintain, and operate an electronic statewide registration system (ESRS),  
9 the state registrar shall assess a surcharge of no more than five dollars (\$5.00) for a mail-in certified  
10 records request, no more than three dollars (\$3.00) for each duplicate certified record, and no more  
11 than two dollars (\$2.00) for a walk-in certified records request or a certified copy of a vital record  
12 requested for a local registrar. Notwithstanding the provisions of subsection (d), any such  
13 surcharges collected by the local registrar shall be submitted to the state registrar. Any funds  
14 collected from the surcharges listed above shall be deposited into the ~~information technology~~  
15 ~~investment fund (ITIF)~~ information technology restricted receipt account (ITRR account)  
16 established pursuant to § 42-11-2.5(a).

17 SECTION 2. Chapter 35-3-20 of the General Laws entitled "State Budget" is hereby  
18 amended by adding thereto the following section:

19 **35-3-20.2. Supplemental state budget reserve account.**

20 (a) There is hereby created within the general fund a supplemental state budget reserve  
21 account, which shall be administered by the state controller and which shall be used solely for the  
22 purpose of providing such sums as may be appropriated to fund any unanticipated general revenue  
23 deficit caused by a general revenue shortfall.

24 (b) At any time after the third quarter of a fiscal year that it is indicated that total resources  
25 which are defined to be the aggregate of estimated general revenue, general revenue receivables,  
26 and available free surplus in the general fund will be less than the estimates upon which current  
27 appropriations were based, the general assembly may make appropriations from the supplemental  
28 state budget reserve account for the difference between the estimated total resources and the  
29 original estimates upon which enacted appropriations were based, but only in the amount of the  
30 difference based upon the revenues projected at the latest state revenue estimating conference  
31 pursuant to chapter 16 of this title as reported by the chairperson of that conference.

32 (c) Whenever a transfer has been made pursuant to subsection (b), that transfer shall be  
33 considered as estimated general revenues for the purposes of determining the amount to be  
34 transferred to the Rhode Island Capital Plan fund for the purposes of § 35-3-20.1(b).

1 [\(d\) The supplemental state budget reserve account shall consist of: \(1\) Such sums as the](#)  
2 [state may from time to time directly transfer to the account as authorized in law; and \(2\) Any](#)  
3 [amounts transferred pursuant to § 35-6-1\(e\).](#)

4 SECTION 3. Section 35-4-27 of the General Laws in Chapter 35-4 entitled “State Funds”  
5 is hereby amended to read as follows:

6 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

- 15 Executive Office of Health and Human Services
- 16 Organ Transplant Fund
- 17 HIV Care Grant Drug Rebates
- 18 Health System Transformation Project
- 19 Rhode Island Statewide Opioid Abatement Account
- 20 HCBS Support-ARPA
- 21 HCBS Admin Support-ARPA
- 22 Department of Human Services
- 23 Veterans’ home — Restricted account
- 24 Veterans’ home — Resident benefits
- 25 Pharmaceutical Rebates Account
- 26 Demand Side Management Grants
- 27 Veteran’s Cemetery Memorial Fund
- 28 Donations — New Veterans’ Home Construction
- 29 Department of Health
- 30 Pandemic medications and equipment account
- 31 Miscellaneous Donations/Grants from Non-Profits
- 32 State Loan Repayment Match
- 33 Healthcare Information Technology
- 34 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals



1 Eleanor Slater non-Medicaid third-party payor account  
2 Hospital Medicare Part D Receipts  
3 RICLAS Group Home Operations  
4 Commission on the Deaf and Hard of Hearing  
5 Emergency and public communication access account  
6 Department of Environmental Management  
7 National heritage revolving fund  
8 Environmental response fund II  
9 Underground storage tanks registration fees  
10 De Coppet Estate Fund  
11 Rhode Island Historical Preservation and Heritage Commission  
12 Historic preservation revolving loan fund  
13 Historic Preservation loan fund — Interest revenue  
14 Department of Public Safety  
15 E-911 Uniform Emergency Telephone System  
16 Forfeited property — Retained  
17 Forfeitures — Federal  
18 Forfeited property — Gambling  
19 Donation — Polygraph and Law Enforcement Training  
20 Rhode Island State Firefighter’s League Training Account  
21 Fire Academy Training Fees Account  
22 Attorney General  
23 Forfeiture of property  
24 Federal forfeitures  
25 Attorney General multi-state account  
26 Forfeited property — Gambling  
27 Department of Administration  
28 OER Reconciliation Funding  
29 Health Insurance Market Integrity Fund  
30 RI Health Benefits Exchange  
31 Information Technology ~~Investment Fund~~ [restricted receipt account](#)  
32 Restore and replacement — Insurance coverage  
33 Convention Center Authority rental payments  
34 Investment Receipts — TANS

- 1 OPEB System Restricted Receipt Account
- 2 Car Rental Tax/Surcharge-Warwick Share
- 3 Grants Management Administration
- 4 [RGGI-Executive Climate Change Coordinating Council Projects](#)
- 5 Executive Office of Commerce
- 6 Housing Resources Commission Restricted Account
- 7 Housing Production Fund
- 8 Department of Revenue
- 9 DMV Modernization Project
- 10 Jobs Tax Credit Redemption Fund
- 11 Legislature
- 12 Audit of federal assisted programs
- 13 Department of Children, Youth and Families
- 14 Children's Trust Accounts — SSI
- 15 Military Staff
- 16 RI Military Family Relief Fund
- 17 RI National Guard Counterdrug Program
- 18 Treasury
- 19 Admin. Expenses — State Retirement System
- 20 Retirement — Treasury Investment Options
- 21 Defined Contribution — Administration - RR
- 22 Violent Crimes Compensation — Refunds
- 23 Treasury Research Fellowship
- 24 Business Regulation
- 25 Banking Division Reimbursement Account
- 26 Office of the Health Insurance Commissioner Reimbursement Account
- 27 Securities Division Reimbursement Account
- 28 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 29 Insurance Division Reimbursement Account
- 30 Historic Preservation Tax Credit Account
- 31 Marijuana Trust Fund
- 32 Social Equity Assistance Fund
- 33 Judiciary
- 34 Arbitration Fund Restricted Receipt Account

1 Third-Party Grants  
2 RI Judiciary Technology Surcharge Account  
3 Department of Elementary and Secondary Education  
4 Statewide Student Transportation Services Account  
5 School for the Deaf Fee-for-Service Account  
6 School for the Deaf — School Breakfast and Lunch Program  
7 Davies Career and Technical School Local Education Aid Account  
8 Davies — National School Breakfast & Lunch Program  
9 School Construction Services  
10 Office of the Postsecondary Commissioner  
11 Higher Education and Industry Center  
12 IGT STEM Scholarships  
13 Department of Labor and Training  
14 Job Development Fund  
15 Rhode Island Council on the Arts  
16 Governors' Portrait Donation Fund  
17 Statewide records management system account

18 SECTION 4. Section 35-6-1 of the General Laws in Chapter 35-6 entitled "Accounts and  
19 Control" is hereby amended to read as follows:

20 **35-6-1. Controller — Duties in general.**

21 (a) Within the department of administration there shall be a controller who shall be  
22 appointed by the director of administration pursuant to chapter 4 of title 36. The controller shall be  
23 responsible for accounting and expenditure control and shall be required to:

24 (1) Administer a comprehensive accounting and recording system that will classify the  
25 transactions of the state departments and agencies in accordance with the budget plan;

26 (2) Maintain control accounts for all supplies, materials, and equipment for all departments  
27 and agencies except as otherwise provided by law;

28 (3) Prescribe a financial, accounting, and cost accounting system for state departments and  
29 agencies;

30 (4) Identify federal grant-funding opportunities to support the governor's and general  
31 assembly's major policy initiatives and provide technical assistance with the application process  
32 and post-award grants management;

33 (5) Manage federal fiscal proposals and guidelines and serve as the state clearinghouse for  
34 the application of federal grants;

1 (6) Pre-audit all state receipts and expenditures;

2 (7) Prepare financial statements required by the several departments and agencies, by the  
3 governor, or by the general assembly;

4 (8) Approve the orders drawn on the general treasurer; provided, that the pre-audit of all  
5 expenditures under authority of the legislative department and the judicial department by the state  
6 controller shall be purely ministerial, concerned only with the legality of the expenditure and  
7 availability of the funds, and in no event shall the state controller interpose his or her judgment  
8 regarding the wisdom or expediency of any item or items of expenditure;

9 (9) Prepare and timely file, on behalf of the state, any and all reports required by the United  
10 States, including, but not limited to, the Internal Revenue Service, or required by any department  
11 or agency of the state, with respect to the state payroll; and

12 (10) Prepare a preliminary closing statement for each fiscal year. The controller shall  
13 forward the statement to the chairpersons of the house finance committee and the senate finance  
14 committee, with copies to the house fiscal advisor and the senate fiscal and policy advisor, by  
15 September 1 following the fiscal year ending the prior June 30 or thirty (30) days after enactment  
16 of the appropriations act, whichever is later. The report shall include but is not limited to:

17 (i) A report of all revenues received by the state in the completed fiscal year, together with  
18 the estimates adopted for that year as contained in the final enacted budget, and together with all  
19 deviations between estimated revenues and actual collections. The report shall also include cash  
20 collections and accrual adjustments;

21 (ii) A comparison of actual expenditures with each of the actual appropriations, including  
22 supplemental appropriations and other adjustments provided for in the Rhode Island general laws;

23 (iii) A statement of the opening and closing surplus in the general revenue account; and

24 (iv) A statement of the opening surplus, activity, and closing surplus in the state budget  
25 reserve and cash stabilization account and the state bond capital fund.

26 (b) The controller shall provide supporting information on revenues, expenditures, capital  
27 projects, and debt service upon request of the house finance committee chairperson, senate finance  
28 committee chairperson, house fiscal advisor, or senate fiscal and policy advisor.

29 (c) Upon issuance of the audited annual financial statement, the controller shall provide a  
30 report of the differences between the preliminary financial report and the final report as contained  
31 in the audited annual financial statement.

32 (d) The controller shall create a special fund not part of the general fund and shall deposit  
33 amounts equivalent to all deferred contributions under this act into that fund. Any amounts  
34 remaining in the fund on June 15, 2010, shall be transferred to the general treasurer who shall

1 transfer such amounts into the retirement system as appropriate.

2 (e) Upon issuance of the audited financial statement, the controller shall transfer fifty  
3 percent (50%) of all general revenues received in the completed fiscal year net of transfer to the  
4 state budget reserve and cash stabilization account as required by § 35-3-20 in excess of those  
5 estimates adopted for that year as contained in the final enacted budget to the employees' retirement  
6 system of the State of Rhode Island as defined in § 36-8-2 and fifty percent (50%) to the  
7 Supplemental State Budget Reserve Account as defined in § 35-3-20.2.

8 ~~(e)~~(f) The controller shall implement a direct deposit payroll system for state employees.

9 (1) There shall be no service charge of any type paid by the state employee at any time  
10 which shall decrease the net amount of the employee's salary deposited to the financial institution  
11 of the personal choice of the employee as a result of the use of direct deposit.

12 (2) Employees hired after September 30, 2014, shall participate in the direct deposit  
13 system. At the time the employee is hired, the employee shall identify a financial institution that  
14 will serve as a personal depository agent for the employee.

15 (3) No later than June 30, 2016, each employee hired before September 30, 2014, who is  
16 not a participant in the direct deposit system, shall identify a financial institution that will serve as  
17 a personal depository agent for the employee.

18 (4) The controller shall promulgate rules and regulations as necessary for implementation  
19 and administration of the direct deposit system, which shall include limited exceptions to required  
20 participation.

21 SECTION 5. Section 37-2-12 of the General Laws in Chapter 37-2 entitled "State  
22 Purchases Act" is hereby amended to read as follows:

23 **37-2-12. Centralization of the procurement authority.**

24 (a) All rights, powers, duties, and authority relating to the procurement of supplies,  
25 services, and construction, and the management, control, warehousing, sale, and disposal of  
26 supplies, services, and construction now vested in or exercised by any state agency under the  
27 several statutes relating thereto are hereby transferred to the chief purchasing officer as provided  
28 in this chapter, subject to the provisions of § 37-2-54. A public agency does not have to utilize the  
29 centralized purchasing of the state but the public agency, through its existing internal purchasing  
30 function, shall adhere to the general principles, policies and practices set forth in this chapter.

31 (b) The chief purchasing officer, as defined in § 37-2-7(3)(i), may establish, charge, and  
32 collect from state contractors, listed on master-price agreements, a statewide contract  
33 administrative fee not to exceed one percent (1%) of the total value of the annual spend against a  
34 contract awarded to a state contractor. All statewide contract administrative fees collected pursuant

1 to this subsection shall be deposited into a restricted-receipt account within the general fund  
2 designated as the “division of purchases administrative-fee account” and shall be used for the  
3 purposes of implementing technology for the submission and processing of bids, online vendor  
4 registration, bid notification, and other costs related to state procurement. On or before January 15,  
5 2019, and annually thereafter on or before January 15, the chief purchasing officer or designee shall  
6 file a report with the governor, the speaker of the house, and the president of the senate detailing:

7 (i) The total amount of funds collected and deposited into the division of purchases  
8 administrative-fee account for the most recently completed fiscal year;

9 (ii) The account balance as of the date of the report;

10 (iii) An itemization of all expenditures and other uses of said funds from said account for  
11 the most recently completed fiscal year; and

12 (iv) An annual evaluation as to the appropriateness of the amount of the contract  
13 administrative fee on master-price agreements.

14 (c) Subject to the approval of the director of the department of administration, the state  
15 controller is authorized to offset any currently recorded outstanding liability on the part of  
16 developmental disability organizations (DDOs) to repay previously authorized startup capital  
17 advances against the proceeds from the sale of group homes within a fiscal year prior to any sale  
18 proceeds being deposited into the information technology ~~investment fund~~ [restricted receipt](#)  
19 [account established pursuant to § 42-11-2.5\(a\)](#).

20 SECTION 6. Section 37-7-15 of the General Laws in Chapter 37-7 entitled “Management  
21 and Disposal of Property” is hereby amended to read as follows:

22 **37-7-15. Sale of state-owned land, buildings and improvements thereon and other real**  
23 **property.**

24 (a) Total annual proceeds from the sale of any land and the buildings and improvements  
25 thereon, and other real property, title to which is vested in the state of Rhode Island or title to which  
26 will be vested in the state upon completion of any condemnation or other proceedings, shall be  
27 transferred to [the information technology restricted receipt account \(ITRR account\)](#) and made  
28 available for the purposes outlined in § 42-11-2.5(a), unless otherwise prohibited by federal law.

29 (b) Provided, however, this shall not include proceeds from the sale of any land and the  
30 buildings and improvements thereon that will be created by the relocation of interstate route 195,  
31 which is sometimes collectively referred to as the “I-195 Surplus Land,” which land is identified  
32 in the “Rhode Island Interstate 195 Relocation Surplus Land: Redevelopment and Market Analysis”  
33 prepared by CKS Architecture & Urban Design dated 2009, and such term means those certain  
34 tracts or parcels of land situated in the city of Providence, county of Providence, state of Rhode

1 Island, delineated on that certain plan of land captioned “Improvements to Interstate Route 195,  
2 Providence, Rhode Island, Proposed Development Parcel Plans 1 through 10, Scale: 1”

3 (c) Subject to the approval of the director of the department of administration, the state  
4 controller is authorized to offset any currently recorded outstanding liability on the part of  
5 developmental disability organizations (DDOs) to repay previously authorized startup capital  
6 advances against the proceeds from the sale of group homes within a fiscal year prior to any sale  
7 proceeds being deposited into the information technology investment fund.

8 SECTION 7. Section. 39-18.1-4 of the General Laws in Chapter 39-18.1 entitled  
9 "Transportation Investment and Debt Reduction Act of 2011" is hereby amended to read as follows:

10 **39-18.1-4. Rhode Island highway maintenance account created.**

11 (a) There is hereby created a special account in the intermodal surface transportation fund  
12 as established in § 31-36-20 that is to be known as the Rhode Island highway maintenance account.

13 (b) The fund shall consist of all those moneys that the state may, from time to time, direct  
14 to the fund, including, but not necessarily limited to, moneys derived from the following sources:

15 (1) There is imposed a surcharge of thirty dollars (\$30.00) per vehicle or truck, other than  
16 those with specific registrations set forth below in subsection (b)(1)(i). Such surcharge shall be paid  
17 by each vehicle or truck owner in order to register that owner’s vehicle or truck and upon each  
18 subsequent biennial registration. This surcharge shall be phased in at the rate of ten dollars (\$10.00)  
19 each year. The total surcharge will be ten dollars (\$10.00) from July 1, 2013, through June 30,  
20 2014, twenty dollars (\$20.00) from July 1, 2014, through June 30, 2015, and thirty dollars (\$30.00)  
21 from July 1, 2015, through June 30, 2016, and each year thereafter.

22 (i) For owners of vehicles or trucks with the following plate types, the surcharge shall be  
23 as set forth below and shall be paid in full in order to register the vehicle or truck and upon each  
24 subsequent renewal:

25 <b>Plate Type</b>	<b>Surcharge</b>
26 Antique	\$5.00
27 Farm	\$10.00
28 Motorcycle	\$13.00

29 (ii) For owners of trailers, the surcharge shall be one-half (½) of the biennial registration  
30 amount and shall be paid in full in order to register the trailer and upon each subsequent renewal;

31 (2) There is imposed a surcharge of fifteen dollars (\$15.00) per vehicle or truck, other than  
32 those with specific registrations set forth in subsection (b)(2)(i) below, for those vehicles or trucks  
33 subject to annual registration, to be paid annually by each vehicle or truck owner in order to register  
34 that owner’s vehicle or truck and upon each subsequent annual registration. This surcharge will be

1 phased in at the rate of five dollars (\$5.00) each year. The total surcharge will be five dollars (\$5.00)  
2 from July 1, 2013, through June 30, 2014, ten dollars (\$10.00) from July 1, 2014, through June 30,  
3 2015, and fifteen dollars (\$15.00) from July 1, 2015, through June 30, 2016, and each year  
4 thereafter.

5 (i) For registrations of the following plate types, the surcharge shall be as set forth below  
6 and shall be paid in full in order to register the plate, and upon each subsequent renewal:

7 <b>Plate Type</b>	<b>Surcharge</b>
8 Boat Dealer	\$6.25
9 Cycle Dealer	\$6.25
10 In-transit	\$5.00
11 Manufacturer	\$5.00
12 New Car Dealer	\$5.00
13 Used Car Dealer	\$5.00
14 Racer Tow	\$5.00
15 Transporter	\$5.00
16 Bailee	\$5.00

17 (ii) For owners of trailers, the surcharge shall be one-half (1/2) of the annual registration  
18 amount and shall be paid in full in order to register the trailer and upon each subsequent renewal.

19 (iii) For owners of school buses, the surcharge will be phased in at the rate of six dollars  
20 and twenty-five cents (\$6.25) each year. The total surcharge will be six dollars and twenty-five  
21 cents (\$6.25) from July 1, 2013, through June 30, 2014, and twelve dollars and fifty cents (\$12.50)  
22 from July 1, 2014, through June 30, 2015, and each year thereafter;

23 (3) There is imposed a surcharge of thirty dollars (\$30.00) per license to operate a motor  
24 vehicle to be paid every five (5) years by each licensed operator of a motor vehicle. This surcharge  
25 will be phased in at the rate of ten dollars (\$10.00) each year. The total surcharge will be ten dollars  
26 (\$10.00) from July 1, 2013, through June 30, 2014, twenty dollars (\$20.00) from July 1, 2014,  
27 through June 30, 2015, and thirty dollars (\$30.00) from July 1, 2015, through June 30, 2016, and  
28 each year thereafter. In the event that a license is issued or renewed for a period of less than five  
29 (5) years, the surcharge will be prorated according to the period of time the license will be valid;

30 (4) All fees assessed pursuant to § 31-47.1-11, and chapters 3, 6, 10, and 10.1 of title 31,  
31 ~~except for fees assessed pursuant to §§ 31-10-31(6) and (8)~~, shall be deposited into the Rhode  
32 Island highway maintenance account, provided that for fiscal years 2016, 2017, and 2018 these fees  
33 be transferred as follows:

34 (i) From July 1, 2015, through June 30, 2016, twenty-five percent (25%) will be deposited;



- 1 (ii) From July 1, 2016, through June 30, 2017, fifty percent (50%) will be deposited;  
2 (iii) From July 1, 2017, through June 30, 2018, sixty percent (60%) will be deposited; and  
3 (iv) From July 1, 2018, and each year thereafter, one hundred percent (100%) will be  
4 deposited;

5 (5) All remaining funds from previous general obligation bond issues that have not  
6 otherwise been allocated.

7 (c) Effective July 1, 2019, ninety-five percent (95%) of all funds collected pursuant to this  
8 section shall be deposited in the Rhode Island highway maintenance account and shall be used only  
9 for the purposes set forth in this chapter. The remaining funds shall be retained as general revenues  
10 to partially offset cost of collections

11 (d) Unexpended balances and any earnings thereon shall not revert to the general fund but  
12 shall remain in the Rhode Island highway maintenance account. There shall be no requirement that  
13 monies received into the Rhode Island highway maintenance account during any given calendar  
14 year or fiscal year be expended during the same calendar year or fiscal year.

15 (e) The Rhode Island highway maintenance account shall be administered by the director,  
16 who shall allocate and spend monies from the fund only in accordance with the purposes and  
17 procedures set forth in this chapter.

18 SECTION 8. Section 39-21.1-14 of the General Laws in Chapter 39-21.1 entitled "911  
19 Emergency Telephone Number Act" is hereby amended to read as follows:

20 **39-21.1-14. E-911 surcharge and first response surcharge.**

21 (a)(1) A monthly E-911 surcharge of fifty cents (\$.50) is hereby levied upon each residence  
22 and business telephone line or trunk, or path and data, telephony, internet, voice over internet  
23 protocol (VoIP) wireline, line, trunk, or path in the state including PBX trunks and centrex  
24 equivalent trunks and each line or trunk serving, and upon each user interface number or extension  
25 number or similarly identifiable line, trunk, or path to or from a digital network (such as, but not  
26 exclusive of, integrated services digital network (ISDN), Flexpath, or comparable digital private  
27 branch exchange, or connecting to or from a customer-based or dedicated telephone switch site  
28 (such as, but not exclusive of, a private branch exchange (PBX)), or connecting to or from a  
29 customer-based or dedicated central office (such as, but not exclusive of, a centrex system but  
30 exclusive of trunks and lines provided to wireless communication companies) that can access to,  
31 connect with, or interface with the Rhode Island E-911 uniform emergency telephone system (RI  
32 E-911). In each instance where a surcharge is levied pursuant to this subsection (a)(1) there shall  
33 also be a monthly first response surcharge of fifty cents (\$.50). The surcharges shall be billed by  
34 each telecommunication services provider at the inception of services and shall be payable to the

1 telecommunication services provider by the subscriber of the services.

2 (2) A monthly E-911 surcharge of fifty cents (\$.50) is hereby levied on each wireless  
3 instrument, device, or means, including prepaid, cellular, telephony, internet, voice over internet  
4 protocol (VoIP), satellite, computer, radio, communication, data or data only wireless lines, or any  
5 other wireless instrument, device, or means that has access to, connects with, or activates or  
6 interfaces or any combination thereof with the E-911 uniform emergency telephone system. In each  
7 instance where a surcharge is levied pursuant to this subsection (a)(2) there shall also be a monthly  
8 first response surcharge of seventy-five cents (\$.75). The surcharges shall be billed by each  
9 telecommunication services provider and shall be payable to the telecommunication services  
10 provider by the subscriber. Prepaid wireless telecommunications services shall not be included in  
11 this act, but shall be governed by chapter 21.2 of this title. The E-911 uniform emergency telephone  
12 system shall establish, by rule or regulation, an appropriate funding mechanism to recover from the  
13 general body of ratepayers this surcharge.

14 (b) The amount of the surcharges shall not be subject to the tax imposed under chapter 18  
15 of title 44 nor be included within the telephone common carrier's gross earnings for the purpose of  
16 computing the tax under chapter 13 of title 44.

17 (c) Each telephone common carrier and each telecommunication services provider shall  
18 establish a special account to which it shall deposit on a monthly basis the amounts collected as  
19 surcharges under this section.

20 (d) The money collected by each telecommunication services provider shall be transferred  
21 within sixty (60) days after its inception of wireline, wireless, prepaid, cellular, telephony, voice  
22 over internet protocol (VoIP), satellite, computer, internet, or communications services in this state  
23 and every month thereafter, to the division of taxation, together with the accrued interest. The E-  
24 911 surcharge shall be deposited in a restricted-receipt account and used solely for the operation of  
25 the E-911 uniform emergency telephone system. The first response surcharge shall be deposited in  
26 the general fund; provided, however, that ten percent (10%) of the money collected from the first  
27 response surcharge shall be deposited in the information technology ~~investment fund~~ restricted  
28 receipt account (ITRR account) established pursuant to § 42-11-2.5(a). Any money not transferred  
29 in accordance with this subsection shall be assessed interest at the rate set forth in § 44-1-7 from  
30 the date the money should have been transferred.

31 (e) Every billed subscriber-user shall be liable for any surcharge imposed under this section  
32 until it has been paid to the telephone common carrier or telecommunication services provider. Any  
33 surcharge shall be added to and shall be stated separately in the billing by the telephone common  
34 carrier or telecommunication services provider and shall be collected by the telephone common

1 carrier or telecommunication services provider.

2 (f) Each telephone common carrier and telecommunication services provider shall annually  
3 provide the E-911 uniform emergency telephone system division, or any other agency that may  
4 replace it, with a list of amounts uncollected, together with the names and addresses of its  
5 subscriber-users who can be determined by the telephone common carrier or telecommunication  
6 services provider to have not paid the E-911 surcharge.

7 (g) Included within, but not limited to, the purposes for which the money collected from  
8 the E-911 surcharge may be used, are rent, lease, purchase, improvement, construction,  
9 maintenance, repair, and utilities for the equipment and site or sites occupied by the E-911 uniform  
10 emergency telephone system; salaries, benefits, and other associated personnel costs; acquisition,  
11 upgrade, or modification of PSAP equipment to be capable of receiving E-911 information,  
12 including necessary computer hardware, software, and database provisioning, addressing, and non-  
13 recurring costs of establishing emergency services; network development, operation, and  
14 maintenance; database development, operation, and maintenance; on-premise equipment  
15 maintenance and operation; training emergency service personnel regarding use of E-911;  
16 educating consumers regarding the operations, limitations, role, and responsible use of E-911;  
17 reimbursement to telephone common carriers or telecommunication services providers of rates or  
18 recurring costs associated with any services, operation, administration, or maintenance of E-911  
19 services as approved by the division; reimbursement to telecommunication services providers or  
20 telephone common carriers of other costs associated with providing E-911 services, including the  
21 cost of the design, development, and implementation of equipment or software necessary to provide  
22 E-911 service information to PSAPs, as approved by the division.

23 (h) [Deleted by P.L. 2000, ch. 55, art. 28, § 1.]

24 (i) Nothing in this section shall be construed to constitute rate regulation of wireless  
25 communication services carriers, nor shall this section be construed to prohibit wireless  
26 communication services carriers from charging subscribers for any wireless service or feature.

27 (j) [Deleted by P.L. 2006, ch. 246, art. 4, § 1.]

28 SECTION 9. Section 42-9-19 of the General Laws in Chapter 42-9 entitled "Department  
29 of Attorney General" is hereby amended to read as follows:

30 ~~**42-9-19. Acceptance of settlements — Attorney General settlement restricted account**~~  
31 ~~**Acceptance of settlements -- Multi-state initiatives -- Attorney general settlement restricted**~~  
32 ~~**account.**~~

33 (a) The attorney general is hereby authorized and empowered to accept in the name of the  
34 state any settlement resulting from a multi-state initiative. The attorney general is additionally

1 authorized and empowered to recover attorney's fees and costs that shall be considered settlement  
2 proceeds for purposes of this chapter.

3 (b) The settlement proceeds shall be transferred to the general treasurer for deposit in the  
4 general fund. The general treasurer shall transfer proceeds, up to seven hundred and fifty thousand  
5 dollars (\$750,000) in any fiscal year, to the "attorney general multi-state initiative restricted-receipt  
6 account." Any balance in excess of seven hundred and fifty thousand dollars (\$750,000) remaining  
7 in the account at the end of the fiscal year shall be transferred back to the state general fund. The  
8 restricted-receipt account shall be used to pay for staff, operational, and litigation costs associated  
9 with multi-state initiatives.

10 (c) Expenditure of all settlement proceeds accepted by the attorney general as part of the  
11 terms of the relevant master settlement agreement shall be subject to the annual appropriation  
12 process and approval by the general assembly.

13 SECTION 10. Chapter 42-9 of the General Laws entitled "Department of Attorney  
14 General" is hereby amended by adding thereto the following section:

15 **42-9-19.1. Acceptance of settlements -- Non-Multi-state initiatives -- Attorney general**  
16 **settlement restricted account.**

17 (a) There is hereby established a restricted receipt account within the Department of  
18 Attorney General entitled "attorney general non-multi-state initiative restricted-receipt account."  
19 Funds consisting of attorneys' fees previously recovered pursuant to the Distributors -- Rhode  
20 Island Settlement Agreement resolving opioid-related claims against McKesson Corporation,  
21 Cardinal Health, Inc., and/or AmerisourceBergen Corporation in the case State of Rhode Island v.  
22 Purdue Pharma L.P. et al., CA No. PC-2018-4455, shall be deposited into this restricted receipt  
23 account.

24 (b) The following funds shall also be deposited into this restricted receipt account:

25 (1) All future attorneys' fees recovered from the case referenced in subsection (a) of this  
26 section; and

27 (2) Twenty percent (20%) of attorneys' fees recovered in other non-multi-state initiatives.

28 (c) This restricted receipt account shall be used to pay for staff and other operational  
29 expenses of the Department.

30 (d) Expenditures from this restricted receipt account shall be subject to the annual  
31 appropriation process and approval by the general assembly.

32 (e) All settlement proceeds from non-multi-state initiatives, except those deposited in this  
33 restricted receipt account pursuant to this section, shall be deposited into the general fund.

34 SECTION 11. Sections 42-11-2.5, 42-11-2.6 and 42-11-2.8 of the General Laws in Chapter

1 42-11 entitled "Department of Administration" are hereby amended to read as follows:

2 **42-11-2.5. ~~Information technology investment fund~~ Information technology restricted**  
3 **receipt account and large systems initiatives fund.**

4 (a) All sums from the sale of any land and the buildings and improvements thereon, and  
5 other real property, title to which is vested in the state, except as provided in §§ 37-7-15(b) and 37-  
6 7-15(c), shall be transferred to an information technology ~~investment fund~~ restricted-receipt  
7 account (ITRR account) that is hereby established. This ~~fund~~ ITRR account shall consist of such  
8 sums from the sale of any land and the buildings and improvements thereon, and other real property,  
9 title to which is vested in the state, except as provided in §§ 37-7-15(b) and 37-7-15(c), as well as  
10 a share of first response surcharge revenues collected under the provisions of § 39-21.1-14. This  
11 ~~fund~~ ITRR account may also consist of such sums as the state may from time to time appropriate;  
12 as well as money received from the disposal of information technology ~~equipment~~hardware, loan,  
13 interest, and service charge payments from benefiting state agencies; as well as interest earnings,  
14 money received from the federal government, gifts, bequest, donations, or otherwise from any  
15 public or private source. Any such funds shall be exempt from the indirect cost recovery provisions  
16 of § 35-4-27.

17 ~~(b)~~(1) This ~~fund~~ ITRR account shall be used for the purpose of acquiring information  
18 technology improvements, including, but not limited to: hardware, software, consulting services,  
19 and ongoing maintenance and upgrade contracts for state departments and agencies.

20 ~~(c)~~(2) The division of enterprise technology strategy and service of the Rhode Island  
21 department of administration shall adopt rules and regulations consistent with the purposes of this  
22 chapter and chapter 35 of this title, in order to provide for the orderly and equitable disbursement  
23 of funds from this ITRR account.

24 ~~(d)~~(3) For all requests for proposals that are issued for information technology projects, a  
25 corresponding information technology project manager shall be assigned.

26 (b) There is also hereby established a special fund to be known as the large systems  
27 initiatives fund (LSI fund), separate and apart from the general fund of the state, to be administered  
28 by the chief information officer within the department of administration for the purpose of  
29 implementing and maintaining enterprise-wide software projects for executive branch departments.  
30 The LSI fund shall consist of such sums as the state may from time to time directly appropriate to  
31 the LSI fund. After the completion of any project, the chief digital officer shall inform the state  
32 controller of unexpended sums previously transferred to the LSI Fund for that project and the state  
33 controller shall subsequently transfer any such unexpended funds to the information technology  
34 restricted receipt account.

1 [\(c\) For any new project initiated using sums expended from the LSI Fund, as part of its](#)  
2 [budget submission pursuant to § 35-3-4 relative to state fiscal year 2025 and thereafter, the](#)  
3 [department of administration shall include a statement of project purpose and the estimated project](#)  
4 [cost.](#)

5 **42-11-2.6. Office of Digital Excellence established.**

6 (a) Within the department, division of enterprise technology strategy and services, there  
7 shall be established the Office of Digital Excellence. The purposes of the office shall be to move  
8 Rhode Island state government into the 21st century through the incorporation of innovation and  
9 modern digital capabilities throughout state government and to leverage technology to expand and  
10 improve the quality of services provided to Rhode Island citizens; to promote greater access to  
11 government and the internet throughout cities and towns; and to position Rhode Island as a national  
12 leader in e-government.

13 (b) Within the office, there shall be a chief digital officer who shall be appointed by the  
14 director of administration with the approval of the governor and who shall be in the unclassified  
15 service. The chief digital officer shall report to the director of administration and be required to:

16 (1) Manage the implementation of all new and mission-critical technology infrastructure  
17 projects and upgrades for state agencies. The division of enterprise technology strategy and  
18 services, established pursuant to § 42-11-2.8, shall continue to manage and support all day-to-day  
19 operations of the state's technology infrastructure, telecommunications, and associated  
20 applications;

21 (2) Increase the number of government services that can be provided online in order to  
22 allow residents and businesses to complete transactions in a more efficient and transparent manner;

23 (3) Improve the state's websites to provide timely information to online users and as many  
24 government services as possible online; and

25 (4) Establish, improve, and enhance the state's use of social media and mobile  
26 technological applications.

27 (c) The office shall coordinate its efforts with the division of enterprise technology strategy  
28 and services in order to plan, allocate, and implement projects supported by the information  
29 technology ~~investment fund~~ [restricted receipt account \(ITRR account\)](#) established pursuant to § 42-  
30 11-2.5(a) and the [large systems initiatives fund \(LSI fund\)](#) established pursuant to § 42-11-2.5(b).

31 (d) All intellectual property created as a result of work undertaken by employees of the  
32 office shall remain the property of the state of Rhode Island. Any patents applied for shall be in the  
33 name of the state.

34 (e) The director of administration may promulgate rules and regulations recommended by

1 the chief digital officer in order to effectuate the purposes and requirements of this act.

2 (f) The chief digital officer shall report no later than January 31, 2013, and every January  
3 31 thereafter, to the governor, the speaker of the house of representatives, and the senate president  
4 regarding the implementation status of all technology infrastructure projects; website  
5 improvements; number of e-government transactions and revenues generated; projects supported  
6 by the information technology investment fund; and all other activities undertaken by the office.  
7 The report shall also include planned use for projects related to public safety communications and  
8 emergency services, recommendations on the development of and opportunities for shared  
9 implementation and delivery of these services among municipalities, and strategies for such shared  
10 services. The annual report shall be posted on the office's website.

11 **42-11-2.8. Division of enterprise technology strategy and services established.**

12 (a) Established. Within the department there shall be established the division of enterprise  
13 technology strategy and service (ETSS), which shall include the office of information technology,  
14 the office of digital excellence (ODE), and the office of library and information services (OLIS).  
15 Within ETSS, there shall be a chief digital officer in the unclassified service who shall oversee and  
16 manage the division and shall be appointed by the director of administration. Any prior reference  
17 in statute to the division of information technology shall now mean ETSS. The chief digital officer  
18 shall supervise the state's chief information officer, chief technology officer, chief information  
19 security officer, the directors of information technology, and all associated employees. The chief  
20 digital officer may promulgate rules and regulations in order to effectuate the purposes and  
21 requirements of this act.

22 (b) Purposes; duties. The purposes of ETSS shall be to align existing and future technology  
23 platforms, along with technical expertise, across the agencies of the executive branch. ETSS shall  
24 be responsible for managing and consolidating the strategy and budgets of the division, including  
25 the office of information technology, the office of library and information services and the office  
26 of digital excellence, and the information technology investment fund. The focus of ETSS will be  
27 to lead the strategic technology decisions and efforts across all of the executive branch state  
28 agencies; identify opportunities to implement technology solutions across state agencies to prevent  
29 duplication of systems and effort; as well as effectively support these solutions in an efficient  
30 manner. ETSS shall have the following duties:

31 (1) Manage the implementation of all new and mission-critical technology infrastructure  
32 projects and upgrades for state agencies. The office of information technology, under ETSS, shall  
33 manage and support all day-to-day operations of the state's technology infrastructure,  
34 telecommunications, and associated applications;

1           (2) Manage the office of digital excellence in order to ensure that large-scale technology  
2 projects are delivered in a timely manner in accordance with accepted best-industry practices;

3           (3) To oversee the chief of library services and the office of library and information services  
4 to ensure that this office fulfills its statutory duties in an effective manner;

5           (4) Coordinate efforts with the director of administration in order to plan, allocate, and  
6 implement projects supported by the information technology ~~investment fund~~ restricted receipt  
7 account (ITRR account) established pursuant to § 42-11-2.5(a) and the large systems initiatives  
8 fund (LSI fund) established pursuant to § 42-11-2.5(b);

9           (5) Supervise all intellectual property created as a result of work undertaken by employees  
10 of ETSS to ensure that ownership of this intellectual property remains with the state. Any patents  
11 applied for shall be in the name of the state.

12           (c) Reporting. The chief digital officer shall annually report no later than January 31 to the  
13 governor, the speaker of the house of representatives, and the senate president regarding the  
14 implementation status of all technology infrastructure projects; website improvements; number of  
15 e-government transactions and revenues generated; projects supported by the information  
16 technology investment fund; and all other activities undertaken by the division. The annual report  
17 shall be posted on the ETSS website.

18           SECTION 12. This article shall take effect upon passage.



1 **ARTICLE 3**

2 RELATING TO GOVERNMENT REFORM AND REORGANIZATION

3 SECTION 1. Section 21-36-3 of the General Laws in Chapter 21-36 entitled “The  
4 Interagency Food & Nutrition Policy Advisory Council Act” is hereby amended to read as follows:

5 **21-36-3. Council composition.**

6 There shall be an inter-agency food and nutrition policy advisory council which shall  
7 consist of ~~seven (7)~~ nine (9) members: the director of health, or his or her designee; the director of  
8 environmental management, or his or her designee; the director of administration, or his or her  
9 designee; the director of the department of human services, or his or her designee; the director of  
10 the office of healthy aging, or his or her designee; the director of the department of corrections, or  
11 his or her designee; the secretary of commerce, or his or her designee; the director of the department  
12 of children, youth & families, or his or her designee; and the commissioner of elementary and  
13 secondary education, or his or her designee. The members of the commission shall elect a  
14 chairperson from among themselves.

15 SECTION 2. Section 24-8-27 of the General Laws in Chapter 24-8 entitled “Construction  
16 and Maintenance of State Roads” is hereby amended to read as follows:

17 **24-8-27. ~~“Bridge” defined—Responsibility for smaller structures~~“Bridge” defined -**  
18 **- Responsibility for structures.**

19 (a) The word “bridge” as used in this chapter shall be a structure including supports erected  
20 over a depression or an obstruction, such as water, highway, or railway, and having a track or  
21 passageway for carrying traffic or other moving loads, and having an opening measured along the  
22 center of the roadway of eight (8) feet or more between under copings of abutments, spring lines  
23 of arches, or the extreme ends of openings for multiple boxes; it also includes single or multiple  
24 pipes where the clear distance between openings of multiple pipes is less than half of the smaller  
25 contiguous opening. ~~any structure not less than five feet (5') in width. Any structure less than five~~  
26 ~~feet (5') in width lying in any highway now being or hereafter becoming a part of the state highway~~  
27 ~~system shall be constructed, repaired or reconstructed at the expense of the state.~~

28 (b) The State will be responsible for the following related to bridges, as defined above:

29 (1) Reporting of inspection and load rating findings for National Bridge Inventory (NBI)  
30 bridges on all roadways.

- 1           (2) Construction and maintenance costs of:  
2           (i) Bridges on state owned roads  
3           (ii) Structures less than eight (8) feet on State roads  
4           (ii) Other state-owned structures unless otherwise agreed upon.  
5           (c) The State is not responsible for construction or maintenance costs for bridges or smaller  
6 structures it does not own.  
7           (d) Performing inspections or load ratings on any bridge or structures less than eight (8)  
8 feet by the State for public safety does not constitute ownership or responsibility of the structure.

9           SECTION 3. Section 30-25-14 of the General Laws in Chapter 30-25 entitled "Burial of  
10 Veterans" is hereby amended to read as follows:

11           **30-25-14. Rhode Island veterans' memorial cemetery.**

12           (a) The Rhode Island veterans' memorial cemetery, located on the grounds of the Joseph  
13 H. Ladd school in the town of Exeter, shall be under the management and control of the director of  
14 the department of human services. The director of the department of human services shall appoint  
15 an administrator for the Rhode Island veterans' memorial cemetery who shall be an honorably  
16 discharged veteran of the United States Armed Forces and shall have the general supervision over,  
17 and shall prescribe rules for, the government and management of the cemetery. He or she shall  
18 make all needful rules and regulations governing the operation of the cemetery and generally may  
19 do all things necessary to ensure the successful operation thereof. The director shall promulgate  
20 rules and regulations, not inconsistent with the provisions of 38 U.S.C. § 2402, to govern the  
21 eligibility for burial in the Rhode Island veterans' memorial cemetery. In addition to all persons  
22 eligible for burial pursuant to rules and regulations established by the director, any person who  
23 served in the army, navy, air force, or marine corps of the United States for a period of not less than  
24 two (2) years and whose service was terminated honorably, shall be eligible for burial in the Rhode  
25 Island veterans' memorial cemetery. The director shall appoint and employ all subordinate officials  
26 and persons needed for the proper management of the cemetery. National guard members who are  
27 killed in the line of duty or who are honorably discharged after completion of at least ~~twenty (20)~~  
28 six (6) years' of service in the Rhode Island national guard and/or reserve and their spouse shall be  
29 eligible for interment in the Rhode Island veterans' memorial cemetery. National guard members  
30 and/or reservists who are honorably discharged after completion of at least six (6) years of service  
31 with another state, and who are a Rhode Island resident for at least two (2) consecutive years  
32 immediately prior to death, shall be eligible, along with their spouse, for interment in the Rhode  
33 Island veterans' memorial cemetery. For the purpose of computing service under this section,  
34 honorable service in the active forces or reserves shall be considered toward the ~~twenty (20)~~ six (6)

1 years of national guard service. The general assembly shall make an annual appropriation to the  
2 department of human services to provide for the operation and maintenance for the cemetery. The  
3 director shall charge and collect a grave liner fee per interment of the eligible spouse and/or eligible  
4 dependents of the qualified veteran, national guard member and/or reservist equal to the  
5 department's cost for the grave liner.

6 (b) No domestic animal shall be allowed on the grounds of the Rhode Island veterans'  
7 memorial cemetery, whether at large or under restraint, except for seeing eye guide dogs, hearing  
8 ear signal dogs or any other service animal, as required by federal law or any personal assistance  
9 animal, as required by chapter 9.1 of title 40. Any person who violates the provisions of this section  
10 shall be subject to a fine of not less than five hundred dollars (\$500).

11 (c) The state of Rhode Island office of veterans services shall bear the cost of all tolls  
12 incurred by any motor vehicles that are part of a veteran's funeral procession, originating from  
13 Aquidneck Island ending at the veterans' memorial cemetery, for burial or internment. The  
14 executive director of the turnpike and bridge authority shall assist in the administration and  
15 coordination of this toll reimbursement program.

16 SECTION 4. Section 36-4-16.4 of the General Laws in Chapter 36-4 entitled "Merit  
17 System" is hereby amended to read as follows:

18 **36-4-16.4. Salaries of directors.**

19 (a) In the month of March of each year, the department of administration shall conduct a  
20 public hearing to determine salaries to be paid to directors of all state executive departments and  
21 secretaries serving as the head of any state executive department or executive office, including but  
22 not limited to, the secretary of the executive office of health and human services, the secretary of  
23 commerce and the secretary of housing for the following year, at which hearing all persons shall  
24 have the opportunity to provide testimony, orally and in writing. In determining these salaries, the  
25 department of administration will take into consideration the duties and responsibilities of the  
26 aforementioned officers, as well as such related factors as salaries paid executive positions in other  
27 states and levels of government, and in comparable positions anywhere that require similar skills,  
28 experience, or training. Consideration shall also be given to the amounts of salary adjustments made  
29 for other state employees during the period that pay for directors and secretaries was set last.

30 (b) Each salary determined by the department of administration will be in a flat amount,  
31 exclusive of such other monetary provisions as longevity, educational incentive awards, or other  
32 fringe additives accorded other state employees under provisions of law, and for which directors  
33 and secretaries are eligible and entitled.

34 (c) In no event will the department of administration lower the salaries of existing directors

1 [and secretaries](#) during their term of office.

2 (d) Upon determination by the department of administration, the proposed salaries of  
3 directors [and secretaries](#) will be referred to the general assembly by the last day in April of that  
4 year to go into effect thirty (30) days hence, unless rejected by formal action of the house and the  
5 senate acting concurrently within that time.

6 (e) Notwithstanding the provisions of this section, for 2022 only, the time period for the  
7 department of administration to conduct the public hearing shall be extended to September and the  
8 proposed salaries shall be referred to the general assembly by October 30. The salaries may take  
9 effect before next year, but all other provisions of this section shall apply.

10 (f) [Deleted by P.L. 2022, ch. 231, art. 3, § 12.]

11 (g) Notwithstanding the provisions of this section or any law to the contrary, for 2023 only,  
12 the salary of the director of the department of children, youth and families shall be determined by  
13 the governor.

14 SECTION 5. Sections 35-1.1-3 and 35-1.1-9 of the General Laws in Chapter 35-1.1 entitled  
15 "Office of Management and Budget" are hereby amended to read as follows:

16 **35-1.1-3. Director of management and budget -- Appointment and responsibilities.**

17 (a) Within the department of administration there shall be a director of management and  
18 budget who shall be appointed by the director of administration with the approval of the governor.  
19 The director shall be responsible to the governor and director of administration for supervising the  
20 office of management and budget and for managing and providing strategic leadership and direction  
21 to the budget officer, the performance management office, and the federal grants management  
22 office.

23 (b) The director of management and budget shall be responsible to:

24 (1) Oversee, coordinate, and manage the functions of the budget officer as set forth by  
25 chapter 3 of this title; program performance management as set forth by § 35-3-24.1; approval of  
26 agreements with federal agencies defined by § 35-3-25; and budgeting, appropriation, and receipt  
27 of federal monies as set forth by chapter 41 of title 42;

28 (2) [Deleted by P.L. 2019, ch. 88, art. 4, § 9];

29 (3) Oversee the director of regulatory reform as set forth by § 42-64.13-6;

30 (4) Maximize the indirect cost recoveries by state agencies set forth by § 35-4-23.1; ~~and~~

31 (5) Undertake a comprehensive review and inventory of all reports filed by the executive  
32 office and agencies of the state with the general assembly. The inventory should include, but not  
33 be limited to: the type, title, and summary of reports; the author(s) of the reports; the specific  
34 audience of the reports; and a schedule of the reports' release. The inventory shall be presented to

1 the general assembly as part of the budget submission on a yearly basis. The office of management  
2 and budget shall also make recommendations to consolidate, modernize the reports, and to make  
3 recommendations for elimination or expansion of each report-; and

4 (6) Conduct, with all necessary cooperation from executive branch agencies, reviews,  
5 evaluations, and assessments on process efficiency, operational effectiveness, budget and policy  
6 objectives, and general program performance.

7 **35-1.1-9. Cooperation of other state executive branch agencies.**

8 (a) The departments and other agencies of the state of the executive branch that have not  
9 been assigned to the executive office of management and budget under this chapter shall assist and  
10 cooperate with the executive office as may be required by the governor and/or requested by the  
11 director of management and budget, ~~this~~. This assistance may include, but not be limited to,  
12 providing analyses and related backup documentation and information, organizational charts and/or  
13 process maps, contractual deliverables, and utilizing staff resources from other departments or  
14 agencies for special projects within a defined period of time to improve processes or performance  
15 within agencies and/or lead to cost savings.

16 (b) Within thirty (30) days following the date of the issuance of a final audit report  
17 completed pursuant to subdivision 35-1.1-2(6), the head of the department, agency or private entity  
18 audited shall respond in writing to each recommendation made in the final audit report. This  
19 response shall address the department's, agency's or private entity's plan of implementation for  
20 each specific audit recommendation and, if applicable, the reasons for disagreement with any  
21 recommendation proposed in the audit report. Within one year following the date on which the  
22 audit report was issued, the office may perform a follow-up audit for the purpose of determining  
23 whether the department, agency or private entity has implemented, in an efficient and effective  
24 manner, its plan of action for the recommendations proposed in the audit report.

25 SECTION 6. Sections 35-3-17.1 and 35-3-24.1 of the General Laws in Chapter 35-3  
26 entitled "State Budget" are hereby amended to read as follows:

27 **35-3-17.1. Financial statements required from state departments, agencies, and**  
28 **instrumentalities.**

29 The several state departments, agencies, and public authorities and corporations shall  
30 submit to the fiscal advisors of the house and senate, statements of financial conditions and  
31 operations within thirty (30) days of the close of each of the first three (3) fiscal quarters of each  
32 year. The statements shall include, at a minimum:

33 (1) Account numbers;

34 (2) Allotments;

- 1 (3) Expenditures to-date;
- 2 (4) Estimated expenditures to complete the fiscal year; and
- 3 (5) Surplus or deficiency projections.
- 4 (6) Progress on any corrective action plans per the most recent annual findings of the
- 5 auditor general.

6 **35-3-24.1. Program performance measurement.**

7 (a) Beginning with the fiscal year ending June 30, 1997, the governor shall submit, as part

8 of each budget submitted to the general assembly pursuant to § 35-3-7, performance objectives for

9 each program in the budget for the ensuing fiscal year, estimated performance data for the fiscal

10 year in which the budget is submitted, and actual performance data for the preceding two (2)

11 completed fiscal years. Performance data shall include efforts at achieving equal opportunity hiring

12 goals as defined in the department's annual affirmative action plan. The governor shall, in addition,

13 recommend appropriate standards against which to measure program performance. Performance in

14 prior years may be used as a standard where appropriate. These performance standards shall be

15 stated in terms of results obtained.

16 (b) The governor may submit, in lieu of any part of the information required to be submitted

17 pursuant to subsection (a), an explanation of why the information cannot, as a practical matter be

18 submitted.

19 (c)(1) The office of management and budget shall be responsible for managing and

20 collecting program performance measures on behalf of the governor. The office is authorized to

21 conduct performance reviews and audits of agencies to determine ~~progress towards achieving~~

22 ~~performance objectives for programs~~ the manner and extent to which executive branch agencies

23 achieve intended objectives and outcomes.

24 (2) In order to collect performance measures from agencies, review performance and

25 provide recommendations the office of budget and management is authorized to coordinate with

26 the office of internal audit regarding the findings and recommendations that result from audits

27 conducted by the office.

28 (3) In order to facilitate the office of management and budget's performance reviews,

29 agencies must generate and provide timely access to records, reports, analyses, audits, reviews,

30 documents, papers, recommendations, contractual deliverables, or other materials available relating

31 to agency programs and operations.

32 (4) In order to ensure alignment of executive branch agency operations with the state's

33 priorities, the office of management and budget may produce, with all necessary cooperation from

34 executive branch agencies, analyses and recommendations to improve program performance.

1 [conduct evidence-based budgeting, and respond to sudden shifts in policy environments.](#)

2 [\(5\) In order to gain insight into performance or outcomes and inform policymaking and](#)  
3 [program evaluation, the office of management and budget may lead, manage, and/or coordinate](#)  
4 [interagency and cross-system collaboration or integration initiatives.](#)

5 SECTION 7. Section 37-14.1-6 of the General Laws in Chapter 14.1 titled “Minority  
6 Business Enterprise” is hereby amended to read as follows:

7 **37-14.1-6. Minority business enterprise participation.**

8 (a) Minority business enterprises shall be included in all procurements and construction  
9 projects under this chapter and shall be awarded a minimum of ~~ten percent (10%)~~ [fifteen percent](#)  
10 [\(15%\)](#) of the dollar value of the entire procurement or project. [Of that fifteen percent \(15%\),](#)  
11 [minority business enterprises owned and controlled by a minority owner, as defined in § 37-14.1-](#)  
12 [3, shall be awarded a minimum of seven- and one-half percent \(7.5%\), and minority business](#)  
13 [enterprises owned and controlled by a woman shall be awarded a minimum of seven- and one-half](#)  
14 [percent \(7.5%\). Annually, by October 1, the department of administration shall submit a report to](#)  
15 [the general assembly on the status of achieving the aforementioned participation requirements in](#)  
16 [the most recent fiscal year.](#) The director of the department of administration is further authorized  
17 to establish by rules and regulation the certification process and formulas for giving minority  
18 business enterprises a preference in contract and subcontract awards.

19 (b) Any minority business enterprise currently certified by the U.S. Small Business  
20 Administration as an 8(a) firm governed by 13 C.F.R. part 124 shall be deemed to be certified by  
21 the department of administration as a minority business enterprise and shall only be required to  
22 submit evidence of federal certification of good standing.

23 (c) The provisions of chapter 14.1 of title 37 shall not be waived, including, but not limited  
24 to, during a declared state of emergency.

25 [\(d\) The State of Rhode Island will arrange for a disparity study to evaluate the need for the](#)  
26 [development of programs to enhance the participation in state contracts of business enterprises](#)  
27 [owned by women and minorities, to be repeated every five \(5\) years, beginning in fiscal year 2025.](#)

28 SECTION 8. Section 42-28-25 of the General Laws in Chapter 42-28 entitled “State  
29 Police” is hereby amended to read as follows:

30 **42-28-25. State and municipal police training school established.**

31 (a) Within the Rhode Island state police there is hereby created and established a state and  
32 municipal police training school.

33 (b) The superintendent of the state police shall have supervision of the state and municipal  
34 police training academy and shall establish standards for admission and a course of training. The

1 superintendent shall report to the governor and general assembly a plan for a state and municipal  
2 police training academy on or before December 31, 1993. The superintendent shall, in consultation  
3 with the Police Chiefs' Association and the chairperson of the Rhode Island commission on  
4 standards and training make all necessary rules and regulations relative to the admission, education,  
5 physical standards and personal character of the trainees and such other rules and regulations as  
6 shall not be inconsistent with law.

7 (c) Applicants to the state and municipal police training academy shall pay an application  
8 fee in the amount of fifty dollars (\$50.00); provided, however, the superintendent may waive such  
9 application fee if payment thereof would be a hardship to the applicant.

10 (d) Trainees shall pay to the division an amount equal to the actual cost ~~of meals consumed~~  
11 ~~at the state police and municipal police training academy and the actual cost~~ of such training  
12 uniforms which remain the personal property of the trainees.

13 (e) All fees and payments received by the division pursuant to this section shall be  
14 deposited as general revenues.

15 SECTION 9. Section 42-56-20.2 of the General Laws in Chapter 42-56 entitled  
16 "Corrections Department" is hereby amended to read as follows:

17 **42-56-20.2. Community confinement.**

18 (a) **Persons subject to this section.** Every person who shall have been adjudged guilty of  
19 any crime after trial before a judge, a judge and jury, or before a single judge entertaining the  
20 person's plea of nolo contendere or guilty to an offense ("adjudged person"), and every person  
21 sentenced to imprisonment in the adult correctional institutions ("sentenced person") including  
22 those sentenced or imprisoned for civil contempt, and every person awaiting trial at the adult  
23 correctional institutions ("detained person") who meets the criteria set forth in this section shall be  
24 subject to the terms of this section except:

25 (1) Any person who is unable to demonstrate that a permanent place of residence ("eligible  
26 residence") within this state is available to that person; or

27 (2) Any person who is unable to demonstrate that he or she will be regularly employed, or  
28 enrolled in an educational or vocational training program within this state, and within thirty (30)  
29 days following the institution of community confinement; or

30 (3)(i) Any adjudged person or sentenced person or detained person who has been  
31 convicted, within the five (5) years next preceding the date of the offense for which he or she is  
32 currently so adjudged or sentenced or detained, of a violent felony.

33 A "violent felony" as used in this section shall mean any one of the following crimes or an  
34 attempt to commit that crime: murder; manslaughter; sexual assault; mayhem; robbery; burglary;



1 assault with a dangerous weapon; assault or battery involving serious bodily injury; arson; breaking  
2 and entering into a dwelling; child molestation; kidnapping; DWI resulting in death or serious  
3 injury; or driving to endanger resulting in death or serious injury; or

4 (ii) Any person currently adjudged guilty of or sentenced for or detained on any capital  
5 felony; or

6 (iii) Any person currently adjudged guilty of or sentenced for or detained on a felony  
7 offense involving the use of force or violence against a person or persons. These shall include, but  
8 are not limited to, those offenses listed in subsection (a)(3)(i) of this section; or

9 (iv) Any person currently adjudged guilty, sentenced, or detained for the sale, delivery, or  
10 possession with intent to deliver a controlled substance in violation of § 21-28-4.01(a)(4)(i) or  
11 possession of a certain enumerated quantity of a controlled substance in violation of § 21-28-4.01.1  
12 or § 21-28-4.01.2; or

13 (v) Any person currently adjudged guilty of, or sentenced for, or detained on an offense  
14 involving the illegal possession of a firearm.

15 (b) **Findings prior to sentencing to community confinement.** In the case of adjudged  
16 persons, if the judge intends to impose a sentence of community confinement, he or she shall first  
17 make specific findings, based on evidence regarding the nature and circumstances of the offense  
18 and the personal history, character, record, and propensities of the defendant that are relevant to the  
19 sentencing determination, and these findings shall be placed on the record at the time of sentencing.  
20 These findings shall include, but are not limited to:

21 (1) A finding that the person does not demonstrate a pattern of behavior indicating a  
22 propensity for violent behavior;

23 (2) A finding that the person meets each of the eligibility criteria set forth in subsection (a)  
24 of this section;

25 (3) A finding that simple probation is not an appropriate sentence;

26 (4) A finding that the interest of justice requires, for specific reasons, a sentence of non-  
27 institutional confinement; and

28 (5) A finding that the person will not pose a risk to public safety if placed in community  
29 confinement.

30 The facts supporting these findings shall be placed on the record and shall be subject to  
31 review on appeal.

32 (c) **Community confinement.**

33 (1) There shall be established within the department of corrections, a community  
34 confinement program to serve that number of adjudged persons, sentenced persons, and detainees,

1 that the director of the department of corrections (“director”) shall determine on or before July 1 of  
2 each year. Immediately upon that determination, the director shall notify the presiding justice of  
3 the superior court of the number of adjudged persons, sentenced persons, and detainees that can be  
4 accommodated in the community confinement program for the succeeding twelve (12) months.  
5 One-half (½) of all persons sentenced to community confinement shall be adjudged persons, and  
6 the balance shall be detainees and sentenced persons. The director shall provide to the presiding  
7 justice of the superior court and the family court on the first day of each month a report to set forth  
8 the number of adjudged persons, sentenced persons, and detainees participating in the community  
9 confinement program as of each reporting date. Notwithstanding any other provision of this section,  
10 if on April 1 of any fiscal year less than one-half (½) of all persons sentenced to community  
11 confinement shall be adjudged persons, then those available positions in the community  
12 confinement program may be filled by sentenced persons or detainees in accordance with the  
13 procedures set forth in subsection (c)(2) of this section.

14 (2) In the case of inmates other than those classified to community confinement under  
15 subsection (h) of this section, the director may make written application (“application”) to the  
16 sentencing judge for an order (“order”) directing that a sentenced person or detainee be confined  
17 within an eligible residence for a period of time, which in the case of a sentenced person, shall not  
18 exceed the term of imprisonment. This application and order shall contain a recommendation for a  
19 program of supervision and shall contain the findings set forth in subsections (b)(1), (b)(2), (b)(3),  
20 (b)(4), and (b)(5) of this section and facts supporting these findings. The application and order may  
21 contain a recommendation for the use of electronic surveillance or monitoring devices. The hearing  
22 on this application shall be held within ten (10) business days following the filing of this  
23 application. If the sentencing judge is unavailable to hear and consider the application the presiding  
24 justice of the superior court shall designate another judge to do so.

25 (3) In lieu of any sentence that may be otherwise imposed upon any person subject to this  
26 section, the sentencing judge may cause an adjudged person to be confined within an eligible  
27 residence for a period of time not to exceed the term of imprisonment otherwise authorized by the  
28 statute the adjudged person has been adjudged guilty of violating.

29 (4) With authorization by the sentencing judge, or, in the case of sentenced persons  
30 classified to community confinement under subsection (h) of this section by the director of  
31 corrections, or in accordance with the order, persons confined under the provisions of this chapter  
32 may be permitted to exit the eligible residence in order to travel directly to and from their place of  
33 employment or education or training and may be confined in other terms or conditions consistent  
34 with the basic needs of that person that justice may demand, including the right to exit the eligible

1 residence to which that person is confined for certain enumerated purposes such as religious  
2 observation, medical and dental treatment, participation in an education or vocational training  
3 program, and counseling, all as set forth in the order.

4 (d) **Administration.**

5 (1) **Community confinement.** The supervision of persons confined under the provisions  
6 of this chapter shall be conducted by the director, or his or her designee.

7 (2) **Intense surveillance.** The application and order shall prescribe a program of intense  
8 surveillance and supervision by the department of corrections. Persons confined under the  
9 provisions of this section shall be subject to searches of their persons or of their property when  
10 deemed necessary by the director, or his or her designee, in order to ensure the safety of the  
11 community, supervisory personnel, the safety and welfare of that person, and/or to ensure  
12 compliance with the terms of that person's program of community confinement; provided,  
13 however, that no surveillance, monitoring or search shall be done at manifestly unreasonable times  
14 or places nor in a manner or by means that would be manifestly unreasonable under the  
15 circumstances then present.

16 (3) The use of any electronic surveillance or monitoring device which is affixed to the body  
17 of the person subject to supervision is expressly prohibited unless set forth in the application and  
18 order or, in the case of sentenced persons classified to community confinement under subsection  
19 (h), otherwise authorized by the director of corrections.

20 (4) **Regulatory authority.** The director shall have full power and authority to enforce any  
21 of the provisions of this section by regulation, subject to the provisions of the Administrative  
22 Procedures Act, chapter 35 of this title. Notwithstanding any provision to the contrary, the  
23 department of corrections may contract with private agencies to carry out the provisions of this  
24 section. The civil liability of those agencies and their employees, acting within the scope of their  
25 employment, and carrying out the provisions of this section, shall be limited in the same manner  
26 and dollar amount as if they were agencies or employees of the state.

27 (e) **Violations.** Any person confined pursuant to the provisions of this section, who is found  
28 to be a violator of any of the terms and conditions imposed upon him or her according to the order,  
29 or in the case of sentenced persons classified to community confinement under subsection (h),  
30 otherwise authorized by the director of corrections, this section, or any rules, regulations, or  
31 restrictions issued pursuant hereto shall serve the balance of his or her sentence in a classification  
32 deemed appropriate by the director. If that conduct constitutes a violation of § 11-25-2, the person,  
33 upon conviction, shall be subject to an additional term of imprisonment of not less than one year  
34 and not more than twenty (20) years. However, it shall be a defense to any alleged violation that

1 the person was at the time of the violation acting out of a necessary response to an emergency  
2 situation. An “emergency situation” shall be construed to mean the avoidance by the defendant of  
3 death or of substantial personal injury, as defined above, to him or herself or to others.

4 (f) **Costs.** Each person confined according to this section shall reimburse the state for the  
5 costs or a reasonable portion thereof incurred by the state relating to the community confinement  
6 of those persons. Costs shall be initially imposed by the sentencing judge or in the order and shall  
7 be assessed by the director prior to the expiration of that person’s sentence. Once assessed, those  
8 costs shall become a lawful debt due and owing to the state by that person. Monies received under  
9 this section shall be deposited as general funds.

10 (g) **Severability.** Every word, phrase, clause, section, subsection, and any of the provisions  
11 of this section are hereby declared to be severable from the whole, and a declaration of  
12 unenforceability or unconstitutionality of any portion of this section, by a judicial court of  
13 competent jurisdiction, shall not affect the portions remaining.

14 (h) **Sentenced persons approaching release.** Notwithstanding the provisions set forth  
15 within this section, any sentenced person committed under the direct care, custody, and control of  
16 the adult correctional institutions, who is within one (1) year of the projected good time release  
17 date, provided that the person shall have completed at least one-half (½) of the full term of  
18 incarceration, or any person who is sentenced to a term of six (6) months or less of incarceration,  
19 provided that the person shall have completed at least one-half (½) of the term of incarceration,  
20 may in the discretion of the director of corrections be classified to community confinement. This  
21 provision shall not apply to any person whose current sentence was imposed upon conviction of  
22 murder, first degree sexual assault or first degree child molestation.

23 (i) **Persons sentenced to life without parole with a serious health condition.**  
24 Notwithstanding the provisions set forth within this section, any person sentenced to life without  
25 parole committed under the direct care, custody, and control of the adult correctional institutions,  
26 who has a condition that renders him or her confined to a medical facility and who is sufficiently  
27 physically, mentally or otherwise disabled that the presence of correctional officers provides no  
28 additional safety to the public or the personnel caring for them in that facility, may, in the discretion  
29 of the director of corrections, be classified to community confinement in a medical facility with an  
30 electronic surveillance and/or monitoring device. In consultation with medical professionals, such  
31 an individual shall be removed from community confinement in a medical facility, if their medical  
32 condition improves or resolves to a degree that the presence of correctional officers does enhance  
33 the safety of the public and/or the personnel caring for them in that facility and be subject to a return  
34 to the adult correctional institutions.



1 (2) A national collaborative effort among federal and state policymakers, state officials,  
2 and national education organizations have defined the essential components of a statewide  
3 longitudinal data system; and

4 (3) The RI DataHUB is the state education and workforce longitudinal data system, aligned  
5 to the U.S. Department of Education’s Statewide Longitudinal Data System (SLDS) grant program  
6 and the U.S. Department of Labor’s Workforce Data Quality Initiative grant program.

7 **42-165-3. Definitions.**

8 For the purpose of this chapter, the following terms shall have the following meanings  
9 unless the context clearly requires otherwise:

10 (1) “Participating agency” means the Rhode Island department of education, the office of  
11 the postsecondary commissioner, the Rhode Island department of labor and training, and any  
12 agency that has executed a memorandum of understanding for recurring participation in the Rhode  
13 Island longitudinal data system.

14 (2) “Rhode Island Longitudinal Data System” (RILDS) formerly known as the RI  
15 DataHUB operated by DataSpark, is the current statewide longitudinal data system and will be  
16 located for budgetary purposes in the office of the postsecondary commissioner.

17 (3) “Rhode Island Longitudinal Data System Center” (Center) is comprised of the current  
18 entity known as DataSpark and whatever other resources as necessary to accomplish the powers  
19 and duties prescribed herein.

20 (4) “Statewide integrated data system” or “integrated data system” or “IDS” means an  
21 individual-, family- or unit-level data system that links and integrates records from state data sets  
22 from all major education, economic, health, human service, labor and public safety programs.

23 (5) “Statewide longitudinal data system” or “longitudinal data system” or “SLDS” means  
24 an individual- or unit-level data system that links and integrates records from state datasets  
25 including but not limited to early childhood and prekindergarten, through elementary, secondary,  
26 and postsecondary education, and into the workforce from participating agencies and entities.

27 (6) “State and federal privacy laws” means all applicable state and federal privacy laws  
28 and accompanying regulations, including but not limited to the Federal Family Educational Rights  
29 and Privacy Act and its accompanying regulations (“FERPA”), Health Insurance Probability and  
30 Accountability Act (“HIPAA”), R.I. Gen. Laws § 28-42-38, 20 CFR 603.1 et seq., and any other  
31 privacy measures that apply to the personally identifiable information that is used by the center  
32 and/or becomes part of the RILDS hereunder.

33 **42-165-4. Creation.**

34 (a) The RILDS is hereby established within the office of the postsecondary commissioner

1 and is granted and authorized to use all the powers set forth in this chapter.

2 (b) Functions The RILDS shall:

3 (1) Transmit, store, enable access to, permit the use, and dispose of linked data and  
4 information in accordance with the National Institute of Standards and Technology (NIST)  
5 Cybersecurity Framework and associated NIST 800-53 security controls commensurate with data  
6 sensitivity level and in accordance with all applicable state and privacy laws and state security  
7 policies;

8 (2) Serve as a central repository of the state's inter-agency, longitudinal, linked data;

9 (3) Enable the integration, linkage, and management of information;

10 (4) Report on and provide public access to aggregate data to, among other things, address  
11 inequities in access, opportunities, and outcomes and improve student and educator decision-  
12 making;

13 (5) Provide clarity to university and other researchers on the process to request data and  
14 what data is available to request; and

15 (6) Nothing in this chapter shall negate or otherwise adversely affect the validity and legal  
16 enforceability of any existing data sharing and/or research agreements executed between and  
17 among the states' participating agencies and the state's statewide longitudinal data system.

18 **42-165-5. Governing board.**

19 (a) **Composition of board.** The RILDS will be governed by the Rhode Island longitudinal  
20 data system governing board (the board).

21 (1) The board shall be composed of:

22 (i) The director of the department of administration or designee who serves as one co-chair;

23 (ii) Director of any participating agencies as described in § 42-165-3 and § 42-165-6, or  
24 their designee;

25 (iii) The director of the office of management and budget or designee;

26 (iv) The chief digital officer or designee; and

27 (v) The director of the center, as set forth in § 42-165-7.

28 (vi) the secretary of health and human services or designee; and

29 (vii) the commissioner of postsecondary education who serves as one co-chair.

30 (2) The board shall be overseen by two co-chairs. As co-chair, the director of  
31 administration or designee shall be responsible for overseeing and directing the policy duties and  
32 responsibilities of the board. The other co-chair shall be the commissioner of postsecondary  
33 education who shall be responsible for overseeing, supervising, and directing the operational duties  
34 of the center and its personnel.

1 (b) Powers and Duties. The board shall:

2 (1) In consultation with the center and in accordance with federal and state privacy law,  
3 approve policies regarding how data requests from state and local agencies, the Rhode Island  
4 general assembly, universities, third-party researchers, and the public will be managed;

5 (2) In consultation with the center, approve policies regarding the publishing of reports and  
6 other information that should be available to public stakeholders;

7 (3) Approve standards implemented by the center for the security, privacy, access to, and  
8 confidentiality of data, including policies to comply with the Family Education Rights and Privacy  
9 Act, Health Insurance Probability and Accountability Act, R.I. Gen. Laws § 28-42-38, 20 CFR  
10 603.1 et seq. and any other privacy measures, as required by law, state policy or the board;

11 (4) Perform other functions that are necessary to ensure the successful continuation,  
12 management, and expansion of the RILDS;

13 (5) Establish a data governance committee to work with the center on an ongoing basis to  
14 among other responsibilities, approve data requests;

15 (6) Oversee and collaborate with the data governance committee and the center as set forth  
16 in § 42-165-7; and

17 (7) By November 1, 2023, provide a plan to the Governor, the House and the Senate on  
18 how to establish a statewide integrated data system. The plan should consider elements such as:

19 (i) the role an IDS can play in improving the operation of programs; reduce fraud, waste,  
20 and abuse and establishing a state culture of program evaluation;

21 (ii) providing state agencies with evaluation services and providing state analysts access to  
22 data based on their role;

23 (iii) providing researchers with access to state data;

24 (iv) the importance of data privacy and security;

25 (v) the importance of public transparency and the role of the state transparency portal;

26 (vi) the creation of a state chief data officer;

27 (vii) sustainable funding and governance for the IDS;

28 (viii) the role of data federation; and

29 (ix) the timeline for implementing the IDS.

30 **42-165-6. Participating agencies.**

31 (a) Participating agencies shall transfer data, as applicable, to the RILDS in accordance  
32 with the data security policies as approved by the board, and pursuant to the requirements of state  
33 and federal privacy laws and policies.

34 (b) Any agencies providing data on a recurring basis to the RILDS shall provide a



1 representative to the board and be governed in the same manner as the initial agencies and entities  
2 and shall be subject to applicable board policies.

3 **42-165-7. The Rhode Island longitudinal data system center.**

4 (a) Purpose. The purpose of the center is to manage and operate the RILDS and conduct  
5 research and evaluate programs regarding federal, state, and local programs and policies. The center  
6 shall be managed by an executive director (hereafter the “director”) responsible for the daily  
7 management and operations of the center. The director will also be responsible for interfacing and  
8 collaborating between the board and the data governance committee, as well as external  
9 communications and agreements. The director shall be a non-classified employee of the council on  
10 postsecondary education under the supervision of and subject to the authority of the commissioner  
11 of postsecondary education.

12 **(b) Powers and Duties.**

13 The duties of the center shall be to:

14 (1) Act as an authorized representative, research partner, and business associate of the  
15 state’s agencies, including those responsible for education and workforce, under and in accordance  
16 with the requirements of applicable federal and state statutes and/or state and federal privacy laws  
17 and state security policies;

18 (2) Enter into memoranda of understanding with state agencies, non-profits, universities,  
19 subnational governments, and other entities for the purposes of data sharing and analysis;

20 (3) Coordinate with participating agencies and other entities to ensure the integrity and  
21 quality of data being collected, including implementing the data quality and metadata policies  
22 approved by the board;

23 (4) Advance research and allow policymakers to explore critical research policy questions  
24 and to measure investments in education and workforce development;

25 (5) In consultation with the board, identify the state’s critical research and policy questions;

26 (6) Provide analysis and reports that assist with evaluating programs and measuring  
27 investments, subject to the policies approved by the board;

28 (7) Implement policies and procedures approved by the board that govern the security,  
29 privacy, access to, and confidentiality of the data, in accordance with relevant federal and state  
30 privacy laws;

31 (8) Ensure that information contained in and available through the RILDS is kept secure,  
32 and that individual privacy is protected, and maintain insurance coverage;

33 (9) Respond to approved research data requests in accordance with the policies and  
34 procedures approved by the board;

1           (10) Enter into contracts or other agreements with appropriate entities, including but not  
2 limited to universities, and federal, state, and local agencies, to the extent necessary to carry out its  
3 duties and responsibilities only if such contracts or agreements incorporate adequate protections  
4 with respect to the privacy and security of any information to be shared, and are approved, in  
5 writing, by the applicable agency whose data or information is to be shared, and are allowable  
6 under applicable state and federal privacy laws; and

7           (11) Maintain staff necessary to carry out the above duties as provided for in the state  
8 budget. Staff at the center shall be non-classified employees of the council on postsecondary  
9 education, under the supervision of and subject to the authority of the commissioner of  
10 postsecondary education. The non-SLDS activity of the center shall also be under the supervision  
11 and authority of the commissioner of postsecondary education and the council on postsecondary  
12 education. The council on postsecondary education, its office of the postsecondary commissioner,  
13 and its employees shall be included under the limitation of damages for tort liability for the State  
14 set out in §§ 9-31-1 et seq., for all actions involving the center regarding the RILDS and/or SLDS  
15 and for any other activity of the center regarding its receipt, storage, sharing and transmission of  
16 data as part of its non-SLDS operations and activities.

17           (12) The council on postsecondary education shall be the employer of public record for the  
18 Center.

19           (c) **Funding.** Appropriations made pursuant to this Act shall be used exclusively for the  
20 development and operation of RILDS.

21           (1) The board and the center may implement a data request fee policy to compensate for  
22 excessive use of the data system, to recover costs that would otherwise typically be borne by the  
23 requesting data researcher, or both. A data request fee policy implemented pursuant to this section  
24 shall be reviewed and approved by the board, revised periodically, and made publicly available and  
25 posted in a prominent location on the RILDS's internet website.

26           (2) The center may receive funding for its operation of the RILDS from the following  
27 sources:

28           (a) State appropriations;

29           (b) Federal grants;

30           (c) User fees; and

31           (d) Any other grants or contributions from public agencies or other entities.

32           (e) There is hereby established a restricted receipt account in the general fund of the state  
33 and housed in the budget of the office of postsecondary commissioner entitled "longitudinal data  
34 system- non-federal grants." The express purpose of this account is to record receipts and

1 [expenditures of the program herein described and established within this section.](#)

2 SECTION 11. Sections 46-12.9-3, 46-12.9-5 and 46-12.9-11 of the General Laws in  
3 Chapter 46-12.9 entitled "Rhode Island Underground Storage Tank Financial Responsibility Act"  
4 are hereby amended to read as follows:

5 **46-12.9-3. Definitions.**

6 When used in this chapter:

7 ~~(1) "Advisory board" means the Rhode Island underground storage tank financial~~  
8 ~~responsibility advisory board established pursuant to the provisions of § 46-12.9-8.~~

9 ~~(2)~~(1) "Department" means the Rhode Island department of environmental management.

10 ~~(3)~~(2) "Director" means the director of the department of environmental management, or  
11 his or her designee.

12 ~~(4)~~(3) "Eligible costs" means costs, expenses, and other obligations as incurred by a  
13 responsible party for site investigation, site remediation, or other corrective action activities ordered  
14 or directed, and approved, by the department or performed by the responsible party and not  
15 specifically identified by the department as ineligible.

16 ~~(5)~~(4) "Facility" means any parcel of real estate or contiguous parcels of real estate owned  
17 and/or operated by the same person(s), which together with all land, structures, facility components,  
18 improvements, fixtures, and other appurtenances located therein, form a distinct geographic unit  
19 and at which petroleum products or hazardous materials are or have been stored in underground  
20 storage tanks.

21 ~~(6)~~(5) "Fund" means the Rhode Island underground storage tank financial responsibility  
22 fund established herein.

23 ~~(7)~~(6) "Operator" means any person in control of, or having the responsibility for, the daily  
24 operation of an underground storage tank system.

25 ~~(8)~~(7) "Owner" means any person, corporation, group, or other entity who or that holds  
26 exclusive or joint title to, or lawful possession of, a facility or part of a facility.

27 ~~(9)~~(8) "Petroleum product" means crude oil, or any fractions thereof, that is liquid at  
28 standard conditions of temperature sixty degrees Fahrenheit (60°F) and pressure fourteen and seven  
29 tenths pounds per square inch absolute (14.7 psia) and includes substances derived from crude oil  
30 including, but not limited to, the following:

- 31 (i) Gasoline;
- 32 (ii) Fuel Oils;
- 33 (iii) Diesel Oils;
- 34 (iv) Waste Oils;

1 (v) Gasohol, lubricants and solvents.

2 ~~(+9)~~(9) "Release" means any spilling, leaking, pumping, pouring, injecting, emitting,  
3 escaping, leaching, discharging, or disposing of any material stored in an underground storage tank  
4 system subject to these regulations into groundwater, surface water, soil, air, or any other  
5 environmental media.

6 ~~(+1)~~(10) "Responsible party" means the person or persons liable for release of petroleum  
7 or the remediation of a release.

8 ~~(+2)~~(11) "Site" means any location at which, or from which, there has been a release of  
9 petroleum associated with an underground storage tank or an underground storage tank system, or  
10 any location to which such petroleum has migrated.

11 ~~(+3)~~(12) "UST" or "Underground storage tank system" means any one or more  
12 underground tanks, and their associated components, including piping, used to contain, transport,  
13 or store petroleum product or hazardous material whose volume is ten percent (10%) or more  
14 beneath the surface of the ground.

15 **46-12.9-5. Purpose of fund.**

16 (a) The purpose of the fund shall be to facilitate the clean-up of releases from leaking  
17 underground storage tanks, underground storage tank systems, including those located on sites in  
18 order to protect the environment, including drinking water supplies and public health.

19 (b) The fund shall provide reimbursement to responsible parties for the eligible costs  
20 incurred by them as a result of releases of certain petroleum from underground storage tanks or  
21 underground storage tank systems as provided herein. Monies in the fund shall be dispensed only  
22 upon the order of the department for the following purposes:

23 (1) The fund shall pay not more than one million dollars (\$1,000,000) per incident, and up  
24 to two million dollars (\$2,000,000) in the aggregate, for damages of eligible costs, as defined in  
25 regulations promulgated hereunder and, as further defined in § 46-12.9-3, excluding legal costs and  
26 expenses, incurred by a responsible party as a result of a release of petroleum from an underground  
27 storage tank or underground storage tank system; provided, however, that a responsible party may  
28 be responsible for the first twenty thousand dollars (\$20,000) of said eligible costs;

29 (2) Reimbursement for any third-party claim including, but not limited to, claims for bodily  
30 injury, property damage, and damage to natural resources that are asserted against a responsible  
31 party and that have arisen as a result of a release of petroleum from an underground storage tank  
32 or underground storage tank system, in an amount not to exceed one million dollars (\$1,000,000)  
33 for each release as set forth in subsection (b)(1); provided, that such claims are found by the  
34 department to be justified, reasonable, related to the release of petroleum, and not excessive or

1 spurious in nature;

2 (3) Costs incurred by the department in carrying out the investigative, remedial, and  
3 corrective action activities at sites of a petroleum release associated with an underground storage  
4 tank or underground storage tank system where the responsible party fails to comply with an order  
5 of the department to undertake such activities. In the event of such failure or documented inability  
6 to comply, the department may access the fund to perform the ordered work and may proceed to  
7 recover from the responsible party, on behalf of the fund, any amount expended from the fund by  
8 the department;

9 (4) Nothing contained in this chapter shall be construed to prevent subrogation by the state  
10 of Rhode Island against any responsible party, other than the owner and/or operator, for all sums  
11 of money that the fund shall be obligated to pay hereunder, plus reasonable attorney's fees and costs  
12 of litigation and such right of subrogation is hereby created; and

13 (5) Eligible costs incurred by the department to support the fund, including, but not limited  
14 to, all personnel support to process and review claims in order to formulate recommendations for  
15 reimbursement for consideration, ~~and providing meeting space for board meetings~~; provided,  
16 however, that no more than five hundred and fifty thousand dollars (\$550,000) shall be dispensed  
17 from the fund for administrative purposes during any fiscal year. The department shall directly  
18 access the fund, pursuant to the limits set forth in subdivision (b)(1) of this section, to pay for such  
19 expenses.

20 (6) [Deleted by P.L. 2016, ch. 148, § 1 and P.L. 2016, ch. 160, § 1].

21 **46-12.9-11. Fundings.**

22 (a) There is hereby imposed an environmental protection regulatory fee of one cent (\$0.01)  
23 per gallon payable of motor fuel, to be collected by distributors of motor fuel when the product is  
24 sold to owners and/or operators of underground storage tanks. Each distributor shall be responsible  
25 to the tax administrator for the collection of the regulatory fee, and if the distributor is unable to  
26 recover the fee from the person who ordered the product, the distributor shall nonetheless remit to  
27 the tax administrator the regulatory fee associated with the delivery. In accordance with the  
28 regulations to be promulgated hereunder, the fee shall be collected, reported, and paid to the Rhode  
29 Island division of taxation as a separate, line-item entry, on a quarterly tax report by those persons  
30 charged with the collection, reporting, and payment of motor fuels taxes. This fee shall be  
31 administered and collected by the division of taxation. Notwithstanding the provisions of this  
32 section, the fee shall not be applicable to purchases by the United States government.

33 (b) Of the one-cent-per-gallon (\$0.01) environmental protection regulatory fee collected  
34 by distributors of motor fuel and paid to the Rhode Island division of taxation, one-half cent

1 (\$0.005) shall be deposited in the intermodal surface transportation fund to be distributed pursuant  
2 to § 31-36-20 and one-half cent (\$0.005) shall be paid to the fund. All environmental protection  
3 regulatory fees paid to the department shall be received by the department, which shall keep such  
4 money in a distinct, interest-bearing, restricted-receipt account to the credit of, and for the exclusive  
5 use of, the fund provided that for the period January 1, 2008, through June 30, 2008, all revenues  
6 generated by the environmental protection regulatory fee, up to a maximum of two million dollars  
7 (\$2,000,000), shall be deposited into the general fund. In fiscal year 2009, all revenues generated  
8 by the environmental protection regulatory fee, up to a maximum equivalent to two million two  
9 hundred thirty-seven thousand five hundred dollars (\$2,237,500), shall be deposited into the  
10 intermodal surface transportation fund. All fees collected may be invested as provided by law and  
11 all interest received on such investment shall be credited to the fund.

12 (c) When the fund reaches the sum of eight million dollars (\$8,000,000), the imposition of  
13 the fee set forth in this chapter shall be suspended, and the division of taxation shall notify all  
14 persons responsible for the collection, reporting, and payments of the fee of the suspension. In the  
15 event that the account balance of the fund subsequently is reduced to a sum less than five million  
16 dollars (\$5,000,000) as a result of fund activity, the fee shall be reinstated by the division of  
17 taxation, following proper notice thereof, and once reinstated, the collection, reporting, and  
18 payment of the fee shall continue until the account balance again reaches the sum of eight million  
19 dollars (\$8,000,000).

20 (d) Upon the determination by ~~the advisory board and~~ the department that the fund has  
21 reached a balance sufficient to satisfy all pending or future claims, the ~~advisory board~~ department  
22 shall recommend to the general assembly the discontinuation of the imposition of the fee created  
23 in this section.

24 SECTION 12. Section 46-12.9-8 of the General Laws in Chapter 46-12.9 entitled "Rhode  
25 Island Underground Storage Tank Financial Responsibility Act" is hereby repealed.

26 ~~**46-12.9-8. Advisory board.**~~

27 ~~(a) There is hereby authorized, created, and established the "underground storage tank~~  
28 ~~advisory board," to have such powers as are provided herein.~~

29 ~~(b) The advisory board shall consist of seven (7) members, as follows: the director of the~~  
30 ~~department of environmental management, or his or her designee, who shall be a subordinate within~~  
31 ~~the department of environmental management. The governor, with the advice and consent of the~~  
32 ~~senate, shall appoint six (6) public members, one of whom shall have expertise and experience in~~  
33 ~~financial matters. In making these appointments the governor shall give due consideration to~~  
34 ~~recommendations from the American Petroleum Institute, the Independent Oil Marketers~~

1 ~~Association, the Oil Heat Institute, the Environment Council, the Independent Oil Dealers~~  
2 ~~Association, and the Rhode Island Marine Trade Association. The newly appointed members will~~  
3 ~~serve for a term of three (3) years commencing on the day they are qualified. Any vacancy which~~  
4 ~~may occur on the board shall be filled by the governor, with the advice and consent of the senate,~~  
5 ~~for the remainder of the unexpired term in the same manner as the member's predecessor as~~  
6 ~~prescribed in this section. The members of the board shall be eligible to succeed themselves.~~  
7 ~~Members shall serve until their successors are appointed and qualified. No one shall be eligible for~~  
8 ~~appointment unless he or she is a resident of this state. The members of the board shall serve without~~  
9 ~~compensation. Those members of the board, as of the effective date of this act [July 15, 2005], who~~  
10 ~~were appointed to the board by members of the general assembly, shall cease to be members of the~~  
11 ~~board on the effective date of this act, and the governor shall thereupon nominate three (3)~~  
12 ~~members, each of whom shall serve the balance of the unexpired term of his or her predecessor.~~  
13 ~~Those members of the board, as of the effective date of this act [July 15, 2005], who were appointed~~  
14 ~~to the board by the governor, shall continue to serve the balance of their current terms. Thereafter,~~  
15 ~~the appointments shall be made by the governor as prescribed in this section.~~

16 ~~(c) The advisory board shall meet at the call of the chair. All meetings shall be held~~  
17 ~~consistent with chapter 46 of title 42.~~

18 ~~(d) The advisory board and its corporate existence shall continue until terminated by law.~~  
19 ~~Upon termination of the existence of the advisory board, all its rights and properties shall pass to~~  
20 ~~and be vested in the state.~~

21 ~~(e) The advisory board shall have the following powers and duties, together with all powers~~  
22 ~~incidental thereto or necessary for the performance of those stated in this chapter:~~

23 ~~(1) To elect or appoint officers and agents of the advisory board, and to define their duties:~~

24 ~~(2) To make and alter bylaws, not inconsistent with this chapter, for the administration of~~  
25 ~~the affairs of the advisory board. Such bylaws may contain provisions indemnifying any person~~  
26 ~~who is, or was, a director or a member of the advisory board, in the manner and to the extent~~  
27 ~~provided in § 7-6-6 of the Rhode Island nonprofit corporation act;~~

28 ~~(3) To oversee, review, and evaluate the condition and performance of the underground~~  
29 ~~storage tank fund and approve and submit an annual report after the end of each fiscal year to the~~  
30 ~~governor, the speaker of the house of representatives, the president of the senate, and the secretary~~  
31 ~~of state, of its activities during that fiscal year. The report shall provide information provided by~~  
32 ~~the department, including: an operating statement summarizing meetings held, including meeting~~  
33 ~~minutes, subjects addressed, and decisions rendered; a summary of the advisory board's actions,~~  
34 ~~fees levied, collected, or received, as prescribed in §§ 46-12.9-7 and 46-12.9-11, claims submitted,~~

1 ~~verified, approved, modified, and denied, as prescribed in § 46-12.9-7, and reconsideration hearings~~  
2 ~~held; a synopsis of any law suits or other legal matters related to the fund; and a summary of~~  
3 ~~performance during the previous fiscal year, including accomplishments, shortcomings, and~~  
4 ~~remedies; a briefing on anticipated activities in the upcoming fiscal year; and findings and~~  
5 ~~recommendations for improvements; and a summary of any training courses held pursuant to~~  
6 ~~subdivision (e)(4). The report shall be posted electronically as prescribed in § 42-20-8.2. The~~  
7 ~~advisory board may make recommendations or suggestions on the claims process and/or the~~  
8 ~~condition and management of the fund, and the department shall respond, in writing, to any of these~~  
9 ~~suggestions or recommendations; and~~

10 ~~(4) To conduct a training course for newly appointed and qualified members and new~~  
11 ~~designees of ex-officio members within six (6) months of their qualification or designation. The~~  
12 ~~course shall be developed by the executive director, approved by the board, and conducted by the~~  
13 ~~executive director. The board may approve the use of any board or staff members or other~~  
14 ~~individuals to assist with training. The training course shall include instruction in the following~~  
15 ~~areas: the provisions of chapter 12.9 of title 46, chapter 46 of title 42, chapter 14 of title 36 and~~  
16 ~~chapter 2 of title 38; and the board's rules and regulations. The director of the department of~~  
17 ~~administration shall, within ninety (90) days of the effective date of this act [July 15, 2005], prepare~~  
18 ~~and disseminate training materials relating to the provisions of chapter 14 of title 36, chapter 2 of~~  
19 ~~title 38, and chapter 46 of title 42.~~

20 ~~(f) Upon the passage of this act and the appointment and qualification of the three (3) new~~  
21 ~~members prescribed in subsection (b), the board shall elect, from among its members, a chair.~~  
22 ~~Thereafter, the board shall elect annually, in February, a chair from among the members. The board~~  
23 ~~may elect, from among its members, such other officers as it deems necessary.~~

24 ~~(g) Four (4) members of the board shall constitute a quorum and the vote of the majority~~  
25 ~~of the members present shall be necessary and shall suffice for any action taken by the board. No~~  
26 ~~vacancy in the membership of the board shall impair the right of a quorum to exercise all of the~~  
27 ~~rights and perform all of the duties of the board.~~

28 ~~(h) Members of the board shall be removable by the governor pursuant to § 36-1-7 and~~  
29 ~~removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall~~  
30 ~~be unlawful.~~

31 SECTION 13. This article shall take effect upon passage.



**ARTICLE 4 AS AMENDED**

RELATING TO TAXES

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

CHAPTER 5.3

STATEWIDE TANGIBLE PROPERTY TAX EXEMPTION

**44-5.3-1. Municipal tangible property tax exemption.**

(a) Notwithstanding the provisions of chapter 5 of this title or any other provisions of law to the contrary, in an effort to provide relief for businesses, including small businesses, and to promote economic development, a city, town, or fire district shall provide each tangible property taxpayer on the aggregate amount of all ratable, tangible personal property not otherwise exempt from taxation an exemption from taxation of fifty thousand dollars (\$50,000) applicable to the assessment date of December 31, 2023 and for each assessment date thereafter. All ratable, tangible, personal property valued above fifty thousand dollars (\$50,000) remains subject to taxation.

(b) Individual personal exemptions granted to tangible property taxpayers in any city, town, or fire district at the time of the effective date of this chapter shall be applied to assessed values prior to applying the statewide exemption provided in this section in order that any lost revenue to be reimbursed pursuant to this chapter for each respective city, town, or fire district shall not include revenue loss resulting from these individual personal exemptions.

(c) Exemptions existing and uniformly applied to all tangible property taxpayers in any city, town, or fire district at the time of the effective date of this chapter shall be disregarded in order that any lost revenue to be reimbursed pursuant to this chapter for each respective city, town, or fire district shall include revenue loss resulting from such pre-existing uniform exemptions.

**44-5.3-2. Reimbursement of lost tax revenue.**

(a) Beginning in fiscal year 2025 and for each fiscal year thereafter, cities, towns, and fire districts shall receive reimbursements, as set forth in this section, from state general revenues for lost tax revenues due to the reduction of the tangible property tax resulting from the statewide exemption set forth in § 44-5.3-1.

(b) Beginning in fiscal year 2025, and for each fiscal year thereafter, cities, towns, and fire

1 districts shall receive a reimbursement equal to the tangible property levy for the assessment date  
2 of December 31, 2022, minus the tangible personal property levy for the assessment date of  
3 December 31, 2023.

4 (c) Reimbursements shall be distributed in full to cities, towns, and fire districts on  
5 September 30, 2024 and every September 30 thereafter; provided, however, that reimbursement  
6 shall not be provided to any city, town, or fire district in any year in which it has failed to provide  
7 to the division of municipal finance its certified tax roll in accordance with § 44-5-22 or any other  
8 information required by the division of municipal finance to calculate the reimbursement amount.

9 **44-5.3-3. Tangible property tax rate cap.**

10 (a) Notwithstanding any other provision of law to the contrary, the tax rate for the class of  
11 property that includes tangible personal property for any city, town, or fire district shall be capped  
12 and shall not exceed thereafter the tax rate in effect for the assessment date of December 31, 2022.

13 (b) Notwithstanding any other provision of law to the contrary, for assessment dates on and  
14 after December 31, 2023, any city, town, or fire district shall be permitted to tax all other classes  
15 of property, or where no classification has been enacted all other types of property, at a different  
16 tax rate than the tax rate for tangible personal property required by subsection (a) of this section.

17 **44-5.3-4. Removal of certain limitations and requirements.**

18 For assessment dates on or after December 31, 2023, tangible tax rates shall be disregarded  
19 for purposes of compliance with limitations on the extent to which the effective tax rate of one class  
20 of property may exceed that of another, or requirements that the same percentage rate change be  
21 applied across property classes from one year to the next, under § 44-5-11.8 or any other similar  
22 statutory provision applicable to a city, town, or fire district.

23 **44-5.3-5. Application.**

24 The statewide exemption set forth in this chapter shall not apply to:

25 (1) Public service corporation tangible property subject to taxation pursuant to § 44-13-13;

26 and

27 (2) Renewable energy resources and associated equipment subject to taxation pursuant to  
28 § 44-5-3(c).

29 SECTION 2. Chapter 44-13 of the General Laws entitled “Public Service Corporation Tax”  
30 is hereby amended by adding thereto the following section:

31 **44-13-37. Temporary Relief from the Gross Earnings Tax on Electricity and Gas.**

32 (a) As used in this section:

33 (1) “Electric utility customer” means an individual or business who purchases electricity  
34 from a utility company during any of the months between and including December 2023 through

1 March 2024.

2 (2) “Gas utility customer” means an individual or business who purchases natural gas from  
3 a utility company during any of the months between and including December 2023 through March  
4 2024.

5 (3) “Utility company” means any entity that qualifies as a “public service company”  
6 pursuant to § 44-13-2.1 and a “corporation” for the purposes of § 44-13-4(2) or § 44-13-4(6) and  
7 sells electricity to an electric utility customer or sells natural gas to a gas utility customer for any  
8 of the months between and including December 2023 through March 2024.

9 (b) (1) A utility company may be eligible for a rebate payment in the amount of the public  
10 service corporation tax due pursuant to § 44-13-4 that would be charged to its electric utility  
11 customers or its gas utility customers for the months of December 2023 through March 2024. For  
12 the months of December 2023 through March 2024:

13 (i) A utility company shall pay the public service corporation tax pursuant to, and in  
14 accordance with, § 44-13-4;

15 (ii) A utility company shall not charge any electric utility customer or any gas utility  
16 customer the tax due or paid pursuant to § 44-13-4, but shall continue to reflect the amount of the  
17 tax due along with an offsetting credit on each bill for each electric utility customer or gas utility  
18 customer.

19 (2) The rebate amount shall be determined by the division of taxation based on the  
20 applicable tax paid by a utility company for electricity consumption by its electric utility customers  
21 and/or for gas consumption by its gas utility customers between and including the months of  
22 December 2023 and March 2024.

23 (3) The utility company must apply for a rebate on such forms and in such a manner as  
24 prescribed by the division of taxation on or before May 31, 2024 and the rebate will be paid by the  
25 division of taxation to the utility company.

26 (4) Rebate payments made under this subsection shall not be subject to offset and shall not  
27 be considered gross earnings for the purposes of the public service corporation tax under this  
28 chapter.

29 (5) In no event shall the rebate amount provided for in this section accrue interest for the  
30 benefit of any utility company. The utility company shall not charge an electric utility customer or  
31 a gas utility customer any fees or charges associated with the amounts qualifying for a rebate in  
32 accordance with this section.

33 (6) In addition to all other penalties provided under Rhode Island state law, any utility  
34 company that submits a fraudulent application or fails to otherwise comply with the terms of this

1 section for the December 2023 through March 2024 period shall pay a ten dollar (\$10.00) penalty  
2 per registered active account. The utility company shall pay any rebate amount fraudulently  
3 received to the division of taxation and credit the electric utility customer or gas utility customer  
4 for any amounts fraudulently or improperly claimed by the utility company and paid by the electric  
5 utility customer or gas utility customer. The tax administrator shall have the same powers to collect  
6 payment under this subsection as under title 44 of the general laws.

7 (7) If an electric utility customer or a gas utility customer erroneously pays to the utility  
8 company the tax due for the December 2023 through March 2024 period, or any portion thereof,  
9 the utility company must refund the customer within thirty (30) days of the customer remitting the  
10 payment.

11 (8) If any provision of this section or the application thereof is held invalid, such invalidity  
12 shall not affect the provisions of this section which can be given effect without the invalid  
13 provisions. Notwithstanding this subsection, all other subsections of this chapter shall remain in  
14 full force and effect.

15 SECTION 3. Section 44-30-2.6 of the General Laws in Chapter 44-30 entitled "Personal  
16 Income Tax" is hereby amended to read as follows:

17 **44-30-2.6. Rhode Island taxable income — Rate of tax.**

18 (a) "Rhode Island taxable income" means federal taxable income as determined under the  
19 Internal Revenue Code, 26 U.S.C. § 1 et seq., not including the increase in the basic, standard-  
20 deduction amount for married couples filing joint returns as provided in the Jobs and Growth Tax  
21 Relief Reconciliation Act of 2003 and the Economic Growth and Tax Relief Reconciliation Act of  
22 2001 (EGTRRA), and as modified by the modifications in § 44-30-12.

23 (b) Notwithstanding the provisions of §§ 44-30-1 and 44-30-2, for tax years beginning on  
24 or after January 1, 2001, a Rhode Island personal income tax is imposed upon the Rhode Island  
25 taxable income of residents and nonresidents, including estates and trusts, at the rate of twenty-five  
26 and one-half percent (25.5%) for tax year 2001, and twenty-five percent (25%) for tax year 2002  
27 and thereafter of the federal income tax rates, including capital gains rates and any other special  
28 rates for other types of income, except as provided in § 44-30-2.7, which were in effect immediately  
29 prior to enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA);  
30 provided, rate schedules shall be adjusted for inflation by the tax administrator beginning in taxable  
31 year 2002 and thereafter in the manner prescribed for adjustment by the commissioner of Internal  
32 Revenue in 26 U.S.C. § 1(f). However, for tax years beginning on or after January 1, 2006, a  
33 taxpayer may elect to use the alternative flat tax rate provided in § 44-30-2.10 to calculate his or  
34 her personal income tax liability.

1 (c) For tax years beginning on or after January 1, 2001, if a taxpayer has an alternative  
2 minimum tax for federal tax purposes, the taxpayer shall determine if he or she has a Rhode Island  
3 alternative minimum tax. The Rhode Island alternative minimum tax shall be computed by  
4 multiplying the federal tentative minimum tax without allowing for the increased exemptions under  
5 the Jobs and Growth Tax Relief Reconciliation Act of 2003 (as redetermined on federal form 6251  
6 Alternative Minimum Tax-Individuals) by twenty-five and one-half percent (25.5%) for tax year  
7 2001, and twenty-five percent (25%) for tax year 2002 and thereafter, and comparing the product  
8 to the Rhode Island tax as computed otherwise under this section. The excess shall be the taxpayer's  
9 Rhode Island alternative minimum tax.

10 (1) For tax years beginning on or after January 1, 2005, and thereafter, the exemption  
11 amount for alternative minimum tax, for Rhode Island purposes, shall be adjusted for inflation by  
12 the tax administrator in the manner prescribed for adjustment by the commissioner of Internal  
13 Revenue in 26 U.S.C. § 1(f).

14 (2) For the period January 1, 2007, through December 31, 2007, and thereafter, Rhode  
15 Island taxable income shall be determined by deducting from federal adjusted gross income as  
16 defined in 26 U.S.C. § 62 as modified by the modifications in § 44-30-12 the Rhode Island  
17 itemized-deduction amount and the Rhode Island exemption amount as determined in this section.

18 **(A) Tax imposed.**

19 (1) There is hereby imposed on the taxable income of married individuals filing joint  
20 returns and surviving spouses a tax determined in accordance with the following table:

21 If taxable income is:	The tax is:
22 Not over \$53,150	3.75% of taxable income
23 Over \$53,150 but not over \$128,500	\$1,993.13 plus 7.00% of the excess over \$53,150
24 Over \$128,500 but not over \$195,850	\$7,267.63 plus 7.75% of the excess over \$128,500
25 Over \$195,850 but not over \$349,700	\$12,487.25 plus 9.00% of the excess over \$195,850
26 Over \$349,700	\$26,333.75 plus 9.90% of the excess over \$349,700

27 (2) There is hereby imposed on the taxable income of every head of household a tax  
28 determined in accordance with the following table:

29 If taxable income is:	The tax is:
30 Not over \$42,650	3.75% of taxable income
31 Over \$42,650 but not over \$110,100	\$1,599.38 plus 7.00% of the excess over \$42,650
32 Over \$110,100 but not over \$178,350	\$6,320.88 plus 7.75% of the excess over \$110,100
33 Over \$178,350 but not over \$349,700	\$11,610.25 plus 9.00% of the excess over \$178,350
34 Over \$349,700	\$27,031.75 plus 9.90% of the excess over \$349,700

1 (3) There is hereby imposed on the taxable income of unmarried individuals (other than  
2 surviving spouses and heads of households) a tax determined in accordance with the following  
3 table:

4 If taxable income is:	The tax is:
5 Not over \$31,850	3.75% of taxable income
6 Over \$31,850 but not over \$77,100	\$1,194.38 plus 7.00% of the excess over \$31,850
7 Over \$77,100 but not over \$160,850	\$4,361.88 plus 7.75% of the excess over \$77,100
8 Over \$160,850 but not over \$349,700	\$10,852.50 plus 9.00% of the excess over \$160,850
9 Over \$349,700	\$27,849.00 plus 9.90% of the excess over \$349,700

10 (4) There is hereby imposed on the taxable income of married individuals filing separate  
11 returns and bankruptcy estates a tax determined in accordance with the following table:

12 If taxable income is:	The tax is:
13 Not over \$26,575	3.75% of taxable income
14 Over \$26,575 but not over \$64,250	\$996.56 plus 7.00% of the excess over \$26,575
15 Over \$64,250 but not over \$97,925	\$3,633.81 plus 7.75% of the excess over \$64,250
16 Over \$97,925 but not over \$174,850	\$6,243.63 plus 9.00% of the excess over \$97,925
17 Over \$174,850	\$13,166.88 plus 9.90% of the excess over \$174,850

18 (5) There is hereby imposed a taxable income of an estate or trust a tax determined in  
19 accordance with the following table:

20 If taxable income is:	The tax is:
21 Not over \$2,150	3.75% of taxable income
22 Over \$2,150 but not over \$5,000	\$80.63 plus 7.00% of the excess over \$2,150
23 Over \$5,000 but not over \$7,650	\$280.13 plus 7.75% of the excess over \$5,000
24 Over \$7,650 but not over \$10,450	\$485.50 plus 9.00% of the excess over \$7,650
25 Over \$10,450	\$737.50 plus 9.90% of the excess over \$10,450

26 (6) Adjustments for inflation.

27 The dollars amount contained in paragraph (A) shall be increased by an amount equal to:

- 28 (a) Such dollar amount contained in paragraph (A) in the year 1993, multiplied by;
  - 29 (b) The cost-of-living adjustment determined under section (J) with a base year of 1993;
  - 30 (c) The cost-of-living adjustment referred to in subparagraphs (a) and (b) used in making
- 31 adjustments to the nine percent (9%) and nine and nine tenths percent (9.9%) dollar amounts shall  
32 be determined under section (J) by substituting "1994" for "1993."

33 **(B) Maximum capital gains rates.**

34 (1) In general.

1 If a taxpayer has a net capital gain for tax years ending prior to January 1, 2010, the tax  
2 imposed by this section for such taxable year shall not exceed the sum of:

3 (a) 2.5% of the net capital gain as reported for federal income tax purposes under section  
4 26 U.S.C. § 1(h)(1)(a) and 26 U.S.C. § 1(h)(1)(b).

5 (b) 5% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.  
6 § 1(h)(1)(c).

7 (c) 6.25% of the net capital gain as reported for federal income tax purposes under 26  
8 U.S.C. § 1(h)(1)(d).

9 (d) 7% of the net capital gain as reported for federal income tax purposes under 26 U.S.C.  
10 § 1(h)(1)(e).

11 (2) For tax years beginning on or after January 1, 2010, the tax imposed on net capital gain  
12 shall be determined under subdivision 44-30-2.6(c)(2)(A).

13 **(C) Itemized deductions.**

14 (1) In general.

15 For the purposes of section (2), “itemized deductions” means the amount of federal  
16 itemized deductions as modified by the modifications in § 44-30-12.

17 (2) Individuals who do not itemize their deductions.

18 In the case of an individual who does not elect to itemize his deductions for the taxable  
19 year, they may elect to take a standard deduction.

20 (3) Basic standard deduction.

21 The Rhode Island standard deduction shall be allowed in accordance with the following  
22 table:

23 Filing status	Amount
24 Single	\$5,350
25 Married filing jointly or qualifying widow(er)	\$8,900
26 Married filing separately	\$4,450
27 Head of Household	\$7,850

28 (4) Additional standard deduction for the aged and blind.

29 An additional standard deduction shall be allowed for individuals age sixty-five (65) or  
30 older or blind in the amount of \$1,300 for individuals who are not married and \$1,050 for  
31 individuals who are married.

32 (5) Limitation on basic standard deduction in the case of certain dependents.

33 In the case of an individual to whom a deduction under section (E) is allowable to another  
34 taxpayer, the basic standard deduction applicable to such individual shall not exceed the greater of:

- 1 (a) \$850;
- 2 (b) The sum of \$300 and such individual's earned income;
- 3 (6) Certain individuals not eligible for standard deduction.

4 In the case of:

- 5 (a) A married individual filing a separate return where either spouse itemizes deductions;
- 6 (b) Nonresident alien individual;
- 7 (c) An estate or trust;

8 The standard deduction shall be zero.

- 9 (7) Adjustments for inflation.

10 Each dollar amount contained in paragraphs (3), (4) and (5) shall be increased by an amount  
11 equal to:

12 (a) Such dollar amount contained in paragraphs (3), (4) and (5) in the year 1988, multiplied  
13 by

14 (b) The cost-of-living adjustment determined under section (J) with a base year of 1988.

15 **(D) Overall limitation on itemized deductions.**

16 (1) General rule.

17 In the case of an individual whose adjusted gross income as modified by § 44-30-12  
18 exceeds the applicable amount, the amount of the itemized deductions otherwise allowable for the  
19 taxable year shall be reduced by the lesser of:

20 (a) Three percent (3%) of the excess of adjusted gross income as modified by § 44-30-12  
21 over the applicable amount; or

22 (b) Eighty percent (80%) of the amount of the itemized deductions otherwise allowable for  
23 such taxable year.

24 (2) Applicable amount.

25 (a) In general.

26 For purposes of this section, the term "applicable amount" means \$156,400 (\$78,200 in the  
27 case of a separate return by a married individual)

28 (b) Adjustments for inflation.

29 Each dollar amount contained in paragraph (a) shall be increased by an amount equal to:

30 (i) Such dollar amount contained in paragraph (a) in the year 1991, multiplied by

31 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

32 (3) Phase-out of Limitation.

33 (a) In general.

34 In the case of taxable year beginning after December 31, 2005, and before January 1, 2010,



1 the reduction under section (1) shall be equal to the applicable fraction of the amount which would  
2 be the amount of such reduction.

3 (b) Applicable fraction.

4 For purposes of paragraph (a), the applicable fraction shall be determined in accordance  
5 with the following table:

6 For taxable years beginning in calendar year	7 The applicable fraction is
8 2006 and 2007	$\frac{2}{3}$
9 2008 and 2009	$\frac{1}{3}$

10 (E) **Exemption amount.**

11 (1) In general.

12 Except as otherwise provided in this subsection, the term “exemption amount” means  
13 \$3,400.

14 (2) Exemption amount disallowed in case of certain dependents.

15 In the case of an individual with respect to whom a deduction under this section is allowable  
16 to another taxpayer for the same taxable year, the exemption amount applicable to such individual  
17 for such individual's taxable year shall be zero.

18 (3) Adjustments for inflation.

19 The dollar amount contained in paragraph (1) shall be increased by an amount equal to:

20 (a) Such dollar amount contained in paragraph (1) in the year 1989, multiplied by

21 (b) The cost-of-living adjustment determined under section (J) with a base year of 1989.

22 (4) Limitation.

23 (a) In general.

24 In the case of any taxpayer whose adjusted gross income as modified for the taxable year  
25 exceeds the threshold amount shall be reduced by the applicable percentage.

26 (b) Applicable percentage.

27 In the case of any taxpayer whose adjusted gross income for the taxable year exceeds the  
28 threshold amount, the exemption amount shall be reduced by two (2) percentage points for each  
29 \$2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year  
30 exceeds the threshold amount. In the case of a married individual filing a separate return, the  
31 preceding sentence shall be applied by substituting “\$1,250” for “\$2,500.” In no event shall the  
32 applicable percentage exceed one hundred percent (100%).

33 (c) Threshold Amount.

34 For the purposes of this paragraph, the term “threshold amount” shall be determined with  
the following table:

1	Filing status	Amount
2	Single	\$156,400
3	Married filing jointly of qualifying widow(er)	\$234,600
4	Married filing separately	\$117,300
5	Head of Household	\$195,500

6 (d) Adjustments for inflation.

7 Each dollar amount contained in paragraph (b) shall be increased by an amount equal to:

8 (i) Such dollar amount contained in paragraph (b) in the year 1991, multiplied by

9 (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

10 (5) Phase-out of limitation.

11 (a) In general.

12 In the case of taxable years beginning after December 31, 2005, and before January 1,  
 13 2010, the reduction under section 4 shall be equal to the applicable fraction of the amount which  
 14 would be the amount of such reduction.

15 (b) Applicable fraction.

16 For the purposes of paragraph (a), the applicable fraction shall be determined in accordance  
 17 with the following table:

18	For taxable years beginning in calendar year	The applicable fraction is
19	2006 and 2007	$\frac{2}{3}$
20	2008 and 2009	$\frac{1}{3}$

21 **(F) Alternative minimum tax.**

22 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this  
 23 subtitle) a tax equal to the excess (if any) of:

24 (a) The tentative minimum tax for the taxable year, over

25 (b) The regular tax for the taxable year.

26 (2) The tentative minimum tax for the taxable year is the sum of:

27 (a) 6.5 percent of so much of the taxable excess as does not exceed \$175,000, plus

28 (b) 7.0 percent of so much of the taxable excess above \$175,000.

29 (3) The amount determined under the preceding sentence shall be reduced by the alternative  
 30 minimum tax foreign tax credit for the taxable year.

31 (4) Taxable excess. For the purposes of this subsection the term "taxable excess" means so  
 32 much of the federal alternative minimum taxable income as modified by the modifications in § 44-  
 33 30-12 as exceeds the exemption amount.

34 (5) In the case of a married individual filing a separate return, subparagraph (2) shall be

1 applied by substituting “\$87,500” for \$175,000 each place it appears.

2 (6) Exemption amount.

3 For purposes of this section "exemption amount" means:

4 Filing status	Amount
5 Single	\$39,150
6 Married filing jointly or qualifying widow(er)	\$53,700
7 Married filing separately	\$26,850
8 Head of Household	\$39,150
9 Estate or trust	\$24,650

10 (7) Treatment of unearned income of minor children

11 (a) In general.

12 In the case of a minor child, the exemption amount for purposes of section (6) shall not  
13 exceed the sum of:

14 (i) Such child's earned income, plus

15 (ii) \$6,000.

16 (8) Adjustments for inflation.

17 The dollar amount contained in paragraphs (6) and (7) shall be increased by an amount  
18 equal to:

19 (a) Such dollar amount contained in paragraphs (6) and (7) in the year 2004, multiplied by

20 (b) The cost-of-living adjustment determined under section (J) with a base year of 2004.

21 (9) Phase-out.

22 (a) In general.

23 The exemption amount of any taxpayer shall be reduced (but not below zero) by an amount  
24 equal to twenty-five percent (25%) of the amount by which alternative minimum taxable income  
25 of the taxpayer exceeds the threshold amount.

26 (b) Threshold amount.

27 For purposes of this paragraph, the term “threshold amount” shall be determined with the  
28 following table:

29 Filing status	Amount
30 Single	\$123,250
31 Married filing jointly or qualifying widow(er)	\$164,350
32 Married filing separately	\$82,175
33 Head of Household	\$123,250
34 Estate or Trust	\$82,150

1 (c) Adjustments for inflation

2 Each dollar amount contained in paragraph (9) shall be increased by an amount equal to:

3 (i) Such dollar amount contained in paragraph (9) in the year 2004, multiplied by

4 (ii) The cost-of-living adjustment determined under section (J) with a base year of 2004.

5 **(G) Other Rhode Island taxes.**

6 (1) General rule. There is hereby imposed (in addition to any other tax imposed by this  
7 subtitle) a tax equal to twenty-five percent (25%) of:

8 (a) The Federal income tax on lump-sum distributions.

9 (b) The Federal income tax on parents' election to report child's interest and dividends.

10 (c) The recapture of Federal tax credits that were previously claimed on Rhode Island  
11 return.

12 **(H) Tax for children under 18 with investment income.**

13 (1) General rule. There is hereby imposed a tax equal to twenty-five percent (25%) of:

14 (a) The Federal tax for children under the age of 18 with investment income.

15 **(I) Averaging of farm income.**

16 (1) General rule. At the election of an individual engaged in a farming business or fishing  
17 business, the tax imposed in section 2 shall be equal to twenty-five percent (25%) of:

18 (a) The Federal averaging of farm income as determined in IRC section 1301 [26 U.S.C. §  
19 1301].

20 **(J) Cost-of-living adjustment.**

21 (1) In general.

22 The cost-of-living adjustment for any calendar year is the percentage (if any) by which:

23 (a) The CPI for the preceding calendar year exceeds

24 (b) The CPI for the base year.

25 (2) CPI for any calendar year.

26 For purposes of paragraph (1), the CPI for any calendar year is the average of the consumer  
27 price index as of the close of the twelve (12) month period ending on August 31 of such calendar  
28 year.

29 (3) Consumer price index.

30 For purposes of paragraph (2), the term “consumer price index” means the last consumer  
31 price index for all urban consumers published by the department of labor. For purposes of the  
32 preceding sentence, the revision of the consumer price index that is most consistent with the  
33 consumer price index for calendar year 1986 shall be used.

34 (4) Rounding.

1 (a) In general.

2 If any increase determined under paragraph (1) is not a multiple of \$50, such increase shall  
3 be rounded to the next lowest multiple of \$50.

4 (b) In the case of a married individual filing a separate return, subparagraph (a) shall be  
5 applied by substituting “\$25” for \$50 each place it appears.

6 (K) **Credits against tax.** For tax years beginning on or after January 1, 2001, a taxpayer  
7 entitled to any of the following federal credits enacted prior to January 1, 1996, shall be entitled to  
8 a credit against the Rhode Island tax imposed under this section:

9 (1) [Deleted by P.L. 2007, ch. 73, art. 7, § 5.]

10 (2) Child and dependent care credit;

11 (3) General business credits;

12 (4) Credit for elderly or the disabled;

13 (5) Credit for prior year minimum tax;

14 (6) Mortgage interest credit;

15 (7) Empowerment zone employment credit;

16 (8) Qualified electric vehicle credit.

17 (L) **Credit against tax for adoption.** For tax years beginning on or after January 1, 2006,  
18 a taxpayer entitled to the federal adoption credit shall be entitled to a credit against the Rhode Island  
19 tax imposed under this section if the adopted child was under the care, custody, or supervision of  
20 the Rhode Island department of children, youth and families prior to the adoption.

21 (M) The credit shall be twenty-five percent (25%) of the aforementioned federal credits  
22 provided there shall be no deduction based on any federal credits enacted after January 1, 1996,  
23 including the rate reduction credit provided by the federal Economic Growth and Tax  
24 Reconciliation Act of 2001 (EGTRRA). In no event shall the tax imposed under this section be  
25 reduced to less than zero. A taxpayer required to recapture any of the above credits for federal tax  
26 purposes shall determine the Rhode Island amount to be recaptured in the same manner as  
27 prescribed in this subsection.

28 (N) **Rhode Island earned-income credit.**

29 (1) In general.

30 For tax years beginning before January 1, 2015, a taxpayer entitled to a federal earned-  
31 income credit shall be allowed a Rhode Island earned-income credit equal to twenty-five percent  
32 (25%) of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode  
33 Island income tax.

34 For tax years beginning on or after January 1, 2015, and before January 1, 2016, a taxpayer

1 entitled to a federal earned-income credit shall be allowed a Rhode Island earned-income credit  
2 equal to ten percent (10%) of the federal earned-income credit. Such credit shall not exceed the  
3 amount of the Rhode Island income tax.

4 For tax years beginning on or after January 1, 2016, a taxpayer entitled to a federal earned-  
5 income credit shall be allowed a Rhode Island earned-income credit equal to twelve and one-half  
6 percent (12.5%) of the federal earned-income credit. Such credit shall not exceed the amount of the  
7 Rhode Island income tax.

8 For tax years beginning on or after January 1, 2017, a taxpayer entitled to a federal earned-  
9 income credit shall be allowed a Rhode Island earned-income credit equal to fifteen percent (15%)  
10 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island  
11 income tax.

12 For tax years beginning on or after January 1, 2024, a taxpayer entitled to a federal earned-  
13 income credit shall be allowed a Rhode Island earned-income credit equal to sixteen percent (16%)  
14 of the federal earned-income credit. Such credit shall not exceed the amount of the Rhode Island  
15 income tax.

16 (2) Refundable portion.

17 In the event the Rhode Island earned-income credit allowed under paragraph (N)(1) of this  
18 section exceeds the amount of Rhode Island income tax, a refundable earned-income credit shall  
19 be allowed as follows.

20 (i) For tax years beginning before January 1, 2015, for purposes of paragraph (2) refundable  
21 earned-income credit means fifteen percent (15%) of the amount by which the Rhode Island earned-  
22 income credit exceeds the Rhode Island income tax.

23 (ii) For tax years beginning on or after January 1, 2015, for purposes of paragraph (2)  
24 refundable earned-income credit means one hundred percent (100%) of the amount by which the  
25 Rhode Island earned-income credit exceeds the Rhode Island income tax.

26 (O) The tax administrator shall recalculate and submit necessary revisions to paragraphs  
27 (A) through (J) to the general assembly no later than February 1, 2010, and every three (3) years  
28 thereafter for inclusion in the statute.

29 (3) For the period January 1, 2011, through December 31, 2011, and thereafter, "Rhode  
30 Island taxable income" means federal adjusted gross income as determined under the Internal  
31 Revenue Code, 26 U.S.C. § 1 et seq., and as modified for Rhode Island purposes pursuant to § 44-  
32 30-12 less the amount of Rhode Island Basic Standard Deduction allowed pursuant to subparagraph  
33 44-30-2.6(c)(3)(B), and less the amount of personal exemption allowed pursuant to subparagraph  
34 44-30-2.6(c)(3)(C).

1           **(A) Tax imposed.**

2           (I) There is hereby imposed on the taxable income of married individuals filing joint  
3 returns, qualifying widow(er), every head of household, unmarried individuals, married individuals  
4 filing separate returns and bankruptcy estates, a tax determined in accordance with the following  
5 table:

6 RI Taxable Income			RI Income Tax
7 Over	But not over	Pay + % on Excess	on the amount over
8 \$ 0 -	\$ 55,000	\$ 0 + 3.75%	\$ 0
9 55,000 -	125,000	2,063 + 4.75%	55,000
10 125,000 -		5,388 + 5.99%	125,000

11           (II) There is hereby imposed on the taxable income of an estate or trust a tax determined in  
12 accordance with the following table:

13 RI Taxable Income			RI Income Tax
14 Over	But not over	Pay + % on Excess	on the amount over
15 \$ 0 -	\$ 2,230	\$ 0 + 3.75%	\$ 0
16 2,230 -	7,022	84 + 4.75%	2,230
17 7,022 -		312 + 5.99%	7,022

18           **(B) Deductions:**

19           (I) Rhode Island Basic Standard Deduction.

20           Only the Rhode Island standard deduction shall be allowed in accordance with the  
21 following table:

22 Filing status:	Amount
23 Single	\$7,500
24 Married filing jointly or qualifying widow(er)	\$15,000
25 Married filing separately	\$7,500
26 Head of Household	\$11,250

27           (II) Nonresident alien individuals, estates and trusts are not eligible for standard  
28 deductions.

29           (III) In the case of any taxpayer whose adjusted gross income, as modified for Rhode Island  
30 purposes pursuant to § 44-30-12, for the taxable year exceeds one hundred seventy-five thousand  
31 dollars (\$175,000), the standard deduction amount shall be reduced by the applicable percentage.  
32 The term “applicable percentage” means twenty (20) percentage points for each five thousand  
33 dollars (\$5,000) (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable  
34 year exceeds one hundred seventy-five thousand dollars (\$175,000).

1           **(C) Exemption Amount:**

2           (I) The term “exemption amount” means three thousand five hundred dollars (\$3,500)  
3 multiplied by the number of exemptions allowed for the taxable year for federal income tax  
4 purposes. For tax years beginning on or after 2018, the term “exemption amount” means the same  
5 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  
6 Jobs Act (Pub. L. No. 115-97) on December 22, 2017.

7           (II) Exemption amount disallowed in case of certain dependents. In the case of an  
8 individual with respect to whom a deduction under this section is allowable to another taxpayer for  
9 the same taxable year, the exemption amount applicable to such individual for such individual’s  
10 taxable year shall be zero.

11           (III) Identifying information required.

12           (1) Except as provided in § 44-30-2.6(c)(3)(C)(II) of this section, no exemption shall be  
13 allowed under this section with respect to any individual unless the Taxpayer Identification Number  
14 of such individual is included on the federal return claiming the exemption for the same tax filing  
15 period.

16           (2) Notwithstanding the provisions of § 44-30-2.6(c)(3)(C)(I) of this section, in the event  
17 that the Taxpayer Identification Number for each individual is not required to be included on the  
18 federal tax return for the purposes of claiming a personal exemption(s), then the Taxpayer  
19 Identification Number must be provided on the Rhode Island tax return for the purpose of claiming  
20 said exemption(s).

21           (D) In the case of any taxpayer whose adjusted gross income, as modified for Rhode Island  
22 purposes pursuant to § 44-30-12, for the taxable year exceeds one hundred seventy-five thousand  
23 dollars (\$175,000), the exemption amount shall be reduced by the applicable percentage. The term  
24 “applicable percentage” means twenty (20) percentage points for each five thousand dollars  
25 (\$5,000) (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year  
26 exceeds one hundred seventy-five thousand dollars (\$175,000).

27           **(E) Adjustment for inflation.** The dollar amount contained in subparagraphs 44-30-  
28 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  
29 equal to:

30           (I) Such dollar amount contained in subparagraphs 44-30-2.6(c)(3)(A), 44-30-2.6(c)(3)(B)  
31 and 44-30-2.6(c)(3)(C) adjusted for inflation using a base tax year of 2000, multiplied by;

32           (II) The cost-of-living adjustment with a base year of 2000.

33           (III) For the purposes of this section, the cost-of-living adjustment for any calendar year is  
34 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds



1 the consumer price index for the base year. The consumer price index for any calendar year is the  
2 average of the consumer price index as of the close of the twelve-month (12) period ending on  
3 August 31, of such calendar year.

4 (IV) For the purpose of this section the term “consumer price index” means the last  
5 consumer price index for all urban consumers published by the department of labor. For the purpose  
6 of this section the revision of the consumer price index that is most consistent with the consumer  
7 price index for calendar year 1986 shall be used.

8 (V) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),  
9 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a  
10 married individual filing separate return, if any increase determined under this section is not a  
11 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple  
12 of twenty-five dollars (\$25.00).

13 **(F) Credits against tax.**

14 (I) Notwithstanding any other provisions of Rhode Island Law, for tax years beginning on  
15 or after January 1, 2011, the only credits allowed against a tax imposed under this chapter shall be  
16 as follows:

17 (a) Rhode Island earned-income credit: Credit shall be allowed for earned-income credit  
18 pursuant to subparagraph 44-30-2.6(c)(2)(N).

19 (b) Property Tax Relief Credit: Credit shall be allowed for property tax relief as provided  
20 in § 44-33-1 et seq.

21 (c) Lead Paint Credit: Credit shall be allowed for residential lead abatement income tax  
22 credit as provided in § 44-30.3-1 et seq.

23 (d) Credit for income taxes of other states. Credit shall be allowed for income tax paid to  
24 other states pursuant to § 44-30-74.

25 (e) Historic Structures Tax Credit: Credit shall be allowed for historic structures tax credit  
26 as provided in § 44-33.2-1 et seq.

27 (f) Motion Picture Productions Tax Credit: Credit shall be allowed for motion picture  
28 production tax credit as provided in § 44-31.2-1 et seq.

29 (g) Child and Dependent Care: Credit shall be allowed for twenty-five percent (25%) of  
30 the federal child and dependent care credit allowable for the taxable year for federal purposes;  
31 provided, however, such credit shall not exceed the Rhode Island tax liability.

32 (h) Tax credits for contributions to Scholarship Organizations: Credit shall be allowed for  
33 contributions to scholarship organizations as provided in chapter 62 of title 44.

34 (i) Credit for tax withheld. Wages upon which tax is required to be withheld shall be taxable

1 as if no withholding were required, but any amount of Rhode Island personal income tax actually  
2 deducted and withheld in any calendar year shall be deemed to have been paid to the tax  
3 administrator on behalf of the person from whom withheld, and the person shall be credited with  
4 having paid that amount of tax for the taxable year beginning in that calendar year. For a taxable  
5 year of less than twelve (12) months, the credit shall be made under regulations of the tax  
6 administrator.

7 (j) Stay Invested in RI Wavemaker Fellowship: Credit shall be allowed for stay invested in  
8 RI wavemaker fellowship program as provided in § 42-64.26-1 et seq.

9 (k) Rebuild Rhode Island: Credit shall be allowed for rebuild RI tax credit as provided in  
10 § 42-64.20-1 et seq.

11 (l) Rhode Island Qualified Jobs Incentive Program: Credit shall be allowed for Rhode  
12 Island new qualified jobs incentive program credit as provided in § 44-48.3-1 et seq.

13 (m) Historic homeownership assistance act: Effective for tax year 2017 and thereafter,  
14 unused carryforward for such credit previously issued shall be allowed for the historic  
15 homeownership assistance act as provided in § 44-33.1-4. This allowance is for credits already  
16 issued pursuant to § 44-33.1-4 and shall not be construed to authorize the issuance of new credits  
17 under the historic homeownership assistance act.

18 (2) Except as provided in section 1 above, no other state and federal tax credit shall be  
19 available to the taxpayers in computing tax liability under this chapter.

20 SECTION 4. Section 44-30-101 of the General Laws in Chapter 44-30 entitled "Personal  
21 Income Tax" is hereby amended to read as follows:

22 **44-30-101. Requirements concerning qualifying health insurance coverage.**

23 (a) Definitions. For purposes of this section:

24 (1) "Applicable individual" has the same meaning as set forth in 26 U.S.C. § 5000A(d).

25 (2) "Minimum essential coverage" has the same meaning as set forth in 26 U.S. C. §  
26 5000A(f).

27 (3) "Shared responsibility payment penalty" means the penalty imposed pursuant to  
28 subsection (c) of this section.

29 (4) "Taxpayer" means any resident individual, as defined in § 44-30-5.

30 (b) Requirement to maintain minimum essential coverage. Every applicable individual  
31 must maintain minimum essential coverage for each month beginning after December 31, 2019.

32 (c) Shared responsibility payment penalty imposed for failing to maintain minimum  
33 essential coverage. As of January 1, 2020, every applicable individual required to file a personal  
34 income tax return pursuant to § 44-30-51, shall indicate on the return, in a manner to be prescribed

1 by the tax administrator, whether and for what period of time during the relevant tax year the  
2 individual and his or her spouse and dependents who are applicable individuals were covered by  
3 minimum essential coverage. If a return submitted pursuant to this subsection fails to indicate that  
4 coverage was in force or indicates that any applicable individuals did not have coverage in force, a  
5 shared responsibility payment penalty shall hereby be assessed as a tax on the return.

6 (d) Shared responsibility payment penalty calculation. Except as provided in subsection  
7 (e), the shared responsibility payment penalty imposed shall be equal to a taxpayer's federal shared  
8 responsibility payment for the taxable year under section 5000A of the Internal Revenue Code of  
9 1986, as amended, and as in effect on the 15th day of December 2017.

10 (e) Exceptions.

11 (1) Penalty cap. The amount of the shared responsibility payment penalty imposed under  
12 this section shall be determined, if applicable, using the statewide average premium for bronze-  
13 level plans offered through the Rhode Island health benefits exchange rather than the national  
14 average premium for bronze-level plans.

15 (2) Hardship exemption determinations. Determinations as to hardship exemptions shall be  
16 made by the exchange under § 42-157-11.

17 (3) Religious conscience exemption determinations. Determinations as to religious  
18 conscience exemptions shall be made by the exchange under § 42-157-11.

19 (4) Taxpayers with gross income below state filing threshold. No penalty shall be imposed  
20 under this section with respect to any applicable individual for any month during a calendar year if  
21 the taxpayer's household income for the taxable year as described in section 1412(b)(1)(B) of the  
22 Patient Protection and Affordable Care Act is less than the amount of gross income requiring the  
23 taxpayer to file a return as set forth in § 44-30-51.

24 (5) Out of state residents. No penalty shall be imposed by this section with respect to any  
25 applicable individual for any month during which the individual is a bona fide resident of another  
26 state.

27 [\(6\) Individual on Medicaid. No penalty shall be imposed by this section with respect to any](#)  
28 [applicable individual who is enrolled in the Medicaid program through December 31, 2023.](#)

29 (f) Health insurance market integrity fund. The tax administrator is authorized to withhold  
30 from any state tax refund due to the taxpayer an amount equal to the calculated shared responsibility  
31 payment penalty and shall place those amounts in the health insurance market integrity fund created  
32 pursuant to § 42-157.1-5.

33 (g) Deficiency. If, upon examination of a taxpayer's return, the tax administrator  
34 determines there is a deficiency because any refund due to the taxpayer is insufficient to satisfy the

1 shared responsibility penalty or because there was no refund due, the tax administrator may notify  
2 the taxpayer of the deficiency in accordance with § 44-30-81 and interest shall accrue on the  
3 deficiency as set forth in § 44-30-84. All monies collected on the deficiency shall be placed in the  
4 health insurance market integrity fund created pursuant to § 42-157.1-5.

5 (h) Application of federal law. The shared responsibility payment penalty shall be assessed  
6 and collected as set forth in this chapter and, where applicable, consistent with regulations  
7 promulgated by the federal government, the exchange, and/or the tax administrator. Any federal  
8 regulation implementing section 5000A of the Internal Revenue Code of 1986, as amended, and in  
9 effect on the 15th day of December 2017, shall apply as though incorporated into the Rhode Island  
10 code of regulations. Federal guidance interpreting these federal regulations shall similarly apply.  
11 Except as provided in subsections (j) and (k) of this section, all references to federal law shall be  
12 construed as references to federal law as in effect on December 15, 2017, including applicable  
13 regulations and administrative guidance that were in effect as of that date.

14 (i) Unavailability of federal premium tax credits. For any taxable year in which federal  
15 premium tax credits available pursuant to 26 U.S.C. section 36B become unavailable due to the  
16 federal government repealing that section or failing to fund the premium tax credits, the shared  
17 responsibility payment penalty under this section shall not be enforced.

18 (j) Imposition of federal shared responsibility payment. For any taxable year in which a  
19 federal penalty under section 5000A of the Internal Revenue Code of 1986 is imposed on a taxpayer  
20 in an amount comparable to the shared responsibility payment penalty assessed under this section,  
21 the state penalty shall not be enforced.

22 (k) Agency coordination. Where applicable, the tax administrator shall implement this  
23 section in consultation with the office of the health insurance commissioner, the office of  
24 management and budget, the executive office of health and human services, and the Rhode Island  
25 health benefits exchange.

26 SECTION 5. The title of Chapter 44-44 of the General Laws entitled "Taxation of Beverage  
27 Containers, Hard-To-Dispose Material and Litter Control Participation Permittee" is hereby  
28 amended to read as follows:

29 ~~CHAPTER 44-44~~  
30 ~~Taxation of Beverage Containers, Hard To Dispose Material and Litter Control Participation~~  
31 ~~Permittee~~  
32 CHAPTER 44-44  
33 TAXATION OF BEVERAGE CONTAINERS AND HARD-TO-DISPOSE MATERIAL  
34

1 SECTION 6. Sections 44-44-2, 44-44-17, 44-44-18, 44-44-19, 44-44-20 and 44-  
2 44-22 of the General Laws in Chapter 44-44 entitled "Taxation of Beverage Containers, Hard-  
3 To-Dispose Material and Litter Control Participation Permittee" are hereby amended to read as  
4 follows:

5 **44-44-2. Definitions.**

6 As used in this chapter:

7 (1) "Beverage" means all non-alcoholic drinks for human consumption, except milk but  
8 including beer and other malt beverages.

9 (2) "Beverage container" means any sealable bottle, can, jar, or carton which contains a  
10 beverage.

11 (3) "Beverage retailer" means any person who engages in the sale of a beverage container  
12 to a consumer within the state of Rhode Island, including any operator of a vending machine.

13 (4) "Beverage wholesaler" means any person who engages in the sale of beverage  
14 containers to beverage retailers in this state, including any brewer, manufacturer, or bottler who  
15 engages in those sales.

16 (5) "Case" means:

17 (i) Forty-eight (48) beverage containers sold or offered for sale within this state when each  
18 beverage container has a liquid capacity of seven (7) fluid ounces or less;

19 (ii) Twenty-four (24) beverage containers sold or offered for sale within this state when  
20 each beverage container has a liquid capacity in excess of seven (7) fluid ounces but less than or  
21 equal to sixteen and nine tenths (16.9) fluid ounces;

22 (iii) Twelve (12) beverage containers sold or offered for sale within this state when each  
23 beverage container has a liquid capacity in excess of sixteen and nine tenths (16.9) fluid ounces but  
24 less than thirty-three and nine tenths (33.9) fluid ounces; and

25 (iv) Six (6) beverage containers sold or offered for sale within this state when each  
26 beverage container has a liquid capacity of thirty-three and nine tenths (33.9) fluid ounces or more.

27 ~~(6) A permit issued in accordance with § 44-44-3.1(1) is called a Class A permit.~~

28 ~~(7) A permit issued in accordance with § 44-44-3.1(2) is called a Class B permit.~~

29 ~~(8) A permit issued in accordance with § 44-44-3.1(3) is called a Class C permit.~~

30 ~~(9) A permit issued in accordance with § 44-44-3.1(4) is called a Class D permit.~~

31 ~~(10) A permit issued in accordance with § 44-44-3.1(5) is called a Class E permit.~~

32 ~~(11)~~(6) "Consumer" means any person who purchases a beverage in a beverage container  
33 for use or consumption with no intent to resell that filled beverage container.

34 ~~(12) "Gross receipts" means those receipts reported for each location to the tax~~

1 ~~administrator included in the measure of tax imposed under chapter 18 of this title, as amended.~~  
2 ~~For those persons having multiple locations' receipts reported to the tax administrator the "gross~~  
3 ~~receipts" to be aggregated shall be determined by each individual sales tax permit number. The~~  
4 ~~term gross receipts shall be computed without deduction for retail sales of items in activities other~~  
5 ~~than those which this state is prohibited from taxing under the constitution of the United States.~~

6 (13)(7) "Hard-to-dispose material" is as defined in § 37-15.1-3.

7 (14)(8) "Hard-to-dispose material retailer" means any person who engages in the retail sale  
8 of hard-to-dispose material (as defined in § 37-15.1-3) in this state.

9 (15)(9) "Hard-to-dispose material wholesaler" means any person, wherever located, who  
10 engages in the sale of hard-to-dispose material (as defined in § 37-15.1-3) to customers for sale in  
11 this state (including manufacturers, refiners, and distributors and retailers), and to other persons as  
12 defined above.

13 (16)(10) "New vehicle" means any mode of transportation for which a certificate of title is  
14 required pursuant to title 31 and for which a certificate of title has not been previously issued in  
15 this state or any other state or country.

16 (17)(11) "Organic solvent" is as defined in § 37-15.1-3.

17 (18)(12) "Person" means any natural person, corporation, partnership, joint venture,  
18 association, proprietorship, firm, or other business entity.

19 (19) ~~"Prior calendar year" means the period beginning with January 1 and ending with~~  
20 ~~December 31 immediately preceding the permit application due date.~~

21 (20) ~~"Qualifying activities" means selling or offering for retail sale food or beverages for~~  
22 ~~immediate consumption and/or packaged for sale on a take-out or to go basis regardless of whether~~  
23 ~~or not the items are subsequently actually eaten on or off the vendor's premises.~~

24 (21)(13) "Vending machine" means a self-contained automatic device that dispenses for  
25 sale foods, beverages, or confection products.

26 **44-44-17. Deficiency determination — Determination without return.**

27 If any hard-to-dispose material wholesaler or hard-to-dispose material retailer or person or  
28 beverage ~~wholesaler or litter control participation permittee~~ fails to file a return or application or to  
29 keep records described in § 44-44-8, or if the tax administrator is not satisfied with the amount of  
30 taxes or fees paid to him or her, the tax administrator may compute and determine the amount  
31 required by this chapter to be paid to him or her upon the basis of the facts contained in the returns  
32 or applications which have been filed or upon the basis of any information in the tax administrator's  
33 possession or that may come into his or her possession.

34 **44-44-18. Notice of determination.**

1 The tax administrator shall give written notice of his or her determination to the beverage  
2 wholesaler ~~or litter control participation permittee~~ or hard-to-dispose material wholesaler or hard-  
3 to-dispose material retailer or person. Except in the case of fraud or failure to make a return, or  
4 noncompliance with § 44-44-8, every notice of determination shall be mailed within three (3) years  
5 of the date the taxes first became due. The amount of this determination shall bear interest at the  
6 rate prescribed in § 44-1-7 from the date when taxes should have been paid until the date of  
7 payment.

8 **44-44-19. Payment of refunds.**

9 Whenever the tax administrator shall determine that any beverage wholesaler or hard-to-  
10 dispose material wholesaler or hard-to-dispose material retailer or person ~~or litter control~~  
11 ~~participation permittee~~ is entitled to a refund of any moneys paid under the provisions of this  
12 chapter, or whenever a court of competent jurisdiction orders a refund of any moneys paid, the  
13 general treasurer shall, upon certification by the tax administrator, pay the refund from any moneys  
14 in the litter control account or hard-to-dispose material account other than those moneys already  
15 appropriated for the administration of the taxes and programs entitled by this chapter and § 37-15-  
16 13; provided, that no refund shall be allowed unless a claim for a refund is filed with the tax  
17 administrator within three (3) years from the date the overpayment was made. Every claim for a  
18 refund shall be made in writing, shall be in a form, and shall present only information that the tax  
19 administrator may, by regulation, require. Within thirty (30) days after disallowing any claim in  
20 whole or in part the tax administrator shall give written notice of his or her decision to the beverage  
21 wholesaler or hard-to-dispose material wholesaler or hard-to-dispose material retailer or person ~~or~~  
22 ~~litter control participation permittee~~. A refund of less than ten dollars (\$10.00) will not be  
23 processed, but may be credited to the following month's return without interest.

24 **~~44-44-20. Hearing on application by beverage wholesaler or litter control~~**  
25 **~~participation permittee~~ Hearing on application.**

26 Any person aggrieved by any assessment or decision of the tax administrator shall notify  
27 the tax administrator and request a hearing, in writing, within thirty (30) days from the date of  
28 mailing of the assessment or decision. The tax administrator or a hearing officer designated by the  
29 tax administrator shall, as soon as practicable, fix a time and place for the hearing and, after the  
30 hearing, determine the correct amount of the tax and interest.

31 **44-44-22. Information confidential.**

32 It shall be unlawful for any state official or employee to divulge or to make known to any  
33 person in any manner not provided by law the amount or source of income, profits, losses,  
34 expenditures, or any particular of these set forth or disclosed in any return, ~~permit application~~ or

1 other record required under this chapter, or to permit any return, ~~permit application~~, or other record  
2 required by this chapter or copy of a record, or any book containing any abstract or particulars to  
3 be seen or examined by any person except as provided by law. Any offense against this provision  
4 shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment not  
5 exceeding one year, or both, at the discretion of the court.

6 SECTION 7. Sections 44-44-3.1, 44-44-3.2, 44-44-3.3, 44-44-3.4 and 44-44-3.5 of the  
7 General Laws in Chapter 44-44 entitled "Taxation of Beverage Containers, Hard-To-Dispose  
8 Material and Litter Control Participation Permittee" are hereby repealed.

9 **44-44-3.1. Permit required.**

10 ~~Commencing August 1, 1988, every person engaging in, or desiring to engage in activities~~  
11 ~~described in § 44-44-2(20), shall annually file an application with the tax administrator for a litter~~  
12 ~~control participation permit, hereinafter called a "permit", for each place of business in Rhode~~  
13 ~~Island. In those cases where the only qualifying activity is the operation of vending machines, the~~  
14 ~~person shall either obtain a Class A permit for each vending machine or obtain a permit based on~~  
15 ~~total gross receipts. All applications shall be in a form, including information and bearing signatures~~  
16 ~~that the tax administrator may require. At the time of making an application, the applicant shall pay~~  
17 ~~the tax administrator a permit fee based as follows:~~

18 (1) ~~For the applicant whose gross receipts for the prior calendar year measured less than~~  
19 ~~fifty thousand dollars (\$50,000), a fee of twenty five dollars (\$25.00);~~

20 (2) ~~For the applicant whose gross receipts for the prior calendar year measured at least fifty~~  
21 ~~thousand dollars (\$50,000), but less than one hundred thousand dollars (\$100,000), a fee of thirty~~  
22 ~~five dollars (\$35.00);~~

23 (3) ~~For the applicant whose gross receipts for the calendar year measured at least one~~  
24 ~~hundred thousand dollars (\$100,000), but less than four hundred thousand dollars (\$400,000), a fee~~  
25 ~~of seventy five dollars (\$75.00);~~

26 (4) ~~For the applicant whose gross receipts for the prior calendar year measured at least four~~  
27 ~~hundred thousand dollars (\$400,000), but less than one million dollars (\$1,000,000), a fee of one~~  
28 ~~hundred dollars (\$100); and~~

29 (5) ~~For the applicant whose gross receipts for the prior calendar year measured one million~~  
30 ~~dollars (\$1,000,000) or more, a fee of one hundred twenty five dollars (\$125) for each one million~~  
31 ~~dollars (\$1,000,000) or fraction of this amount. The fee in this subdivision shall not exceed the sum~~  
32 ~~of one thousand dollars (\$1,000) for each permit at each place of business in Rhode Island when~~  
33 ~~the "qualifying activities" referred to in this section and defined in § 44-44-2(20) and the sale of~~  
34 ~~food products do not exceed ten percent (10%) of the gross receipts for each permit.~~



1 **44-44-3.2. Penalty for operation without a permit — Injunctive relief.**

2 (a) ~~Any person who engages (or the officer of a corporation engaged) in activities described~~  
3 ~~in § 44-44-2(20) without the permit required by this chapter shall be guilty of a misdemeanor and~~  
4 ~~shall, for each offense, be fined not more than one thousand dollars (\$1,000), or be imprisoned for~~  
5 ~~not more than one year, or punished by both a fine and imprisonment. Each day in which a person~~  
6 ~~is so engaged shall constitute a separate offense.~~

7 (b) ~~The superior court of this state shall have jurisdiction of restraining any person from~~  
8 ~~engaging in activities described in § 44-44-2(20) without the proper permit as prescribed in this~~  
9 ~~chapter. The tax administrator may institute proceedings to prevent and restrain violations of this~~  
10 ~~chapter.~~

11 **44-44-3.3. Partial periods.**

12 (a)(1) ~~Each applicant which did not do business at a particular location during the prior~~  
13 ~~calendar year for the purposes of determining the proper fee in accordance with § 44-44-3.1 may,~~  
14 ~~for application purposes, only apply for a Class A permit for that location.~~

15 (2) ~~For purposes of this section, the term “applicant” shall not include any person who~~  
16 ~~purchases an ongoing business and continues to operate the same type of business from the same~~  
17 ~~location without interruption of thirty (30) days or more immediately following the purchase of the~~  
18 ~~business.~~

19 (b) ~~Any permittee ceasing business at a location before the annual expiration date of permit~~  
20 ~~shall return the permit to the tax administrator for cancellation.~~

21 (c) ~~The fees set forth in § 44-44-3.1 are neither proratable nor refundable for partial periods~~  
22 ~~of operation at a specific location.~~

23 (d) ~~A person who purchases an ongoing business and continues to operate the business in~~  
24 ~~the same location in a calendar year for which the prior permit holder has paid the applicable fee~~  
25 ~~may obtain a permit for the remainder of that calendar year upon payment of a twenty five dollar~~  
26 ~~(\$25.00) fee.~~

27 **44-44-3.4. Issuance of permit — Assignment prohibited — Display.**

28 ~~Upon receipt of the required application and permit fee, the tax administrator shall issue to~~  
29 ~~the applicant a separate permit for each location in Rhode Island. A permit is not assignable and is~~  
30 ~~valid only for the person in whose name it was issued and only for the business location shown in~~  
31 ~~the permit. It shall at all times be conspicuously displayed at the location for which it was issued.~~

32 **44-44-3.5. Application due date — Weekends and holidays — Mailing.**

33 (a) ~~Each applicant shall apply for a permit prior to engaging in the activities described in §~~  
34 ~~44-44-2(20) for each location in Rhode Island and, after this, shall annually reapply on or before~~

1 ~~August 1 of each year.~~

2 ~~(b) When the application due date, or any other due date for activity by an applicant or~~  
3 ~~permittee, falls on a Saturday, Sunday, or Rhode Island legal holiday, the application or activity~~  
4 ~~will be considered timely if it is performed on the next succeeding day which is not a Saturday,~~  
5 ~~Sunday, or Rhode Island legal holiday.~~

6 ~~(c) When any application, payment or other document required to be filed on or before a~~  
7 ~~prescribed date set forth in this chapter is delivered after the required date by United States Post~~  
8 ~~Office to the tax administrator, office, officer, or person with which or with whom the document is~~  
9 ~~required to be filed, the date on which the document is dated by the post office shall be deemed to~~  
10 ~~be the date of delivery. This subsection shall apply only if the document was, within the prescribed~~  
11 ~~time, deposited in the mail with United States postage prepaid and properly addressed.~~

12 SECTION 8. Section 44-62-3 of the General Laws in Chapter 44-62 entitled "Tax Credits  
13 for Contributions to Scholarship Organizations" is hereby amended to read as follows:

14 **44-62-3. Application for the tax credit program.**

15 (a) Prior to the contribution, a business entity shall apply in writing to the division of  
16 taxation. The application shall contain such information and certification as the tax administrator  
17 deems necessary for the proper administration of this chapter. A business entity shall be approved  
18 if it meets the criteria of this chapter; the dollar amount of the applied for tax credit is no greater  
19 than one hundred thousand dollars (\$100,000) in any tax year, and the scholarship organization that  
20 is to receive the contribution has qualified under § 44-62-2.

21 (b) Approvals for contributions under this section shall be made available by the division  
22 of taxation on a first-come-first-serve basis. The total aggregate amount of all tax credits approved  
23 shall not exceed ~~one million five hundred thousand dollars (\$1,500,000)~~ one million six hundred  
24 thousand dollars (\$1,600,000) in a fiscal year.

25 (c) The division of taxation shall notify the business entity in writing within thirty (30)  
26 days of the receipt of application of the division's approval or rejection of the application.

27 (d) Unless the contribution is part of a two-year plan, the actual cash contribution by the  
28 business entity to a qualified scholarship organization must be made no later than one hundred  
29 twenty (120) days following the approval of its application. If the contribution is part of a two-year  
30 plan, the first year's contribution follows the general rule and the second year's contribution must  
31 be made in the subsequent calendar year by the same date.

32 (e) The contributions must be those charitable contributions made in cash as set forth in  
33 the Internal Revenue Code.

34 SECTION 9. Section 45-13-14 of the General Laws in Chapter 45-13 entitled "State Aid"

1 is hereby amended to read as follows:

2 **45-13-14. Adjustments to tax levy, assessed value, and full value when computing state**  
3 **aid.**

4 (a) Whenever the director of revenue computes the relative wealth of municipalities for the  
5 purpose of distributing state aid in accordance with title 16 and the provisions of § 45-13-12, he or  
6 she shall base it on the full value of all property except:

7 (1) That exempted from taxation by acts of the general assembly and reimbursed under §  
8 45-13-5.1, which shall have its value calculated as if the payment in lieu of tax revenues received  
9 pursuant to § 45-13-5.1, has resulted from a tax levy;

10 (2) That whose tax levy or assessed value is based on a tax treaty agreement authorized by  
11 a special public law or by reason of agreements between a municipality and the economic  
12 development corporation in accordance with § 42-64-20 prior to May 15, 2005, which shall not  
13 have its value included;

14 (3) That whose tax levy or assessed value is based on tax treaty agreements or tax  
15 stabilization agreements in force prior to May 15, 2005, which shall not have its value included;

16 (4) That which is subject to a payment in lieu of tax agreement in force prior to May 15,  
17 2005;

18 (5) Any other property exempt from taxation under state law;

19 (6) Any property subject to chapter 27 of title 44, taxation of Farm, Forest, and Open Space  
20 Land; or

21 (7) Any property exempt from taxation, in whole or in part, under the provisions of  
22 subsections (a)(51), (a)(66), or (c) of § 44-3-3, § 44-3-47, § 44-3-65, [§ 44-5.3-1](#), or any other  
23 provision of law that enables a city, town, or fire district to establish a tangible personal property  
24 exemption, which shall have its value calculated as the full value of the property minus the  
25 exemption amount.

26 (b) The tax levy of each municipality and fire district shall be adjusted for any real estate  
27 and personal property exempt from taxation by act of the general assembly by the amount of  
28 payment in lieu of property tax revenue anticipated to be received pursuant to § 45-13-5.1 relating  
29 to property tax from certain exempt private and state properties, and for any property subject to any  
30 payment in lieu of tax agreements, any tax treaty agreements or tax stabilization agreements in  
31 force after May 15, 2005, by the amount of the payment in lieu of taxes pursuant to such  
32 agreements.

33 (c) Fire district tax levies within a city or town shall be included as part of the total levy  
34 attributable to that city or town.

1           (d) The changes as required by subsections (a) through (c) of this section shall be  
2 incorporated into the computation of entitlements effective for distribution in fiscal year 2007-2008  
3 and thereafter.

4           SECTION 10. Sections 5 through 8 of this article shall take effect on January 1, 2024. The  
5 remaining sections of this article shall take effect upon passage.

**ARTICLE 5 AS AMENDED**

RELATING TO ENERGY AND THE ENVIRONMENT

SECTION 1. Section 23-82-6 of the General Laws in Chapter 23-82 entitled "Implementation of the Regional Greenhouse Gas Initiative Act" is hereby amended to read as follows:

**23-82-6. Use of auction or sale proceeds.**

(a) The proceeds from the auction or sale of the allowances shall be used for the benefit of energy consumers through investment in the most cost-effective available projects that can reduce long-term consumer energy demands and costs. Such proceeds may be used only for the following purposes, in a proportion to be determined annually by the office in consultation with the council and the board:

(1) Promotion of cost-effective energy efficiency and conservation in order to achieve the purposes of § 39-1-27.7;

(2) Promotion of cost-effective renewable non-carbon emitting energy technologies in Rhode Island as defined in § 39-26-5 and to achieve the purposes of chapter 26 of title 39 entitled "Renewable Energy Standard";

(3) Cost-effective direct rate relief for consumers;

(4) Direct rate relief for low-income consumers;

(5) Reasonable compensation to an entity selected to administer the auction or sale; ~~and~~

(6) Reasonable costs of the department of environmental management and office of energy resources in administering this program, as well as other climate change, energy efficiency, and renewable program efforts of the department of environmental management and office of energy resources, which shall not in any year exceed three hundred thousand dollars (\$300,000) or ten percent (10%) of the proceeds from sale or auction of the allowances, whichever is greater. Administrative funds not expended in any fiscal year shall remain in the administrative account to be used as needed in subsequent years. The office of energy resources shall have the ability to apply administrative funds not used in a fiscal year to achieve the purpose of this section. The funds deposited into the administrative funds account shall be exempt from the indirect cost recovery provisions of § 35-4-27;

(7) For fiscal year 2023 only, the office of energy resources shall transfer \$3,000,000 from

1 unallocated auction proceeds to the executive climate change coordinating council restricted receipt  
2 account to maintain funding for the existing electric vehicle and electric bicycle incentive programs  
3 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 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 Procedure Act”).  
24 Once the proposal is final, the office shall authorize the disbursement of funds in accordance with  
25 the final plan.

26 (d) The office shall prepare, in consultation with council and board, a report by April 15 of  
27 each year describing the implementation and operation of RGGI, the revenues collected and the  
28 expenditures, including funds that were allocated to the energy efficiency and renewable energy  
29 programs, and the individuals, businesses and vendors that received funding, made under this  
30 section, the statewide energy efficiency and carbon reduction programs, and any recommendations  
31 for changes to law relating to the state’s energy conservation or carbon reduction efforts. The report  
32 shall be made public and be posted electronically on the website of the office of energy resources  
33 and shall also be submitted to the general assembly.

34 SECTION 2. Section 39-2-1.2 of the General Laws in Chapter 39-2 entitled “Duties of

1 Utilities and Carriers” is hereby amended to read as follows:

2 **39-2-1.2. Utility base rate — Advertising, demand-side management, and renewables.**

3 (a) In addition to costs prohibited in § 39-1-27.4(b), no public utility distributing or  
4 providing heat, electricity, or water to or for the public shall include as part of its base rate any  
5 expenses for advertising, either direct or indirect, that promotes the use of its product or service, or  
6 is designed to promote the public image of the industry. No public utility may furnish support of  
7 any kind, direct or indirect, to any subsidiary, group, association, or individual for advertising and  
8 include the expense as part of its base rate. Nothing contained in this section shall be deemed as  
9 prohibiting the inclusion in the base rate of expenses incurred for advertising, informational or  
10 educational in nature, that is designed to promote public safety conservation of the public utility's  
11 product or service. The public utilities commission shall promulgate such rules and regulations as  
12 are necessary to require public disclosure of all advertising expenses of any kind, direct or indirect,  
13 and to otherwise effectuate the provisions of this section.

14 (b) Effective as of January 1, 2008, and for a period of twenty (20) years thereafter, each  
15 electric distribution company shall include a charge per kilowatt-hour delivered to fund demand-  
16 side management programs. The 0.3 mills per kilowatt-hour delivered to fund renewable energy  
17 programs shall remain in effect until December 31, 2028. The electric distribution company shall  
18 establish and, after July 1, 2007, maintain, two (2) separate accounts, one for demand-side  
19 management programs (the "demand-side account"), which shall be funded by the electric demand-  
20 side charge and administered and implemented by the distribution company, subject to the  
21 regulatory reviewing authority of the commission, and one for renewable energy programs, which  
22 shall be administered by the Rhode Island commerce corporation pursuant to § 42-64-13.2 and shall  
23 be held and disbursed by the distribution company as directed by the Rhode Island commerce  
24 corporation for the purposes of developing, promoting, and supporting renewable energy programs.

25 During the time periods established in this subsection, the commission may, in its  
26 discretion, after notice and public hearing, increase the sums for demand-side management and  
27 renewable resources. In addition, the commission shall, after notice and public hearing, determine  
28 the appropriate charge for these programs. The office of energy resources, and/or the administrator  
29 of the renewable energy programs, may seek to secure for the state an equitable and reasonable  
30 portion of renewable energy credits or certificates created by private projects funded through those  
31 programs. As used in this section, "renewable energy resources" shall mean: (1) Power generation  
32 technologies, as defined in § 39-26-5, "eligible renewable energy resources," including off-grid and  
33 on-grid generating technologies located in Rhode Island, as a priority; (2) Research and  
34 development activities in Rhode Island pertaining to eligible renewable energy resources and to

1 other renewable energy technologies for electrical generation; or (3) Projects and activities directly  
2 related to implementing eligible renewable energy resources projects in Rhode Island.  
3 Technologies for converting solar energy for space heating or generating domestic hot water may  
4 also be funded through the renewable energy programs. Fuel cells may be considered an energy  
5 efficiency technology to be included in demand-side management programs. Special rates for low-  
6 income customers in effect as of August 7, 1996, shall be continued, and the costs of all of these  
7 discounts shall be included in the distribution rates charged to all other customers. Nothing in this  
8 section shall be construed as prohibiting an electric distribution company from offering any special  
9 rates or programs for low-income customers which are not in effect as of August 7, 1996, subject  
10 to the approval by the commission.

11 (1) The renewable energy investment programs shall be administered pursuant to rules  
12 established by the Rhode Island commerce corporation. Said rules shall provide transparent criteria  
13 to rank qualified renewable energy projects, giving consideration to:

14 (i) The feasibility of project completion;

15 (ii) The anticipated amount of renewable energy the project will produce;

16 (iii) The potential of the project to mitigate energy costs over the life of the project; and

17 (iv) The estimated cost per kilowatt-hour (KWh) of the energy produced from the project.

18 (c) [Deleted by P.L. 2012, ch. 241, art. 4, § 14.]

19 (d) The chief executive officer of the commerce corporation is authorized and may enter  
20 into a contract with a contractor for the cost-effective administration of the renewable energy  
21 programs funded by this section. A competitive bid and contract award for administration of the  
22 renewable energy programs may occur every three (3) years and shall include, as a condition, that  
23 after July 1, 2008, the account for the renewable energy programs shall be maintained and  
24 administered by the commerce corporation as provided for in subsection (b) of this section.

25 (e) Effective January 1, 2007, and for a period of twenty-one (21) years thereafter, each  
26 gas distribution company shall include, with the approval of the commission, a charge per deca  
27 therm delivered to fund demand-side management programs (the "gas demand-side charge"),  
28 including, but not limited to, programs for cost-effective energy efficiency, energy conservation,  
29 combined heat and power systems, and weatherization services for low-income households.

30 (f) Each gas company shall establish a separate account for demand-side management  
31 programs (the "gas demand-side account") that shall be funded by the gas demand-side charge and  
32 administered and implemented by the distribution company, subject to the regulatory reviewing  
33 authority of the commission. The commission may establish administrative mechanisms and  
34 procedures that are similar to those for electric demand-side management programs administered



1 under the jurisdiction of the commission and that are designed to achieve cost-effectiveness and  
2 high, life-time savings of efficiency measures supported by the program.

3 (g) The commission may, if reasonable and feasible, except from this demand-side  
4 management charge:

5 (1) Gas used for distribution generation; and

6 (2) Gas used for the manufacturing processes, where the customer has established a self-  
7 directed program to invest in and achieve best-effective energy efficiency in accordance with a plan  
8 approved by the commission and subject to periodic review and approval by the commission, which  
9 plan shall require annual reporting of the amount invested and the return on investments in terms  
10 of gas savings.

11 (h) The commission may provide for the coordinated and/or integrated administration of  
12 electric and gas demand-side management programs in order to enhance the effectiveness of the  
13 programs. Such coordinated and/or integrated administration may after March 1, 2009, upon the  
14 recommendation of the office of energy resources, be through one or more third-party entities  
15 designated by the commission pursuant to a competitive selection process.

16 (i) Effective January 1, 2007, the commission shall allocate, from demand-side  
17 management gas and electric funds authorized pursuant to this section, an amount not to exceed  
18 three percent (3%) of such funds on an annual basis for the retention of expert consultants, and  
19 reasonable administration costs of the energy efficiency and ~~resources~~ resource management  
20 council associated with planning, management, and evaluation of energy-efficiency programs,  
21 renewable energy programs, system reliability least-cost procurement, and with regulatory  
22 proceedings, contested cases, and other actions pertaining to the purposes, powers, and duties of  
23 the council, which allocation may by mutual agreement, be used in coordination with the office of  
24 energy resources to support such activities.

25 (j) Effective January 1, 2016, the commission shall annually allocate from the  
26 administrative funding amount allocated in subsection (i) from the demand-side management  
27 program as described in subsection (i) as follows: (1) for the energy efficiency and resource  
28 management council, no more than forty percent (40%) for the purposes identified in subsection (i)  
29 and (2) sixty percent (60%) of three percent (3%) from the demand side management gas and  
30 electric funds annually to the office of energy resources for activities associated with planning,  
31 management, and evaluation of energy-efficiency programs, renewable energy programs, system  
32 reliability, least-cost procurement, and with regulatory proceedings, contested cases, and other  
33 actions pertaining to the purposes, powers, and duties of the office of energy resources and shall  
34 have exclusive authority to direct the use of the office administrative and programmatic funds.

1 (k) On April 15, of each year, the office and the council shall submit to the governor, the  
2 president of the senate, and the speaker of the house of representatives, separate financial and  
3 performance reports regarding the demand-side management programs, including the specific level  
4 of funds that were contributed by the residential, municipal, and commercial and industrial sectors  
5 to the overall programs; the businesses, vendors, and institutions that received funding from  
6 demand-side management gas and electric funds used for the purposes in this section; and the  
7 businesses, vendors, and institutions that received the administrative funds for the purposes in  
8 subsections (i) and (j). These reports shall be posted electronically on the websites of the office of  
9 energy resources and the energy efficiency and resources management council.

10 (l) On or after August 1, 2015, at the request of the Rhode Island infrastructure bank, each  
11 electric distribution company, except for the Pascoag Utility District and Block Island Power  
12 Company, shall remit two percent (2%) of the amount of the 2014 electric demand-side charge  
13 collections to the Rhode Island infrastructure bank.

14 (m) On or after August 1, 2015, at the request of the Rhode Island infrastructure bank, each  
15 gas distribution company shall remit two percent (2%) of the amount of the 2014 gas demand-side  
16 charge collections to the Rhode Island infrastructure bank.

17 (n) Effective January 1, 2022, the commission shall allocate, from demand-side  
18 management gas and electric funds authorized pursuant to this section, five million dollars  
19 (\$5,000,000) of such funds on an annual basis to the Rhode Island infrastructure bank. Gas and  
20 electric demand-side funds transferred to the Rhode Island infrastructure bank pursuant to this  
21 section shall be eligible to be used in any energy efficiency, renewable energy, [clean transportation](#),  
22 [clean heating](#), [energy storage](#), or demand-side management project financing program administered  
23 by the Rhode Island infrastructure bank notwithstanding any other restrictions on the use of such  
24 collections set forth in this chapter. The infrastructure bank shall report annually to the commission  
25 within ninety (90) days of the end of each calendar year how collections transferred under this  
26 section were utilized.

27 [\(o\) The Rhode Island office of energy resources, in coordination with the energy efficiency](#)  
28 [and resource management council, and following consultation with the public utilities commission](#)  
29 [and division of public utilities and carriers, shall issue a request for proposals for the cost effective](#)  
30 [administration and implementation of statewide energy efficiency programs funded by this section](#)  
31 [no later than September 30, 2023. The draft request for proposals shall be reviewed through at least](#)  
32 [one technical session at the public utilities commission prior to issuance. Public utilities](#)  
33 [commission approval shall not be required. The Rhode Island office of energy resources, in](#)  
34 [coordination with the energy efficiency and resource management council, shall evaluate proposals](#)

1 and determine whether energy efficiency administration and implementation by the electric and gas  
2 distribution company or a third-party is likely to achieve the most net benefits for electric and gas  
3 customers in Rhode Island. After January 1, 2025, the office of energy resources may, periodically,  
4 and at its discretion, issue additional requests for proposals for the administration and  
5 implementation of state-wide energy efficiency programs funded through this chapter of an electric  
6 distribution company as defined in § 39-1-2(a)(12) or gas distribution company included as a  
7 public utility in § 39-1-2(a)(20) that has greater than one hundred thousand (100,000) customers.

8 (i) Nothing in this chapter shall prohibit the electric and/or gas distribution company from  
9 submitting a proposal to administer and implement the state energy efficiency programs.

10 (ii) If the office of energy resources, in coordination with the energy efficiency and  
11 resource management council, determines that the use of a third-party administrator is likely to  
12 achieve the most net benefits for electric and gas customers in Rhode Island, it shall file its  
13 recommendation with the public utilities commission, which shall docket and rule on the matter  
14 pursuant to its general statutory authorization.

15 (iii) If the commission determines that the recommended third-party administrator is in the  
16 interest of Rhode Island utility customers, it shall provide for the full cost recovery for the third-  
17 party administrator consistent with the terms of the approved contract, and which shall reflect the  
18 overall annual budget approved by the commission. The third-party administrator shall be subject  
19 to all the requirements set forth for the electric and gas distribution company per § 39-1-27.7.

20 (iv) If the commission determines that a third-party administrator will administer the state  
21 energy efficiency programs on or after June 1, 2024, the commission shall direct the gas and electric  
22 distribution company to collect and transfer the gas and electric energy efficiency funds to the third-  
23 party administrator for the annual state energy efficiency program beginning with the program year  
24 and thereafter for the remaining program years. The gas and electric distribution shall transfer the  
25 annual administrative funds to the office of energy resources and energy efficiency and resource  
26 management council.

27 (v) If a third-party administrator implements the annual energy efficiency programs then  
28 they shall be required to develop and design the annual state energy efficiency program with the  
29 office of energy resources and energy efficiency and resource management council, including a  
30 vote by the energy efficiency and resource management council prior to the third-party  
31 administrator filing the annual program plan to the public utilities commission for review and a  
32 decision.

33 (vi) The third-party administrator shall file the annual state energy efficiency program plan  
34 to the public utilities commission for review and approval no later than September 30, 2024, and

1 annually thereafter on such date.

2 (vii) The third-party administrator shall provide all information requested by the office of  
3 energy resources, energy efficiency and resource management council, division of public utilities  
4 and carriers and the public utilities commission, including responses to data requests, which are  
5 necessary for the agencies to carry out their respective oversight roles, and shall be accountable to  
6 the same standards as the utility with administering and implementing energy efficiency, system  
7 reliability and least cost procurement standards and goals in accordance with §§ 39-1-27.7 and 39-  
8 2-1.2.

9 (viii) If the office does not recommend advancement of a third-party administrator, the  
10 electric and gas distribution company shall continue to administer statewide energy efficiency  
11 programs.

12 SECTION 3. Chapter 42-6.2 of the General Laws entitled "2021 Act on Climate" is hereby  
13 amended by adding thereto the following section:

14 **42-6.2-3.1. Funding for the council.**

15 There is hereby established a restricted receipt account in the general fund of the state and  
16 housed in the budget of the department of administration entitled "RGGI-executive climate change  
17 coordinating council projects." The express purpose of this account is to record receipts and  
18 expenditures allocated pursuant to § 23-82-6(7).

19 The Rhode Island executive climate change coordinating council shall report annually to  
20 the governor and general assembly within one hundred twenty (120) days of the end of each  
21 calendar year how the funds were used to achieve the statutory objectives of the 2021 Act on  
22 Climate.

23 SECTION 4. This article shall take effect upon passage.

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**ARTICLE 6 AS AMENDED**

RELATING TO HOUSING

SECTION 1. Section 42-55-5.1 of the General Laws in chapter 42-55 entitled "Rhode Island Housing and Mortgage Finance Corporation" is hereby amended to read as follows:

**42-55-5.1. Subsidiary corporations.**

(a) To further its purposes, the corporation shall have the power to form one or more subsidiary corporations under either § 7-1.2-1 et seq. or § 7-6-1 et seq. in accordance with the procedures therein contained. Each subsidiary corporation shall be governed by the section under which it is formed, provided that each shall be subject to the same restrictions and limitations as to its powers and purposes to which the corporation is subject under this chapter and shall be deemed a state agency only for the purposes of § 42-46-1 et seq. and § 38-2-1 et seq. The corporation may delegate any of its powers, obligations, and duties under this chapter to any subsidiary corporation by inclusion of its powers, obligations and duties in the articles of incorporation of the subsidiary corporation. Subsidiary corporations so formed shall constitute legal entities separate and distinct from each other, the corporation, and the state. The corporation shall not be liable for the debts or obligations or for any actions or inactions of its subsidiary corporations unless the corporation expressly agrees otherwise in writing. The corporation may make loans or grants to a subsidiary corporation from time to time to enable the subsidiary corporation to carry out its purposes. The commissioners of the corporation shall constitute all of the directors of each subsidiary corporation.

(b) The state, any municipality or any state commission, public authority, agency, officer, department, board, or division authorized and empowered to enter into agreements with, to grant, convey, lease, or otherwise transfer any property to, or to otherwise transact business with the corporation, shall have the same authorization and power to engage in these activities with each subsidiary corporation of the corporation.

(c) Any subsidiary entity of the corporation whose principal purpose is the acquisition or betterment of real property is, subject to the period of limitations set forth in § 9-1-25, liable in actions of tort only to the extent that those actions do not arise from the performance of any functions found or deemed to be essential or discretionary governmental functions. Any recovery in an action or any recovery by any person in one or more of any actions against the subsidiary entity, its directors, employees, or agents, shall not exceed one hundred thousand dollars (\$100,000)

1 per plaintiff in the absence of fraud or willful misconduct. In the absence of fraud or willful  
2 misconduct, the directors are not personally liable to any party on account of any action (whether  
3 tort or otherwise) arising from or related to the manner or terms of the disposition of the subsidiary's  
4 assets, nor shall the manner or terms of the disposition constitute a defense to any obligation owed  
5 to the corporation.

6 SECTION 2. Section 42-55-24 of the General Laws in chapter 42-55 entitled "Tax  
7 exemption" is hereby amended to read as follows:

8 **42-55-24. Tax exemption.**

9 The exercise of the powers granted by this chapter will be in all respects for the benefit of  
10 the people of the state, for their wellbeing and prosperity and for the improvement of their social  
11 and economic conditions, and the corporation, or any subsidiary thereof created or authorized  
12 pursuant to § 42-55-5.1, shall not be required to pay any tax or assessment on any property owned  
13 by the corporation or by any subsidiary thereof under the provisions of this chapter or upon the  
14 income from the property; nor shall the corporation or any subsidiary thereof be required to pay  
15 any recording fee or transfer tax of any kind on account of instruments recorded by it or on its  
16 behalf. Any bonds, notes, or other obligations issued by the corporation or any subsidiary thereof  
17 under the provisions of this chapter, their transfer, and the income from them (including any profits  
18 made on their sale), shall at all times be free from taxation by the state or any political subdivision  
19 or other instrumentality of the state, excepting inheritance, estate, and gift taxes.

20 SECTION 3. Section 42-64.34-2 of the General Laws in chapter 42-64.34 entitled "The  
21 Department of Housing" is hereby amended to read as follows:

22 **42-64.34-2. Powers and duties.**

23 ~~The secretary of housing shall have all powers and duties pursuant to § 42-64.19-3(a)(4).~~

24 (a) The department of housing shall be the state's lead agency for housing, homelessness,  
25 and community development in the state of Rhode Island.

26 (b) The secretary of housing shall have the following powers and duties:

27 (1) All powers and duties pursuant to § 42-64.19-3(a)(4);

28 (2) To supervise the work of the department of housing and to act as its chief administrative  
29 officer;

30 (3) To coordinate the administration and financing of various departments or offices within  
31 the department of housing;

32 (4) To serve as the governor's chief advisor and liaison to federal policymakers on housing,  
33 homelessness, and community development as well as the principal point of contact on any such  
34 related matters;

1           (5) To coordinate the housing, homelessness, and community development programs of  
2 the state of Rhode Island and its departments, agencies, commissions, corporations, and  
3 subdivisions;

4           (6) To employ such personnel and contracts for such consulting services as may be required  
5 to perform the powers and duties conferred upon the secretary of housing;

6           (7) To oversee and direct the administration of funds that may be appropriated from time  
7 to time to the department of housing;

8           (c) In addition to such other powers as may otherwise be delegated elsewhere to the  
9 department of housing, the department is hereby expressly authorized, by and through the secretary  
10 of housing;

11           (1) To purchase, receive, lease, or otherwise acquire, own, hold, improve, use, and  
12 otherwise deal in and with, real or personal property, or any interest in real or personal property,  
13 wherever situated.

14           (2) To accept any gifts or grants or loans of funds or property or financial or other aid in  
15 any form from the federal government or any agency or instrumentality of the federal government,  
16 or from the state or any agency or instrumentality of the state, or from any other source and to  
17 comply, subject to the provisions of this chapter, with the terms and conditions of the gifts, grants,  
18 or loans.

19           (3) Subject to the provisions of § 37-2-1 et seq., to negotiate and to enter into contracts,  
20 agreements, and cooperative agreements with agencies and political subdivisions of the state, not-  
21 for-profit corporations, for-profit corporations, and other partnerships, associations, and persons  
22 for any lawful purpose necessary and desirable to effectuate the purposes of the department of  
23 housing; and

24           (4) To carry out this chapter and perform the duties of the general laws and public laws  
25 insofar as those provisions relate to any regulatory areas within the jurisdiction of the department  
26 of housing.

27           SECTION 4. Chapter 42-64.34 of the General Laws entitled "The Department of Housing"  
28 is hereby amended by adding thereto the following sections:

29           **42-64.34-3. Rules and regulations.**

30           The secretary of housing may promulgate such rules and regulations in accordance with  
31 the provisions of chapter 35 of title 42 as are necessary and proper to carry out the duties assigned  
32 to him or her or to the department of housing by this title or any other provision of law.

33           **42-64.34-4. Severability.**

34           If any provision of this chapter or the application thereof to any person or circumstance is

1 held invalid, such invalidity shall not affect other provisions or applications of the chapter; which  
2 can be given effect without the invalid provision or application, and to this end the provisions of  
3 this chapter are declared to be severable.

4 SECTION 5. Title 44 of the General Laws entitled "Taxation" is hereby amended by adding  
5 thereto the following chapter:

6 CHAPTER 44-71

7 LOW-INCOME HOUSING TAX CREDITS

8 **44-71-1. Short Title.**

9 This chapter shall be known and may be cited as the "Low-Income Housing Tax Credit  
10 Act."

11 **44-71-2. Findings and declarations.**

12 It is hereby found and declared that the state is facing significant housing challenges, which  
13 must be addressed for the welfare of the State's residents. The purpose of the Rhode Island low-  
14 income housing tax credit established pursuant to this chapter is to increase the development and  
15 availability of affordable housing in the state.

16 **44-71-3. Definitions.**

17 As used in this chapter:

18 (1) "Applicant" means a developer applying for a Rhode Island low-income housing tax  
19 credit.

20 (2) "Compliance period" means the period of fifteen (15) taxable years beginning with the  
21 taxable year in which the Rhode Island low-income housing project is completed.

22 (3) "Department" means the Department of Housing established pursuant to § 42-64.34-1

23 (4) "Developer" means a person, firm, business, partnership, association, political  
24 subdivision, or other entity that proposes to build or builds a qualified Rhode Island project.

25 (5) "Eligibility statement" means a statement authorized and issued by the Department  
26 certifying that a given project is a qualified Rhode Island project and setting forth the annual amount  
27 of the Rhode Island low-income housing tax credit allocated to the project. The eligibility statement  
28 shall be on a form promulgated by the Department in consultation with the division of taxation.

29 (6) "Federal low-income housing tax credit" means the federal tax credit as provided in  
30 section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year.

31 (7) "Low-income project" means a qualified low-income housing project, as defined in  
32 section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable year, which  
33 has restricted rents.

34 (8) "Qualified Rhode Island project" means a qualified low-income housing project, as



1 defined in section 42 of the 1986 Internal Revenue Code, as amended and in effect for the taxable  
2 year, which is located in the state of Rhode Island, which meets the requirements of this chapter,  
3 and whose owner enters into a tax credit agreement with the Department.

4 (9) "Rhode Island low-income housing tax credit" means the tax credit established pursuant  
5 to § 44-71-4.

6 (10) "Tax credit agreement" means an agreement between the owner of the qualified Rhode  
7 Island project and the Department and filed as an affordable housing restriction in the land records  
8 of the city or town where the real estate lies that requires the project to be operated in accordance  
9 with the requirements of this chapter for not less than thirty (30) years from the expiration date of  
10 the compliance period.

11 (11) "Taxpayer" means a person, firm, partnership, trust, estate, limited liability company,  
12 corporation (whether for profit or nonprofit) or other entity having an ownership interest in a  
13 qualified Rhode Island project, either directly or through one or more pass-through entities, that is  
14 subject to the taxes imposed on such person or entity pursuant to chapter 11, 13, 14, 17 or 30 of  
15 this title.

16 **44-71-4. Establishment of Rhode Island low-income housing tax credit program.**

17 The Rhode Island low-income housing tax credit program is hereby established as a  
18 program under the jurisdiction and administration of the Department. The program may provide  
19 tax credits for a period of five (5) years to applicants that are competitively selected and that meet  
20 the requirements of this chapter. The Department shall not obligate Rhode Island low-income  
21 housing tax credits that cumulatively total in excess of thirty million dollars (\$30 million) in any  
22 fiscal year.

23 **44-71-5. Rhode Island low-income housing tax credits.**

24 (1) A taxpayer owning an interest in a qualified Rhode Island project may be allowed a  
25 Rhode Island low-income housing tax credit against the taxes imposed pursuant to chapter 11, 13,  
26 14, 17 or 30 of this title with respect to that qualified Rhode Island project in an amount authorized,  
27 determined, and allocated by the Department based on the qualified Rhode Island project's need for  
28 the credit for economic feasibility, provided that the Department issues an eligibility statement for  
29 that qualified Rhode Island project.

30 (2) At the time of application to the Department for an eligibility statement, an applicant  
31 shall, through its chief executive officer or equivalent authorized officer, demonstrate to the  
32 Department that:

33 (a) The project is a qualified Rhode Island project;

34 (b) The owner of the qualified Rhode Island project has entered into a tax credit agreement

1 with the Department; and

2 (c) The applicant satisfies other additional criteria determined by the Department from time  
3 to time.

4 (3) The Rhode Island low-income housing tax credit allocated to a taxpayer with respect  
5 to a qualified Rhode Island project shall be taken against the taxpayer's taxes imposed pursuant to  
6 chapters 11, 13, 14, 17 or 30 of this title. The amount of a tax credit allowed under this chapter  
7 shall be allowable to the taxpayer in five equal annual increments. If the portion of the tax credit  
8 allowed under this chapter exceeds the taxpayer's total tax liability for the year in which the relevant  
9 portion of the credit is taken, the amount that exceeds the taxpayer's tax liability may be carried  
10 forward for credit against the taxes imposed for the succeeding four (4) years, or until the full credit  
11 is used, whichever occurs first.

12 (4) A qualified Rhode Island project that receives other incentives or tax credits available  
13 under the general laws of this state is also eligible to receive an allocation of Rhode Island low-  
14 income housing tax credits pursuant to this chapter.

15 (5) Upon request of a taxpayer and subject to annual appropriation, the state shall redeem  
16 this credit, in whole or in part, for ninety percent (90%) of the value of the tax credit. The division  
17 of taxation, in consultation with the department, shall establish by regulation a redemption process  
18 for tax credits.

19 **44-71-6. Administration.**

20 (1) Upon issuance of the eligibility statement the Department shall, on behalf of the State  
21 of Rhode Island, award tax credits and issue tax credit certificates in the amount authorized and  
22 allocated in accordance with the eligibility statement and the tax credit agreement. The Department  
23 shall provide copies of eligibility statements and tax credit certificates to the division of taxation  
24 within thirty (30) days of issuance, including copies of all eligibility statements and tax credit  
25 certificates that are reissued, transferred, sold, or assigned.

26 (2) The owner of a qualified Rhode Island project eligible for the Rhode Island low-income  
27 housing tax credit shall submit, at the time of filing the project owner's state tax return, the original  
28 tax credit certificate issued by the Department with respect to such qualified Rhode Island project.  
29 In the case of failure to attach the tax credit certificate, a credit under this section shall not be  
30 allowed with respect to such qualified Rhode Island project for that year until the original tax credit  
31 certificate is provided to the division of taxation.

32 **44-71-7. Recapture.**

33 (1) If under Section 42 of the 1986 Internal Revenue Code, as amended, a portion of any  
34 federal low-income housing tax credits taken on a low-income project is required to be recaptured,

1 the Rhode Island low-income housing tax credit authorized with respect to such qualified Rhode  
2 Island project shall also be recaptured. The state recapture amount shall be equal to the amount of  
3 the Rhode Island low-income housing tax credits previously claimed times a fraction, the numerator  
4 of which shall be the amount of recaptured federal low-income housing tax credits and the  
5 denominator of which shall be the amount of federal low-income housing tax credits previously  
6 claimed.

7 (2) The Department shall provide notification of recapture determinations to the division  
8 of taxation within thirty (30) days. Such notifications shall include the proportion of the Rhode  
9 Island low-income housing tax credit to be recaptured, the identity of each taxpayer subject to the  
10 recapture and the amount of credit previously allocated to such taxpayer.

11 **44-71-8. Transferability.**

12 All or any portion of unused tax credits issued in accordance with the provisions of this  
13 chapter may be transferred, sold, or assigned to taxpayers eligible under the provisions of this  
14 chapter.

15 **44-71-9. Rules and regulations.**

16 The Department, in consultation with the division of taxation, shall adopt guidelines,  
17 directives, criteria, and rules and regulations pursuant to § 42-35-1 et seq. to implement the  
18 purposes of the Rhode Island low-income housing tax credit program.

19 **44-71-10. Reporting.**

20 By November 1, 2024, and each year thereafter, the Department shall report to the  
21 governor, the chairpersons of the house and senate finance committees, and the house and senate  
22 fiscal advisors, the amount of Rhode Island low-income housing tax credits that were approved  
23 during the prior fiscal year. A summary of any tax credit agreements entered into under this chapter  
24 by the Department and applicants shall be sent to the division of taxation and shall be public and  
25 shall be published by the tax administrator on the tax division website.

26 **44-71-11. Low Income Housing Tax Credit Fund.**

27 There is hereby established at the department of housing a restricted account known as the  
28 low income housing tax credit fund (the "fund") in which all amounts appropriated for the program  
29 authorized in this chapter shall be deposited. The fund shall be used for the purpose of securing  
30 payment for the redemption of tax credits or to reimbursement to the state for tax credits applied  
31 against a taxpayer's liability.

32 **44-71-12. Sunset.**

33 No credits shall be authorized to be reserved pursuant to this chapter after June 30, 2028.

34 SECTION 6. Section 45-24-76 of the General Laws in Chapter 45-24 entitled "Zoning

1 Ordinances” is hereby amended to read as follows:

2 **45-24-76. Accessory dwelling units annual reporting.**

3 (a) Each municipality within the state shall furnish to the ~~division of statewide planning~~  
4 [Department of Housing](#) information on:

5 (1) Any ordinances enacted related to accessory dwelling units, including those that  
6 implement this section of law during the previous calendar year;

7 (2) All accessory dwelling units permitted during each of the two (2) previous calendar  
8 years; and

9 (3) All accessory dwelling units issued a certificate of occupancy during each of the two  
10 (2) previous calendar years.

11 (b) Municipalities shall provide the information in subsection (a) annually by February 1.  
12 ~~Statewide planning~~ [The Department of Housing](#) shall produce an annual report of municipal  
13 activity related to accessory dwelling units, with the information identified in subsection (a) on a  
14 statewide basis and disaggregated by municipality and shall provide a copy of the report to the  
15 speaker of the house, the president of the senate and the secretary of housing by March 1.

16 SECTION 7. Section 45-53-11 of the General Laws in Chapter 45-53 entitled “Low and  
17 Moderate Income Housing” is hereby amended to read as follows:

18 **45-53-11. Annual comprehensive permit report.**

19 (a) ~~The division of statewide planning (the “division”) established pursuant to chapter 11~~  
20 ~~of title 42~~ [The Department of Housing](#) shall maintain records and shall prepare a report (“report”)  
21 on an annual basis to be submitted to the speaker of the house, the president of the senate, and the  
22 housing resources commission, ~~and the secretary of housing~~. The report shall also be made  
23 available on the ~~division’s~~ [department’s](#) website for a period of at least three (3) years, and shall  
24 also be deemed to be a public record. The report shall be due on or before March 15, of each year,  
25 commencing in calendar year 2023.

26 (b) The report required by this section shall contain the following for the preceding twelve-  
27 month (12) calendar period covered by the report:

28 (1) The number of letters of eligibility issued for low- and moderate-income housing for  
29 applications made pursuant to this chapter and § 42-55-5.3, the federal, state, and municipal subsidy  
30 programs under which they were eligible, and the number of proposed subsidized units involved,  
31 by city and town, during the preceding calendar year, as provided by the Rhode Island housing  
32 corporation.

33 (2) The status of each comprehensive permit application for which a letter of eligibility  
34 was issued disaggregated by municipality.

1           (3) The number of comprehensive permit applications that have had building permits  
2 issued, including the number of market rate housing units, the number of low- and moderate-  
3 income housing units, and the AMI restrictions associated both pursuant to § 45-53-4, aggregated  
4 by the total number of such applications in the state and disaggregated by each municipality in the  
5 state.

6           (4) The number of comprehensive permit applications that have had certificates of  
7 occupancy issued, aggregated by the total number of such applications in the state and  
8 disaggregated by each municipality in the state.

9           (c) Each municipality shall annually provide to the ~~division~~ [department](#) the information on  
10 comprehensive permit activity described in subsection (b) of this section by February 1.

11           SECTION 8. This article shall take effect upon passage.

**ARTICLE 7 AS AMENDED**

RELATING TO ECONOMIC DEVELOPMENT

SECTION 1. Sections 5-21-1 and 5-21-2 of the General Laws in Chapter 5-21 entitled “Second-Hand Dealers” is hereby amended to read as follows:

**5-21-1 Local licensing – Fees – Penalty – Record of transaction.**

(a) The city or town council of any city or town is authorized to provide by ordinance for the issuing and revocation at pleasure of licenses to all persons selling, purchasing, bartering, and dealing in junk, old metals, and any other second-hand metal articles, and to all persons establishing, operating, or maintaining automobile junkyards, subject to any conditions and restrictions and for a term not exceeding one year that may be in the like manner prescribed; and also for charging and collecting fees for those licenses. The fees in the like manner prescribed shall not exceed the sum of one hundred dollars (\$100) for the keeper of ~~a shop~~ an establishment or storehouse for the reception of any junk, old metals, or second-hand metal articles which is not an automobile junkyard; the sum of five dollars (\$5.00) for any foundry person or other person receiving the same for the purpose of melting or converting the junk, old metals, or second-hand metal articles into castings; the sum of five dollars (\$5.00) for any gatherer of these items in any bag, wagon, or cart; or the sum of one hundred dollars (\$100) for any person establishing, operating, or maintaining an automobile junkyard; and also to fix a penalty for carrying on that business without a license, or in violation of any ordinance or regulation made as authorized in this chapter, not exceeding for any one offense a fine of five hundred dollars (\$500) or imprisonment not exceeding six (6) months.

(b) The ordinance shall provide that each person purchasing or receiving old or used metals other than junked automobiles or automobile parts shall maintain a record of each purchase or receipt. The record shall include the date of the transaction, the name, address, telephone number, and signature of the person from whom the old or used metals are purchased or received; a description of the old or used metals; and the price paid for the old or used metals. The records so kept shall be produced at the request of law enforcement officials.

(c) Businesses primarily engaged in the retail sale of the following goods, as expressly defined below in this subsection, are exempt from any licensing requirements imposed under this section: (1) second-hand consignment goods; (2) resale goods; (3) thrift goods; and (4) antiques.

1 “Second-hand consignment goods” means used items, including but not limited to artwork,  
2 furniture, clothing, accessories and books that are sold by a third party, which receives a percentage  
3 of the revenue from the sale. “Resale goods” means goods, including but not limited to artwork,  
4 furniture, clothing, accessories, and books, that are purchased from the original owner and resold.  
5 “Thrift goods” means used items, including but not limited to artwork, furniture, clothing,  
6 accessories, and books, that are sold by or on behalf of a charity or non-profit organization.  
7 “Antiques” means items made in an earlier period that are collected and considered to have value  
8 because they are beautiful, rare, old, or of high quality.

9 **5-21-2 Hearing and objections by neighboring landowners.**

10 (a) The local licensing authority of a city or town, before granting a license under this  
11 chapter to keep ~~a shop~~ an establishment or storehouse for the reception of any junk, old metals, or  
12 other second-hand metal articles or to establish, operate, or maintain an automobile junkyard, in  
13 any location not lawfully occupied for that purpose at the time of the application for that license,  
14 shall hold a public hearing, notice of which shall be posted at least seven (7) days but not more than  
15 fourteen (14) days prior to the hearing in not less than two (2) public places in that city or town and  
16 in a newspaper of general circulation in that city or town where the ~~shop~~ establishment, storehouse,  
17 or junkyard is to be established, operated, or maintained. Before the local licensing authority posts  
18 or publishes a notice of a hearing, the local licensing authority shall collect from the applicant for  
19 the license a fee of ten dollars (\$10.00), plus the cost of posting and publishing the notice.

20 (b) No license shall be granted under this chapter to the keeper of any ~~shop~~ establishment  
21 or storehouse for the reception of any junk, old metals, or other second-hand metal articles or to a  
22 person establishing, operating, or maintaining an automobile junkyard, in any location not lawfully  
23 occupied for that purpose at the time of the application for the license, where the owners or  
24 occupants of the greater part of the land within two hundred (200) feet of that building or place file  
25 with the board, city or town council, respectively, having jurisdiction to grant licenses, their  
26 objection to the granting of the license. This subsection does not apply to any applicant who is the  
27 keeper of ~~a shop~~ an establishment or storehouse, or automobile junkyard, that is being acquired  
28 under eminent domain proceedings, who is applying for licensing within § 5-21-1 within the same  
29 city or town in which he or she was formerly licensed.

30 SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby  
31 amended by adding thereto the following chapter:

32 CHAPTER 99

33 THE RHODE ISLAND LIFE SCIENCE HUB ACT

34 **23-99-1. Short title.**

1 This act shall be known and may be cited as the "Rhode Island Life Science Hub Act".

2 **23-99-2. Legislative purpose.**

3 The purpose of this chapter shall be to create and lawfully manage the Rhode Island Life  
4 Science Hub, a public corporation. The Rhode Island Life Science Hub shall be the central entity  
5 and coordinating organization of life science initiatives on behalf of the state and shall:

6 (1) Facilitate the development of medical advances and scientific breakthroughs with  
7 companies who specialize in the fields of: medical devices, biomedical technology, medical  
8 therapeutic therapies, biogenetics, biomedical engineering, biopharmaceuticals, genomics, and life  
9 sciences; and,

10 (2) Through targeted investment of grants, tax credits, and incentives, fund and incubate  
11 Rhode Island-based life science companies that will promote economic and workforce development  
12 within the state and that shall allow the state to successfully compete in the national and  
13 international life science industries.

14 **23-99-3. Definitions.**

15 As used in this chapter, the following words shall have the following meanings:

16 (1) "Affiliate" means any person or company that directly or indirectly controls or is  
17 controlled by or is under direct or indirect common control of another company or person including,  
18 but not limited to, any company that is merged or consolidated, or which purchases all or  
19 substantially all of the assets of another company.

20 (2) "Board" means the board of directors of the Hub.

21 (3) "Certification proposal" means a written proposal submitted by a life science company  
22 for approval as a certified life sciences company.

23 (4) "Certified life sciences company" means a company that has been certified by the board  
24 as being eligible to receive grants and incentives from the investment fund.

25 (5) "Commerce corporation" means the Rhode Island Commerce Corporation, established  
26 pursuant to R.I. Gen. Laws § 42-64-1, et seq.

27 (6) "Company" means a business corporation, partnership, firm, unincorporated  
28 association, or other entity engaged or proposing to engage in economic activity within the state,  
29 and any affiliate thereof.

30 (7) "Hub" means the Rhode Island life science hub established by § 23-99-4.

31 (8) "Investment fund" means the hub investment fund established by § 23-99-6.

32 (9) "Life science" means and shall include, but not be limited to the science of: medical  
33 devices, biomedical technology, medical therapeutic therapies, biogenetics, biomedical  
34 engineering, biopharmaceuticals, genomics, biomanufacturing, diagnostics, digital health, and



1 related fields.

2 (10) “Life science company” means a company engaged in life science research,  
3 development, manufacturing, incubation, or commercialization in Rhode Island, and any affiliate  
4 thereof.

5 (11) “Life sciences industry” means the fields of medical devices, biomedical technology,  
6 medical therapeutic therapies, biogenetics, biomedical engineering, biopharmaceuticals, genomics,  
7 biomanufacturing, diagnostics, digital health and related fields.

8 (12) “Person” means a natural person, company, or other legal entity.

9 (13) “State” means the State of Rhode Island.

10 (14) "Venture" means, without limitation, any contractual arrangement with any person  
11 whereby the corporation obtains rights from or in an invention or product or proceeds therefrom,  
12 or rights to obtain from any person any and all forms of equity instruments including, but not limited  
13 to, common and preferred stock, warrants, options, convertible debentures and similar types of  
14 instruments exercisable or convertible into capital stock, in exchange for the granting of financial  
15 aid to such person.

16 **23-99-4. Rhode Island life science hub established.**

17 (a) There is hereby constituted as an independent public a public corporation for the  
18 purposes set forth in this chapter with a separate legal existence from the state to be known as the  
19 Rhode Island life science hub hereinafter to be referred as the “hub”. The exercise by the hub of  
20 the powers conferred by this chapter shall be considered to be the performance of an essential  
21 governmental function.

22 (b) The hub shall be governed and its corporate powers exercised by a board of directors  
23 consisting of fifteen (15) directors: seven (7) of whom shall be appointed by the governor, one of  
24 whom shall be a senior executive with extensive background in the banking, grant making, and  
25 fundraising fields, one of whom shall be a member of a life science trade association, or his or her  
26 designee, one of whom shall be the president or a senior executive of a Rhode Island based life  
27 science company, or his or her designee, two (2) of whom shall be senior executives of Rhode  
28 Island based life science companies specializing in biomanufacturing, or his or her designees, one  
29 of whom shall be a representative of organized labor, or his or her designee, and one of whom shall  
30 be a member of the public who shall be a certified public accountant and a member of the Rhode  
31 Island society of certified public accountants; one of whom shall be the secretary of commerce;  
32 three (3) of whom shall be the president of Rhode Island college, or his or her designee, the  
33 president of the university of Rhode Island, or his or her designee, and the president of Brown  
34 university, or his or her designee; one of whom shall be the dean of the Warren Alpert Medical

1 School of Brown university, or his or her designee; one of whom shall be the president and chief  
2 executive officer of the Lifespan Corporation, or his or her designee; one of whom shall be the  
3 president and chief executive officer of Care New England Health System, or his or her designee;  
4 and one of whom shall be an ex officio director who shall also be the director of economic  
5 development for the city of Providence, or his or her designee.

6 (c) The chair of the board shall be appointed by the governor, with the advice and consent  
7 of the senate, and shall be an individual who served in the capacity as a senior executive with  
8 extensive background in the banking, grant making, and fundraising fields. The vice-chair of the  
9 board shall be the secretary of commerce. Eight (8) directors shall constitute a quorum, and any  
10 action to be taken by the board under the provisions of this chapter may be authorized by resolution  
11 approved by a majority of the directors present and entitled to vote at any regular or special meeting  
12 at which a quorum is present. No votes on the certification of any life science company nor on the  
13 allocation or award of any fund resources to any certified life science company shall be taken unless  
14 the chair is present and voting. A vacancy in the membership of the board of directors shall not  
15 impair the right of a quorum to exercise all of the rights and perform all of the duties of the board.  
16 Pursuant to § 42-46-5(b)(6), board directors are authorized to participate remotely using  
17 videoconferencing technology in open public meetings of the board; provided, however, that:

18 (1) The remote director(s) and all persons present at the meeting location are clearly audible  
19 and visible to each other;

20 (2) A quorum of the body is participating, either in person or by the use of remote  
21 videoconferencing technology;

22 (3) A member of the board who participates in a meeting of the board remotely shall be  
23 considered present for purposes of a quorum and voting;

24 (4) If videoconferencing is used to conduct a meeting, the public notice for the meeting  
25 shall inform the public that videoconferencing will be used and include instructions on how the  
26 public can access the virtual meeting; and

27 (5) The board shall adopt rules defining the requirements of remote participation including  
28 its use for executive session, and the conditions by which a director is authorized to participate  
29 remotely.

30 (d) Each board member shall serve a term of four (4) years. In the event that the chair of  
31 the board position becomes vacant for any reason, or the chair is not able to perform the duties of  
32 that position for any reason, the vice chair shall serve as the interim chair until the chair is able to  
33 resume his or her duties; provided, however, in the event that the chair is not able to resume his or  
34 her duties in that position, the governor shall appoint a new chair and, in making this appointment,

1 the governor shall give due consideration to appointing an individual from a list of six (6)  
2 candidates, three (3) of whom shall be provided to the governor by the speaker of the house and  
3 three (3) of whom shall be provided to the governor by the president of the senate. Any person  
4 appointed to fill a vacancy in the office of an appointed director of the board shall be appointed in  
5 a like manner and shall serve for the unexpired term of such director. Any director shall be eligible  
6 for reappointment.

7 (e) The director of the board who is a member of the public and who is a certified public  
8 accountant and a member of the Rhode Island society of certified public accountants shall serve as  
9 treasurer and shall be charged with keeping the funds, books of account and accounting records of  
10 the hub. No grants, tax credits, or incentives shall be issued by the hub to any certified life science  
11 company without the approval of the board and the signature of the treasurer. The board shall  
12 annually elect a secretary who shall keep a record of the proceedings of the board and shall be  
13 custodian of all books, documents, and papers.

14 (f) Board Directors shall serve without compensation, but each director shall be entitled to  
15 reimbursement for actual, reasonable, and necessary expenses while engaged in the performance  
16 of official duties. Board directors, officers, and employees shall not be liable to the state, the hub,  
17 or to any other person as a result of their activities except for malfeasance in office or intentional  
18 violations of law.

19 (g) The board shall establish an application review committee consisting of not less than  
20 three (3) directors of the board, which shall review certification proposals submitted by life sciences  
21 companies that shall be supported by independently verifiable information, and the board shall  
22 make a record of findings based on the certification proposal, documents submitted therewith, and  
23 any additional evidence that the life science company meets all criteria that the hub may prescribe.

24 (h) Certified life science companies shall be eligible to receive funding from the hub, upon  
25 a majority vote of the board, for the following benefits which shall be awarded by the board on a  
26 competitive basis:

- 27 (1) Grants, loans, or other investments;
- 28 (2) Assistance from the hub in obtaining federal, state, and nonprofit monies; or
- 29 (3) Assistance from the hub in facilitating clinical trials.

30 (i) Notwithstanding any other provisions of law in relation to their tenure of office, the  
31 governor may remove any board director for the neglect of any duty required by law, incompetence,  
32 unprofessional conduct, or willful misconduct.

33 (j) Each director shall make full disclosure, in accordance with §§ 36-14-1 through 36-14-  
34 7, of any financial interest, if any, in any matter before the board. Such interest must be disclosed

1 in advance to the directors of the board, recorded in the minutes of the board, and the director  
2 having such an interest shall recuse themselves and shall not participate in any decision of the board  
3 relating to such interest.

4 (k) With the advice and consent of the senate, the board shall have the power to hire a  
5 president, who shall also serve as the chief executive officer of the hub. The board also shall have  
6 the power to establish compensation and conditions of employment for the president and chief  
7 executive officer; provided, further, the board shall have the power to hire other employees and  
8 establish compensation and conditions of employment for such employees.

9 (l) The commerce corporation shall provide operating quarters for the hub for, at a  
10 minimum, the first year of the hub's operation.

11 **23-99-5. Hub powers.**

12 (a) The hub shall have the following powers and all powers necessary to carry out and  
13 effectuate its purposes, including, without limitation, all powers necessary for the performance of  
14 the following:

15 (1) To have perpetual succession as a public corporate body and agency of the state and to  
16 adopt bylaws, rules, regulations, and procedures for its governance and conduct of its business;

17 (2) To act as the central entity and coordinating organization of life sciences initiatives on  
18 behalf of the state and to work in collaboration with governmental entities, bodies, centers, hubs,  
19 and facilities to promote life sciences;

20 (3) To engage accountants, architects, attorneys, engineers, planners, real estate experts,  
21 and other consultants as may be necessary in its judgment to carry out the purposes of this chapter;

22 (4) To obtain insurance for board directors, officers, and employees in order to indemnify  
23 said persons against the claims of others;

24 (5) To administer the investment fund, for the purposes of making appropriations,  
25 allocations, grants, or loans;

26 (6) To apply for and accept contributions of any source of money, property, labor, or any  
27 other things of value and to invest, disburse, appropriate, grant, loan, or allocate any funds for the  
28 purpose of investing in any life science initiative;

29 (7) To create access to capital, funding, and business support programs;

30 (8) To enter into venture agreements with persons, upon such terms and on such conditions  
31 as are consistent with the purposes of this chapter, for the advancement of financial aid to such  
32 persons for the research, development and application of specific technologies, products,  
33 procedures, services and techniques, to be developed and produced in this state, and to condition  
34 such agreements upon contractual assurances that the benefits of increasing or maintaining

1 employment and tax revenues shall remain in this state and shall accrue to it;

2 (9) To enter into contracts and agreements to further scientific research in the state, aid in  
3 the promotion of the health of residents, foster jobs in the life sciences, and promote overall  
4 economic growth in the life sciences industry; and

5 (10) To issue bonds, notes, and any other obligations of the hub, subject to the provisions  
6 of chapter 18 of title 35 ("Rhode Island public corporation debt management").

7 **23-99-6. Hub investment fund.**

8 (a) There shall be established and placed within the hub, a fund or funds to be known as  
9 the Rhode Island life science investment fund, hereinafter referred to as the "fund", to be held by  
10 the hub to finance the operations and initiatives of the hub. The fund shall be credited any  
11 appropriations, bond proceeds, federal grants or loans, or other such additional funds as are subject  
12 to the direction and control of the hub, which may properly be applied in furtherance of the  
13 objectives of the hub.

14 (b) The fund shall be held and applied by the hub to make qualified investments, grants,  
15 research and other funding, and loans designed to advance public purposes for the life science  
16 industry in the state and shall use the fund for such purposes.

17 (c) The state shall not be liable for the payment of the principal of, or interest on, any bonds  
18 or notes of the hub, or for the performance of any pledge, mortgage, obligation, or agreement of  
19 any kind whatsoever which may be undertaken by the hub, and none of the bonds or notes of the  
20 hub nor any of its agreements or obligations shall be construed to constitute an indebtedness of the  
21 state. Payments related to any transaction involving, or investment by, the hub shall be payable  
22 solely from the fund.

23 (d) The board shall promulgate rules, regulations or guidelines necessary to carry out the  
24 provisions of this section.

25 **23-99-7. Annual reports.**

26 (a) The hub shall submit a report, beginning on or before October 1, 2024, and on October  
27 1 annually thereafter, to the governor, the speaker of the house, and the president of the senate. This  
28 report shall include:

29 (1) The hub's receipts and expenditures during such fiscal year;

30 (2) The hub's assets and liabilities at the end of its fiscal year;

31 (3) A list of all certified life sciences companies;

32 (4) A complete list of grants awarded by the hub and any other funding activities;

33 (5) Reports of patents or products resulting from funded activities;

34 (6) The status of construction of any real estate project resulting from certification.

1 including whether construction is on-time and on-budget;

2 (7) Any federal initiatives that have an impact on life science companies doing business in  
3 the state; and

4 (8) Any concerns surrounding pending or threatened litigation, pending legislation both  
5 state and federal, or any other known material risks.

6 **23-99-8. Accountability and audit.**

7 (a) The board shall be responsible for establishing accountability standards, reporting  
8 standards, and outcome measurements for all of its expenditures, including all investments and  
9 grants.

10 (b) The board and the hub shall comply with provisions of chapter 155 of title 42, ("quasi-  
11 public corporations accountability and transparency act").

12 (c) In addition to the requirements pursuant to the provisions of subsection (b) of this  
13 section and § 42-155-7, the books and records of the hub shall be audited by an outside audit firm  
14 selected and paid for by the Hub, in accordance with Rhode Island General Law 35-7-13 at least  
15 on an annual basis, in accordance with generally accepted accounting principles and generally  
16 accepted government auditing standards.

17 **23-99-9. Severability.**

18 If any section, clause, provision, or portion of this chapter is held to be invalid or  
19 unconstitutional by any court of competent jurisdiction, that holding shall not affect any other  
20 section, clause, or provision of this chapter which is not in and of itself unconstitutional.

21 SECTION 3. Section 42-46-5 of the General Laws in Chapter 42-46 entitled "Open  
22 Meetings" is hereby amended to read as follows:

23 **42-46-5. Purposes for which meeting may be closed — Use of electronic**  
24 **communications — Judicial proceedings — Disruptive conduct.**

25 (a) A public body may hold a meeting closed to the public pursuant to § 42-46-4 for one  
26 or more of the following purposes:

27 (1) Any discussions of the job performance, character, or physical or mental health of a  
28 person or persons provided that the person or persons affected shall have been notified in advance  
29 in writing and advised that they may require that the discussion be held at an open meeting.

30 Failure to provide notification shall render any action taken against the person or persons  
31 affected null and void. Before going into a closed meeting pursuant to this subsection, the public  
32 body shall state for the record that any persons to be discussed have been so notified and this  
33 statement shall be noted in the minutes of the meeting.

34 (2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to

1 collective bargaining or litigation.

2 (3) Discussion regarding the matter of security including, but not limited to, the deployment  
3 of security personnel or devices.

4 (4) Any investigative proceedings regarding allegations of misconduct, either civil or  
5 criminal.

6 (5) Any discussions or considerations related to the acquisition or lease of real property for  
7 public purposes, or of the disposition of publicly held property wherein advanced public  
8 information would be detrimental to the interest of the public.

9 (6) Any discussions related to or concerning a prospective business or industry locating in  
10 the state of Rhode Island when an open meeting would have a detrimental effect on the interest of  
11 the public.

12 (7) A matter related to the question of the investment of public funds where the premature  
13 disclosure would adversely affect the public interest. Public funds shall include any investment  
14 plan or matter related thereto, including, but not limited to, state lottery plans for new promotions.

15 (8) Any executive sessions of a local school committee exclusively for the purposes: (i) Of  
16 conducting student disciplinary hearings; or (ii) Of reviewing other matters that relate to the privacy  
17 of students and their records, including all hearings of the various juvenile hearing boards of any  
18 municipality; provided, however, that any affected student shall have been notified in advance in  
19 writing and advised that he or she may require that the discussion be held in an open meeting.

20 Failure to provide notification shall render any action taken against the student or students  
21 affected null and void. Before going into a closed meeting pursuant to this subsection, the public  
22 body shall state for the record that any students to be discussed have been so notified and this  
23 statement shall be noted in the minutes of the meeting.

24 (9) Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining  
25 agreement.

26 (10) Any discussion of the personal finances of a prospective donor to a library.

27 (b) No meeting of members of a public body or use of electronic communication, including  
28 telephonic communication and telephone conferencing, shall be used to circumvent the spirit or  
29 requirements of this chapter; provided, however, these meetings and discussions are not prohibited.

30 (1) Provided, further however, that discussions of a public body via electronic  
31 communication, including telephonic communication and telephone conferencing, shall be  
32 permitted only to schedule a meeting, except as provided in this subsection.

33 (2) Provided, further however, that a member of a public body may participate by use of  
34 electronic communication or telephone communication while on active duty in the armed services

1 of the United States.

2 (3) Provided, further however, that a member of that public body, who has a disability as  
3 defined in chapter 87 of this title and:

4 (i) Cannot attend meetings of that public body solely by reason of the member's disability;  
5 and

6 (ii) Cannot otherwise participate in the meeting without the use of electronic  
7 communication or telephone communication as reasonable accommodation, may participate by use  
8 of electronic communication or telephone communication in accordance with the process below.

9 (4) The governor's commission on disabilities is authorized and directed to:

10 (i) Establish rules and regulations for determining whether a member of a public body is  
11 not otherwise able to participate in meetings of that public body without the use of electronic  
12 communication or telephone communication as a reasonable accommodation due to that member's  
13 disability;

14 (ii) Grant a waiver that allows a member to participate by electronic communication or  
15 telephone communication only if the member's disability would prevent the member from being  
16 physically present at the meeting location, and the use of such communication is the only  
17 reasonable accommodation; and

18 (iii) Any waiver decisions shall be a matter of public record.

19 (5) The university of Rhode Island board of trustees members, established pursuant to §  
20 16-32-2, are authorized to participate remotely in open public meetings of the board; provided,  
21 however, that:

22 (i) The remote members and all persons present at the meeting location are clearly audible  
23 and visible to each other;

24 (ii) A quorum of the body is participating;

25 (iii) If videoconferencing is used to conduct a meeting, the public notice for the meeting  
26 shall inform the public that videoconferencing will be used and include instructions on how the  
27 public can access the virtual meeting; and

28 (iv) The board shall adopt rules defining the requirements of remote participation including  
29 its use for executive session, and the conditions by which a member is authorized to participate  
30 remotely.

31 (6) The Rhode Island Life Science Hub board of directors, established pursuant to § 23-  
32 99-4, is authorized to participate remotely in open public meetings of the board, in accordance with  
33 the provisions of § 23-99-4(c).

34 (c) This chapter shall not apply to proceedings of the judicial branch of state government



1 or probate court or municipal court proceedings in any city or town.

2 (d) This chapter shall not prohibit the removal of any person who willfully disrupts a  
3 meeting to the extent that orderly conduct of the meeting is seriously compromised.

4 SECTION 4. Sections 42-64.20-5 and 42-64.20-10 of the General Laws in Chapter 42-  
5 64.20 entitled "Rebuild Rhode Island Tax Credit Act" are hereby amended to read as follows:

6 **42-64.20-5. Tax credits. [Effective January 1, 2023]**

7 (a) An applicant meeting the requirements of this chapter may be allowed a credit as set  
8 forth hereinafter against taxes imposed upon such person under applicable provisions of title 44 of  
9 the general laws for a qualified development project.

10 (b) To be eligible as a qualified development project entitled to tax credits, an applicant's  
11 chief executive officer or equivalent officer shall demonstrate to the commerce corporation, at the  
12 time of application, that:

13 (1) The applicant has committed a capital investment or owner equity of not less than  
14 twenty percent (20%) of the total project cost;

15 (2) There is a project financing gap in which after taking into account all available private  
16 and public funding sources, the project is not likely to be accomplished by private enterprise  
17 without the tax credits described in this chapter; and

18 (3) The project fulfills the state's policy and planning objectives and priorities in that:

19 (i) The applicant will, at the discretion of the commerce corporation, obtain a tax  
20 stabilization agreement from the municipality in which the real estate project is located on such  
21 terms as the commerce corporation deems acceptable;

22 (ii) It (A) Is a commercial development consisting of at least 25,000 square feet occupied  
23 by at least one business employing at least 25 full-time employees after construction or such  
24 additional full-time employees as the commerce corporation may determine; (B) Is a multi-family  
25 residential development in a new, adaptive reuse, certified historic structure, or recognized  
26 historical structure consisting of at least 20,000 square feet and having at least 20 residential units  
27 in a hope community; or (C) Is a mixed-use development in a new, adaptive reuse, certified historic  
28 structure, or recognized historical structure consisting of at least 25,000 square feet occupied by at  
29 least one business, subject to further definition through rules and regulations promulgated by the  
30 commerce corporation; and

31 (iii) Involves a total project cost of not less than \$5,000,000, except for a qualified  
32 development project located in a hope community or redevelopment area designated under § 45-  
33 32-4 in which event the commerce corporation shall have the discretion to modify the minimum  
34 project cost requirement.

1 (c) The commerce corporation shall develop separate, streamlined application processes  
2 for the issuance of rebuild RI tax credits for each of the following:

- 3 (1) Qualified development projects that involve certified historic structures;
- 4 (2) Qualified development projects that involve recognized historical structures;
- 5 (3) Qualified development projects that involve at least one manufacturer; and
- 6 (4) Qualified development projects that include affordable housing or workforce housing.

7 (d) Applications made for a historic structure or recognized historic structure tax credit  
8 under chapter 33.6 of title 44 shall be considered for tax credits under this chapter. The division of  
9 taxation, at the expense of the commerce corporation, shall provide communications from the  
10 commerce corporation to those who have applied for and are in the queue awaiting the offer of tax  
11 credits pursuant to chapter 33.6 of title 44 regarding their potential eligibility for the rebuild RI tax  
12 credit program.

13 (e) Applicants (1) Who have received the notice referenced in subsection (d) above and  
14 who may be eligible for a tax credit pursuant to chapter 33.6 of title 44, (2) Whose application  
15 involves a certified historic structure or recognized historical structure, or (3) Whose project is  
16 occupied by at least one manufacturer shall be exempt from the requirements of subsections  
17 (b)(3)(ii) and (b)(3)(iii). The following procedure shall apply to such applicants:

18 (i) The division of taxation shall remain responsible for determining the eligibility of an  
19 applicant for tax credits awarded under chapter 33.6 of title 44;

20 (ii) The commerce corporation shall retain sole authority for determining the eligibility of  
21 an applicant for tax credits awarded under this chapter; and

22 (iii) The commerce corporation shall not award in excess of fifteen percent (15%) of the  
23 annual amount authorized in any fiscal year to applicants seeking tax credits pursuant to this  
24 subsection (e).

25 (f) Maximum project credit.

26 (1) For qualified development projects, the maximum tax credit allowed under this chapter  
27 shall be the lesser of (i) Thirty percent (30%) of the total project cost; or (ii) The amount needed to  
28 close a project financing gap (after taking into account all other private and public funding sources  
29 available to the project), as determined by the commerce corporation.

30 (2) The credit allowed pursuant to this chapter, inclusive of any sales and use tax  
31 exemptions allowed pursuant to this chapter, shall not exceed fifteen million dollars (\$15,000,000)  
32 for any qualified development project under this chapter; except as provided in subsection (f)(3) of  
33 this section; provided however, any qualified development project that exceeds the project cap upon  
34 passage of this act shall be deemed not to exceed the cap, shall not be reduced, nor shall it be further

1 increased. No building or qualified development project to be completed in phases or in multiple  
2 projects shall exceed the maximum project credit of fifteen million dollars (\$15,000,000) for all  
3 phases or projects involved in the rehabilitation of the building. Provided, however, that for  
4 purposes of this subsection and no more than once in a given fiscal year, the commerce corporation  
5 may consider the development of land and buildings by a developer on the "I-195 land" as defined  
6 in § 42-64.24-3(6) as a separate, qualified development project from a qualified development  
7 project by a tenant or owner of a commercial condominium or similar legal interest including  
8 leasehold improvement, fit out, and capital investment. Such qualified development project by a  
9 tenant or owner of a commercial condominium or similar legal interest on the I-195 land may be  
10 exempted from subsection (f)(1)(i) of this section.

11 (3) The credit allowed pursuant to this chapter, inclusive of any sales and use tax  
12 exemptions allowed pursuant to this chapter, shall not exceed twenty-five million dollars  
13 (\$25,000,000) for the project for which the I-195 redevelopment district was authorized to enter  
14 into a purchase and sale agreement for parcels 42 and P4 on December 19, 2018, provided that  
15 project is approved for credits pursuant to this chapter by the commerce corporation.

16 (g) Credits available under this chapter shall not exceed twenty percent (20%) of the project  
17 cost, provided, however, that the applicant shall be eligible for additional tax credits of not more  
18 than ten percent (10%) of the project cost, if the qualified development project meets any of the  
19 following criteria or other additional criteria determined by the commerce corporation from time  
20 to time in response to evolving economic or market conditions:

21 (1) The project includes adaptive reuse or development of a recognized historical structure;

22 (2) The project is undertaken by or for a targeted industry;

23 (3) The project is located in a transit-oriented development area;

24 (4) The project includes residential development of which at least twenty percent (20%) of  
25 the residential units are designated as affordable housing or workforce housing;

26 (5) The project includes the adaptive reuse of property subject to the requirements of the  
27 industrial property remediation and reuse act, § 23-19.14-1 et seq.; or

28 (6) The project includes commercial facilities constructed in accordance with the minimum  
29 environmental and sustainability standards, as certified by the commerce corporation pursuant to  
30 Leadership in Energy and Environmental Design or other equivalent standards.

31 (h) Maximum aggregate credits. The aggregate sum authorized pursuant to this chapter,  
32 inclusive of any sales and use tax exemptions allowed pursuant to this chapter, shall not exceed  
33 ~~two hundred ten million dollars (\$210,000,000)~~ two hundred twenty-five million dollars  
34 (\$225,000,000), excluding any tax credits allowed pursuant to subsection (f)(3) of this section.

1 (i) Tax credits shall not be allowed under this chapter prior to the taxable year in which the  
2 project is placed in service.

3 (j) The amount of a tax credit allowed under this chapter shall be allowable to the taxpayer  
4 in up to five, annual increments; no more than thirty percent (30%) and no less than fifteen percent  
5 (15%) of the total credits allowed to a taxpayer under this chapter may be allowable for any taxable  
6 year.

7 (k) If the portion of the tax credit allowed under this chapter exceeds the taxpayer's total  
8 tax liability for the year in which the relevant portion of the credit is allowed, the amount that  
9 exceeds the taxpayer's tax liability may be carried forward for credit against the taxes imposed for  
10 the succeeding four (4) years, or until the full credit is used, whichever occurs first. Credits allowed  
11 to a partnership, a limited-liability company taxed as a partnership, or multiple owners of property  
12 shall be passed through to the persons designated as partners, members, or owners respectively pro  
13 rata or pursuant to an executed agreement among persons designated as partners, members, or  
14 owners documenting an alternate distribution method without regard to their sharing of other tax  
15 or economic attributes of such entity.

16 (l) The commerce corporation, in consultation with the division of taxation, shall establish,  
17 by regulation, the process for the assignment, transfer, or conveyance of tax credits.

18 (m) For purposes of this chapter, any assignment or sales proceeds received by the taxpayer  
19 for its assignment or sale of the tax credits allowed pursuant to this section shall be exempt from  
20 taxation under title 44. If a tax credit is subsequently revoked or adjusted, the seller's tax calculation  
21 for the year of revocation or adjustment shall be increased by the total amount of the sales proceeds,  
22 without proration, as a modification under chapter 30 of title 44. In the event that the seller is not a  
23 natural person, the seller's tax calculation under chapter 11, 13, 14, or 17 of title 44, as applicable,  
24 for the year of revocation, or adjustment, shall be increased by including the total amount of the  
25 sales proceeds without proration.

26 (n) The tax credit allowed under this chapter may be used as a credit against corporate  
27 income taxes imposed under chapter 11, 13, 14, or 17, of title 44, or may be used as a credit against  
28 personal income taxes imposed under chapter 30 of title 44 for owners of pass-through entities such  
29 as a partnership, a limited-liability company taxed as a partnership, or multiple owners of property.

30 (o) In the case of a corporation, this credit is only allowed against the tax of a corporation  
31 included in a consolidated return that qualifies for the credit and not against the tax of other  
32 corporations that may join in the filing of a consolidated tax return.

33 (p) Upon request of a taxpayer and subject to annual appropriation, the state shall redeem  
34 this credit, in whole or in part, for ninety percent (90%) of the value of the tax credit. The division

1 of taxation, in consultation with the commerce corporation, shall establish by regulation a  
2 redemption process for tax credits.

3 (q) Projects eligible to receive a tax credit under this chapter may, at the discretion of the  
4 commerce corporation, be exempt from sales and use taxes imposed on the purchase of the  
5 following classes of personal property only to the extent utilized directly and exclusively in the  
6 project: (1) Furniture, fixtures, and equipment, except automobiles, trucks, or other motor vehicles;  
7 or (2) Other materials, including construction materials and supplies, that are depreciable and have  
8 a useful life of one year or more and are essential to the project.

9 (r) The commerce corporation shall promulgate rules and regulations for the administration  
10 and certification of additional tax credit under subsection (e), including criteria for the eligibility,  
11 evaluation, prioritization, and approval of projects that qualify for such additional tax credit.

12 (s) The commerce corporation shall not have any obligation to make any award or grant  
13 any benefits under this chapter.

14 **42-64.20-10. Sunset.**

15 No credits shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
16 ~~2023~~[December 31, 2024.](#)

17 SECTION 5. Section 42-64.21-9 of the General Laws in Chapter 42-64.21 entitled “Rhode  
18 Island Tax Increment Financing” is hereby amended to read as follows:

19 **42-64.21-9. Sunset.**

20 The commerce corporation shall enter into no agreement under this chapter after December  
21 31, ~~2023~~[2024.](#)

22 SECTION 6. Section 42-64.22-15 of the General Laws in Chapter 42-64.22 entitled “Tax  
23 Stabilization Incentive” is hereby amended to read as follows:

24 **42-64.22-15. Sunset.**

25 The commerce corporation shall enter into no agreement under this chapter after ~~December~~  
26 ~~31, 2023~~[December 31, 2024.](#)

27 SECTION 7. Section 42-64.23-8 of the General Laws in Chapter 42-64.23 entitled “First  
28 Wave Closing Fund Act” is hereby amended to read as follows:

29 **42-64.23-8. Sunset.**

30 No financing shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
31 ~~2023~~[December 31, 2024.](#)

32 SECTION 8. Section 42-64.24-8 of the General Laws in Chapter 42-64.24 entitled “I-195  
33 Redevelopment Project Fund Act” is hereby amended as follows:

34 **42-64.24-8. Sunset.**

1 No funding, credits, or incentives shall be authorized or authorized to be reserved pursuant  
2 to this chapter after ~~December 31, 2023~~[December 31, 2024](#).

3 SECTION 9. Section 42-64.25-14 of the General Laws in Chapter 42-64.24 entitled “Small  
4 Business Assistance Program Act” is hereby amended as follows:

5 **42-64.25-14. Sunset.**

6 No grants, funding, or incentives shall be authorized pursuant to this chapter after  
7 ~~December 31, 2023~~[December 31, 2024](#).

8 SECTION 10. Sections 42-64.26-3, 42-64.26-4, 42-64.26-5 and 42-64.26-12 of the  
9 General Laws in Chapter 42-64.26 entitled “Stay Invested in RI Wavemaker Fellowship” are  
10 hereby amended to read as follows:

11 **42-64.26-3. Definitions.**

12 As used in this chapter:

13 (1) “Applicant” means an eligible graduate who applies for a tax credit for education loan  
14 repayment expenses under this chapter.

15 (2) “Award” means a tax credit awarded by the commerce corporation to an applicant as  
16 provided under this chapter.

17 (3) “Commerce corporation” means the Rhode Island commerce corporation established  
18 pursuant to chapter 64 of this title.

19 (4) “Eligibility period” means a term of up to four (4) consecutive service periods  
20 beginning with the date that an eligible graduate receives initial notice of award under this chapter  
21 and expiring at the conclusion of the fourth service period after such date specified.

22 (5) “Eligibility requirements” means the following qualifications or criteria required for an  
23 applicant to claim an award under this chapter:

24 (i) That the applicant shall have graduated from an accredited two-year (2), four-year (4)  
25 or graduate postsecondary institution of higher learning with an associate’s, bachelor’s, graduate,  
26 or post-graduate degree and at which the applicant incurred education loan repayment expenses;

27 (ii) That the applicant shall be a full-time employee with a Rhode Island-based employer  
28 located in this state throughout the eligibility period, whose employment is

29 [\(a\) for work in one or more of the following covered fields: life, natural or environmental  
30 sciences; computer, information or software technology; advanced mathematics or finance;  
31 engineering; industrial design or other commercially related design field; or medicine or medical  
32 device technology;](#)

33 [\(b\) as a teacher; or](#)

34 [\(c\) as a healthcare applicant.](#)

1 (6) “Eligible expenses” or “education loan repayment expenses” means annual higher  
2 education loan repayment expenses, including, without limitation, principal, interest and fees, as  
3 may be applicable, incurred by an eligible graduate and which the eligible graduate is obligated to  
4 repay for attendance at a postsecondary institution of higher learning.

5 (7) “Eligible graduate” means an individual who meets the eligibility requirements under  
6 this chapter.

7 (8) “Full-time employee” means a person who is employed by a business for consideration  
8 for a minimum of at least thirty-five (35) hours per week, or who renders any other standard of  
9 service generally accepted by custom or practice as full-time employment, or who is employed by  
10 a professional employer organization pursuant to an employee leasing agreement between the  
11 business and the professional employer organization for a minimum of thirty-five (35) hours per  
12 week, or who renders any other standard of service generally accepted by custom or practice as  
13 full-time employment, and whose wages are subject to withholding.

14 (9) “Healthcare applicant” means any applicant who meets the eligibility requirements and  
15 works as a full-time employee as a high-demand healthcare practitioner or mental health  
16 professional, including, but not limited to, clinical social workers and mental health counselors  
17 licensed by the department of health, and as defined in regulations to be promulgated by the  
18 commerce corporation, in consultation with the executive office of health and human services,  
19 pursuant to chapter 35 of this title.

20 ~~(10) “Healthcare fund” refers to the “Healthcare Stay Invested in RI Wavemaker~~  
21 ~~Fellowship Fund” established pursuant to § 42-64.26-4(b).~~

22 ~~(11)~~(10) “Rhode Island-based employer” means: (i) An employer having a principal place  
23 of business or at least fifty-one percent (51%) of its employees located in this state; or (ii) An  
24 employer registered to conduct business in this state that reported Rhode Island tax liability in the  
25 previous tax year.

26 ~~(12)~~(11) “Service period” means a twelve-month (12) period beginning on the date that an  
27 eligible graduate receives initial notice of award under this chapter.

28 ~~(13)~~(12) “~~STEM/design~~ Fund” refers to the “Stay Invested in RI Wavemaker Fellowship  
29 Fund” established pursuant to § 42-64.26-4(a).

30 ~~(14)~~(13) “Student loan” means a loan to an individual by a public authority or private lender  
31 to assist the individual to pay for tuition, books, and living expenses in order to attend a  
32 postsecondary institution of higher learning.

33 ~~(15)~~(14) “Taxpayer” means an applicant who receives a tax credit under this chapter.

34 (15) “Teacher” shall have the meaning prescribed to it in rules and regulations to be

1 [promulgated by the Commerce Corporation in consultation with the Rhode Island Department of](#)  
2 [Elementary and Secondary Education.](#)

3 **42-64.26-4. Establishment of funds — Purposes — Composition.**

4 (a) There is hereby established the “Stay Invested in RI Wavemaker Fellowship Fund” to  
5 be administered by the commerce corporation as set forth in this chapter.

6 ~~(b) There is hereby established the “Healthcare Stay Invested in RI Wavemaker Fellowship~~  
7 ~~Fund” to be administered by the commerce corporation as set forth in this chapter.~~

8 ~~(e)(b)~~ The purpose of the ~~STEM/design~~ fund, ~~and healthcare fund~~ is to expand employment  
9 opportunities in the state and to retain talented individuals in the state by providing tax credits in  
10 relation to education loan repayment expenses to applicants who meet the eligibility requirements  
11 under this chapter.

12 ~~(d)(c)~~ The ~~STEM/design~~ fund, ~~and healthcare~~ shall consist of:

13 (1) Money appropriated in the state budget to the fund;

14 (2) Money made available to the fund through federal programs or private contributions;

15 and

16 (3) Any other money made available to the fund.

17 ~~(e)(d)~~ The ~~STEM/design~~ fund shall be used to pay for the redemption of tax credits or  
18 reimbursement to the state for tax credits applied against the tax liability of any ~~non-healthcare~~  
19 ~~applicant who received an award. The healthcare fund shall be used to pay for the redemption of~~  
20 ~~tax credits or reimbursement to the state for tax credits applied against the tax liability of any~~  
21 ~~healthcare applicant who received an award on or after July 1, 2022.~~ The funds shall be exempt  
22 from attachment, levy, or any other process at law or in equity. The director of the department of  
23 revenue shall make a requisition to the commerce corporation for funding during any fiscal year as  
24 may be necessary to pay for the redemption of tax credits presented for redemption or to reimburse  
25 the state for tax credits applied against a taxpayer’s tax liability. The commerce corporation shall  
26 pay from the funds such amounts as requested by the director of the department of revenue  
27 necessary for redemption or reimbursement in relation to tax credits granted under this chapter.

28 **42-64.26-5. Administration.**

29 (a) Application. An eligible graduate claiming an award under this chapter shall submit to  
30 the commerce corporation an application in the manner that the commerce corporation shall  
31 prescribe.

32 (b) Upon receipt of a proper application from an applicant who meets all of the eligibility  
33 requirements, the commerce corporation shall select applicants on a competitive basis to receive  
34 credits for up to a maximum amount for each service period of one thousand dollars (\$1,000) for



1 an associate's degree holder, four thousand dollars (\$4,000) for a bachelor's degree holder, and six  
2 thousand dollars (\$6,000) for a graduate or post-graduate degree holder, but not to exceed the  
3 education loan repayment expenses incurred by such taxpayer during each service period  
4 completed, for up to four (4) consecutive service periods provided that the taxpayer continues to  
5 meet the eligibility requirements throughout the eligibility period. The commerce corporation shall  
6 delegate the selection of the applicants that are to receive awards to a fellowship committee to be  
7 convened by the commerce corporation and promulgate the selection procedures the fellowship  
8 committee will use, which procedures shall require that the committee's consideration of  
9 applications be conducted on a name-blind and employer-blind basis and that the applications and  
10 other supporting documents received or reviewed by the fellowship committee shall be redacted of  
11 the applicant's name, street address, and other personally-identifying information as well as the  
12 applicant's employer's name, street address, and other employer-identifying information. The  
13 commerce corporation shall determine the composition of the fellowship committee and the  
14 selection procedures it will use in consultation with the state's chambers of commerce.  
15 Notwithstanding the foregoing, the commerce corporation shall create and establish a committee  
16 to evaluate any healthcare applicant for an award in the same manner as prescribed in this  
17 subsection. The executive office of health and human services ("EOHHS") shall be represented on  
18 the committee and provide consultation to the commerce corporation on selection procedures.  
19 Notwithstanding EOHHS's consultation and representation in the selection of healthcare  
20 applicants, the commerce corporation shall administer all other aspects of a healthcare applicant's  
21 application, award, and certification.

22 (c) The credits awarded under this chapter shall not exceed one hundred percent (100%) of  
23 the education loan repayment expenses incurred by such taxpayer during each service period  
24 completed for up to four (4) consecutive service periods. Tax credits shall be issued annually to the  
25 taxpayer upon proof that (i) The taxpayer has actually incurred and paid such education loan  
26 repayment expenses; (ii) The taxpayer continues to meet the eligibility requirements throughout  
27 the service period; (iii) The award shall not exceed the original loan amount plus any capitalized  
28 interest less award previously claimed under this section; and (iv) The taxpayer claiming an award  
29 is current on his or her student loan repayment obligations.

30 (d) The commerce corporation shall not commit to overall ~~STEM/design~~ awards in excess  
31 of the amount contained in the ~~STEM/design~~ fund ~~or to overall healthcare awards in excess of the~~  
32 ~~amount contained in the healthcare fund.~~

33 (e) The commerce corporation shall reserve seventy percent (70%) of the awards issued in  
34 a calendar year to applicants who are permanent residents of the state of Rhode Island or who

1 attended an institution of higher education located in Rhode Island when they incurred the  
2 education loan expenses to be repaid.

3 (f) In administering award, the commerce corporation shall:

4 (1) Require suitable proof that an applicant meets the eligibility requirements for award  
5 under this chapter;

6 (2) Determine the contents of applications and other materials to be submitted in support  
7 of an application for award under this chapter; and

8 (3) Collect reports and other information during the eligibility period for each award to  
9 verify that a taxpayer continues to meet the eligibility requirements for an award.

10 **42-64.26-12. Sunset.**

11 No incentives or credits shall be authorized pursuant to this chapter after ~~December 31,~~  
12 ~~2023~~[December 31, 2024](#).

13 SECTION 11. Sections 42-64.27-2 and 42-64.27-6 of the General Laws in Chapter 42-  
14 64.27 entitled “Main Street Rhode Island Streetscape Improvement Fund” are hereby amended as  
15 follows:

16 **42-64.27-2. Fund Established.**

17 The main street RI streetscape improvement fund is hereby created within the Rhode Island  
18 commerce corporation. The commerce corporation is authorized, within available appropriations,  
19 to award loans, matching grants, and other forms of financing to facilitate improvement of  
20 streetscapes such as but not limited to (1) enhanced sidewalks, (2) new wayfinding signage, (3)  
21 upgraded building facades, ~~and~~ (4) improved street and public space lighting, ~~and~~ (5) [technical](#)  
22 [assistance](#), in support of creating an ~~attractive~~ environment for small business development and  
23 commerce. [The commerce corporation shall include maximum amounts for awards for technical](#)  
24 [assistance in the rules and regulations promulgated pursuant to § 42-64.27-3](#). Applications and  
25 awards of grants or loans shall be on a rolling basis. There is established an account in the name of  
26 the "main street RI streetscape improvement fund" under the control of the commerce corporation,  
27 and the commerce corporation shall pay into such account any eligible funds available to the  
28 commerce corporation from any source, including funds appropriated by the state and any grants  
29 made available by the United States or any agency of the United States.

30 **42-64.27-6. Sunset.**

31 No incentives shall be authorized pursuant to this chapter after ~~December 31,~~  
32 ~~2023~~[December 31, 2024](#).

33 SECTION 12. Sections 42-64.28-6 and 42-64.28-10 of the General Laws in Chapter 42-  
34 64.28 entitled “Innovation Initiative” is hereby amended as follows:

1           **42-64.28-6. Voucher amounts and matching fund awards**

2           (a) Voucher award amounts to a selected applicant shall be determined by the corporation,  
3 to be in the minimum amount of five thousand dollars (\$5,000) and the maximum amount of ~~fifty~~  
4 ~~thousand dollars (\$50,000)~~ seventy-five thousand dollars (\$75,000), subject to appropriations or  
5 other available moneys in the fund.

6           (b) Matching fund awards shall be awarded to organizations in an amount approved by the  
7 corporation, subject to appropriations or other available moneys in the fund.

8           **42-64.28-10. Sunset.**

9           No vouchers, grants, or incentives shall be authorized pursuant to this chapter after  
10 ~~December 31, 2023~~December 31, 2024.

11           SECTION 13. Section 42-64.31-4 of the General Laws in Chapter 42-64.31 entitled “High  
12 School, College, and Employer Partnerships” is hereby amended as follows:

13           **42-64.31-4. Sunset.**

14           No grants shall be authorized pursuant to this chapter after ~~December 31, 2023~~December  
15 31, 2024.

16           SECTION 14. Section 42-64.32-6 of the General Laws in Chapter 42-64.32 entitled “Air  
17 Service Development Fund” is hereby amended as follows:

18           **42-64.32-6. Sunset.**

19           No grants, credits, or incentives shall be authorized or authorized to be reserved pursuant  
20 to this chapter after ~~December 31, 2023~~December 31, 2024.

21           SECTION 15. Section 44-48.3-14 of the General Laws in Chapter 44-48.3 entitled “Rhode  
22 Island Qualified Jobs Incentive Act of 2015” is hereby amended as follows:

23           **44-48.3-14. Sunset.**

24           No credits shall be authorized to be reserved pursuant to this chapter after ~~December 31,~~  
25 ~~2023~~December 31, 2024.

26           SECTION 16. Sections 2 and 3 shall take effect on September 1, 2023. The remainder of  
27 the article shall take effect upon passage.

**ARTICLE 8 AS AMENDED**

RELATING TO EDUCATION

SECTION 1. Sections 16-7-20, 16-7-39, 16-7-40 and 16-7-41.1 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" are hereby amended to read as follows:

**16-7-20. Determination of state's share.**

(a) For each community the state's share shall be computed as follows: Let

R = state share ratio for the community.

v = adjusted equalized weighted assessed valuation for the community, as defined in

§ 16-7-21(3).

V = sum of the values of v for all communities.

m = average daily membership of pupils in the community as defined in § 16-7-22(3).

M = total average daily membership of pupils in the state.

E = approved reimbursable expenditures for the community for the reference year minus the excess costs of special education, tuitions, federal and state receipts, and other income.

Then the state share entitlement for the community shall be RE where

$R = 1 - 0.5vM/(Vm)$  through June 30, 2011, and  $R = 1 - 0.475 vM/(Vm)$  beginning on July 1, 2011 and thereafter.

Except that in no case shall R be less than zero percent (0%).

(b) Whenever any funds are appropriated for educational purposes, the funds shall be used for educational purposes only and all state funds appropriated for educational purposes must be used to supplement any and all money allocated by a city or town for educational purposes and in no event shall state funds be used to supplant, directly or indirectly, any money allocated by a city or town for educational purposes. The courts of this state shall enforce this section by writ of mandamus.

(c) Notwithstanding the calculations in subsection (a), the hospital school at the Hasbro Children's Hospital shall be reimbursed one hundred percent (100%) of all expenditures approved by the council on elementary and secondary education in accordance with currently existing rules and regulations for administering state aid, and subject to annual appropriations by the general

1 assembly including, but not limited to, expenditures for educational personnel, supplies, and  
2 materials in the prior fiscal year.

3 (d) In the event the computation of the state's share for any local education agency as  
4 outlined in subsection (a) is determined to have been calculated incorrectly after the state budget  
5 for that fiscal year has been enacted, the commissioner of elementary and secondary education shall  
6 notify affected local education agencies, the senate president, and the speaker of the house within  
7 fifteen (15) days of the determination.

8 (e) Realignment of aid payments to the affected local education agencies pursuant to  
9 subsection (d) shall occur in the following fiscal year:

10 (1) If the determination shows aid is underpaid to the local education agency, any amounts  
11 owed shall be paid in equal monthly installments.

12 (2) If the determination shows aid was overpaid, the department of elementary and  
13 secondary education shall recapture some amount of the aid from the overpaid local education  
14 agency. The amount to be withheld shall be equal to the amount of the overpayment prorated to the  
15 number of full months remaining in the fiscal year when the notification required in subsection (d)  
16 was made.

17 (f) The above notwithstanding, in no event shall the total paid to a local education agency  
18 in the 2023 fiscal year pursuant to subsection (a) be reduced as a result of the implementation of  
19 subsection (e); provided, however, that for the 2022 fiscal year, the full amount of any payment  
20 due to an underpayment and realignment under subsection (e)(1) shall be made for fiscal year 2022.

21 (g) Data used for the calculation of the FY 2022 state share ratio shall also be used for the  
22 calculation of the FY 2023 state share ratio.

23 **16-7-39. Computation of school housing-aid ratio.**

24 For each community, the percent of state aid for school housing costs shall be computed in  
25 the following manner:

26 (1) The adjusted equalized weighted assessed valuation for the district is divided by the  
27 resident average daily membership for the district (grades twelve (12) and below); (2) The adjusted  
28 equalized weighted assessed valuation for the state is divided by the resident average daily  
29 membership for the state (grades twelve (12) and below); (1) is then divided by (2) and the resultant  
30 ratio is multiplied by a factor currently set at sixty-two percent (62%) which represents the  
31 approximate average district share of school support; the resulting product is then subtracted from  
32 one hundred percent (100%) to yield the housing aid share ratio, provided that in no case shall the  
33 ratio be less than thirty percent (30%). Provided, that effective July 1, 2010, and annually at the  
34 start of each fiscal year thereafter, the thirty percent (30%) floor on said housing-aid share shall be

1 increased by five percent (5%) increments each year until said floor on the housing-aid share ratio  
2 reaches a minimum of not less than forty percent (40%). This provision shall apply only to school  
3 housing projects completed after June 30, 2010, that received approval from the board of regents  
4 prior to June 30, 2012. Provided further, for the fiscal year beginning July 1, 2012, and for  
5 subsequent fiscal years, the minimum housing aid share shall be thirty-five percent (35%) for all  
6 projects receiving council on elementary and secondary education approval after June 30, 2012.  
7 The resident average daily membership shall be determined in accordance with § 16-7-22(1).

8 (2) No district shall receive a combined total of more than twenty (20) incentive percentage  
9 points for projects that commence construction by ~~December 30, 2023~~ June 30, 2024, and five (5)  
10 incentive points for projects that commence construction thereafter; provided further, these caps  
11 shall be in addition to amounts received under §§ 16-7-40(a)(1) and 16-7-40(a)(2). Furthermore, a  
12 district's share shall not be decreased by more than half of its regular share irrespective of the  
13 number of incentive points received nor shall a district's state share increase by more than half of  
14 its regular share, including amounts received under §§ 16-7-40(a)(1) and 16-7-40(a)(2), irrespective  
15 of the number of incentive points received. Provided further that the aforementioned limit on the  
16 state share increasing by more than half of its regular share shall not apply to projects submitted  
17 for reimbursement after July 1, 2023.

18 **16-7-40. Increased school housing ratio.**

19 (a)(1) In the case of regional school districts, the school housing aid ratio shall be increased  
20 by two percent (2%) for each grade so consolidated.

21 (2) Regional school districts undertaking renovation project(s) shall receive an increased  
22 share ratio of four percent (4%) for those specific project(s) only, in addition to the combined share  
23 ratio calculated in § 16-7-39 and this subsection.

24 (b) In the case of projects undertaken by districts specifically for the purposes of school  
25 safety and security, the school housing aid share ratio shall be increased by five percent (5%) for  
26 these specific projects only, in the calculation of school housing aid. The increased share ratio shall  
27 continue to be applied for as long as the project(s) receives state housing aid. In order to qualify for  
28 the increased share ratio, seventy-five percent (75%) of the project costs must be specifically  
29 directed to school safety and security measures. The council on elementary and secondary  
30 education shall promulgate rules and regulations for the administration and operation of this  
31 section.

32 (c) For purposes of addressing health and safety deficiencies as defined by the school  
33 building authority, including the remediation of hazardous materials, the school housing aid ratio  
34 shall be increased by five percent (5%) so long as the construction of the project commences by

1 ~~December~~ June 30, ~~2023~~ 2024, is completed by ~~December~~ June 30, ~~2028~~ 2029, and a two hundred  
2 fifty million dollar (\$250,000,000) general obligation bond is approved on the November 2018  
3 ballot. In order to qualify for the increased share ratio, twenty-five percent (25%) of the project  
4 costs or a minimum of five hundred thousand dollars (\$500,000) must be specifically directed to  
5 this purpose.

6 (d) For purposes of educational enhancement, including projects devoted to the  
7 enhancement of early childhood education and career and technical education, the school housing  
8 aid ratio shall be increased by five percent (5%) so long as construction of the project commences  
9 by ~~December~~ June 30, ~~2023~~ 2024, is completed by ~~December~~ June 30, ~~2028~~ 2029, and a two  
10 hundred fifty million dollar (\$250,000,000) general obligation bond is approved on the November  
11 2018 ballot. In order to qualify for the increased share ratio, twenty-five percent (25%) of the  
12 project costs or a minimum of five hundred thousand dollars (\$500,000) must be specifically  
13 directed to these purposes.

14 (e) For replacement of a facility that has a facilities condition index of sixty-five percent  
15 (65%) or higher, the school housing ratio shall be increased by five percent (5%) so long as  
16 construction of the project commences by ~~December~~ June 30, ~~2023~~ 2024, is completed by  
17 ~~December~~ June 30, ~~2028~~ 2029, does not receive a bonus pursuant to subsection (f) or subsection  
18 (g), and a two hundred fifty million dollar (\$250,000,000) general obligation bond is approved on  
19 the November 2018 ballot. In order to qualify for the increased share ratio, twenty-five percent  
20 (25%) of the project costs or a minimum of five hundred thousand dollars (\$500,000) must be  
21 specifically directed to this purpose.

22 (f) For any new construction or renovation that increases the functional utilization of any  
23 facility from less than sixty percent (60%) to more than eighty percent (80%), including the  
24 consolidation of school buildings within or across districts, the school housing aid ratio shall be  
25 increased by five percent (5%) so long as construction of the project commences by ~~December~~ June  
26 30, 2023 2024, is completed by ~~December~~ June 30, ~~2028~~ 2029, and a two hundred fifty million  
27 dollar (\$250,000,000) general obligation bond is approved on the November 2018 ballot. In order  
28 to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum  
29 of five hundred thousand dollars (\$500,000) must be specifically directed to this purpose.

30 (g) For any new construction or renovation that decreases the functional utilization of any  
31 facility from more than one hundred twenty percent (120%) to between eighty-five percent (85%)  
32 to one hundred five percent (105%), the school housing ratio shall be increased by five percent  
33 (5%) so long as construction of the project commences by ~~December~~ June 30, ~~2023~~ 2024, is  
34 completed by ~~December~~ June 30, ~~2028~~ 2029, and a two hundred fifty million dollar (\$250,000,000)

1 general obligation bond is approved on the November 2018 ballot. In order to qualify for the  
2 increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred  
3 thousand dollars (\$500,000) must be specifically directed to this purpose.

4 (h) For consolidation of two (2) or more school buildings, within or across districts into  
5 one school building, the school housing aid ratio shall be increased by five percent (5%) so long as  
6 construction of the project commences by ~~December~~ June 30, ~~2023~~ 2024, is completed by  
7 ~~December~~ June 30, ~~2028~~ 2029, a two hundred fifty million dollar (\$250,000,000) general obligation  
8 bond is approved on the November 2018 ballot, and does not receive a bonus pursuant to subsection  
9 (f) or subsection (g). In order to qualify for the increased share ratio, twenty-five percent (25%) of  
10 the project costs or a minimum of five hundred thousand dollars (\$500,000) must be specifically  
11 directed to this purpose.

12 (i) Any regionalized and/or non-regionalized school district receiving an increased share  
13 ratio for a project approved prior to July 1, 2018, shall continue to receive the increased share ratio  
14 for as long as the project receives state housing aid.

15 **16-7-41.1. Eligibility for reimbursement.**

16 (a) School districts, not municipalities, may apply for and obtain approval for a project  
17 under the necessity of school construction process set forth in the regulations of the council on  
18 elementary and secondary education, provided, however, in the case of a municipality that issues  
19 bonds through the Rhode Island health and educational building corporation to finance or refinance  
20 school facilities for a school district that is not part of the municipality, the municipality may apply  
21 for and obtain approval for a project. Such approval will remain valid until June 30 of the third  
22 fiscal year following the fiscal year in which the council on elementary and secondary education's  
23 approval is granted. Only those projects undertaken at school facilities under the care and control  
24 of the school committee and located on school property may qualify for reimbursement under §§  
25 16-7-35 — 16-7-47. Facilities with combined school and municipal uses or facilities that are  
26 operated jointly with any other profit or nonprofit agency do not qualify for reimbursement under  
27 §§ 16-7-35 — 16-7-47. Projects completed by June 30 of a fiscal year are eligible for  
28 reimbursement in the following fiscal year. A project for new school housing or additional housing  
29 shall be deemed to be completed when the work has been officially accepted by the school  
30 committee or when the housing is occupied for its intended use by the school committee, whichever  
31 is earlier.

32 (b) Notwithstanding the provisions of this section, the board of regents shall not grant final  
33 approval for any project between June 30, 2011, and May 1, 2015, except for projects that are  
34 necessitated by immediate health and safety reasons. In the event that a project is requested during



1 the moratorium because of immediate health and safety reasons, those proposals shall be reported  
2 to the chairs of the house and senate finance committees.

3 (c) Any project approval granted prior to the adoption of the school construction  
4 regulations in 2007, and which are currently inactive; and any project approval granted prior to the  
5 adoption of the school construction regulations in 2007 which did not receive voter approval or  
6 which has not been previously financed, are no longer eligible for reimbursement under this  
7 chapter. The department of elementary and secondary education shall develop recommendations  
8 for further cost containment strategies in the school housing aid program.

9 (d) Beginning July 1, 2015, the council on elementary and secondary education shall  
10 approve new necessity of school construction applications on an annual basis. The department of  
11 elementary and secondary education shall develop an annual application timeline for local  
12 education agencies seeking new necessity of school construction approvals.

13 (e) Beginning July 1, 2019, no state funding shall be provided for projects in excess of ten  
14 million dollars (\$10,000,000) unless the prime contractor for the project has received  
15 prequalification from the school building authority.

16 (f) Beginning July 1, 2019, the necessity of school construction process set forth in the  
17 regulations of the council on elementary and secondary education shall include a single statewide  
18 process, developed with the consultation of the department of environmental management, that will  
19 ensure community involvement throughout the investigation and remediation of contaminated  
20 building sites for possible reuse as the location of a school. That process will fulfill all provisions  
21 of § 23-19.14-5 related to the investigation of reuse of such sites for schools.

22 (g) Beginning July 1, 2019, school housing projects exceeding one million five hundred  
23 thousand dollars (\$1,500,000) subject to inflation shall include an owner's program manager and a  
24 commissioning agent. The cost of the program manager and commissioning agent shall be  
25 considered a project cost eligible for aid pursuant to §§ 16-7-41 and 16-105-5.

26 (h) Temporary housing, or swing space, for students shall be a reimbursable expense so  
27 long as a district can demonstrate that no other viable option to temporarily house students exists  
28 and provided that use of the temporary space is time limited for a period not to exceed twenty-four  
29 (24) months and tied to a specific construction project.

30 (i) Environmental site remediation, as defined by the school building authority, shall be a  
31 reimbursable expense up to one million dollars (\$1,000,000) per project.

32 (j) If, within thirty (30) years of construction, a newly constructed school is sold to a private  
33 entity, the state shall receive a portion of the sale proceeds equal to that project's housing aid  
34 reimbursement rate at the time of project completion.

1 (k) All projects must comply with § 37-13-6, ensuring that prevailing wage laws are being  
2 followed, and § 37-14.1-6, ensuring that minority business enterprises reach ~~a~~ [the required](#)  
3 minimum ~~of ten percent (10%) of the dollar value of the bid~~ [participation](#).

4 SECTION 2. Sections 16-7.2-3, 16-7.2-4, 16-7.2-5 and 16-7.2-7 of the General Laws in  
5 Chapter 16-7.2 entitled “The Education Equity and Property Tax Relief Act” are hereby amended  
6 to read as follows:

7 **16-7.2-3. Permanent foundation education aid established.**

8 (a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall  
9 take effect. The foundation education aid for each district shall be the sum of the core instruction  
10 amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2),  
11 which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to  
12 determine the foundation aid.

13 (1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-  
14 instruction amount as established by the department of elementary and secondary education,  
15 derived from the average of northeast regional expenditure data for the states of Rhode Island,  
16 Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics  
17 (NCES) that will adequately fund the student instructional needs as described in the basic education  
18 program and multiplied by the district average daily membership as defined in § 16-7-22.  
19 Expenditure data in the following categories: instruction and support services for students,  
20 instruction, general administration, school administration, and other support services from the  
21 National Public Education Financial Survey, as published by NCES, and enrollment data from the  
22 Common Core of Data, also published by NCES, will be used when determining the core-  
23 instruction amount. The core-instruction amount will be updated annually. For the purpose of  
24 calculating this formula, school districts’ resident average daily membership shall exclude charter  
25 school and state-operated school students.

26 (2) The amount to support high-need students beyond the core-instruction amount shall be  
27 determined by multiplying a student success factor of forty percent (40%) by the core instruction  
28 per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child  
29 whose family income is at or below one hundred eighty-five percent (185%) of federal poverty  
30 guidelines, hereinafter referred to as “poverty status.” By October 1, 2022, as part of its budget  
31 submission pursuant to § 35-3-4 relative to state fiscal year 2024 and thereafter, the department of  
32 elementary and secondary education shall develop and utilize a poverty measure that in the  
33 department’s assessment most accurately serves as a proxy for the poverty status referenced in this  
34 subsection and does not rely on the administration of school nutrition programs. The department

1 shall utilize this measure in calculations pursuant to this subsection related to the application of the  
2 student success factor, in calculations pursuant to § 16-7.2-4 related to the calculation of the state  
3 share ratio, and in the formulation of estimates pursuant to subsection (b) below. The department  
4 may also include any recommendations which seek to mitigate any disruptions associated with the  
5 implementation of this new poverty measure or improve the accuracy of its calculation. Beginning  
6 with the FY 2024 calculation, students whose family income is at or below one hundred eighty-  
7 five percent (185%) of federal poverty guidelines will be determined by participation in the  
8 supplemental nutrition assistance program (SNAP). The number of students directly certified  
9 through the Department of Human Services shall be multiplied by a factor of 1.6.

10 (b) The department of elementary and secondary education shall provide an estimate of the  
11 foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate  
12 shall include the most recent data available as well as an adjustment for average daily membership  
13 growth or decline based on the prior year experience.

14 (c) In addition, the department shall report updated figures based on the average daily  
15 membership as of October 1 by December 1.

16 (d) Local education agencies may set aside a portion of funds received under subsection  
17 (a) to expand learning opportunities such as after school and summer programs, full-day  
18 kindergarten and/or multiple pathway programs, provided that the basic education program and all  
19 other approved programs required in law are funded.

20 (e) The department of elementary and secondary education shall promulgate such  
21 regulations as are necessary to implement fully the purposes of this chapter.

22 (f)(1) By October 1, 2023, as part of its budget submission pursuant to § 35-3-4 relative to  
23 state fiscal year 2025, the department of elementary and secondary education shall evaluate the  
24 number of students by district who qualify as MLL students and MLL students whose family  
25 income is at or below one-hundred eighty-five percent (185%) of federal poverty guidelines. The  
26 submission shall also include segmentation of these populations by levels as dictated by the WIDA  
27 multilingual learner assessment tool used as an objective benchmark for English proficiency. The  
28 department shall also prepare and produce expense data sourced from the uniform chart of accounts  
29 to recommend funding levels required to support students at the various levels of proficiency as  
30 determined by the WIDA assessment tool. Utilizing this information, the department shall  
31 recommend a funding solution to meet the needs of multi lingual learners; this may include but not  
32 be limited to inclusion of MLL needs within the core foundation formula amount through one or  
33 multiple weights to distinguish different students of need or through categorical means.

34 (2) By October 1, 2024, as part of its budget submission pursuant to § 35-3-4 relative to

1 state fiscal year 2026, the department of elementary and secondary education shall develop  
2 alternatives to identify students whose family income is at or below one hundred eighty-five percent  
3 (185%) of federal poverty guidelines through participation in state-administered programs,  
4 including, but not limited to, the supplemental nutrition assistance program (SNAP), and RItCare  
5 and other programs which include the collection of required supporting documentation. The  
6 department may also include any recommendations which seek to mitigate any disruptions  
7 associated with implementation of this new poverty measure or improve the accuracy of its  
8 calculation.

9 (3) The Department shall also report with its annual budget request information regarding  
10 local contributions to education aid and compliance with §§ 16-7-23 and 16-7-24. The report shall  
11 also compare these local contributions to state foundation education aid by community. The  
12 department shall also report compliance to each city or town school committee and city or town  
13 council.

14 **16-7.2-4. Determination of state's share.**

15 (a) For each district, the state's share of the foundation education aid calculated pursuant  
16 to § 16-7.2-3(a) shall use a calculation that considers a district's revenue-generating capacity and  
17 concentration of high-need students. The calculation is the square root of the sum of the state-share  
18 ratio for the community calculation, pursuant to § 16-7-20, squared plus the district's percentage  
19 of students in grades PK-6 in poverty status squared, divided by two.

20 If this calculation results in a state share ratio that is less than the state share ratio for the  
21 community calculated pursuant to § 16-7-20(a) and that district's poverty status percentage as  
22 defined in § 16-7.2-3(2) is greater than fifty percent (50%), the state share ratio shall be equal to  
23 the state share ratio for the community calculated pursuant to § 16-7-20(a).

24 (b) For purposes of determining the state's share, school district student data used in this  
25 calculation shall include charter school and state school students. These ratios are used in the  
26 permanent foundation education aid formula calculation described in § 16-7.2-5.

27 (c) There shall be a poverty loss stabilization fund for districts that experience a decline in  
28 the state share ratio calculated pursuant to § 16-7.2-4(a) from the prior year of more than 2.0 percent  
29 (2%). The amount shall be equal to fifty percent (50%) of the difference in the amount of permanent  
30 foundation education aid received pursuant to § 16-7.2-3 received in the prior year.

31 **16-7.2-5. Charter public schools, the William M. Davies, Jr. Career and Technical**  
32 **High School, and the Metropolitan Regional Career and Technical Center.**

33 ~~(f) School districts with charter public school, Davies, and the Met Center enrollment, that,~~  
34 ~~combined, comprise five percent (5%) or more of the average daily membership as defined in § 16-~~

1 ~~7-22, shall receive additional aid intended to help offset the impact of new and expanding charter~~  
2 ~~schools. For FY 2022, aid shall be equal to the number of new students being served as determined~~  
3 ~~by the difference between the reference year as defined in § 16-7-16 and FY 2019 times a per pupil~~  
4 ~~amount of five hundred dollars (\$500). For FY 2023 and thereafter, aid shall be equal to the number~~  
5 ~~of new students being served as determined by the difference between the reference year as defined~~  
6 ~~in § 16-7-16 and the prior reference year times a per pupil amount of five hundred dollars (\$500).~~  
7 ~~The additional aid shall be used to offset the adjusted fixed costs retained by the districts of~~  
8 ~~residence.~~

9 **16-7.2-6. Categorical programs, state funded expenses.**

10 In addition to the foundation education aid provided pursuant to § 16-7.2-3, the permanent  
11 foundation education-aid program shall provide direct state funding for:

12 (a) Excess costs associated with special education students. Excess costs are defined when  
13 an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary  
14 costs are those educational costs that exceed the state-approved threshold based on an amount  
15 above ~~five~~ four times the core foundation amount (total of core-instruction amount plus student  
16 success amount). The department of elementary and secondary education shall prorate the funds  
17 available for distribution among those eligible school districts if the total approved costs for which  
18 school districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal  
19 year; and the department of elementary and secondary education shall also collect data on those  
20 educational costs that exceed the state-approved threshold based on an amount above two (2), three  
21 (3), and ~~four (4)~~ five (5) times the core-foundation amount;

22 (b) Career and technical education costs to help meet initial investment requirements  
23 needed to transform existing, or create new, comprehensive, career and technical education  
24 programs and career pathways in critical and emerging industries and to help offset the higher-  
25 than-average costs associated with facilities, equipment maintenance and repair, and supplies  
26 necessary for maintaining the quality of highly specialized programs that are a priority for the state.  
27 The department shall develop criteria for the purpose of allocating any and all career and technical  
28 education funds as may be determined by the general assembly on an annual basis. The department  
29 of elementary and secondary education shall prorate the funds available for distribution among  
30 those eligible school districts if the total approved costs for which school districts are seeking  
31 reimbursement exceed the amount of funding available in any fiscal year;

32 (c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs.  
33 The department shall recommend criteria for the purpose of allocating any and all early childhood  
34 program funds as may be determined by the general assembly;

1 (d) Central Falls, Davies, and the Met Center Stabilization Fund is established to ensure  
2 that appropriate funding is available to support their students. Additional support for Central Falls  
3 is needed due to concerns regarding the city's capacity to meet the local share of education costs.  
4 This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs outside  
5 the permanent foundation education-aid formula, including, but not limited to, transportation,  
6 facility maintenance, and retiree health benefits shall be shared between the state and the city of  
7 Central Falls. The fund shall be annually reviewed to determine the amount of the state and city  
8 appropriation. The state's share of this fund may be supported through a reallocation of current  
9 state appropriations to the Central Falls school district. At the end of the transition period defined  
10 in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional  
11 support for the Davies and the Met Center is needed due to the costs associated with running a  
12 stand-alone high school offering both academic and career and technical coursework. The  
13 department shall recommend criteria for the purpose of allocating any and all stabilization funds as  
14 may be determined by the general assembly;

15 (e) Excess costs associated with transporting students to out-of-district non-public schools.  
16 This fund will provide state funding for the costs associated with transporting students to out-of-  
17 district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of  
18 non-public out-of-district transportation for those districts participating in the statewide system.  
19 The department of elementary and secondary education shall prorate the funds available for  
20 distribution among those eligible school districts if the total approved costs for which school  
21 districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

22 (f) Excess costs associated with transporting students within regional school districts. This  
23 fund will provide direct state funding for the excess costs associated with transporting students  
24 within regional school districts, established pursuant to chapter 3 of this title. This fund requires  
25 that the state and regional school district share equally the student transportation costs net any  
26 federal sources of revenue for these expenditures. The department of elementary and secondary  
27 education shall prorate the funds available for distribution among those eligible school districts if  
28 the total approved costs for which school districts are seeking reimbursement exceed the amount  
29 of funding available in any fiscal year;

30 (g) Public school districts that are regionalized shall be eligible for a regionalization bonus  
31 as set forth below:

32 (1) As used herein, the term "regionalized" shall be deemed to refer to a regional school  
33 district established under the provisions of chapter 3 of this title, including the Chariho Regional  
34 School district;

1 (2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus  
2 shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the  
3 regionalization bonus shall commence in the first fiscal year following the establishment of a  
4 regionalized school district as set forth in chapter 3 of this title, including the Chariho Regional  
5 School District;

6 (3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the  
7 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
8 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

9 (4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the  
10 state's share of the foundation education aid for the regionalized district as calculated pursuant to  
11 §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

12 (5) The regionalization bonus shall cease in the third fiscal year;

13 (6) The regionalization bonus for the Chariho regional school district shall be applied to  
14 the state share of the permanent foundation education aid for the member towns; and

15 (7) The department of elementary and secondary education shall prorate the funds available  
16 for distribution among those eligible regionalized school districts if the total, approved costs for  
17 which regionalized school districts are seeking a regionalization bonus exceed the amount of  
18 funding appropriated in any fiscal year;

19 (h) Additional state support for English learners (EL). The amount to support EL students  
20 shall be determined by multiplying an EL factor of ~~ten~~ fifteen percent (~~10~~ 15%) by the core-  
21 instruction per-pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional  
22 state support to EL students identified using widely adopted, independent standards and  
23 assessments identified by the commissioner. All categorical funds distributed pursuant to this  
24 subsection must be used to provide high-quality, research-based services to EL students and  
25 managed in accordance with requirements set forth by the commissioner of elementary and  
26 secondary education. The department of elementary and secondary education shall collect  
27 performance reports from districts and approve the use of funds prior to expenditure. The  
28 department of elementary and secondary education shall ensure the funds are aligned to activities  
29 that are innovative and expansive and not utilized for activities the district is currently funding. ~~The~~  
30 ~~department of elementary and secondary education shall prorate the funds available for distribution~~  
31 ~~among eligible recipients if the total calculated costs exceed the amount of funding available in any~~  
32 ~~fiscal year;~~

33 (i) State support for school resource officers. For purposes of this subsection, a school  
34 resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority

1 who is deployed by an employing police department or agency in a community-oriented policing  
2 assignment to work in collaboration with one or more schools. School resource officers should have  
3 completed at least forty (40) hours of specialized training in school policing, administered by an  
4 accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years,  
5 school districts or municipalities that choose to employ school resource officers shall receive direct  
6 state support for costs associated with employing such officers at public middle and high schools.  
7 Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of  
8 salaries and benefits for the qualifying positions. Funding will be provided for school resource  
9 officer positions established on or after July 1, 2018, provided that:

- 10 (1) Each school resource officer shall be assigned to one school:
  - 11 (i) Schools with enrollments below one thousand twelve hundred (1,200) students shall  
12 require one school resource officer;
  - 13 (ii) Schools with enrollments of one thousand twelve hundred (1,200) or more students  
14 shall require two school resource officers;
- 15 (2) School resource officers hired in excess of the requirement noted above shall not be  
16 eligible for reimbursement; and
- 17 (3) Schools that eliminate existing school resource officer positions and create new  
18 positions under this provision shall not be eligible for reimbursement; and
- 19 (j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to  
20 the transition plan in § 16-7.2-7.

21 **16-7.2-7. Transition plan.**

- 22 (a) The general assembly shall annually determine the appropriation of education aid  
23 pursuant to this chapter using a transition plan to begin in fiscal year 2012, not to exceed seven (7)  
24 years for LEA's for whom the calculated education aid pursuant to § 16-7.2-3 is more than the  
25 education aid the LEA is receiving as of the effective date of the formula, and ten (10) years for  
26 LEA's for whom the calculated education aid pursuant to § 16-7.2-3 is less than the education aid  
27 the LEA is receiving as of the effective date of the formula.
- 28 (b) The local share of funding pursuant to § 16-7.2-5 shall be transitioned proportionately  
29 over a period not to exceed five (5) years. The transition shall provide a combination of direct aid  
30 to districts, funds for the categorical programs, and district savings through state-assumed costs, as  
31 determined by the general assembly on an annual basis. Updates to any components of the  
32 permanent foundation education aid formula, such as student data, property values, and/or median  
33 family income, that result in an increase or decrease in state education aid that impacts the total  
34 state and local contribution by more than three percent (3%) shall be transitioned over a period of



1 time not to exceed three (3) years.

2 (c) Districts that experience a reduction in enrollment from the prior fiscal year shall  
3 receive forty percent (40%) of the amount of state aid pursuant to § 16-7.2-3 associated with that  
4 enrollment decline and will receive twenty-five percent (25%) of that amount in the next preceding  
5 year.

6 ~~(c)~~(d) For districts that are converting from a half-day to a full-day kindergarten program  
7 for the 2014-2015 school year and after, as defined by § 16-99-4, the increase in aid provided  
8 pursuant to the formula for the increased reference average daily membership due to the conversion  
9 of the kindergarten students from 0.5 full-time equivalent to 1.0 full-time equivalent is not subject  
10 to the transition plan in subsection (a); instead, the increased kindergarten full-time equivalents will  
11 be funded at the fully transitioned value of the formula beginning in FY 2017.

12 SECTION 3. Section 16-56-6 of the General Laws in Chapter 16-56 entitled  
13 "Postsecondary Student Financial Assistance" is hereby amended to read as follows:

14 **16-56-6. Need-based grants.**

15 (a) Amount of funds allocated. The commissioner of postsecondary education shall allocate  
16 annually the appropriation for need-based scholarships and grants. Of the total amount appropriated  
17 for need-based scholarship and grants, the lesser of twenty percent (20%) or one million ~~five~~ eight  
18 hundred thousand dollars ~~(\$1,500,000)~~ (\$1,800,000) shall be distributed to qualified students  
19 attending participating, independent, non-profit, higher education institutions in Rhode Island. The  
20 remainder of funds shall be limited to public higher education institutions in Rhode Island including  
21 payments made pursuant to § 16-100-3(c). As part of the annual budget submission, the office of  
22 postsecondary commissioner shall include a plan of how the need-based scholarship and grant  
23 funds will be allocated to each public institution receiving funds pursuant to this chapter and how  
24 the funds will be distributed to students attending independent, non-profit institutions.

25 (b) Eligibility of individuals. Eligibility for need-based grants and scholarships shall be  
26 determined by the office of the postsecondary commissioner.

27 (c) Number and terms of awards. The number of awards to be granted in any one fiscal  
28 year shall be contingent upon the funds allocated to this section.

29 SECTION 4. Section 16-59-9 of the General Laws in Chapter 16-59 entitled "Council on  
30 Postsecondary Education [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]"  
31 is hereby amended to read as follows:

32 **16-59-9. Educational budget and appropriations.**

33 (a) The general assembly shall annually appropriate any sums it deems necessary for  
34 support and maintenance of higher education in the state and the state controller is authorized and

1 directed to draw his or her orders upon the general treasurer for the payment of the appropriations  
2 or so much of the sums that are necessary for the purposes appropriated, upon the receipt by him  
3 or her of proper vouchers as the council on postsecondary education may by rule provide. The  
4 council shall receive, review, and adjust the budget for the office of postsecondary commissioner  
5 and present the budget as part of the budget for higher education under the requirements of § 35-3-  
6 4.

7 (b) The office of postsecondary commissioner and the institutions of public higher  
8 education shall establish working capital accounts.

9 (c) Any tuition or fee increase schedules in effect for the institutions of public higher  
10 education shall be received by the council on postsecondary education for allocation for the fiscal  
11 year for which state appropriations are made to the council by the general assembly; provided that  
12 no further increases may be made by the board of education or the council on postsecondary  
13 education for the year for which appropriations are made. Except that these provisions shall not  
14 apply to the revenues of housing, dining, and other auxiliary facilities at the university of Rhode  
15 Island, Rhode Island college, and the community colleges including student fees as described in  
16 P.L. 1962, ch. 257 pledged to secure indebtedness issued at any time pursuant to P.L. 1962, ch. 257  
17 as amended.

18 (d) All housing, dining, and other auxiliary facilities at all public institutions of higher  
19 learning shall be self-supporting and no funds shall be appropriated by the general assembly to pay  
20 operating expenses, including principal and interest on debt services, and overhead expenses for  
21 the facilities, with the exception of the mandatory fees covered by the Rhode Island promise  
22 scholarship program as established by § 16-107-3 [and the Rhode Island hope scholarship](#)  
23 [established by § 16-112-3](#). Any debt-service costs on general obligation bonds presented to the  
24 voters in November 2000 and November 2004 or appropriated funds from the Rhode Island capital  
25 plan for the housing auxiliaries at the university of Rhode Island and Rhode Island college shall  
26 not be subject to this self-supporting requirement in order to provide funds for the building  
27 construction and rehabilitation program. The institutions of public higher education will establish  
28 policies and procedures that enhance the opportunity for auxiliary facilities to be self-supporting,  
29 including that all faculty provide timely and accurate copies of booklists for required textbooks to  
30 the public higher educational institution's bookstore.

31 (e) The additional costs to achieve self-supporting status shall be by the implementation of  
32 a fee schedule of all housing, dining, and other auxiliary facilities, including but not limited to,  
33 operating expenses, principal, and interest on debt services, and overhead expenses.

34 (f) The board of education is authorized to establish two (2) restricted-receipt accounts for

1 the higher education and industry centers established throughout the state: one to collect lease  
2 payments from occupying companies, and fees from room and service rentals, to support the  
3 operation and maintenance of the facilities; and one to collect donations to support construction,  
4 operations and maintenance. All such revenues shall be deposited to the restricted-receipt accounts.

5 (g) Notwithstanding subsections (a) and (d) of this section or any provisions of this title, to  
6 the extent necessary to comply with the provisions of any outstanding bonds issued by the Rhode  
7 Island health and educational building corporation or outstanding lease certificates of participation,  
8 in either case, issued for the benefit of the university of Rhode Island, the community college of  
9 Rhode Island, and/or Rhode Island college, to the extent necessary to comply with the provisions  
10 of any such bonds or certificates of participation, the general assembly shall annually appropriate  
11 any such sums it deems necessary from educational and general revenues (including, but not limited  
12 to, tuition) and auxiliary enterprise revenues derived from the university of Rhode Island, the  
13 community college of Rhode Island and Rhode Island college, to be allocated by the council on  
14 postsecondary education or by the board of trustees of the university of Rhode Island, as  
15 appropriate, in accordance with the terms of the contracts with such bondholders or certificate  
16 holders.

17 (h) The board of education is authorized to establish a restricted-receipt account for income  
18 generated by the Rhode Island nursing education center through the rental of classrooms,  
19 laboratories, or other facilities located on the Providence campus of the nursing education center.  
20 All such revenues shall be deposited to the restricted receipt account.

21 (i) The board of education is authorized to establish a restricted-receipt account for the  
22 receipt and expenditure of monies received from IGT Global Solutions Corporation for the purpose  
23 of financing scholarships relating to studying science, technology, engineering, or mathematics at  
24 an accredited educational institution. This account shall be housed within the budget of the office  
25 of the postsecondary commissioner and exempt from the indirect cost recovery provisions of § 35-  
26 4-27.

27 SECTION 5. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by  
28 adding thereto the following chapter:

29 CHAPTER 112

30 RHODE ISLAND HOPE SCHOLARSHIP PILOT PROGRAM ACT

31 **16-112-1. Short title.**

32 This chapter shall be known and may be cited as the "Rhode Island Hope Scholarship Pilot  
33 Program Act".

34 **16-112-2. Legislative findings and purpose.**

- 1           (a) The general assembly finds and declares that:
- 2           (1) Education is critical for the state's young people to achieve their aspirations and develop  
3 their talents;
- 4           (2) The state's economic success depends on a highly educated and skilled workforce;
- 5           (3) The state's future prosperity depends upon its ability to make educational opportunities  
6 beyond high school available for all students;
- 7           (4) The coronavirus has inflicted undue hardships on students and their families, creating  
8 barriers to a four (4) year college degree;
- 9           (5) A merit-based tuition reduction program will help make a four (4) year college degree  
10 available to all students;
- 11           (6) Rhode Island college offers students a feasible opportunity to obtain a four (4) year  
12 degree, but remains an underutilized resource in the state; and
- 13           (7) The State of Rhode Island's motto is "Hope".
- 14           (b) In order to address the findings set forth in subsection (a) of this section, the purpose  
15 of this chapter is to increase the number of students enrolling in and completing four (4) year  
16 degrees and certificates on time from Rhode Island college, and to promote more graduates in high-  
17 need fields such as nursing, pre-k through grade twelve (12) education, and the trades, which are  
18 fields for which Rhode Island college provides a strong and affordable education.
- 19           (c) The purpose of the pilot program is also to determine whether a scholarship program  
20 for Rhode Island college that is modeled on the promise scholarship program established in chapter  
21 107 of title 16 would be successful in attaining the goals set forth in this section."

22           **16-112-3. Establishment of scholarship program.**

23           There is hereby established the Rhode Island hope scholarship pilot program. The general  
24 assembly shall annually appropriate the funds necessary to implement the purposes of this chapter  
25 for the periods of the pilot program. Additional funds beyond the scholarships may be appropriated  
26 to support and advance the Rhode Island hope scholarship pilot program. In addition to  
27 appropriation by the general assembly, charitable donations may be accepted into the scholarship  
28 program.

29           **16-112-4. Definitions.**

30           When used in this chapter, the following terms shall have the following meanings:

31           (1) "ADA" means the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., as may  
32 be amended from time to time.

33           (2) "Certificate" means any certificate program with labor market value as defined by the  
34 postsecondary commissioner.

1           (3) "College-level credit" means credit awarded by a college or university for completion  
2 of its own courses or other academic work.

3           (4) "FAFSA" means the Free Application for Federal Student Aid form.

4           (5) "General education coursework" means the educational foundation of knowledge,  
5 skills, and attitudes that prepare students for success in their majors and their personal and  
6 professional lives after graduation. It includes, but is not limited to, the required coursework of all  
7 degrees developed by each eligible postsecondary institution that is approved by the council on  
8 postsecondary education that is intended to ensure that all graduates of a state institution have a  
9 balanced core of competencies and knowledge. This does not necessarily include coursework  
10 specifically required for one's major.

11           (6) "Mandatory fees and tuition" means the costs that every student is required to pay in  
12 order to enroll in classes, and does not include room and board, textbooks, program fees that may  
13 exist in some majors, course fees that may exist for some specific courses, meal plans, or travel.

14           (7) "On track to graduate on time" means the standards determined by Rhode Island college  
15 in establishing the expectation of a student to graduate with a bachelor's degree within four (4)  
16 years of enrollment, or the prescribed completion time for a student completing a certificate  
17 (recognizing that some students, including students who require developmental education, are  
18 double majors, or are enrolled in certain professional programs may require an extended time period  
19 for degree completion).

20           (8) "Reasonable accommodations" means any necessary modifications or adjustment to a  
21 facility, equipment, program, or manner of operation as required by the Americans with Disabilities  
22 Act ("ADA") and section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 791, as may be  
23 amended from time to time;

24           (10) "Recipient student" means a student attending Rhode Island college who qualifies to  
25 receive the Rhode Island hope scholarship pursuant to § 16-112-6.

26           (9) "Pilot program" and "scholarship program" means the Rhode Island hope scholarship  
27 pilot program that is established pursuant to § 16-112-3.

28           (11) "State" means the State of Rhode Island.

29           (12) "Student with a disability" means any student otherwise eligible pursuant to this  
30 chapter who has a physical, developmental, or hidden disability or disabilities, as defined in § 42-  
31 87-1, that would create a hardship or other functional obstacles preventing participation in this  
32 program.

33           **16-112-5. Administration of scholarship program.**

34           (a) The financial aid office at Rhode Island college, in conjunction with the admissions

1 office or their respective equivalent offices at Rhode Island college, shall administer the scholarship  
2 program for state residents seeking bachelor's degrees and/or certificates who meet the eligibility  
3 requirements in this chapter.

4 (b) An award of the scholarship program shall cover the cost of up to two (2) years of  
5 tuition and mandatory fees, for the junior and senior years of the student, or in the case of an adult  
6 student, who has attained at least sixty (60) credit hours, then the award may cover tuition and  
7 mandatory fees over a duration of not more than two (2) years. In all instances, these awards shall  
8 be reduced by the amount of federal and all other financial aid monies available to the recipient  
9 student. None of any grants received by students from the department of children, youth and  
10 families' higher education opportunity incentive grant as established by chapter 72.8 of title 42 or  
11 the college crusade scholarship act as established in chapter 70 of title 16 shall be considered federal  
12 or financial aid for the purposes of this chapter.

13 (c) The scholarship program is limited to one award per student as required by § 16-112-  
14 6(a)(7); provided that, the award may cover the two (2) years which constitute the junior and senior  
15 years of the student, or the two (2) years for an adult student, and may be dispersed in separate  
16 installments.

17 **16-112-6. Eligibility for merit based tuition reduction scholarship at Rhode Island**  
18 **college.**

19 (a) Beginning with the students who enrolled at Rhode Island college in the fall of 2023, a  
20 student:

21 (1) Must qualify for in-state tuition and fees pursuant to the residency policy adopted by  
22 the council on postsecondary education, as amended, supplemented, restated, or otherwise modified  
23 from time to time ("residency policy");

24 (2) Must be a currently enrolled full-time student who has declared a major and earned a  
25 minimum of sixty (60) total credit hours towards an eligible program of study, as determined by  
26 Rhode Island college;

27 (3) Must complete the FAFSA and any required FAFSA verification by the deadline  
28 prescribed by Rhode Island college for each year in which the student seeks to receive funding  
29 under the scholarship program; provided that, persons who are legally unable to complete the  
30 FAFSA must complete a comparable form created by Rhode Island college, by the deadline  
31 prescribed by Rhode Island college, for each year in which the student seeks to receive funding  
32 under the scholarship program;

33 (4) Must enroll or have enrolled full-time as a freshman as a first-time student and continue  
34 to be enrolled on a full-time basis at Rhode Island college, by the dates indicated within this chapter;

1           (5) Must maintain an average annual cumulative grade point average (GPA) of 2.5 or  
2 greater, as determined by Rhode Island college, prior to obtaining the scholarship and also as a  
3 condition of being able to continue to be a scholarship recipient;

4           (6) Must remain on track to graduate on time as determined by Rhode Island college and  
5 must complete both the student's freshman and sophomore years at Rhode Island college, or in the  
6 case of an adult student, have completed sixty (60) credit hours of tuition and mandatory fees at  
7 Rhode Island college over a duration of no more than four (4) years;

8           (7) Must not have already received an award under this program or under chapter 107 of  
9 title 16; and

10          (8) Must commit to live, work, or continue their education in Rhode Island after graduation.

11          (b) Rhode Island college, in conjunction with the office of the postsecondary  
12 commissioner, shall develop a policy that will secure the commitment set forth in subsection (a) of  
13 this section from recipient students.

14          (c) Notwithstanding the eligibility requirements under subsection (a) of this section  
15 ("specified conditions"):

16           (1) In the case of a recipient student who has an approved medical or personal leave of  
17 absence or is unable to satisfy one or more specified conditions because of the student's medical or  
18 personal circumstances, the student may continue to receive an award under the scholarship  
19 program upon resuming the student's education so long as the student continues to meet all other  
20 applicable eligibility requirements;

21           (2) In the case of a recipient student who is a member of the national guard or a member  
22 of a reserve unit of a branch of the United States military and is unable to satisfy one or more  
23 specified conditions because the student is or will be in basic or special military training, or is or  
24 will be participating in a deployment of the student's guard or reserve unit, the student may continue  
25 to receive an award under the scholarship program upon completion of the student's basic or special  
26 military training or deployment; and

27           (3) Students enrolled in Rhode Island college as of July 1, 2021, who have attained junior  
28 status at Rhode Island college as of July 1, 2023, or who enrolled in Rhode Island college as of July  
29 1, 2022, and who have attained junior status at Rhode Island college as of July 1, 2024, and who  
30 are otherwise in compliance with this chapter, shall be eligible for a hope scholarship under this  
31 chapter.

32           (4) Any student with a disability, otherwise eligible for a scholarship pursuant to the  
33 provisions of this section, shall be entitled to access this program and shall be afforded all  
34 reasonable accommodations, as required by the ADA and the Rehabilitation Act of 1973, including,

1 but not limited to, enrolling on a part-time basis and taking longer than four (4) years to graduate  
2 with a bachelor's degree.

3 (d) The decision of whether or not a student has attained junior or senior status by the  
4 appropriate date shall be determined by the appropriate body of Rhode Island college, subject to  
5 the rules, regulations, and procedures established pursuant to § 16-112-8.

6 **16-112-7. Reporting and disbursement.**

7 (a) On or before November 10, 2023, and on or before November 10 thereafter for every  
8 year through and including calendar year 2028, Rhode Island college shall submit a report to the  
9 director of the office of management and budget, the state budget officer, the house fiscal advisor,  
10 the senate fiscal advisor, the commissioner of postsecondary education, and the chair of the council  
11 on postsecondary education, a report detailing the following:

12 (1) The number of students eligible to participate in the scholarship program;

13 (2) The amount of federal and institutional financial aid anticipated to be received by  
14 recipient students;

15 (3) The aggregate tuition and mandatory fee costs attributable to recipient students;

16 (4) The resulting total cost of the scholarship program to the state; and

17 (5) The report shall contain such data for both the current fiscal year and the most up-to-  
18 date forecast for the following fiscal year. Data reported shall be subdivided by student-year cohort  
19 and shall be accompanied by a written explanation detailing the estimating methodology utilized  
20 and any impact(s) the forecasted data may present to institutional capacity, operational costs, and  
21 the tuition/fee revenue base of the institution.

22 (b) On or before July 1, 2024, and on before July 1 thereafter for every year until through  
23 and including calendar year 2028, Rhode Island college, in conjunction with the office of the  
24 postsecondary commissioner, shall submit a report evaluating the program to the governor, speaker  
25 of the house, and the president of the senate. This evaluation shall include the following:

26 (1) The number of students who started in each cohort.

27 (2) The number of students in each cohort who have attained a degree or certification in an  
28 on-time manner;

29 (3) The number of students in each cohort who have not attained a degree or certification  
30 in an on-time manner and an analysis of why that has happened;

31 (4) The number of students in each cohort who began the program but have been unable to  
32 continue or complete the program and an analysis of why that has happened;

33 (5) The costs of the program and the costs of continuing the program;

34 (6) Suggestions for ways to increase the success of the program;



1           (7) Recommendations as to modifying, continuing, expanding, curtailing, or discontinuing  
2 the program; and

3           (8) Any such other recommendations or information as Rhode Island college and the  
4 commissioner of postsecondary education deem appropriate to include in the evaluation.

5           (c) The office of management and budget, in consultation with the office of the  
6 postsecondary commissioner, shall oversee the apportionment and disbursement of all funds  
7 appropriated for the purpose of the scholarship program.

8           **16-112-8. Rules, regulations, and procedures.**

9           The council on postsecondary education is hereby authorized to promulgate rules and  
10 regulations to effectuate the purposes of this chapter, including, but not limited to, the residency  
11 policy, and Rhode Island college shall establish appeal procedures for the award, denial, or  
12 revocation of funding under the scholarship program. The rules and regulations shall be  
13 promulgated in accordance with § 16-59-4.

14           **16-112-9. Applicability to current students.**

15           Currently enrolled students at Rhode Island college who have attained junior status as of  
16 July 1, 2023, or July 1, 2024, and who otherwise meet the requirements of this chapter, shall be  
17 eligible for a hope scholarship under this chapter.

18           **16-112-10. Funding of and sunset of pilot program.**

19           The Rhode Island hope scholarship pilot program shall be funded from July 1, 2023,  
20 through and including July 1, 2028. There shall be no further funding of the pilot program without  
21 further action of the general assembly. Any final reports due pursuant to this chapter shall be filed  
22 pursuant to the dates set forth herein.

23           SECTION 6. This article shall take effect upon passage.

**ARTICLE 9 AS AMENDED**

RELATING TO HUMAN SERVICES

SECTION 1. Section 23-17-38.1 of the General Laws in Chapter 23-17 entitled "Licensing of Health Care Facilities" is hereby amended to read as follows:

**23-17-38.1. Hospitals -- Licensing fee.**

~~(a) There is imposed a hospital licensing fee for state fiscal year 2021 against each hospital in the state. The hospital licensing fee is equal to five percent (5.0%) of the net patient services revenue of every hospital for the hospital's first fiscal year ending on or after January 1, 2019, except that the license fee for all hospitals located in Washington County, Rhode Island shall be discounted by thirty-seven percent (37%). The discount for Washington County hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human Services of a state plan amendment submitted by the executive office of health and human services for the purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This licensing fee shall be administered and collected by the tax administrator, division of taxation within the department of revenue, and all the administration, collection, and other provisions of chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator on or before July 13, 2021, and payments shall be made by electronic transfer of monies to the general treasurer and deposited to the general fund. Every hospital shall, on or before June 15, 2020, make a return to the tax administrator containing the correct computation of net patient services revenue for the hospital fiscal year ending September 30, 2019, and the licensing fee due upon that amount. All returns shall be signed by the hospital's authorized representative, subject to the pains and penalties of perjury.~~

~~(b)~~(a) There is also imposed a hospital licensing fee for state fiscal year 2022 against each hospital in the state. The hospital licensing fee is equal to five and six hundred fifty-six thousandths percent (5.656%) of the net patient-services revenue of every hospital for the hospital's first fiscal year ending on or after January 1, 2020, except that the license fee for all hospitals located in Washington County, Rhode Island shall be discounted by thirty-seven percent (37%). The discount for Washington County hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human Services of a state plan amendment submitted by the executive office of health and human services for the purpose of pursuing a waiver of the uniformity requirement for the

1 hospital license fee. This licensing fee shall be administered and collected by the tax administrator,  
2 division of taxation within the department of revenue, and all the administration, collection, and  
3 other provisions of chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to  
4 the tax administrator on or before July 13, 2022, and payments shall be made by electronic transfer  
5 of monies to the general treasurer and deposited to the general fund. Every hospital shall, on or  
6 before June 15, 2022, make a return to the tax administrator containing the correct computation of  
7 net patient-services revenue for the hospital fiscal year ending September 30, 2020, and the  
8 licensing fee due upon that amount. All returns shall be signed by the hospital's authorized  
9 representative, subject to the pains and penalties of perjury.

10 ~~(e)~~(b) There is also imposed a hospital licensing fee for state fiscal year 2023 against each  
11 hospital in the state. The hospital licensing fee is equal to five and forty-two hundredths percent  
12 (5.42%) of the net patient-services revenue of every hospital for the hospital's first fiscal year  
13 ending on or after January 1, 2021, except that the license fee for all hospitals located in Washington  
14 County, Rhode Island shall be discounted by thirty-seven percent (37%). The discount for  
15 Washington County hospitals is subject to approval by the Secretary of the U.S. Department of  
16 Health and Human Services of a state plan amendment submitted by the executive office of health  
17 and human services for the purpose of pursuing a waiver of the uniformity requirement for the  
18 hospital license fee. This licensing fee shall be administered and collected by the tax administrator,  
19 division of taxation within the department of revenue, and all the administration, collection, and  
20 other provisions of chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to  
21 the tax administrator on or before June 30, 2023, and payments shall be made by electronic transfer  
22 of monies to the general treasurer and deposited to the general fund. Every hospital shall, on or  
23 before May 25, 2023, make a return to the tax administrator containing the correct computation of  
24 net patient-services revenue for the hospital fiscal year ending September 30, 2021, and the  
25 licensing fee due upon that amount. All returns shall be signed by the hospital's authorized  
26 representative, subject to the pains and penalties of perjury.

27 (c) There is also imposed a hospital licensing fee described in subsections d through g for  
28 state fiscal years 2024 and 2025 against net patient-services revenue of every non-government  
29 owned hospital as defined herein for the hospital's first fiscal year ending on or after January 1,  
30 2022. The hospital licensing fee shall have three (3) tiers with differing fees based on inpatient and  
31 outpatient net patient-services revenue. The executive office of health and human services, in  
32 consultation with the tax administrator, shall identify the hospitals in each tier, subject to the  
33 definitions in this section, by July 15, 2023, and shall notify each hospital of its tier by August 1,  
34 2023.

1 (d) Tier 1 is composed of hospitals that do not meet the description of either Tier 2 or Tier  
2 3.

3 (1) The inpatient hospital licensing fee for Tier 1 is equal to thirteen and twelve hundredths  
4 percent (13.12%) of the inpatient net patient-services revenue derived from inpatient net patient-  
5 services revenue of every Tier 1 hospital.

6 (2) The outpatient hospital licensing fee for Tier 1 is equal to thirteen and thirty hundredths  
7 percent (13.30%) of the net patient-services revenue derived from outpatient net patient-services  
8 revenue of every Tier 1 hospital.

9 (e) Tier 2 is composed of High Medicaid/Uninsured Cost Hospitals and Independent  
10 Hospitals.

11 (1) The inpatient hospital licensing fee for Tier 2 is equal to two and sixty-three hundredths  
12 (2.63%) of the inpatient net patient-services revenue derived from inpatient net patient-services  
13 revenue of every Tier 2 hospital.

14 (2) The outpatient hospital licensing fee for Tier 2 is equal to two and sixty-six one  
15 hundredths (2.66%) of the outpatient net patient-services revenue derived from outpatient net  
16 patient-services revenue of every Tier 2 hospital.

17 (f) Tier 3 is composed of hospitals that are Medicare-designated Low Volume hospitals  
18 and rehabilitative hospitals.

19 (1) The inpatient hospital licensing fee for Tier 3 is equal to one and thirty-one hundredths  
20 (1.31%) of the inpatient net patient-services revenue derived from inpatient net patient-services  
21 revenue of every Tier 3 hospital.

22 (2) The outpatient hospital licensing fee for Tier 3 is equal to one and thirty-three  
23 hundredths (1.33%) of the outpatient net patient-services revenue derived from outpatient net  
24 patient-services revenue of every Tier 3 hospital.

25 (g) There is also imposed a hospital licensing fee for state fiscal year 2024 against state-  
26 government owned and operated hospitals in the state as defined therein. The hospital licensing fee  
27 is equal to five and twenty-five hundredths percent (5.25%) of the net patient-services revenue of  
28 every hospital for the hospital's first fiscal year ending on or after January 1, 2022.

29 (h) The hospital licensing fee described in subsections (c) through (g) is subject to U.S.  
30 Department of Health and Human Services approval of a request to waive the requirement that  
31 health care-related taxes be imposed uniformly as contained in 42 CFR 433.68(d).

32 (i) This hospital licensing fee shall be administered and collected by the tax administrator,  
33 division of taxation within the department of revenue, and all the administration, collection, and  
34 other provisions of chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to

1 the tax administrator before June 30 of each fiscal year, and payments shall be made by electronic  
2 transfer of monies to the tax administrator and deposited to the general fund. Every hospital shall,  
3 on or before August 1, 2023, make a return to the tax administrator containing the correct  
4 computation of inpatient and outpatient net patient-services revenue for the hospital fiscal year  
5 ending in 2022, and the licensing fee due upon that amount. All returns shall be signed by the  
6 hospital's authorized representative, subject to the pains and penalties of perjury.

7 ~~(d)~~(j) For purposes of this section the following words and phrases have the following  
8 meanings:

9 (1) "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 (2) "Non-government owned hospitals" means a hospital not owned and operated by the  
26 state of Rhode Island.

27 (3) "State-government owned and operated hospitals" means a hospital facility licensed by  
28 the Rhode Island Department of Health, owned and operated by the state of Rhode Island.

29 (4) "Rehabilitative Hospital" means Rehabilitation Hospital Center licensed by the Rhode  
30 Island Department of Health.

31 (5) "Independent Hospitals" means a hospital not part of a multi-hospital system

32 (6) "High Medicaid/Uninsured Cost Hospital" means a hospital for which the hospital's  
33 total uncompensated care, as calculated pursuant to § 40-8.3-2(4), divided by the hospital's total  
34 net patient-services revenues, is equal to 6.0% or greater.

1 (7) “Medicare-designated Low Volume Hospital” means a hospital that qualifies under 42  
2 CFR 412.101(b)(2) for additional Medicare payments to qualifying hospitals for the higher  
3 incremental costs associated with a low volume of discharges.

4 ~~(2)~~(8) “Gross patient-services revenue” means the gross revenue related to patient care  
5 services.

6 ~~(3)~~(9) “Net patient-services revenue” means the charges related to patient care services less  
7 (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual allowances.

8 (10) “Inpatient net patient-services revenue” means the charges related to inpatient care  
9 services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual  
10 allowances.

11 (11) “Outpatient net patient-services revenue” means the charges related to outpatient care  
12 services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual  
13 allowances.

14 ~~(e)~~(k) The tax administrator in consultation with the executive office of health and human  
15 services shall make and promulgate any rules, regulations, and procedures not inconsistent with  
16 state law and fiscal procedures that he or she deems necessary for the proper administration of this  
17 section and to carry out the provisions, policy, and purposes of this section.

18 ~~(f)~~(l) The licensing fee imposed by subsection (a) shall apply to hospitals as defined herein  
19 that are duly licensed on July 1, ~~2020~~ 2021, and shall be in addition to the inspection fee imposed  
20 by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

21 ~~(g)~~(m) The licensing fee imposed by subsection (b) shall apply to hospitals as defined  
22 herein that are duly licensed on July 1, ~~2021~~ 2022, and shall be in addition to the inspection fee  
23 imposed by § 23-17-38 and to any licensing fees previously imposed in accordance with this  
24 section.

25 ~~(h)~~(n) The licensing ~~fee~~ fees imposed by ~~subsection~~ subsections (c) through (g) shall apply  
26 to hospitals as defined herein that are duly licensed on July 1, ~~2022~~ 2023, and shall be in addition  
27 to the inspection fee imposed by § 23-17-38 and to any licensing fees previously imposed in  
28 accordance with this section.

29 SECTION 2. Sections 40-5.2-8, 40-5.2-10 and 40-5.2-20 of the General Laws in Chapter  
30 40-5.2 entitled "The Rhode Island Works Program" are hereby amended to read as follows:

31 **40-5.2-8. Definitions.**

32 As used in this chapter, the following terms having the meanings set forth herein, unless  
33 the context in which such terms are used clearly indicates to the contrary:

34 (1) “Applicant” means a person who has filed a written application for assistance for herself

1 or himself and her or his dependent child(ren). An applicant may be a parent or non-parent caretaker  
2 relative.

3 (2) “Assistance” means cash and any other benefits provided pursuant to this chapter.

4 (3) “Assistance unit” means the assistance-filing unit consisting of the group of persons,  
5 including the dependent child(ren), living together in a single household who must be included in  
6 the application for assistance and in the assistance payment if eligibility is established. An  
7 assistance unit may be the same as a family.

8 (4) “Benefits” shall mean assistance received pursuant to this chapter.

9 (5) “Community service programs” means structured programs and activities in which cash  
10 assistance recipients perform work for the direct benefit of the community under the auspices of  
11 public or nonprofit organizations. Community service programs are designed to improve the  
12 employability of recipients not otherwise able to obtain paid employment.

13 (6) “Department” means the department of human services.

14 (7) “Dependent child” means an individual, other than an individual with respect to whom  
15 foster care maintenance payments are made, who is: (i) Under the age of eighteen (18); or (ii) Under  
16 the age of nineteen (19) and a full-time student in a secondary school (or in the equivalent level of  
17 vocational or educational training).

18 (8) “Director” means the director of the department of human services.

19 (9) “Earned income” means income in cash or the equivalent received by a person through  
20 the receipt of wages, salary, commissions, or profit from activities in which the person is self-  
21 employed or as an employee and before any deductions for taxes.

22 (10) “Earned income tax credit” means the credit against federal personal income tax  
23 liability under § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32, or any successor section,  
24 the advanced payment of the earned income tax credit to an employee under § 3507 of the code, 26  
25 U.S.C. § 3507 [repealed], or any successor section and any refund received as a result of the earned  
26 income tax credit, as well as any refundable state earned income tax credit.

27 (11) “Education directly related to employment” means education, in the case of a  
28 participant who has not received a high school diploma or a certificate of high school equivalency,  
29 related to a specific occupation, job, or job offer.

30 (12) “Family” means: (i) A pregnant ~~woman~~ person from ~~and including the seventh month~~  
31 onset of ~~her~~ pregnancy; or (ii) A child and the following eligible persons living in the same  
32 household as the child: (iii) Each biological, adoptive or stepparent of the child, or in the absence  
33 of a parent, any adult relative who is responsible, in fact, for the care of such child; and (iv) The  
34 child’s minor siblings (whether of the whole or half blood); provided, however, that the term

1 “family” shall not include any person receiving benefits under Title XVI of the Social Security Act,  
2 42 U.S.C. § 1381 et seq. A family may be the same as the assistance unit.

3 (13) “Gross earnings” means earnings from employment and self-employment further  
4 described in the department of human services rules and regulations.

5 (14) “Individual employment plan” means a written, individualized plan for employment  
6 developed jointly by the applicant and the department of human services that specifies the steps the  
7 participant shall take toward long-term economic independence developed in accordance with §  
8 40-5.2-10(e). A participant must comply with the terms of the individual employment plan as a  
9 condition of eligibility in accordance with § 40-5.2-10(e).

10 (15) “Job search and job readiness” means the mandatory act of seeking or obtaining  
11 employment by the participant, or the preparation to seek or obtain employment.

12 In accord with federal requirements, job search activities must be supervised by the  
13 department of labor and training and must be reported to the department of human services in  
14 accordance with TANF work verification requirements.

15 Except in the context of rehabilitation employment plans, and special services provided by  
16 the department of children, youth and families, job-search and job-readiness activities are limited  
17 to four (4) consecutive weeks, or for a total of six (6) weeks in a twelve-month (12) period, with  
18 limited exceptions as defined by the department. The department of human services, in consultation  
19 with the department of labor and training, shall extend job-search, and job-readiness assistance for  
20 up to twelve (12) weeks in a fiscal year if a state has an unemployment rate at least fifty percent  
21 (50%) greater than the United States unemployment rate if the state meets the definition of a “needy  
22 state” under the contingency fund provisions of federal law.

23 Preparation to seek employment, or job readiness, may include, but may not be limited to:  
24 the participant obtaining life-skills training; homelessness services; domestic violence services;  
25 special services for families provided by the department of children, youth and families; substance  
26 abuse treatment; mental health treatment; or rehabilitation activities as appropriate for those who  
27 are otherwise employable. The services, treatment, or therapy must be determined to be necessary  
28 and certified by a qualified medical or mental health professional. Intensive work-readiness  
29 services may include: work-based literacy; numeracy; hands-on training; work experience; and case  
30 management services. Nothing in this section shall be interpreted to mean that the department of  
31 labor and training shall be the sole provider of job-readiness activities described herein.

32 (16) “Job skills training directly related to employment” means training or education for  
33 job skills required by an employer to provide an individual with the ability to obtain employment  
34 or to advance or adapt to the changing demands of the workplace. Job skills training directly related



1 to employment must be supervised on an ongoing basis.

2 (17) “Minor parent” means a parent under the age of eighteen (18). A minor parent may be  
3 an applicant or recipient with his or her dependent child(ren) in his or her own case or a member  
4 of an assistance unit with his or her dependent child(ren) in a case established by the minor parent’s  
5 parent.

6 (18) “Net income” means the total gross income of the assistance unit less allowable  
7 disregards and deductions as described in § 40-5.2-10(g).

8 (19) “On-the-job training” means training in the public or private sector that is given to a  
9 paid employee while he or she is engaged in productive work and that provides knowledge and  
10 skills essential to the full and adequate performance of the job. On-the-job training must be  
11 supervised by an employer, work-site sponsor, or other designee of the department of human  
12 services on an ongoing basis.

13 (20) “Participant” means a person who has been found eligible for assistance in accordance  
14 with this chapter and who must comply with all requirements of this chapter, and has entered into  
15 an individual employment plan. A participant may be a parent or non-parent caretaker relative  
16 included in the cash assistance payment.

17 (21) “Recipient” means a person who has been found eligible and receives cash assistance  
18 in accordance with this chapter.

19 (22) “Relative” means a parent, stepparent, grandparent, great grandparent, great-great  
20 grandparent, aunt, great-aunt, great-great aunt, uncle, great-uncle, great-great uncle, sister, brother,  
21 stepbrother, stepsister, half-brother, half-sister, first cousin, first cousin once removed, niece, great-  
22 niece, great-great niece, nephew, great-nephew, or great-great nephew.

23 (23) “Resident” means a person who maintains residence by his or her continuous physical  
24 presence in the state.

25 (24) “Self-employment income” means the total profit from a business enterprise, farming,  
26 etc., resulting from a comparison of the gross receipts with the business expenses, i.e., expenses  
27 directly related to producing the goods or services and without which the goods or services could  
28 not be produced. However, items such as depreciation, personal business and entertainment  
29 expenses, and personal transportation are not considered business expenses for the purposes of  
30 determining eligibility for cash assistance in accordance with this chapter.

31 (25) “State” means the state of Rhode Island.

32 (26) “Subsidized employment” means employment in the private or public sectors for  
33 which the employer receives a subsidy from TANF or other public funds to offset some or all of  
34 the wages and costs of employing a recipient. It includes work in which all or a portion of the wages

1 paid to the recipient are provided to the employer either as a reimbursement for the extra costs of  
2 training or as an incentive to hire the recipient, including, but not limited to, grant diversion.

3 (27) “Subsidized housing” means housing for a family whose rent is restricted to a  
4 percentage of its income.

5 (28) “Unsubsidized employment” means full- or part-time employment in the public or  
6 private sector that is not subsidized by TANF or any other public program.

7 (29) “Vocational educational training” means organized educational programs, not to  
8 exceed twelve (12) months with respect to any participant, that are directly related to the preparation  
9 of participants for employment in current or emerging occupations. Vocational educational training  
10 must be supervised.

11 (30) “Work activities” mean the specific work requirements that must be defined in the  
12 individual employment plan and must be complied with by the participant as a condition of  
13 eligibility for the receipt of cash assistance for single and two-family (2) households outlined in §  
14 40-5.2-12.

15 (31) “Work experience” means a work activity that provides a participant with an  
16 opportunity to acquire the general skills, training, knowledge, and work habits necessary to obtain  
17 employment. The purpose of work experience is to improve the employability of those who cannot  
18 find unsubsidized employment. An employer, work site sponsor, and/or other appropriate designee  
19 of the department must supervise this activity.

20 (32) “Work supplementation,” also known as “grant diversion,” means the use of all or a  
21 portion of a participant’s cash assistance grant and food stamp grant as a wage supplement to an  
22 employer. The supplement shall be limited to a maximum period of twelve (12) months. An  
23 employer must agree to continue the employment of the participant as part of the regular work  
24 force, beyond the supplement period, if the participant demonstrates satisfactory performance.

25 **40-5.2-10. Necessary requirements and conditions.**

26 The following requirements and conditions shall be necessary to establish eligibility for  
27 the program.

28 (a) **Citizenship, alienage, and residency requirements.**

29 (1) A person shall be a resident of the State of Rhode Island.

30 (2) Effective October 1, 2008, a person shall be a United States citizen, or shall meet the  
31 alienage requirements established in § 402(b) of the Personal Responsibility and Work Opportunity  
32 Reconciliation Act of 1996, PRWORA, Pub. L. No. 104-193 and as that section may hereafter be  
33 amended [8 U.S.C. § 1612]; a person who is not a United States citizen and does not meet the  
34 alienage requirements established in PRWORA, as amended, is not eligible for cash assistance in

1 accordance with this chapter.

2 (b) The family/assistance unit must meet any other requirements established by the  
3 department of human services by rules and regulations adopted pursuant to the Administrative  
4 Procedures Act, as necessary to promote the purpose and goals of this chapter.

5 (c) Receipt of cash assistance is conditional upon compliance with all program  
6 requirements.

7 (d) All individuals domiciled in this state shall be exempt from the application of  
8 subdivision 115(d)(1)(A) of Pub. L. No. 104-193, the Personal Responsibility and Work  
9 Opportunity Reconciliation Act of 1996, PRWORA [21 U.S.C. § 862a], which makes any  
10 individual ineligible for certain state and federal assistance if that individual has been convicted  
11 under federal or state law of any offense that is classified as a felony by the law of the jurisdiction  
12 and that has as an element the possession, use, or distribution of a controlled substance as defined  
13 in § 102(6) of the Controlled Substances Act (21 U.S.C. § 802(6)).

14 (e) **Individual employment plan as a condition of eligibility.**

15 (1) Following receipt of an application, the department of human services shall assess the  
16 financial conditions of the family, including the non-parent caretaker relative who is applying for  
17 cash assistance for himself or herself as well as for the minor child(ren), in the context of an  
18 eligibility determination. If a parent or non-parent caretaker relative is unemployed or under-  
19 employed, the department shall conduct an initial assessment, taking into account:

20 (A) The physical capacity, skills, education, work experience, health, safety, family  
21 responsibilities, and place of residence of the individual; and

22 (B) The child care and supportive services required by the applicant to avail himself or  
23 herself of employment opportunities and/or work readiness programs.

24 (2) On the basis of this assessment, the department of human services and the department  
25 of labor and training, as appropriate, in consultation with the applicant, shall develop an individual  
26 employment plan for the family that requires the individual to participate in the intensive  
27 employment services. Intensive employment services shall be defined as the work requirement  
28 activities in § 40-5.2-12(g) and (i).

29 (3) The director, or his or her designee, may assign a case manager to an  
30 applicant/participant, as appropriate.

31 (4) The department of labor and training and the department of human services in  
32 conjunction with the participant shall develop a revised individual employment plan that shall  
33 identify employment objectives, taking into consideration factors above, and shall include a  
34 strategy for immediate employment and for preparing for, finding, and retaining employment

1 consistent, to the extent practicable, with the individual's career objectives.

2 (5) The individual employment plan must include the provision for the participant to  
3 engage in work requirements as outlined in § 40-5.2-12.

4 (6)(i) The participant shall attend and participate immediately in intensive assessment and  
5 employment services as the first step in the individual employment plan, unless temporarily exempt  
6 from this requirement in accordance with this chapter. Intensive assessment and employment  
7 services shall be defined as the work requirement activities in § 40-5.2-12(g) and (i).

8 (ii) Parents under age twenty (20) without a high school diploma or general equivalency  
9 diploma (GED) shall be referred to special teen-parent programs that will provide intensive services  
10 designed to assist teen parents to complete high school education or GED, and to continue approved  
11 work plan activities in accord with Rhode Island works program requirements.

12 (7) The applicant shall become a participant in accordance with this chapter at the time the  
13 individual employment plan is signed and entered into.

14 (8) Applicants and participants of the Rhode Island works program shall agree to comply  
15 with the terms of the individual employment plan, and shall cooperate fully with the steps  
16 established in the individual employment plan, including the work requirements.

17 (9) The department of human services has the authority under the chapter to require  
18 attendance by the applicant/participant, either at the department of human services or at the  
19 department of labor and training, at appointments deemed necessary for the purpose of having the  
20 applicant enter into and become eligible for assistance through the Rhode Island works program.  
21 The appointments include, but are not limited to: the initial interview, orientation and assessment;  
22 job readiness; and job search. Attendance is required as a condition of eligibility for cash assistance  
23 in accordance with rules and regulations established by the department.

24 (10) As a condition of eligibility for assistance pursuant to this chapter, the  
25 applicant/participant shall be obligated to keep appointments; attend orientation meetings at the  
26 department of human services and/or the Rhode Island department of labor and training; participate  
27 in any initial assessments or appraisals; and comply with all the terms of the individual employment  
28 plan in accordance with department of human services rules and regulations.

29 (11) A participant, including a parent or non-parent caretaker relative included in the cash  
30 assistance payment, shall not voluntarily quit a job or refuse a job unless there is good cause as  
31 defined in this chapter or the department's rules and regulations.

32 (12) A participant who voluntarily quits or refuses a job without good cause, as defined in  
33 § 40-5.2-12(l), while receiving cash assistance in accordance with this chapter, shall be sanctioned  
34 in accordance with rules and regulations promulgated by the department.

1 (f) **Resources.**

2 (1) The family or assistance unit's countable resources shall be less than the allowable  
3 resource limit established by the department in accordance with this chapter.

4 (2) No family or assistance unit shall be eligible for assistance payments if the combined  
5 value of its available resources (reduced by any obligations or debts with respect to such resources)  
6 exceeds five thousand dollars (\$5,000).

7 (3) For purposes of this subsection, the following shall not be counted as resources of the  
8 family/assistance unit in the determination of eligibility for the works program:

9 (i) The home owned and occupied by a child, parent, relative, or other individual;

10 (ii) Real property owned by a husband and wife as tenants by the entirety, if the property  
11 is not the home of the family and if the spouse of the applicant refuses to sell his or her interest in  
12 the property;

13 (iii) Real property that the family is making a good faith effort to dispose of, however, any  
14 cash assistance payable to the family for any such period shall be conditioned upon such disposal  
15 of the real property within six (6) months of the date of application and any payments of assistance  
16 for that period shall (at the time of disposal) be considered overpayments to the extent that they  
17 would not have occurred at the beginning of the period for which the payments were made. All  
18 overpayments are debts subject to recovery in accordance with the provisions of the chapter;

19 (iv) Income-producing property other than real estate including, but not limited to,  
20 equipment such as farm tools, carpenter's tools, and vehicles used in the production of goods or  
21 services that the department determines are necessary for the family to earn a living;

22 (v) One vehicle for each adult household member, but not to exceed two (2) vehicles per  
23 household, and in addition, a vehicle used primarily for income-producing purposes such as, but  
24 not limited to, a taxi, truck, or fishing boat; a vehicle used as a family's home; a vehicle that  
25 annually produces income consistent with its fair market value, even if only used on a seasonal  
26 basis; a vehicle necessary to transport a family member with a disability where the vehicle is  
27 specially equipped to meet the specific needs of the person with a disability or if the vehicle is a  
28 special type of vehicle that makes it possible to transport the person with a disability;

29 (vi) Household furnishings and appliances, clothing, personal effects, and keepsakes of  
30 limited value;

31 (vii) Burial plots (one for each child, relative, and other individual in the assistance unit)  
32 and funeral arrangements;

33 (viii) For the month of receipt and the following month, any refund of federal income taxes  
34 made to the family by reason of § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32 (relating

1 to earned income tax credit), and any payment made to the family by an employer under § 3507 of  
2 the Internal Revenue Code of 1986, 26 U.S.C. § 3507 [repealed] (relating to advance payment of  
3 such earned income credit);

4 (ix) The resources of any family member receiving supplementary security income  
5 assistance under the Social Security Act, 42 U.S.C. § 301 et seq.;

6 (x) Any veteran's disability pension benefits received as a result of any disability sustained  
7 by the veteran while in the military service.

8 (g) **Income.**

9 (1) Except as otherwise provided for herein, in determining eligibility for and the amount  
10 of cash assistance to which a family is entitled under this chapter, the income of a family includes  
11 all of the money, goods, and services received or actually available to any member of the family.

12 (2) In determining the eligibility for and the amount of cash assistance to which a  
13 family/assistance unit is entitled under this chapter, income in any month shall not include the first  
14 three hundred dollars (\$300) of gross earnings plus fifty percent (50%) of the gross earnings of the  
15 family in excess of three hundred dollars (\$300) earned during the month.

16 (3) The income of a family shall not include:

17 (i) The first fifty dollars (\$50.00) in child support received in any month from each  
18 noncustodial parent of a child plus any arrearages in child support (to the extent of the first fifty  
19 dollars (\$50.00) per month multiplied by the number of months in which the support has been in  
20 arrears) that are paid in any month by a noncustodial parent of a child;

21 (ii) Earned income of any child;

22 (iii) Income received by a family member who is receiving Supplemental Security Income  
23 (SSI) assistance under Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq.;

24 (iv) The value of assistance provided by state or federal government or private agencies to  
25 meet nutritional needs, including: value of USDA-donated foods; value of supplemental food  
26 assistance received under the Child Nutrition Act of 1966, as amended, and the special food service  
27 program for children under Title VII, nutrition program for the elderly, of the Older Americans Act  
28 of 1965 as amended, and the value of food stamps;

29 (v) Value of certain assistance provided to undergraduate students, including any grant or  
30 loan for an undergraduate student for educational purposes made or insured under any loan program  
31 administered by the United States Commissioner of Education (or the Rhode Island council on  
32 postsecondary education or the Rhode Island division of higher education assistance);

33 (vi) Foster care payments;

34 (vii) Home energy assistance funded by state or federal government or by a nonprofit

1 organization;

2 (viii) Payments for supportive services or reimbursement of out-of-pocket expenses made  
3 to foster grandparents, senior health aides, or senior companions and to persons serving in SCORE  
4 and ACE and any other program under Title II and Title III of the Domestic Volunteer Service Act  
5 of 1973, 42 U.S.C. § 5000 et seq.;

6 (ix) Payments to volunteers under AmeriCorps VISTA as defined in the department's rules  
7 and regulations;

8 (x) Certain payments to native Americans; payments distributed per capita to, or held in  
9 trust for, members of any Indian Tribe under P.L. 92-254, 25 U.S.C. § 1261 et seq., P.L. 93-134,  
10 25 U.S.C. § 1401 et seq., or P.L. 94-540; receipts distributed to members of certain Indian tribes  
11 which are referred to in § 5 of P.L. 94-114, 25 U.S.C. § 459d, that became effective October 17,  
12 1975;

13 (xi) Refund from the federal and state earned income tax credit and any federal or state  
14 child tax credits or rebates;

15 (xii) The value of any state, local, or federal government rent or housing subsidy, provided  
16 that this exclusion shall not limit the reduction in benefits provided for in the payment standard  
17 section of this chapter;

18 (xiii) The earned income of any adult family member who gains employment while an  
19 active RI Works household member. This income is excluded for the first six (6) months of  
20 employment in which the income is earned, or until the household's total gross income exceeds  
21 one hundred eighty-five percent (185%) of the federal poverty level, unless the household reaches  
22 its sixty-month (60) time limit first;

23 (xiv) Any veteran's disability pension benefits received as a result of any disability  
24 sustained by the veteran while in the military service.

25 (4) The receipt of a lump sum of income shall affect participants for cash assistance in  
26 accordance with rules and regulations promulgated by the department.

27 **(h) Time limit on the receipt of cash assistance.**

28 (1) On or after January 1, 2020, no cash assistance shall be provided, pursuant to this  
29 chapter, to a family or assistance unit that includes an adult member who has received cash  
30 assistance for a total of sixty (60) months (whether or not consecutive), to include any time  
31 receiving any type of cash assistance in any other state or territory of the United States of America  
32 as defined herein. Provided further, in no circumstances other than provided for in subsection (h)(3)  
33 with respect to certain minor children, shall cash assistance be provided pursuant to this chapter to  
34 a family or assistance unit that includes an adult member who has received cash assistance for a

1 total of a lifetime limit of sixty (60) months.

2 (2) Cash benefits received by a minor dependent child shall not be counted toward their  
3 lifetime time limit for receiving benefits under this chapter should that minor child apply for cash  
4 benefits as an adult.

5 (3) Certain minor children not subject to time limit. This section regarding the lifetime time  
6 limit for the receipt of cash assistance, shall not apply only in the instances of a minor child(ren)  
7 living with a parent who receives SSI benefits and a minor child(ren) living with a responsible adult  
8 non-parent caretaker relative who is not in the cash assistance payment.

9 (4) Receipt of family cash assistance in any other state or territory of the United States of  
10 America shall be determined by the department of human services and shall include family cash  
11 assistance funded in whole or in part by Temporary Assistance for Needy Families (TANF) funds  
12 [Title IV-A of the federal Social Security Act, 42 U.S.C. § 601 et seq.] and/or family cash assistance  
13 provided under a program similar to the Rhode Island families work and opportunity program or  
14 the federal TANF program.

15 (5)(i) The department of human services shall mail a notice to each assistance unit when  
16 the assistance unit has six (6) months of cash assistance remaining and each month thereafter until  
17 the time limit has expired. The notice must be developed by the department of human services and  
18 must contain information about the lifetime time limit, the number of months the participant has  
19 remaining, the hardship extension policy, the availability of a post-employment-and-closure bonus;  
20 and any other information pertinent to a family or an assistance unit nearing the sixty-month (60)  
21 lifetime time limit.

22 (ii) For applicants who have less than six (6) months remaining in the sixty-month (60)  
23 lifetime time limit because the family or assistance unit previously received cash assistance in  
24 Rhode Island or in another state, the department shall notify the applicant of the number of months  
25 remaining when the application is approved and begin the process required in subsection (h)(5)(i).

26 (6) If a cash assistance recipient family was closed pursuant to Rhode Island's Temporary  
27 Assistance for Needy Families Program (federal TANF described in Title IV-A of the Federal  
28 Social Security Act, 42 U.S.C. § 601 et seq.), formerly entitled the Rhode Island family  
29 independence program, more specifically under § 40-5.1-9(2)(c) [repealed], due to sanction  
30 because of failure to comply with the cash assistance program requirements; and that recipient  
31 family received sixty (60) months of cash benefits in accordance with the family independence  
32 program, then that recipient family is not able to receive further cash assistance for his/her family,  
33 under this chapter, except under hardship exceptions.

34 (7) The months of state or federally funded cash assistance received by a recipient family



1 since May 1, 1997, under Rhode Island's Temporary Assistance for Needy Families Program  
2 (federal TANF described in Title IV-A of the Federal Social Security Act, 42 U.S.C. § 601 et seq.),  
3 formerly entitled the Rhode Island family independence program, shall be countable toward the  
4 time-limited cash assistance described in this chapter.

5 **(i) Time limit on the receipt of cash assistance.**

6 (1) No cash assistance shall be provided, pursuant to this chapter, to a family assistance  
7 unit in which an adult member has received cash assistance for a total of sixty (60) months (whether  
8 or not consecutive) to include any time receiving any type of cash assistance in any other state or  
9 territory of the United States as defined herein effective August 1, 2008. Provided further, that no  
10 cash assistance shall be provided to a family in which an adult member has received assistance for  
11 twenty-four (24) consecutive months unless the adult member has a rehabilitation employment plan  
12 as provided in § 40-5.2-12(g)(5).

13 (2) Effective August 1, 2008, no cash assistance shall be provided pursuant to this chapter  
14 to a family in which a child has received cash assistance for a total of sixty (60) months (whether  
15 or not consecutive) if the parent is ineligible for assistance under this chapter pursuant to subsection  
16 (a)(2) to include any time they received any type of cash assistance in any other state or territory  
17 of the United States as defined herein.

18 **(j) Hardship exceptions.**

19 (1) The department may extend an assistance unit's or family's cash assistance beyond the  
20 time limit, by reason of hardship; provided, however, that the number of families to be exempted  
21 by the department with respect to their time limit under this subsection shall not exceed twenty  
22 percent (20%) of the average monthly number of families to which assistance is provided for under  
23 this chapter in a fiscal year; provided, however, that to the extent now or hereafter permitted by  
24 federal law, any waiver granted under § 40-5.2-34, for domestic violence, shall not be counted in  
25 determining the twenty percent (20%) maximum under this section.

26 (2) Parents who receive extensions to the time limit due to hardship must have and comply  
27 with employment plans designed to remove or ameliorate the conditions that warranted the  
28 extension.

29 **(k) Parents under eighteen (18) years of age.**

30 (1) A family consisting of a parent who is under the age of eighteen (18), and who has  
31 never been married, and who has a child; or a family consisting of a ~~woman~~ person under the age  
32 of eighteen (18) ~~who is at least six (6) months pregnant,~~ from onset of pregnancy shall be eligible  
33 for cash assistance only if the family resides in the home of an adult parent, legal guardian, or other  
34 adult relative. The assistance shall be provided to the adult parent, legal guardian, or other adult

1 relative on behalf of the individual and child unless otherwise authorized by the department.

2 (2) This subsection shall not apply if the minor parent or pregnant minor has no parent,  
3 legal guardian, or other adult relative who is living and/or whose whereabouts are unknown; or the  
4 department determines that the physical or emotional health or safety of the minor parent, or his or  
5 her child, or the pregnant minor, would be jeopardized if he or she was required to live in the same  
6 residence as his or her parent, legal guardian, or other adult relative (refusal of a parent, legal  
7 guardian, or other adult relative to allow the minor parent or his or her child, or a pregnant minor,  
8 to live in his or her home shall constitute a presumption that the health or safety would be so  
9 jeopardized); or the minor parent or pregnant minor has lived apart from his or her own parent or  
10 legal guardian for a period of at least one year before either the birth of any child to a minor parent  
11 or the onset of the pregnant minor's pregnancy; or there is good cause, under departmental  
12 regulations, for waiving the subsection; and the individual resides in a supervised supportive-living  
13 arrangement to the extent available.

14 (3) For purposes of this section, "supervised supportive-living arrangement" means an  
15 arrangement that requires minor parents to enroll and make satisfactory progress in a program  
16 leading to a high school diploma or a general education development certificate, and requires minor  
17 parents to participate in the adolescent parenting program designated by the department, to the  
18 extent the program is available; and provides rules and regulations that ensure regular adult  
19 supervision.

20 (l) **Assignment and cooperation.** As a condition of eligibility for cash and medical  
21 assistance under this chapter, each adult member, parent, or caretaker relative of the  
22 family/assistance unit must:

23 (1) Assign to the state any rights to support for children within the family from any person  
24 that the family member has at the time the assignment is executed or may have while receiving  
25 assistance under this chapter;

26 (2) Consent to and cooperate with the state in establishing the paternity and in establishing  
27 and/or enforcing child support and medical support orders for all children in the family or assistance  
28 unit in accordance with title 15 of the general laws, as amended, unless the parent or caretaker  
29 relative is found to have good cause for refusing to comply with the requirements of this subsection.

30 (3) Absent good cause, as defined by the department of human services through the  
31 rulemaking process, for refusing to comply with the requirements of subsections (l)(1) and (l)(2),  
32 cash assistance to the family shall be reduced by twenty-five percent (25%) until the adult member  
33 of the family who has refused to comply with the requirements of this subsection consents to and  
34 cooperates with the state in accordance with the requirements of this subsection.

1 (4) As a condition of eligibility for cash and medical assistance under this chapter, each  
2 adult member, parent, or caretaker relative of the family/assistance unit must consent to and  
3 cooperate with the state in identifying and providing information to assist the state in pursuing any  
4 third party who may be liable to pay for care and services under Title XIX of the Social Security  
5 Act, 42 U.S.C. § 1396 et seq.

6 **40-5.2-20. Childcare assistance — Families or assistance units eligible.**

7 (a) The department shall provide appropriate child care to every participant who is eligible  
8 for cash assistance and who requires child care in order to meet the work requirements in  
9 accordance with this chapter.

10 (b) Low-income child care. The department shall provide child care to all other working  
11 families with incomes at or below two hundred percent (200%) of the federal poverty level if, and  
12 to the extent, these other families require child care in order to work at paid employment as defined  
13 in the department's rules and regulations. The department shall also provide child care to families  
14 with incomes below two hundred percent (200%) of the federal poverty level if, and to the extent,  
15 these families require child care to participate on a short-term basis, as defined in the department's  
16 rules and regulations, in training, apprenticeship, internship, on-the-job training, work experience,  
17 work immersion, or other job-readiness/job-attachment program sponsored or funded by the human  
18 resource investment council (governor's workforce board) or state agencies that are part of the  
19 coordinated program system pursuant to § 42-102-11. Effective from January 1, 2021, through June  
20 30, 2022, the department shall also provide childcare assistance to families with incomes below  
21 one hundred eighty percent (180%) of the federal poverty level when such assistance is necessary  
22 for a member of these families to enroll or maintain enrollment in a Rhode Island public institution  
23 of higher education provided that eligibility to receive funding is capped when expenditures reach  
24 \$200,000 for this provision. Effective July 1, 2022, the department shall also provide childcare  
25 assistance to families with incomes below two hundred percent (200%) of the federal poverty level  
26 when such assistance is necessary for a member of these families to enroll or maintain enrollment  
27 in a Rhode Island public institution of higher education.

28 (c) No family/assistance unit shall be eligible for childcare assistance under this chapter if  
29 the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which  
30 corresponds to the amount permitted by the federal government under the state plan and set forth  
31 in the administrative rulemaking process by the department. Liquid resources are defined as any  
32 interest(s) in property in the form of cash or other financial instruments or accounts that are readily  
33 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit  
34 union, or other financial institution savings, checking, and money market accounts; certificates of

1 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments  
2 or accounts. These do not include educational savings accounts, plans, or programs; retirement  
3 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.  
4 The department is authorized to promulgate rules and regulations to determine the ownership and  
5 source of the funds in the joint account.

6 (d) As a condition of eligibility for childcare assistance under this chapter, the parent or  
7 caretaker relative of the family must consent to, and must cooperate with, the department in  
8 establishing paternity, and in establishing and/or enforcing child support and medical support  
9 orders for any children in the family receiving appropriate child care under this section in  
10 accordance with the applicable sections of title 15, as amended, unless the parent or caretaker  
11 relative is found to have good cause for refusing to comply with the requirements of this subsection.

12 (e) For purposes of this section, “appropriate child care” means child care, including infant,  
13 toddler, preschool, nursery school, and school-age, that is provided by a person or organization  
14 qualified, approved, and authorized to provide the care by the state agency or agencies designated  
15 to make the determinations in accordance with the provisions set forth herein.

16 (f)(1) Families with incomes below one hundred percent (100%) of the applicable federal  
17 poverty level guidelines shall be provided with free child care. Families with incomes greater than  
18 one hundred percent (100%) and less than two hundred percent (200%) of the applicable federal  
19 poverty guideline shall be required to pay for some portion of the child care they receive, according  
20 to a sliding-fee scale adopted by the department in the department’s rules, not to exceed seven  
21 percent (7%) of income as defined in subsection (h) of this section.

22 (2) Families who are receiving childcare assistance and who become ineligible for  
23 childcare assistance as a result of their incomes exceeding two hundred percent (200%) of the  
24 applicable federal poverty guidelines shall continue to be eligible for childcare assistance until their  
25 incomes exceed three hundred percent (300%) of the applicable federal poverty guidelines. To be  
26 eligible, the families must continue to pay for some portion of the child care they receive, as  
27 indicated in a sliding-fee scale adopted in the department’s rules, not to exceed seven percent (7%)  
28 of income as defined in subsection (h) of this section, and in accordance with all other eligibility  
29 standards.

30 (g) In determining the type of child care to be provided to a family, the department shall  
31 take into account the cost of available childcare options; the suitability of the type of care available  
32 for the child; and the parent’s preference as to the type of child care.

33 (h) For purposes of this section, “income” for families receiving cash assistance under §  
34 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in

1 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and  
2 unearned income as determined by departmental regulations.

3 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast  
4 the expenditures for child care in accordance with the provisions of § 35-17-1.

5 (j) In determining eligibility for childcare assistance for children of members of reserve  
6 components called to active duty during a time of conflict, the department shall freeze the family  
7 composition and the family income of the reserve component member as it was in the month prior  
8 to the month of leaving for active duty. This shall continue until the individual is officially  
9 discharged from active duty.

10 (k) Effective from August 1, 2023, through July 31, 2024, the department shall provide  
11 funding for child care for eligible child care educators, and child care staff, who work at least twenty  
12 (20) hours a week in licensed child care centers and licensed family child care homes as defined in  
13 the department's rules and regulations. Eligibility is limited to qualifying child care educators and  
14 child care staff with family incomes up to three hundred percent (300%) of the applicable federal  
15 poverty guidelines and will have no copayments. Qualifying participants may select the child care  
16 center or family child care home for their children. The department shall promulgate regulations  
17 necessary to implement this section, and will collect applicant and participant data to report  
18 estimated demand for state-funded child care for eligible child care educators and child care staff.  
19 The report shall be due to the governor and the general assembly by November 1, 2024.

20 SECTION 3. Section 40-6-27 of the General Laws in Chapter 40-6 entitled "Public  
21 Assistance Act" is hereby amended to read as follows:

22 **40-6-27. Supplemental Security Income.**

23 (a)(1) The director of the department is hereby authorized to enter into agreements on  
24 behalf of the state with the Secretary of the Department of Health and Human Services or other  
25 appropriate federal officials, under the Supplemental Security Income (SSI) program established  
26 by Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq., concerning the administration  
27 and determination of eligibility for SSI benefits for residents of this state, except as otherwise  
28 provided in this section. The state's monthly share of supplementary assistance to the Supplemental  
29 Security Income program shall be as follows:

30 (i) Individual living alone:	\$39.92
31 (ii) Individual living with others:	\$51.92
32 (iii) Couple living alone:	\$79.38
33 (iv) Couple living with others:	\$97.30
34 (v) Individual living in state-licensed assisted-living residence:	\$332.00

1 (vi) [Deleted by P.L. 2021, ch. 162, art. 12, § 1.]

2 (vii) Individual living in state-licensed supportive residential-care settings that, depending  
3 on the population served, meet the standards set by the department of human services in conjunction  
4 with the department of children, youth and families, the office of healthy aging, and/or the  
5 department of behavioral healthcare, developmental disabilities and hospitals: \$300.00.

6 Provided, however, that the department of human services shall, by regulation, reduce,  
7 effective January 1, 2009, the state's monthly share of supplementary assistance to the  
8 Supplemental Security Income (SSI) program for each of the above-listed payment levels, by the  
9 same value as the annual federal cost of living adjustment to be published by the federal Social  
10 Security Administration in October 2008 and becoming effective on January 1, 2009, as determined  
11 under the provisions of Title XVI of the federal Social Security Act, 42 U.S.C. § 1381 et seq.; and  
12 provided further, that it is the intent of the general assembly that the January 1, 2009, reduction in  
13 the state's monthly share shall not cause a reduction in the combined federal and state payment  
14 level for each category of recipients in effect in the month of December 2008; provided further,  
15 that the department of human services is authorized and directed to provide for payments to  
16 recipients in accordance with the above directives.

17 (2) As of July 1, 2010, state supplement payments shall not be federally administered and  
18 shall be paid directly by the department of human services to the recipient.

19 (3) Individuals living in institutions shall receive a ~~twenty-dollar (\$20.00)~~ forty-five dollar  
20 (\$45.00) per-month personal needs allowance from the state that shall be in addition to the personal  
21 needs allowance allowed by the Social Security Act, 42 U.S.C. § 301 et seq.

22 (4) Individuals living in state-licensed supportive residential-care settings and assisted-  
23 living residences who are receiving SSI supplemental payments under this section shall be allowed  
24 to retain a minimum personal needs allowance of fifty-five dollars (\$55.00) per month from their  
25 SSI monthly benefit prior to payment of any monthly fees in addition to any amounts established  
26 in an administrative rule promulgated by the secretary of the executive office of health and human  
27 services for persons eligible to receive Medicaid-funded long-term services and supports in the  
28 settings identified in subsection (a)(1)(v).

29 (5) The department is authorized and directed to make a determination of the medical need  
30 and whether a setting provides the appropriate services for those persons who:

31 (i) Have applied for or are receiving SSI, and who apply for admission to supportive  
32 residential-care settings and assisted-living residences on or after October 1, 1998; or

33 (ii) Who are residing in supportive residential-care settings and assisted-living residences,  
34 and who apply for or begin to receive SSI on or after October 1, 1998.

1 (6) The process for determining medical need required by subsection (a)(5) of this section  
2 shall be developed by the executive office of health and human services in collaboration with the  
3 departments of that office and shall be implemented in a manner that furthers the goals of  
4 establishing a statewide coordinated long-term-care entry system as required pursuant to the  
5 Medicaid section 1115 waiver demonstration.

6 (7) To assure access to high-quality, coordinated services, the executive office of health  
7 and human services is further authorized and directed to establish certification or contract standards  
8 that must be met by those state-licensed supportive residential-care settings, including adult  
9 supportive-care homes and assisted-living residences admitting or serving any persons eligible for  
10 state-funded supplementary assistance under this section. The certification or contract standards  
11 shall define:

12 (i) The scope and frequency of resident assessments, the development and implementation  
13 of individualized service plans, staffing levels and qualifications, resident monitoring, service  
14 coordination, safety risk management and disclosure, and any other related areas;

15 (ii) The procedures for determining whether the certifications or contract standards have  
16 been met; and

17 (iii) The criteria and process for granting a one-time, short-term good-cause exemption  
18 from the certification or contract standards to a licensed supportive residential-care setting or  
19 assisted-living residence that provides documented evidence indicating that meeting, or failing to  
20 meet, the standards poses an undue hardship on any person eligible under this section who is a  
21 prospective or current resident.

22 (8) The certification or contract standards required by this section shall be developed in  
23 collaboration by the departments, under the direction of the executive office of health and human  
24 services, so as to ensure that they comply with applicable licensure regulations either in effect or  
25 in development.

26 (b) The department is authorized and directed to provide additional assistance to  
27 individuals eligible for SSI benefits for:

28 (1) Moving costs or other expenses as a result of an emergency of a catastrophic nature,  
29 which is defined as a fire or natural disaster; and

30 (2) Lost or stolen SSI benefit checks or proceeds of them; and

31 (3) Assistance payments to SSI-eligible individuals in need because of the application of  
32 federal SSI regulations regarding estranged spouses; and the department shall provide the  
33 assistance in a form and amount that the department shall by regulation determine.

34 SECTION 4. Section 40-8-2 of the General Laws in Chapter 40-8 entitled "Medical

1 Assistance" is hereby amended to read as follows:

2 **40-8-2. Definitions.**

3 As used in this chapter, unless the context shall otherwise require:

4 (1) "Dental service" means and includes emergency care, X-rays for diagnoses, extractions,  
5 palliative treatment, and the refitting and relining of existing dentures and prosthesis.

6 (2) "Department" means the department of human services.

7 (3) "Director" means the director of human services.

8 (4) "Drug" means and includes only drugs and biologicals prescribed by a licensed dentist  
9 or physician as are either included in the United States pharmacopoeia, national formulary, or are  
10 new and nonofficial drugs and remedies.

11 (5) "Inpatient" means a person admitted to and under treatment or care of a physician or  
12 surgeon in a hospital or nursing facility that meets standards of and complies with rules and  
13 regulations promulgated by the director.

14 (6) "Inpatient hospital services" means the following items and services furnished to an  
15 inpatient in a hospital other than a hospital, institution, or facility for tuberculosis or mental  
16 diseases:

17 (i) Bed and board;

18 (ii) Nursing services and other related services as are customarily furnished by the hospital  
19 for the care and treatment of inpatients and drugs, biologicals, supplies, appliances, and equipment  
20 for use in the hospital, as are customarily furnished by the hospital for the care and treatment of  
21 patients;

22 (iii)(A) Other diagnostic or therapeutic items or services, including, but not limited to,  
23 pathology, radiology, and anesthesiology furnished by the hospital or by others under arrangements  
24 made by the hospital, as are customarily furnished to inpatients either by the hospital or by others  
25 under such arrangements, and services as are customarily provided to inpatients in the hospital by  
26 an intern or resident-in-training under a teaching program having the approval of the Council on  
27 Medical Education and Hospitals of the American Medical Association or of any other recognized  
28 medical society approved by the director.

29 (B) The term "inpatient hospital services" shall be taken to include medical and surgical  
30 services provided by the inpatient's physician, but shall not include the services of a private-duty  
31 nurse or services in a hospital, institution, or facility maintained primarily for the treatment and  
32 care of patients with tuberculosis or mental diseases. Provided, further, it shall be taken to include  
33 only the following organ transplant operations: kidney, liver, cornea, pancreas, bone marrow, lung,  
34 heart, and heart/lung, and other organ transplant operations as may be designated by the director



1 after consultation with medical advisory staff or medical consultants; and provided that any such  
2 transplant operation is determined by the director or his or her designee to be medically necessary.  
3 Prior written approval of the director, or his or her designee, shall be required for all covered organ  
4 transplant operations.

5 (C) In determining medical necessity for organ transplant procedures, the state plan shall  
6 adopt a case-by-case approach and shall focus on the medical indications and contra-indications in  
7 each instance; the progressive nature of the disease; the existence of any alternative therapies; the  
8 life-threatening nature of the disease; the general state of health of the patient apart from the  
9 particular organ disease; and any other relevant facts and circumstances related to the applicant and  
10 the particular transplant procedure.

11 (7) "Nursing services" means the following items and services furnished to an inpatient in  
12 a nursing facility:

13 (i) Bed and board;

14 (ii) Nursing care and other related services as are customarily furnished to inpatients  
15 admitted to the nursing facility, and drugs, biologicals, supplies, appliances, and equipment for use  
16 in the facility, as are customarily furnished in the facility for the care and treatment of patients;

17 (iii) Other diagnostic or therapeutic items or services, legally furnished by the facility or  
18 by others under arrangements made by the facility, as are customarily furnished to inpatients either  
19 by the facility or by others under such arrangement;

20 (iv) Medical services provided in the facility by the inpatient's physician, or by an intern  
21 or resident-in-training of a hospital with which the facility is affiliated or that is under the same  
22 control, under a teaching program of the hospital approved as provided in subsection (6); and

23 (v) A personal-needs allowance of ~~fifty dollars (\$50.00)~~ seventy-five dollars (\$75.00) per  
24 month.

25 (8) "Relative with whom the dependent child is living" means and includes the father,  
26 mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister,  
27 uncle, aunt, first cousin, nephew, or niece of any dependent child who maintains a home for the  
28 dependent child.

29 (9) "Visiting nurse service" means part-time or intermittent nursing care provided by or  
30 under the supervision of a registered professional nurse other than in a hospital or nursing home.

31 SECTION 5. Sections 40-8.3-2 and 40-8.3-3 of the General Laws in Chapter 40-8 entitled  
32 "Uncompensated Care" is hereby amended to read as follows:

33 **40-8.3-2. Definitions.**

34 As used in this chapter:

1 (1) "Base year" means, for the purpose of calculating a disproportionate share payment for  
2 any fiscal year ending after September 30, ~~2021~~ 2022, the period from October 1, ~~2019~~ 2020,  
3 through September 30, ~~2020~~ 2021, and for any fiscal year ending after September 30, ~~2022~~ 2023,  
4 the period from October 1, ~~2019~~ 2021, through September 30, ~~2020~~ 2022.

5 (2) "Medicaid inpatient utilization rate for a hospital" means a fraction (expressed as a  
6 percentage), the numerator of which is the hospital's number of inpatient days during the base year  
7 attributable to patients who were eligible for medical assistance during the base year and the  
8 denominator of which is the total number of the hospital's inpatient days in the base year.

9 (3) "Participating hospital" means any nongovernment and nonpsychiatric hospital that:

10 (i) Was licensed as a hospital in accordance with chapter 17 of title 23 during the base year  
11 and shall mean the actual facilities and buildings in existence in Rhode Island, licensed pursuant to  
12 § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless  
13 of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital conversions) and § 23-  
14 17-6(b) (change in effective control), that provides short-term, acute inpatient and/or outpatient  
15 care to persons who require definitive diagnosis and treatment for injury, illness, disabilities, or  
16 pregnancy. Notwithstanding the preceding language, the negotiated Medicaid managed care  
17 payment rates for a court-approved purchaser that acquires a hospital through receivership, special  
18 mastership, or other similar state insolvency proceedings (which court-approved purchaser is issued  
19 a hospital license after January 1, 2013), shall be based upon the newly negotiated rates between  
20 the court-approved purchaser and the health plan, and the rates shall be effective as of the date that  
21 the court-approved purchaser and the health plan execute the initial agreement containing the newly  
22 negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient  
23 hospital payments set forth in §§ 40-8-13.4(b)(1)(ii)(C) and 40-8-13.4(b)(2), respectively, shall  
24 thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1  
25 following the completion of the first full year of the court-approved purchaser's initial Medicaid  
26 managed care contract;

27 (ii) Achieved a medical assistance inpatient utilization rate of at least one percent (1%)  
28 during the base year; and

29 (iii) Continues to be licensed as a hospital in accordance with chapter 17 of title 23 during  
30 the payment year.

31 (4) "Uncompensated-care costs" means, as to any hospital, the sum of: (i) The cost incurred  
32 by the hospital during the base year for inpatient or outpatient services attributable to charity care  
33 (free care and bad debts) for which the patient has no health insurance or other third-party coverage  
34 less payments, if any, received directly from such patients; and (ii) The cost incurred by the hospital

1 during the base year for inpatient or outpatient services attributable to Medicaid beneficiaries less  
2 any Medicaid reimbursement received therefor; multiplied by the uncompensated-care index.

3 (5) "Uncompensated-care index" means the annual percentage increase for hospitals  
4 established pursuant to § 27-19-14 [repealed] for each year after the base year, up to and including  
5 the payment year; provided, however, that the uncompensated-care index for the payment year  
6 ending September 30, 2007, shall be deemed to be five and thirty-eight hundredths percent (5.38%),  
7 and that the uncompensated-care index for the payment year ending September 30, 2008, shall be  
8 deemed to be five and forty-seven hundredths percent (5.47%), and that the uncompensated-care  
9 index for the payment year ending September 30, 2009, shall be deemed to be five and thirty-eight  
10 hundredths percent (5.38%), and that the uncompensated-care index for the payment years ending  
11 September 30, 2010, September 30, 2011, September 30, 2012, September 30, 2013, September  
12 30, 2014, September 30, 2015, September 30, 2016, September 30, 2017, September 30, 2018,  
13 September 30, 2019, September 30, 2020, September 30, 2021, September 30, 2022, September  
14 30, 2023, and September 30, 2024 shall be deemed to be five and thirty hundredths percent (5.30%).

15 **40-8.3-3. Implementation.**

16 ~~(a) For federal fiscal year 2021, commencing on October 1, 2020, and ending September~~  
17 ~~30, 2021, the executive office of health and human services shall submit to the Secretary of the~~  
18 ~~United States Department of Health and Human Services a state plan amendment to the Rhode~~  
19 ~~Island Medicaid DSH Plan to provide:~~

20 ~~(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of~~  
21 ~~\$142.5 million, shall be allocated by the executive office of health and human services to the Pool~~  
22 ~~D component of the DSH Plan; and~~

23 ~~(2) That the Pool D allotment shall be distributed among the participating hospitals in direct~~  
24 ~~proportion to the individual participating hospital's uncompensated care costs for the base year,~~  
25 ~~inflated by the uncompensated care index to the total uncompensated care costs for the base year~~  
26 ~~inflated by the uncompensated care index for all participating hospitals. The disproportionate share~~  
27 ~~payments shall be made on or before July 12, 2021, and are expressly conditioned upon approval~~  
28 ~~on or before July 5, 2021, by the Secretary of the United States Department of Health and Human~~  
29 ~~Services, or his or her authorized representative, of all Medicaid state plan amendments necessary~~  
30 ~~to secure for the state the benefit of federal financial participation in federal fiscal year 2021 for~~  
31 ~~the disproportionate share payments.~~

32 ~~(b)~~(a) For federal fiscal year 2022, commencing on October 1, 2021, and ending September  
33 30, 2022, the executive office of health and human services shall submit to the Secretary of the  
34 United States Department of Health and Human Services a state plan amendment to the Rhode

1 Island Medicaid DSH Plan to provide:

2 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of  
3 \$145.1 million, shall be allocated by the executive office of health and human services to the Pool  
4 D component of the DSH Plan; and

5 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct  
6 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
7 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
8 inflated by the uncompensated-care index for all participating hospitals. The disproportionate share  
9 payments shall be made on or before June 30, 2022, and are expressly conditioned upon approval  
10 on or before July 5, 2022, by the Secretary of the United States Department of Health and Human  
11 Services, or his or her authorized representative, of all Medicaid state plan amendments necessary  
12 to secure for the state the benefit of federal financial participation in federal fiscal year 2022 for  
13 the disproportionate share payments.

14 ~~(e)~~(b) For federal fiscal year 2023, commencing on October 1, 2022, and ending September  
15 30, 2023, the executive office of health and human services shall submit to the Secretary of the  
16 United States Department of Health and Human Services a state plan amendment to the Rhode  
17 Island Medicaid DSH Plan to provide:

18 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of  
19 ~~\$145.1~~ \$159.0 million, shall be allocated by the executive office of health and human services to  
20 the Pool D component of the DSH Plan; and

21 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct  
22 proportion to the individual participating hospital's uncompensated-care costs for the base year,  
23 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year  
24 inflated by the uncompensated-care index for all participating hospitals. The disproportionate share  
25 payments shall be made on or before June 15, 2023, and are expressly conditioned upon approval  
26 on or before June 23, 2023, by the Secretary of the United States Department of Health and Human  
27 Services, or his or her authorized representative, of all Medicaid state plan amendments necessary  
28 to secure for the state the benefit of federal financial participation in federal fiscal year 2023 for  
29 the disproportionate share payments.

30 (c) For federal fiscal year 2024, commencing on October 1, 2023, and ending September  
31 30, 2024, the executive office of health and human services shall submit to the Secretary of the  
32 United States Department of Health and Human Services a state plan amendment to the Rhode  
33 Island Medicaid DSH Plan to provide:

34 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of

1 [\\$14.8 million shall be allocated by the executive office of health and human services to the Pool D](#)  
2 [component of the DSH Plan; and](#)

3 [\(2\) That the Pool D allotment shall be distributed among the participating hospitals in direct](#)  
4 [proportion to the individual participating hospital's uncompensated-care costs for the base year,](#)  
5 [inflated by the uncompensated-care index to the total uncompensated-care costs for the base year](#)  
6 [inflated by the uncompensated-care index for all participating hospitals. The disproportionate share](#)  
7 [payments shall be made on or before June 15, 2024, and are expressly conditioned upon approval](#)  
8 [on or before June 23, 2024, by the Secretary of the United States Department of Health and Human](#)  
9 [Services, or his or her authorized representative, of all Medicaid state plan amendments necessary](#)  
10 [to secure for the state the benefit of federal financial participation in federal fiscal year 2024 for](#)  
11 [the disproportionate share payments.](#)

12 (d) No provision is made pursuant to this chapter for disproportionate-share hospital  
13 payments to participating hospitals for uncompensated-care costs related to graduate medical  
14 education programs.

15 (e) The executive office of health and human services is directed, on at least a monthly  
16 basis, to collect patient-level uninsured information, including, but not limited to, demographics,  
17 services rendered, and reason for uninsured status from all hospitals licensed in Rhode Island.

18 (f) [Deleted by P.L. 2019, ch. 88, art. 13, § 6.]

19 SECTION 6. Sections 40-8.7-1, 40-8.7-2 and 40-8.7-6 of the General Laws in Chapter 40-  
20 8.7 entitled "Healthcare Assistance for Working People with Disabilities" are hereby amended to  
21 read as follows:

22 **40-8.7-1. Short title.**

23 This chapter shall be known and may be cited as "~~The Sherlock Act.~~" or "[The Ticket to](#)  
24 [Work Program.](#)"

25 **40-8.7-2. Medicaid buy-in program.**

26 The ~~department of human services~~ [Executive Office of Health and Human Services](#) is  
27 hereby authorized [and directed](#) to ~~establish~~ [maintain](#) a Medicaid buy-in program pursuant to the  
28 "~~Balanced Budget Act of 1997,~~" 42 U.S.C. § 1396a(a)(10)(A)(ii)(XIII) [and the federal Ticket to](#)  
29 [Work and Incentives Improvement Act of 1999 \(TWWIA\), Public Law 106-170.](#)

30 **40-8.7-6. Eligibility.**

31 (a) To be eligible for benefits under the Medicaid buy-in program:

32 (1) The person shall be an individual with disabilities as defined in § 40-8.7-4, but without  
33 regard to his or her ability to engage in substantial gainful activity, as specified in the Social  
34 Security Act, 42 U.S.C. § 423(d)(4);

1 (2) The person shall be employed as defined in § 40-8.7-4;

2 (3) For the Sherlock Act Medicaid buy in program the ~~The~~ person's net accountable income  
3 shall either not exceed two hundred fifty percent (250%) of the federal poverty level, taking into  
4 account the SSI program disregards and impairment-related work expenses as defined in 42 U.S.C.  
5 § 1396a(r)(2) or for the Ticket to Work Program buy in program there are no income or asset limits  
6 to be considered as part of the eligibility determination;

7 (4) A maximum of ten thousand dollars (\$10,000) of available resources for an individual  
8 and twenty thousand dollars (\$20,000) for a couple shall be disregarded as shall any additional  
9 resources held in a retirement account, in a medical savings account, or any other account, related  
10 to enhancing the independence of the individual and approved under rules to be adopted by the  
11 ~~department~~ executive office for the Sherlock Act; there are no income or asset limits for the Ticket  
12 to Work Program; and

13 (5) The person shall be a current medical assistance recipient under § 40-8.5-1 [CNIL] or  
14 § 40-8-3(5)(v) [MNIL]; or shall meet income, assets, (except as modified by subsection (a)(4) of  
15 this section) and eligibility requirements for the medical assistance program under § 40-8.5-1  
16 [CNIL] or § 40-8-3(5)(v) [MNIL], as such requirements are modified and extended by this chapter.

17 (b) Appeals Process. The director or designee shall review each application filed in  
18 accordance with regulations, and shall make a determination of whether the application will be  
19 approved and the extent of the benefits to be made available to the applicant, and shall, within thirty  
20 (30) days after the filing, notify the applicant, in writing, of the determination. If the application is  
21 rejected, the applicant shall be notified the reason for the denial. The director may at any time  
22 reconsider any determination. Any applicant for or recipient of benefits aggrieved because of a  
23 decision, or delay in making a decision, shall be entitled to an appeal and shall be afforded  
24 reasonable notice and opportunity for a fair hearing conducted by the director, pursuant to chapter  
25 8 of this title.

26 SECTION 7. Sections 40-8.9-1 and 40-8.9-9 of the General Laws in Chapter 40-8.9 entitled  
27 "Long-Term Care Service and Finance Reform" are hereby amended to read as follows:

28 **40-8.9-1. Findings.**

29 (a) The number of Rhode Islanders in need of long-term-care services continues to rise  
30 substantially, and the quality of life of these Rhode Islanders is determined by the capacity of the  
31 ~~long-term-care system-state~~ to provide ensure equitable access to the full array of services and  
32 supports required to meet their healthcare needs and maintain their independence.

33 (b) It is in the interest of all Rhode Islanders to endorse and fund statewide efforts to build  
34 a fiscally sound, dynamic and resilient long-term-care system that ~~supports-fosters~~: consumer

1 independence and choice; the delivery of high-quality, coordinated services; the financial integrity  
2 of all participants-purchasers, payers, providers, and consumers; and the responsible and efficient  
3 allocation of all available public and private resources, including preservation of federal financial  
4 participation.

5 (c) It is in the interest of all Rhode Islanders to assure that rates paid for community-based  
6 long-term-care services are adequate to assure high quality ~~as well as~~ and supportive of support  
7 workforce recruitment and retention.

8 (d) It is in the interest of all Rhode Islanders to improve consumers' access information  
9 regarding community-based alternatives to institutional settings of care.

10 (e) It is in the best interest of all Rhode Islanders to maintain a person-centered, quality  
11 driven, and conflict-free system of publicly financed long-term services and supports that is  
12 responsive to the goals and preferences of those served.

13 **40-8.9-9. Long-term-care rebalancing system reform goal.**

14 (a) Notwithstanding any other provision of state law, the executive office of health and  
15 human services is authorized and directed to apply for, and obtain, any necessary waiver(s), waiver  
16 amendment(s), and/or state-plan amendments from the Secretary of the United States Department  
17 of Health and Human Services, and to promulgate rules necessary to adopt an affirmative plan of  
18 program design and implementation that addresses the goal of allocating a minimum of fifty percent  
19 (50%) of Medicaid long-term-care funding for persons aged sixty-five (65) and over and adults  
20 with disabilities, in addition to services for persons with developmental disabilities, to home- and  
21 community-based care; provided, further, the executive office shall report annually as part of its  
22 budget submission, the percentage distribution between institutional care and home- and  
23 community-based care by population and shall report current and projected waiting lists for long-  
24 term-care and home- and community-based care services. The executive office is further authorized  
25 and directed to prioritize investments in home- and community-based care and to maintain the  
26 integrity and financial viability of all current long-term-care services while pursuing this goal.

27 (b) The reformed long-term-care system rebalancing goal is person-centered and  
28 encourages individual self-determination, family involvement, interagency collaboration, and  
29 individual choice through the provision of highly specialized and individually tailored home-based  
30 services. Additionally, individuals with severe behavioral, physical, or developmental disabilities  
31 must have the opportunity to live safe and healthful lives through access to a wide range of  
32 supportive services in an array of community-based settings, regardless of the complexity of their  
33 medical condition, the severity of their disability, or the challenges of their behavior. Delivery of  
34 services and supports in less-costly and less-restrictive community settings will enable children,

1 adolescents, and adults to be able to curtail, delay, or avoid lengthy stays in long-term-care  
2 institutions, such as behavioral health residential-treatment facilities, long-term-care hospitals,  
3 intermediate-care facilities, and/or skilled nursing facilities.

4 (c) Pursuant to federal authority procured under § 42-7.2-16, the executive office of health  
5 and human services is directed and authorized to adopt a tiered set of criteria to be used to determine  
6 eligibility for services. The criteria shall be developed in collaboration with the state's health and  
7 human services departments and, to the extent feasible, any consumer group, advisory board, or  
8 other entity designated for these purposes, and shall encompass eligibility determinations for long-  
9 term-care services in nursing facilities, hospitals, and intermediate-care facilities for persons with  
10 intellectual disabilities, as well as home- and community-based alternatives, and shall provide a  
11 common standard of income eligibility for both institutional and home- and community-based care.  
12 The executive office is authorized to adopt clinical and/or functional criteria for admission to a  
13 nursing facility, hospital, or intermediate-care facility for persons with intellectual disabilities that  
14 are more stringent than those employed for access to home- and community-based services. The  
15 executive office is also authorized to promulgate rules that define the frequency of re-assessments  
16 for services provided for under this section. Levels of care may be applied in accordance with the  
17 following:

18 (1) The executive office shall continue to apply the level-of-care criteria in effect on ~~June~~  
19 ~~30, 2015~~ April 1, 2021, for any recipient determined eligible for and receiving Medicaid-funded  
20 long-term services and supports in a nursing facility, hospital, or intermediate-care facility for  
21 persons with intellectual disabilities on or before that date, unless:

22 (i) The recipient transitions to home- and community-based services because he or she  
23 would no longer meet the level-of-care criteria in effect on ~~June 30, 2015~~ April 1, 2021; or

24 (ii) The recipient chooses home- and community-based services over the nursing facility,  
25 hospital, or intermediate-care facility for persons with intellectual disabilities. For the purposes of  
26 this section, a failed community placement, as defined in regulations promulgated by the executive  
27 office, shall be considered a condition of clinical eligibility for the highest level of care. The  
28 executive office shall confer with the long-term-care ombudsperson with respect to the  
29 determination of a failed placement under the ombudsperson's jurisdiction. Should any Medicaid  
30 recipient eligible for a nursing facility, hospital, or intermediate-care facility for persons with  
31 intellectual disabilities as of ~~June 30, 2015~~ April 1, 2021, receive a determination of a failed  
32 community placement, the recipient shall have access to the highest level of care; furthermore, a  
33 recipient who has experienced a failed community placement shall be transitioned back into his or  
34 her former nursing home, hospital, or intermediate-care facility for persons with intellectual



1 disabilities whenever possible. Additionally, residents shall only be moved from a nursing home,  
2 hospital, or intermediate-care facility for persons with intellectual disabilities in a manner  
3 consistent with applicable state and federal laws.

4 (2) Any Medicaid recipient eligible for the highest level of care who voluntarily leaves a  
5 nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities shall  
6 not be subject to any wait list for home- and community-based services.

7 (3) No nursing home, hospital, or intermediate-care facility for persons with intellectual  
8 disabilities shall be denied payment for services rendered to a Medicaid recipient on the grounds  
9 that the recipient does not meet level-of-care criteria unless and until the executive office has:

10 (i) Performed an individual assessment of the recipient at issue and provided written notice  
11 to the nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities  
12 that the recipient does not meet level-of-care criteria; and

13 (ii) The recipient has either appealed that level-of-care determination and been  
14 unsuccessful, or any appeal period available to the recipient regarding that level-of-care  
15 determination has expired.

16 (d) The executive office is further authorized to consolidate all home- and community-  
17 based services currently provided pursuant to 42 U.S.C. § 1396n into a single system of home- and  
18 community-based services that include options for consumer direction and shared living. The  
19 resulting single home- and community-based services system shall replace and supersede all 42  
20 U.S.C. § 1396n programs when fully implemented. Notwithstanding the foregoing, the resulting  
21 single program home- and community-based services system shall include the continued funding  
22 of assisted-living services at any assisted-living facility financed by the Rhode Island housing and  
23 mortgage finance corporation prior to January 1, 2006, and shall be in accordance with chapter 66.8  
24 of title 42 as long as assisted-living services are a covered Medicaid benefit.

25 (e) The executive office is authorized to promulgate rules that permit certain optional  
26 services including, but not limited to, homemaker services, home modifications, respite, and  
27 physical therapy evaluations to be offered to persons at risk for Medicaid-funded long-term care  
28 subject to availability of state-appropriated funding for these purposes.

29 (f) To promote the expansion of home- and community-based service capacity, the  
30 executive office is authorized to pursue payment methodology reforms that increase access to  
31 homemaker, personal care (home health aide), assisted living, adult supportive-care homes, and  
32 adult day services, as follows:

33 (1) Development of revised or new Medicaid certification standards that increase access to  
34 service specialization and scheduling accommodations by using payment strategies designed to

1 achieve specific quality and health outcomes.

2 (2) Development of Medicaid certification standards for state-authorized providers of adult  
3 day services, excluding providers of services authorized under § 40.1-24-1(3), assisted living, and  
4 adult supportive care (as defined under chapter 17.24 of title 23) that establish for each, an acuity-  
5 based, tiered service and payment methodology tied to: licensure authority; level of beneficiary  
6 needs; the scope of services and supports provided; and specific quality and outcome measures.

7 The standards for adult day services for persons eligible for Medicaid-funded long-term  
8 services may differ from those who do not meet the clinical/functional criteria set forth in § 40-  
9 8.10-3.

10 (3) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term  
11 services and supports in home- and community-based settings, the demand for home-care workers  
12 has increased, and wages for these workers has not kept pace with neighboring states, leading to  
13 high turnover and vacancy rates in the state's home-care industry, the executive office shall institute  
14 a one-time increase in the base-payment rates for FY 2019, as described below, for home-care  
15 service providers to promote increased access to and an adequate supply of highly trained home-  
16 healthcare professionals, in amount to be determined by the appropriations process, for the purpose  
17 of raising wages for personal care attendants and home health aides to be implemented by such  
18 providers.

19 (i) A prospective base adjustment, effective not later than July 1, 2018, of ten percent  
20 (10%) of the current base rate for home-care providers, home nursing care providers, and hospice  
21 providers contracted with the executive office of health and human services and its subordinate  
22 agencies to deliver Medicaid fee-for-service personal care attendant services.

23 (ii) A prospective base adjustment, effective not later than July 1, 2018, of twenty percent  
24 (20%) of the current base rate for home-care providers, home nursing care providers, and hospice  
25 providers contracted with the executive office of health and human services and its subordinate  
26 agencies to deliver Medicaid fee-for-service skilled nursing and therapeutic services and hospice  
27 care.

28 (iii) Effective upon passage of this section, hospice provider reimbursement, exclusively  
29 for room and board expenses for individuals residing in a skilled nursing facility, shall revert to the  
30 rate methodology in effect on June 30, 2018, and these room and board expenses shall be exempted  
31 from any and all annual rate increases to hospice providers as provided for in this section.

32 (iv) On the first of July in each year, beginning on July 1, 2019, the executive office of  
33 health and human services will initiate an annual inflation increase to the base rate for home-care  
34 providers, home nursing care providers, and hospice providers contracted with the executive office

1 and its subordinate agencies to deliver Medicaid fee-for-service personal care attendant services,  
2 skilled nursing and therapeutic services and hospice care. The base rate increase shall be a  
3 percentage amount equal to the New England Consumer Price Index card as determined by the  
4 United States Department of Labor for medical care and for compliance with all federal and state  
5 laws, regulations, and rules, and all national accreditation program requirements.

6 (g) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term  
7 services and supports in home- and community-based settings, the demand for home-care workers  
8 has increased, and wages for these workers has not kept pace with neighboring states, leading to  
9 high turnover and vacancy rates in the state's home-care industry. To promote increased access to  
10 and an adequate supply of direct-care workers, the executive office shall institute a payment  
11 methodology change, in Medicaid fee-for-service and managed care, for FY 2022, that shall be  
12 passed through directly to the direct-care workers' wages who are employed by home nursing care  
13 and home-care providers licensed by the Rhode Island department of health, as described below:

14 (1) Effective July 1, 2021, increase the existing shift differential modifier by \$0.19 per  
15 fifteen (15) minutes for personal care and combined personal care/homemaker.

16 (i) Employers must pass on one hundred percent (100%) of the shift differential modifier  
17 increase per fifteen-minute (15) unit of service to the CNAs who rendered such services. This  
18 compensation shall be provided in addition to the rate of compensation that the employee was  
19 receiving as of June 30, 2021. For an employee hired after June 30, 2021, the agency shall use not  
20 less than the lowest compensation paid to an employee of similar functions and duties as of June  
21 30, 2021, as the base compensation to which the increase is applied.

22 (ii) Employers must provide to EOHHS an annual compliance statement showing wages  
23 as of June 30, 2021, amounts received from the increases outlined herein, and compliance with this  
24 section by July 1, 2022. EOHHS may adopt any additional necessary regulations and processes to  
25 oversee this subsection.

26 (2) Effective January 1, 2022, establish a new behavioral healthcare enhancement of \$0.39  
27 per fifteen (15) minutes for personal care, combined personal care/homemaker, and homemaker  
28 only for providers who have at least thirty percent (30%) of their direct-care workers (which  
29 includes certified nursing assistants (CNA) and homemakers) certified in behavioral healthcare  
30 training.

31 (i) Employers must pass on one hundred percent (100%) of the behavioral healthcare  
32 enhancement per fifteen (15) minute unit of service rendered by only those CNAs and homemakers  
33 who have completed the thirty (30) hour behavioral health certificate training program offered by  
34 Rhode Island College, or a training program that is prospectively determined to be compliant per

1 EOHHS, to those CNAs and homemakers. This compensation shall be provided in addition to the  
2 rate of compensation that the employee was receiving as of December 31, 2021. For an employee  
3 hired after December 31, 2021, the agency shall use not less than the lowest compensation paid to  
4 an employee of similar functions and duties as of December 31, 2021, as the base compensation to  
5 which the increase is applied.

6 (ii) By January 1, 2023, employers must provide to EOHHS an annual compliance  
7 statement showing wages as of December 31, 2021, amounts received from the increases outlined  
8 herein, and compliance with this section, including which behavioral healthcare training programs  
9 were utilized. EOHHS may adopt any additional necessary regulations and processes to oversee  
10 this subsection.

11 (h) The executive office shall implement a long-term-care-options counseling program to  
12 provide individuals, or their representatives, or both, with long-term-care consultations that shall  
13 include, at a minimum, information about: long-term-care options, sources, and methods of both  
14 public and private payment for long-term-care services and an assessment of an individual's  
15 functional capabilities and opportunities for maximizing independence. Each individual admitted  
16 to, or seeking admission to, a long-term-care facility, regardless of the payment source, shall be  
17 informed by the facility of the availability of the long-term-care-options counseling program and  
18 shall be provided with long-term-care-options consultation if they so request. Each individual who  
19 applies for Medicaid long-term-care services shall be provided with a long-term-care consultation.

20 (i) The executive office shall implement, no later than January 1, 2024, a statewide network  
21 and rate methodology for conflict-free case management for individuals receiving Medicaid-funded  
22 home and community-based services. The executive office shall coordinate implementation with  
23 the state's health and human services departments and divisions authorized to deliver Medicaid-  
24 funded home and community-based service programs, including the department of behavioral  
25 healthcare, developmental disabilities and hospitals; the department of human services; and the  
26 office of healthy aging. It is in the best interest of the Rhode Islanders eligible to receive Medicaid  
27 home and community-based services under this chapter, chapter 40.1, chapter 42 or any other  
28 general laws to provide equitable access to conflict-free case management that shall include person-  
29 centered planning, service arranging and quality monitoring in the amount, duration and scope  
30 required by federal law and regulations. It is necessary to ensure that there is a robust network of  
31 qualified conflict-free case management entities with the capacity to serve all participants on a  
32 statewide basis and in a manner that promotes choice, self-reliance, and community integration.  
33 The executive office, as the designated single state Medicaid authority and agency responsible for  
34 coordinating policy and planning for health and human services under § 42-7.2 et seq., is directed

1 to establish a statewide conflict-free case management network under the management of the  
2 executive office and to seek any Medicaid waivers, state plan amendments and changes in rules,  
3 regulations and procedures that may be necessary to ensure that recipients of Medicaid home and  
4 community-based services have access to conflict-free case management in a timely manner and in  
5 accordance with the federal requirements that must be met to preserve financial participation.

6 ~~(j)~~(j) The executive office is also authorized, subject to availability of appropriation of  
7 funding, and federal, Medicaid-matching funds, to pay for certain services and supports necessary  
8 to transition or divert beneficiaries from institutional or restrictive settings and optimize their health  
9 and safety when receiving care in a home or the community. The secretary is authorized to obtain  
10 any state plan or waiver authorities required to maximize the federal funds available to support  
11 expanded access to home- and community-transition and stabilization services; provided, however,  
12 payments shall not exceed an annual or per-person amount.

13 ~~(k)~~(k) To ensure persons with long-term-care needs who remain living at home have  
14 adequate resources to deal with housing maintenance and unanticipated housing-related costs, the  
15 secretary is authorized to develop higher resource eligibility limits for persons or obtain any state  
16 plan or waiver authorities necessary to change the financial eligibility criteria for long-term services  
17 and supports to enable beneficiaries receiving home and community waiver services to have the  
18 resources to continue living in their own homes or rental units or other home-based settings.

19 ~~(l)~~(l) The executive office shall implement, no later than January 1, 2016, the following  
20 home- and community-based service and payment reforms:

21 (1) [Deleted by P.L. 2021, ch. 162, art. 12, § 6.]

22 (2) Adult day services level of need criteria and acuity-based, tiered-payment  
23 methodology; and

24 (3) Payment reforms that encourage home- and community-based providers to provide the  
25 specialized services and accommodations beneficiaries need to avoid or delay institutional care.

26 ~~(m)~~(m) The secretary is authorized to seek any Medicaid section 1115 waiver or state-plan  
27 amendments and take any administrative actions necessary to ensure timely adoption of any new  
28 or amended rules, regulations, policies, or procedures and any system enhancements or changes,  
29 for which appropriations have been authorized, that are necessary to facilitate implementation of  
30 the requirements of this section by the dates established. The secretary shall reserve the discretion  
31 to exercise the authority established under §§ 42-7.2-5(6)(v) and 42-7.2-6.1, in consultation with  
32 the governor, to meet the legislative directives established herein.

33 SECTION 8. Section 40.1-8.5-8 of the General Laws in Chapter 40 entitled "General  
34 Provisions" is hereby amended to read as follows:

1           **40.1-8.5-8. Certified community behavioral health clinics.**

2           (a) The executive office of health and human services is authorized and directed to submit  
3 to the Secretary of the United States Department of Health and Human Services a state plan  
4 amendment for the purposes of establishing Certified Community Behavioral Health Clinics in  
5 accordance with Section 223 of the federal Protecting Access to Medicare Act of 2014.

6           (b) The executive office of health and human services shall amend its Title XIX state plan  
7 pursuant to Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C § 1397 et seq.] of the  
8 Social Security Act as necessary to cover all required services for persons with mental health and  
9 substance use disorders at a certified community behavioral health clinic through a ~~daily or~~ monthly  
10 bundled payment methodology that is specific to each organization’s anticipated costs and inclusive  
11 of all required services within Section 223 of the federal Protecting Access to Medicare Act of  
12 2014. Such certified community behavioral health clinics shall adhere to the federal model,  
13 including payment structures and rates.

14           (c) A certified community behavioral health clinic means any licensed behavioral health  
15 organization that meets the federal certification criteria of Section 223 of the Protecting Access to  
16 Medicare Act of 2014. The department of behavioral healthcare, developmental disabilities and  
17 hospitals shall define additional criteria to certify the clinics including, but not limited to the  
18 provision of, these services:

- 19           (1) Outpatient mental health and substance use services;
- 20           (2) Twenty-four (24) hour mobile crisis response and hotline services;
- 21           (3) Screening, assessment, and diagnosis, including risk assessments;
- 22           (4) Person-centered treatment planning;
- 23           (5) Primary care screening and monitoring of key indicators of health risks;
- 24           (6) Targeted case management;
- 25           (7) Psychiatric rehabilitation services;
- 26           (8) Peer support and family supports;
- 27           (9) Medication-assisted treatment;
- 28           (10) Assertive community treatment; and
- 29           (11) Community-based mental health care for military service members and veterans.

30           (d) Subject to the approval from the United States Department of Health and Human  
31 Services’ Centers for Medicare and Medicaid Services, the certified community behavioral health  
32 clinic model pursuant to this chapter, shall be established by ~~July 1, 2023~~ February 1, 2024, and  
33 include any enhanced Medicaid match for required services or populations served.

34           (e) By August 1, 2022, the executive office of health and human services will issue the

1 appropriate purchasing process and vehicle for organizations who want to participate in the  
2 Certified Community Behavioral Health Clinic model program.

3 (f) ~~By December 1, 2022, the~~ The organizations will submit a detailed cost report  
4 developed by the department of behavioral healthcare, developmental disabilities and hospitals  
5 with approval from the executive office of health and human services, that includes the cost for the  
6 organization to provide the required services.

7 (g) ~~By January 15, 2023, the~~ The department of behavioral healthcare, developmental  
8 disabilities and hospitals, in coordination with the executive office of health and human services,  
9 will prepare an analysis of proposals, determine how many behavioral health clinics can be certified  
10 in FY 2024 and the costs for each one. Funding for the Certified Behavioral Health Clinics will be  
11 included in the FY 2024 budget recommended by the Governor.

12 (h) The executive office of health and human services shall apply for the federal Certified  
13 Community Behavioral Health Clinics Demonstration Program if another round of funding  
14 becomes available.

15 SECTION 9. Section 42-7.2-5 of the General Laws in Chapter 42-7.2 entitled "Office of  
16 Health and Human Services" is hereby amended to read as follows:

17 **42-7.2-5. Duties of the secretary.**

18 The secretary shall be subject to the direction and supervision of the governor for the  
19 oversight, coordination, and cohesive direction of state-administered health and human services  
20 and in ensuring the laws are faithfully executed, notwithstanding any law to the contrary. In this  
21 capacity, the secretary of the executive office of health and human services (EOHHS) shall be  
22 authorized to:

23 (1) Coordinate the administration and financing of healthcare benefits, human services, and  
24 programs including those authorized by the state's Medicaid section 1115 demonstration waiver  
25 and, as applicable, the Medicaid state plan under Title XIX of the U.S. Social Security Act.  
26 However, nothing in this section shall be construed as transferring to the secretary the powers,  
27 duties, or functions conferred upon the departments by Rhode Island public and general laws for  
28 the administration of federal/state programs financed in whole or in part with Medicaid funds or  
29 the administrative responsibility for the preparation and submission of any state plans, state plan  
30 amendments, or authorized federal waiver applications, once approved by the secretary.

31 (2) Serve as the governor's chief advisor and liaison to federal policymakers on Medicaid  
32 reform issues as well as the principal point of contact in the state on any such related matters.

33 (3)(i) Review and ensure the coordination of the state's Medicaid section 1115  
34 demonstration waiver requests and renewals as well as any initiatives and proposals requiring

1 amendments to the Medicaid state plan or formal amendment changes, as described in the special  
2 terms and conditions of the state's Medicaid section 1115 demonstration waiver with the potential  
3 to affect the scope, amount or duration of publicly funded healthcare services, provider payments  
4 or reimbursements, or access to or the availability of benefits and services as provided by Rhode  
5 Island general and public laws. The secretary shall consider whether any such changes are legally  
6 and fiscally sound and consistent with the state's policy and budget priorities. The secretary shall  
7 also assess whether a proposed change is capable of obtaining the necessary approvals from federal  
8 officials and achieving the expected positive consumer outcomes. Department directors shall,  
9 within the timelines specified, provide any information and resources the secretary deems necessary  
10 in order to perform the reviews authorized in this section.

11 (ii) Direct the development and implementation of any Medicaid policies, procedures, or  
12 systems that may be required to assure successful operation of the state's health and human services  
13 integrated eligibility system and coordination with HealthSource RI, the state's health insurance  
14 marketplace.

15 (iii) Beginning in 2015, conduct on a biennial basis a comprehensive review of the  
16 Medicaid eligibility criteria for one or more of the populations covered under the state plan or a  
17 waiver to ensure consistency with federal and state laws and policies, coordinate and align systems,  
18 and identify areas for improving quality assurance, fair and equitable access to services, and  
19 opportunities for additional financial participation.

20 (iv) Implement service organization and delivery reforms that facilitate service integration,  
21 increase value, and improve quality and health outcomes.

22 (4) Beginning in 2020, prepare and submit to the governor, the chairpersons of the house  
23 and senate finance committees, the caseload estimating conference, and to the joint legislative  
24 committee for health-care oversight, by no later than September 15 of each year, a comprehensive  
25 overview of all Medicaid expenditures outcomes, administrative costs, and utilization rates. The  
26 overview shall include, but not be limited to, the following information:

27 (i) Expenditures under Titles XIX and XXI of the Social Security Act, as amended;

28 (ii) Expenditures, outcomes and utilization rates by population and sub-population served  
29 (e.g., families with children, persons with disabilities, children in foster care, children receiving  
30 adoption assistance, adults ages nineteen (19) to sixty-four (64), and elders);

31 (iii) Expenditures, outcomes and utilization rates by each state department or other  
32 municipal or public entity receiving federal reimbursement under Titles XIX and XXI of the Social  
33 Security Act, as amended;

34 (iv) Expenditures, outcomes and utilization rates by type of service and/or service provider;



1 ~~and~~

2 (v) Expenditures by mandatory population receiving mandatory services and, reported  
3 separately, optional services, as well as optional populations receiving mandatory services and,  
4 reported separately, optional services for each state agency receiving Title XIX and XXI funds; and

5 (vi) Information submitted to the Centers for Medicare and Medicaid Services for the  
6 mandatory annual state reporting of the Core Set of Children's Health Care Quality Measures for  
7 Medicaid and Children's Health Insurance Program, behavioral health measures on the Core Set of  
8 Adult Health Care Quality Measures for Medicaid and the Core Sets of Health Home Quality  
9 Measures for Medicaid to ensure compliance with the Bipartisan Budget Act of 2018, Public Law  
10 115-123.

11 The directors of the departments, as well as local governments and school departments,  
12 shall assist and cooperate with the secretary in fulfilling this responsibility by providing whatever  
13 resources, information and support shall be necessary.

14 (5) Resolve administrative, jurisdictional, operational, program, or policy conflicts among  
15 departments and their executive staffs and make necessary recommendations to the governor.

16 (6) Ensure continued progress toward improving the quality, the economy, the  
17 accountability and the efficiency of state-administered health and human services. In this capacity,  
18 the secretary shall:

19 (i) Direct implementation of reforms in the human resources practices of the executive  
20 office and the departments that streamline and upgrade services, achieve greater economies of scale  
21 and establish the coordinated system of the staff education, cross-training, and career development  
22 services necessary to recruit and retain a highly-skilled, responsive, and engaged health and human  
23 services workforce;

24 (ii) Encourage EOHHS-wide consumer-centered approaches to service design and delivery  
25 that expand their capacity to respond efficiently and responsibly to the diverse and changing needs  
26 of the people and communities they serve;

27 (iii) Develop all opportunities to maximize resources by leveraging the state's purchasing  
28 power, centralizing fiscal service functions related to budget, finance, and procurement,  
29 centralizing communication, policy analysis and planning, and information systems and data  
30 management, pursuing alternative funding sources through grants, awards and partnerships and  
31 securing all available federal financial participation for programs and services provided EOHHS-  
32 wide;

33 (iv) Improve the coordination and efficiency of health and human services legal functions  
34 by centralizing adjudicative and legal services and overseeing their timely and judicious

1 administration;

2 (v) Facilitate the rebalancing of the long term system by creating an assessment and  
3 coordination organization or unit for the expressed purpose of developing and implementing  
4 procedures EOHHS-wide that ensure that the appropriate publicly funded health services are  
5 provided at the right time and in the most appropriate and least restrictive setting;

6 (vi) Strengthen health and human services program integrity, quality control and  
7 collections, and recovery activities by consolidating functions within the office in a single unit that  
8 ensures all affected parties pay their fair share of the cost of services and are aware of alternative  
9 financing;

10 (vii) Assure protective services are available to vulnerable elders and adults with  
11 developmental and other disabilities by reorganizing existing services, establishing new services  
12 where gaps exist and centralizing administrative responsibility for oversight of all related initiatives  
13 and programs.

14 (7) Prepare and integrate comprehensive budgets for the health and human services  
15 departments and any other functions and duties assigned to the office. The budgets shall be  
16 submitted to the state budget office by the secretary, for consideration by the governor, on behalf  
17 of the state's health and human services agencies in accordance with the provisions set forth in §  
18 35-3-4.

19 (8) Utilize objective data to evaluate health and human services policy goals, resource use  
20 and outcome evaluation and to perform short and long-term policy planning and development.

21 (9) Establishment of an integrated approach to interdepartmental information and data  
22 management that complements and furthers the goals of the unified health infrastructure project  
23 initiative and that will facilitate the transition to a consumer-centered integrated system of state  
24 administered health and human services.

25 (10) At the direction of the governor or the general assembly, conduct independent reviews  
26 of state-administered health and human services programs, policies and related agency actions and  
27 activities and assist the department directors in identifying strategies to address any issues or areas  
28 of concern that may emerge thereof. The department directors shall provide any information and  
29 assistance deemed necessary by the secretary when undertaking such independent reviews.

30 (11) Provide regular and timely reports to the governor and make recommendations with  
31 respect to the state's health and human services agenda.

32 (12) Employ such personnel and contract for such consulting services as may be required  
33 to perform the powers and duties lawfully conferred upon the secretary.

34 (13) Assume responsibility for complying with the provisions of any general or public law

1 or regulation related to the disclosure, confidentiality and privacy of any information or records, in  
2 the possession or under the control of the executive office or the departments assigned to the  
3 executive office, that may be developed or acquired or transferred at the direction of the governor  
4 or the secretary for purposes directly connected with the secretary’s duties set forth herein.

5 (14) Hold the director of each health and human services department accountable for their  
6 administrative, fiscal and program actions in the conduct of the respective powers and duties of  
7 their agencies.

8 [\(15\) Identify opportunities for inclusion with the EOHHS' October 1, 2023 budget](#)  
9 [submission, to remove fixed eligibility thresholds for programs under its purview by establishing](#)  
10 [sliding scale decreases in benefits commensurate with income increases up to four hundred fifty](#)  
11 [percent \(450%\) of the federal poverty level. These shall include but not be limited to medical](#)  
12 [assistance, child care assistance, and food assistance.](#)

13 SECTION 10. Rhode Island Medicaid Reform Act of 2008 Resolution.

14 WHEREAS, the General Assembly enacted Chapter 12.4 of Title 42 entitled “The Rhode  
15 Island Medicaid Reform Act of 2008”; and

16 WHEREAS, a legislative enactment is required pursuant to Rhode Island General Laws  
17 42-12.4-1, et seq.; and

18 WHEREAS, Rhode Island General Laws section 42-7.2-5(3)(i) provides that the Secretary  
19 of the Executive Office of Health and Human Services (“Executive Office”) is responsible for the  
20 review and coordination of any Medicaid section 1115 demonstration waiver requests and renewals  
21 as well as any initiatives and proposals requiring amendments to the Medicaid state plan or category  
22 II or III changes as described in the demonstration, “with potential to affect the scope, amount, or  
23 duration of publicly-funded health care services, provider payments or reimbursements, or access  
24 to or the availability of benefits and services provided by Rhode Island general and public laws”;  
25 and

26 WHEREAS, in pursuit of a more cost-effective consumer choice system of care that is  
27 fiscally sound and sustainable, the Secretary requests legislative approval of the following  
28 proposals to amend the demonstration; and

29 WHEREAS, implementation of adjustments may require amendments to the Rhode  
30 Island’s Medicaid state plan and/or section 1115 waiver under the terms and conditions of the  
31 demonstration. Further, adoption of new or amended rules, regulations and procedures may also be  
32 required

33 (a) *Cedar Rate Increase.* The Secretary of the Executive Office is authorized to pursue and  
34 implement any waiver amendments, state plan amendments, and/or changes to the applicable

1 department's rules, regulations and procedures required to implement an increase to existing fee-  
2 for-service and managed care rates and an updated code structure for the Cedar Family Centers.

3 (b) *Hospital State Directed Managed Care Payment.* The Secretary of the Executive Office  
4 is hereby authorized and directed to amend its regulations for reimbursement to Medicaid Managed  
5 Care Organizations (MMCO) and authorized to direct MMCO's to make quarterly state directed  
6 payments to hospitals for inpatient and outpatient services in accordance with the payment  
7 methodology contained in the approved CMS preprint for hospital state directed payments.

8 (c) *Hospital Licensing Fee.* The Secretary of the Executive Office is authorized to pursue  
9 and implement any waiver amendments, state plan amendments, and/or changes to the applicable  
10 department's rules, regulations and procedures required to implement a hospital licensing rate,  
11 including but not limited to, a three-tiered hospital licensing rate for non-government owned  
12 hospitals and one rate for government-owned and operated hospitals.

13 (d) *Permanent Appendix K Authority for Parents and Other Relatives to Provide Day and*  
14 *Community- Based Services Through Self-Directed HCBS Programs.* The Secretary of the  
15 Executive Office is authorized to pursue and implement any waiver amendments, state plan  
16 amendments, and/or changes to the applicable department's rules, regulations and procedures  
17 required to implement permanent current 1115 Global Waiver Appendix K Authority to allow  
18 parents and other relatives of adult members with disabilities to be reimbursed for day and  
19 community-based services provided to adults with disabilities who participate in Self-Directed  
20 Home and Community-Based Services Programs. The Department of Behavioral Healthcare,  
21 Developmental Disabilities and Hospitals will include the necessary information for the expenses  
22 and number of participants in the monthly reported required under § 35-17-1.

23 (e) *Authority for Personal Care Attendant Service Delivery to HCBS Recipients in Acute*  
24 *Care Settings.* The Secretary of the Executive Office is authorized to pursue and implement any  
25 waiver amendments, state plan amendments, and/or changes to the applicable department's rules,  
26 regulations and procedures required to allow Medicaid reimbursement of direct support  
27 professionals to assist Medicaid Long-Term Services and Supports Home and Community-Based  
28 Services beneficiaries while such individuals are receiving care in hospital acute care settings.  
29 Approval of the waiver does not create an obligation for any hospital to staff home and community-  
30 based service providers and those providers may not interfere with hospital clinical activities or  
31 engage in activities beyond the scope of the services prior to hospitalization.

32 Now, therefore, be it

33 RESOLVED, that the General Assembly hereby approves the proposals stated above in the  
34 recitals; and be it further

1           RESOLVED, that the Secretary of the Executive Office of Health and Human Services is  
2 authorized to pursue and implement any waiver amendments, state plan amendment, and/or  
3 changes to the applicable department's rules, regulations and procedures approved herein and as  
4 authorized by 42-12.4; and be it further;

5           RESOLVED, that this Joint Resolution shall take effect on July 1, 2023.

6           SECTION 11. This article shall take effect upon passage, except for Section 10 which shall  
7 take effect as of July 1, 2023.

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**ARTICLE 10 AS AMENDED**

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2023

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, 2023. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her 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 him or her of properly authenticated vouchers.

**Administration**

*Central Management*

General Revenues	4,896,389	302,285	5,198,674
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Provided that \$2,000,000 shall be allocated to support a state workforce compensation and classification study, of which all unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately available for the same purposes.

Federal Funds	108,998,500	0	108,998,500
Federal Funds - State Fiscal Recovery Fund			
Nonprofit Assistance	20,000,000	0	20,000,000
Public Health Response Warehouse			
Support	2,000,000	0	2,000,000
Health Care Facilities	77,500,000	0	77,500,000
Ongoing COVID-19 Response	73,000,000	(73,000,000)	0
Total - Central Management	286,394,889	(72,697,715)	213,697,174

*Legal Services*

General Revenues	2,374,193	(282,893)	2,091,300
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*Accounts and Control*

General Revenues	5,211,103	(108,798)	5,102,305
Federal Funds			

1	Federal Funds - Capital Projects Fund			
2	CPF Administration	349,497	413,541	763,038
3	Federal Funds - State Fiscal Recovery Fund			
4	Pandemic Recovery Office	4,948,839	917,703	5,866,542
5	Restricted Receipts –			
6	OPEB Board Administration	137,905	51,458	189,363
7	Restricted Receipts –			
8	Grants Management Administration	2,130,371	189,986	2,320,357
9	Total - Accounts and Control	12,777,715	1,463,890	14,241,605
10	<i>Office of Management and Budget</i>			
11	General Revenues	8,354,324	(472,085)	7,882,239
12	Federal Funds	101,250	0	101,250
13	Restricted Receipts	300,000	0	300,000
14	Other Funds	1,228,111	229,890	1,458,001
15	Total - Office of Management and Budget	9,983,685	(242,195)	9,741,490
16	<i>Purchasing</i>			
17	General Revenues	3,830,668	(488,977)	3,341,691
18	Restricted Receipts	381,474	3,404	384,878
19	Other Funds	550,989	26,241	577,230
20	Total - Purchasing	4,763,131	(459,332)	4,303,799
21	<i>Human Resources</i>			
22	General Revenues	755,922	30,482	786,404
23	<i>Personnel Appeal Board</i>			
24	General Revenues	143,059	(184)	142,875
25	<i>Information Technology</i>			
26	General Revenues	721,340	20,000	741,340
27	Restricted Receipts	54,589,160	8,815,928	63,405,088

28 Provided that of the total available in the Information Technology Investment Fund as of  
29 July 1, 2022, \$22.4 million shall be made available for the development and implementation of an  
30 electronic medical records system for the state hospitals, \$19.4 million for the replacement and  
31 modernization of the legacy department of labor and training mainframe system, \$6.7 million for  
32 RIBridges Mobile and Childcare Tracking, \$2.5 million for Blockchain Digital Identity, \$2.2  
33 million to support implementation of the Enterprise Resource Planning System, \$5.8 million for  
34 the department of environmental management’s online permit and licensing systems for fish and

1	wildlife, commercial fishing, and boating registrations, \$3.3 million for Wi-Fi and Technology at			
2	the Adult Correctional Institutions, and \$2.3 million for the tax modernization system.			
3	Total - Information Technology	55,310,500	8,835,928	64,146,428
4	<i>Library and Information Services</i>			
5	General Revenues	1,796,514	1,027	1,797,541
6	Federal Funds	2,088,205	223,141	2,311,346
7	Restricted Receipts	6,990	0	6,990
8	Total – Library and Information Services	3,891,709	224,168	4,115,877
9	<i>Planning</i>			
10	General Revenues	840,855	(87,128)	753,727
11	Federal Funds	3,050	0	3,050
12	Other Funds			
13	Air Quality Modeling	24,000	0	24,000
14	Federal Highway –			
15	PL Systems Planning	3,813,016	(627,630)	3,185,386
16	State Transportation Planning Match	592,033	(237,789)	354,244
17	FTA - Metro Planning Grant	1,340,126	313,871	1,653,997
18	Total-Planning	6,613,080	(638,676)	5,974,404
19	<i>General</i>			
20	General Revenues			
21	Miscellaneous Grants/Payments	130,000	0	130,000
22	Provided that this amount be allocated to City Year for the Whole School Whole Child			
23	Program, which provides individualized support to at-risk students.			
24	Torts - Courts/Awards	675,000	125,000	800,000
25	Wrongful Conviction Awards	0	1,464,379	1,464,379
26	Resource Sharing and State			
27	Library Aid	10,991,049	0	10,991,049
28	Library Construction Aid	1,859,673	0	1,859,673
29	Historic Tax Credits	28,000,000	0	28,000,000
30	RICAP Transfer	15,000,000	242,395,000	257,395,000
31	Federal Funds			
32	Federal Funds – State Fiscal Recovery Fund			
33	Aid to the Convention Center	5,000,000	5,000,000	10,000,000
34	Federal Funds – Capital Projects Fund			



1	Municipal and Higher Ed			
2	Matching Grant Program	23,360,095	(30)	23,360,065
3	RIC Student Services Center	5,000,000	(5,000,000)	0
4	Restricted Receipts	700,000	0	700,000
5	Other Funds			
6	Rhode Island Capital Plan Funds			
7	Security Measures State Buildings	500,000	205,557	705,557
8	Energy Efficiency Improvements	1,250,000	710,807	1,960,807
9	Cranston Street Armory	750,000	0	750,000
10	State House Renovations	2,083,000	1,021,916	3,104,916
11	Zambarano Buildings and Campus	6,070,000	1,267,784	7,337,784
12	Replacement of Fueling Tanks	680,000	983,189	1,663,189
13	Environmental Compliance	400,000	356,336	756,336
14	Big River Management Area	427,000	173,600	600,600
15	Shepard Building Upgrades	1,500,000	1,907,272	3,407,272
16	RI Convention Center Authority	7,350,000	0	7,350,000
17	Pastore Center Power Plant Rehabilitation	0	783,726	783,726
18	Accessibility - Facility Renovations	1,000,000	400,000	1,400,000
19	DoIT Enterprise Operations Center	3,300,000	(2,750,000)	550,000
20	BHDDH MH & Community Facilities			
21	- Asset Protection	750,000	141,341	891,341
22	BHDDH DD & Community Homes			
23	- Fire Code	325,000	276,335	601,335
24	BHDDH DD Regional Facilities			
25	- Asset Protection	1,700,000	0	1,700,000
26	BHDDH Substance Abuse			
27	Asset Protection	500,000	164,471	664,471
28	BHDDH Group Homes	1,250,000	178,690	1,428,690
29	Statewide Facility Master Plan	1,700,000	169,021	1,869,021
30	Cannon Building	1,150,000	(1,150,000)	0
31	Old State House	100,000	272,427	372,427
32	State Office Building	100,000	80,054	180,054
33	State Office Reorganization			
34	& Relocation	250,000	1,512,000	1,762,000

1	William Powers Building	2,700,000	834,000	3,534,000
2	Pastore Center Non-Hospital			
3	Buildings Asset Protection	6,250,000	842,253	7,092,253
4	Washington County Government			
5	Center	500,000	(495,289)	4,711
6	Chapin Health Laboratory	500,000	291,377	791,377
7	560 Jefferson Blvd Asset Protection	150,000	(150,000)	0
8	Arrigan Center	825,000	(825,000)	0
9	<del>Dunkin Donuts</del> Civic Center	8,150,000	0	8,150,000
10	Pastore Center Building Demolition	1,000,000	(1,000,000)	0
11	Veterans Auditorium	765,000	0	765,000
12	Pastore Center Hospital Buildings			
13	Asset Protection	500,000	(500,000)	0
14	Pastore Campus Infrastructure	11,050,000	(11,050,000)	0
15	Community Facilities Asset Protection	450,000	180,000	630,000
16	Zambarano LTAC Hospital	1,177,542	0	1,177,542
17	Medical Examiners New Facility	4,500,000	(4,500,000)	0
18	Total - General	162,368,359	234,316,216	396,684,575
19	Debt Service Payments			
20	General Revenues	153,991,095	(2,627,703)	151,363,392
21	Out of the general revenue appropriations for debt service, the General Treasurer is			
22	authorized to make payments for the I-195 Redevelopment District Commission loan up to the			
23	maximum debt service due in accordance with the loan agreement.			
24	Other Funds			
25	Transportation Debt Service	40,548,738	0	40,548,738
26	Investment Receipts - Bond Funds	100,000	0	100,000
27	Total - Debt Service Payments	194,639,833	(2,627,703)	192,012,130
28	<i>Energy Resources</i>			
29	Federal Funds			
30	Federal Funds	981,791	974,647	1,956,438
31	Federal Funds - State Fiscal Recovery Fund			
32	Electric Heat Pump Grant Program	5,000,000	0	5,000,000
33	Restricted Receipts	14,779,659	15,969,878	30,749,537
34	Other Funds	0	800,000	800,000

1	Total - Energy Resources	20,761,450	17,744,525	38,505,975
2	<i>Rhode Island Health Benefits Exchange</i>			
3	General Revenues	4,077,880	(645,136)	3,432,744
4	Federal Funds			
5	Federal Funds	12,392,493	32,711	12,425,204
6	Federal Funds - State Fiscal Recovery Fund			
7	Auto-Enrollment Program	1,288,710	0	1,288,710
8	Restricted Receipts	15,010,294	303,966	15,314,260
9	Total - Rhode Island Health Benefits			
10	Exchange	32,769,377	(308,459)	32,460,918
11	<i>Office of Diversity, Equity &amp; Opportunity</i>			
12	General Revenues	1,508,606	(189,270)	1,319,336
13	Other Funds	119,807	(17,956)	101,851
14	Total - Office of Diversity, Equity & Opportunity	1,628,413	(207,226)	1,421,187
15	<i>Capital Asset Management and Maintenance</i>			
16	General Revenues	9,810,315	255,700	10,066,015
17	<i>Statewide Personnel and Operations</i>			
18	General Revenues			
19	FEMA Contingency Reserve	15,000,000	(10,000,000)	5,000,000
20	Provided that all unexpended or unencumbered balances as of June 30, 2023, relating to			
21	the Federal Emergency Management Agency Contingency Reserve are hereby reappropriated to			
22	the following fiscal year.			
23	General Officer Transition Costs	350,000	(350,000)	0
24	Total - Statewide Personnel and Operations	15,350,000	(10,350,000)	5,000,000
25	Grand Total - Administration	820,335,630	175,056,526	995,392,156
26	<b>Business Regulation</b>			
27	<i>Central Management</i>			
28	General Revenues	3,801,190	202,608	4,003,798
29	<i>Banking Regulation</i>			
30	General Revenues	1,942,687	(169,682)	1,773,005
31	Restricted Receipts	63,000	0	63,000
32	Total - Banking Regulation	2,005,687	(169,682)	1,836,005
33	<i>Securities Regulation</i>			
34	General Revenues	863,630	(23,279)	840,351

1	Restricted Receipts	15,000	0	15,000
2	Total - Securities Regulation	878,630	(23,279)	855,351
3	<i>Insurance Regulation</i>			
4	General Revenues	4,419,316	93,106	4,512,422
5	Restricted Receipts	2,041,662	(159,146)	1,882,516
6	Total - Insurance Regulation	6,460,978	(66,040)	6,394,938
7	<i>Office of the Health Insurance Commissioner</i>			
8	General Revenues	3,777,735	(32,173)	3,745,562
9	Provided that \$1,500,000 is used to conduct a comprehensive analysis of all state licensed			
10	and contracted social and human service providers, to include review of rates, eligibility, utilization,			
11	and accountability standards pursuant to Rhode Island General Law, Section 42-14.5-3(t).			
12	Federal Funds	372,887	113,906	486,793
13	Restricted Receipts	532,817	(52,340)	480,477
14	Total - Office of the Health			
15	Insurance Commissioner	4,683,439	29,393	4,712,832
16	<i>Board of Accountancy</i>			
17	General Revenues	5,490	0	5,490
18	<i>Commercial Licensing and Gaming and Athletics Licensing</i>			
19	General Revenues	1,167,550	(1,416)	1,166,134
20	Restricted Receipts	914,932	(46,972)	867,960
21	Total - Commercial Licensing and Gaming			
22	and Athletics Licensing	2,082,482	(48,388)	2,034,094
23	<i>Building, Design and Fire Professionals</i>			
24	General Revenues	8,852,699	523,803	9,376,502
25	Federal Funds	318,300	0	318,300
26	Restricted Receipts	2,200,455	(263,530)	1,936,925
27	Other Funds			
28	Quonset Development Corporation	69,727	0	69,727
29	Rhode Island Capital Plan Funds			
30	Fire Academy Expansion	675,000	(675,000)	0
31	Total - Building, Design and Fire Professionals	12,116,181	(414,727)	11,701,454
32	<i>Office of Cannabis Regulation</i>			
33	General Revenues	1,440,464	(1,440,464)	0
34	Restricted Receipts	5,021,772	(12,708)	5,009,064

1	Total - Office of Cannabis Regulation	6,462,236	(1,453,172)	5,009,064
2	Grand Total - Business Regulation	38,496,313	(1,943,287)	36,553,026
3	<b>Executive Office of Commerce</b>			
4	<i>Central Management</i>			
5	General Revenues	2,356,175	(196,810)	2,159,365
6	<i>Housing and Community Development</i>			
7	General Revenues	1,522,293	2,867,036	4,389,329
8	Federal Funds			
9	Federal Funds	16,124,699	7,788,516	23,913,215
10	Federal Funds - State Fiscal Recovery Fund			
11	OHCD Predevelopment and Capacity Fund	500,000	421,391	921,391
12	Development of Affordable			
13	Housing	30,000,000	259,175	30,259,175
14	Homelessness Assistance Program	7,000,000	1,500,000	8,500,000
15	Site Acquisition	3,000,000	6,000,000	9,000,000
16	Down Payment Assistance	10,000,000	0	10,000,000
17	Workforce Housing	12,000,000	0	12,000,000
18	Affordable Housing			
19	Predevelopment Program	2,500,000	0	2,500,000
20	Home Repair and Community			
21	Revitalization	15,000,000	0	15,000,000
22	Statewide Housing Plan	2,000,000	0	2,000,000
23	Homelessness Infrastructure	15,000,000	0	15,000,000
24	Restricted Receipts	7,664,150	7,551,960	15,216,110
25	Total - Housing and Community			
26	Development	122,311,142	26,388,078	148,699,220
27	<i>Quasi-Public Appropriations</i>			
28	General Revenues			
29	Rhode Island Commerce			
30	Corporation	7,947,778	0	7,947,778
31	Airport Impact Aid	1,010,036	0	1,010,036

32           Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be  
33 distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the  
34 total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)

1 of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2022  
 2 at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,  
 3 T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation  
 4 shall make an impact payment to the towns or cities in which the airport is located based on this  
 5 calculation. Each community upon which any part of the above airports is located shall receive at  
 6 least \$25,000.

7	STAC Research Alliance	900,000	0	900,000
8	Innovative Matching			
9	Grants/Internships	1,000,000	0	1,000,000
10	I-195 Redevelopment			
11	District Commission	961,000	0	961,000
12	Polaris Manufacturing Grant	450,000	0	450,000
13	East Providence Waterfront			
14	Commission	50,000	0	50,000
15	Urban Ventures	140,000	0	140,000
16	Chafee Center at Bryant	476,200	0	476,200
17	Municipal Infrastructure			
18	Grant Program	2,500,000	5,500,000	8,000,000
19	<a href="#"><u>Provided that \$5,500,000 shall be allocated to the Rhode Island Infrastructure Bank for the</u></a>			
20	<a href="#"><u>creation of a Municipal Matching Grant Pool for cities and towns that apply for federal</u></a>			
21	<a href="#"><u>Infrastructure Investment and Jobs Act funds, but lack matching funds.</u></a>			
22	OSCAR Program			
23	– Infrastructure Bank	4,000,000	0	4,000,000
24	Federal Funds - State Fiscal Recovery Fund			
25	Port of Davisville	6,000,000	0	6,000,000
26	Other Funds			
27	Rhode Island Capital Plan Funds			
28	I-195 Redevelopment District Commission	805,000	235,048	1,040,048
29	Quonset Point Davisville Pier	0	20,274	20,274
30	Total - Quasi-Public Appropriations	26,240,014	5,755,322	31,995,336
31	<i>Economic Development Initiatives Fund</i>			
32	General Revenues			
33	Innovation Initiative	1,000,000	0	1,000,000
34	Rebuild RI Tax Credit Fund	13,500,000	0	13,500,000

1	Small Business Promotion	300,000	0	300,000
2	Small Business Assistance	650,000	0	650,000
3	Federal Funds			
4	Federal Funds	20,000,000	0	20,000,000
5	Federal Funds - State Fiscal Recovery Fund			
6	Destination Marketing	1,500,000	0	1,500,000
7	Assistance to Impacted Industries	0	4,801,001	4,801,001
8	Total - Economic Development Initiatives			
9	Fund	36,950,000	4,801,001	41,751,001
10	<i>Commerce Programs</i>			
11	General Revenues			
12	Wavemaker Fellowship	3,200,000	0	3,200,000
13	Air Service Development Fund	2,250,000	0	2,250,000
14	Main Streets Revitalization	5,000,000	0	5,000,000
15	Federal Funds - State Fiscal Recovery Fund			
16	Minority Business Accelerator	2,000,000	0	2,000,000
17	Blue Economy Investments	10,000,000	(10,000,000)	0
18	Bioscience Investments	5,000,000	(5,000,000)	0
19	South Quay Marine Terminal	12,000,000	(12,000,000)	0
20	Small Business Assistance	0	13,257,568	13,257,568
21	Statewide Broadband Planning and Mapping	0	230,800	230,800
22	Federal Funds - Capital Projects Fund			
23	Broadband	15,383,000	0	15,383,000
24	Total - Commerce Programs	54,833,000	(13,511,632)	41,321,368
25	Grand Total - Executive Office of Commerce	242,690,331	23,235,959	265,926,290
26	<b>Labor and Training</b>			
27	<i>Central Management</i>			
28	General Revenues	1,065,747	(20,807)	1,044,940
29	Restricted Receipts	379,215	(25,494)	353,721
30	Total - Central Management	1,444,962	(46,301)	1,398,661
31	<i>Workforce Development Services</i>			
32	General Revenues	1,103,105	404,814	1,507,919
33	<a href="#"><u>Provided that \$200,000 of this amount is used to support Year Up.</u></a>			
34	Federal Funds	19,464,609	15,466,895	34,931,504

1	Other Funds	8,026	(8,026)	0
2	Total - Workforce Development Services	20,575,740	15,863,683	36,439,423
3	<i>Workforce Regulation and Safety</i>			
4	General Revenues	4,240,619	(89,841)	4,150,778
5	<i>Income Support</i>			
6	General Revenues	3,949,058	21,148	3,970,206
7	Federal Funds			
8	Federal Funds	57,711,996	(32,426,193)	25,285,803
9	Federal Funds - State Fiscal Recovery Fund			
10	Unemployment Insurance Trust Fund			
11	Contribution	100,000,000	0	100,000,000
12	Restricted Receipts	2,076,599	1,528,729	3,605,328
13	Other Funds			
14	Temporary Disability			
15	Insurance Fund	215,049,696	29,262,655	244,312,351
16	Employment Security Fund	177,075,000	(39,500,000)	137,575,000
17	Total - Income Support	555,862,349	(41,113,661)	514,748,688
18	<i>Injured Workers Services</i>			
19	Restricted Receipts	11,403,127	(1,467,862)	9,935,265
20	<i>Labor Relations Board</i>			
21	General Revenues	452,822	91,680	544,502
22	<i>Governor's Workforce Board</i>			
23	General Revenues	12,031,000	0	12,031,000
24	Provided that \$600,000 of these funds shall be used for enhanced training for direct care			
25	and support services staff to improve resident quality of care and address the changing health care			
26	needs of nursing facility residents due to higher acuity and increased cognitive impairments			
27	pursuant to Rhode Island General Laws, Section 23-17.5-36.			
28	Federal Funds - State Fiscal Recovery Fund			
29	Enhanced Real Jobs	10,000,000	0	10,000,000
30	Restricted Receipts	18,443,377	2,467,174	20,910,551
31	Total - Governor's Workforce Board	40,474,377	2,467,174	42,941,551
32	Grand Total - Labor and Training	634,453,996	(24,295,128)	610,158,868
33	<b>Department of Revenue</b>			
34	<i>Director of Revenue</i>			



1	General Revenues	2,257,475	(16,812)	2,240,663
2	<i>Office of Revenue Analysis</i>			
3	General Revenues	970,638	(26,967)	943,671
4	<i>Lottery Division</i>			
5	Other Funds	435,992,155	(46,890,162)	389,101,993
6	Rhode Island Capital Plan Funds			
7	Lottery Building Enhancements	850,000	(850,000)	0
8	Total - Lottery Division	436,842,155	(47,740,162)	389,101,993
9	<i>Municipal Finance</i>			
10	General Revenues	1,738,044	(31,593)	1,706,451
11	Federal Funds	131,957,594	0	131,957,594
12	Total - Municipal Finance	133,695,638	(31,593)	133,664,045
13	<i>Taxation</i>			
14	General Revenues	34,793,050	(1,602,397)	33,190,653
15	Restricted Receipts	2,156,890	7,120	2,164,010
16	Other Funds			
17	Motor Fuel Tax Evasion	155,000	20,000	175,000
18	Total - Taxation	37,104,940	(1,575,277)	35,529,663
19	<i>Registry of Motor Vehicles</i>			
20	General Revenues	39,062,598	(37,719)	39,024,879
21	Provided that all unexpended or unencumbered balances as of June 30, 2023 relating to			
22	license plate reissuance are hereby reappropriated to the following fiscal year.			
23	Federal Funds	220,000	209,496	429,496
24	Restricted Receipts	3,494,403	0	3,494,403
25	Total - Registry of Motor Vehicles	42,777,001	171,777	42,948,778
26	<i>State Aid</i>			
27	General Revenues			
28	Distressed Communities Relief Fund	12,384,458	0	12,384,458
29	Payment in Lieu of Tax Exempt			
30	Properties	48,433,591	0	48,433,591
31	Motor Vehicle Excise Tax Payments	230,954,881	(337,089)	230,617,792
32	Property Revaluation Program	414,947	205,216	620,163
33	Restricted Receipts	995,120	0	995,120
34	Total - State Aid	293,182,997	(131,873)	293,051,124

1	<i>Collections</i>			
2	General Revenues	887,668	58,826	946,494
3	Grand Total - Revenue	947,718,512	(49,292,081)	898,426,431
4	<b>Legislature</b>			
5	General Revenues	48,542,952	8,492,654	57,035,606
6	Restricted Receipts	1,919,241	108,522	2,027,763
7	Grand Total - Legislature	50,462,193	8,601,176	59,063,369
8	<b>Lieutenant Governor</b>			
9	General Revenues	1,353,568	13,205	1,366,773
10	<b>Secretary of State</b>			
11	<i>Administration</i>			
12	General Revenues	4,049,383	(71,295)	3,978,088
13	<i>Corporations</i>			
14	General Revenues	2,687,784	(40,010)	2,647,774
15	<i>State Archives</i>			
16	General Revenues	178,651	6,816	185,467
17	Restricted Receipts	520,197	6,178	526,375
18	Total - State Archives	698,848	12,994	711,842
19	<i>Elections and Civics</i>			
20	General Revenues	3,439,462	180,739	3,620,201
21	Federal Funds	1,621,565	0	1,621,565
22	Total - Elections and Civics	5,061,027	180,739	5,241,766
23	<i>State Library</i>			
24	General Revenues	825,475	(13,603)	811,872
25	Provided that \$125,000 be allocated to support the Rhode Island Historical Society			
26	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the			
27	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.			
28	<i>Office of Public Information</i>			
29	General Revenues	686,260	10,528	696,788
30	Receipted Receipts	25,000	0	25,000
31	Total - Office of Public Information	711,260	10,528	721,788
32	Grand Total - Secretary of State	14,033,777	79,353	14,113,130
33	<b>General Treasurer</b>			
34	<i>Treasury</i>			

1	General Revenues	2,709,016	25,259	2,734,275
2	Federal Funds	350,752	(18,555)	332,197
3	Other Funds			
4	Temporary Disability Insurance Fund	289,491	(36,334)	253,157
5	Tuition Savings Program - Administration	404,401	73,625	478,026
6	Total -Treasury	3,753,660	43,995	3,797,655
7	<i>State Retirement System</i>			
8	Restricted Receipts			
9	Admin Expenses –			
10	State Retirement System	12,382,831	(80,456)	12,302,375
11	Retirement –			
12	Treasury Investment Operations	2,000,963	(135,266)	1,865,697
13	Defined Contribution – Administration	314,124	7,828	321,952
14	Total - State Retirement System	14,697,918	(207,894)	14,490,024
15	<i>Unclaimed Property</i>			
16	Restricted Receipts	2,570,182	(4,710)	2,565,472
17	<i>Crime Victim Compensation Program</i>			
18	General Revenues	849,616	21,559	871,175
19	Federal Funds	422,493	0	422,493
20	Restricted Receipts	555,000	0	555,000
21	Total - Crime Victim Compensation Program	1,827,109	21,559	1,848,668
22	Grand Total - General Treasurer	22,848,869	(147,050)	22,701,819
23	<b>Board of Elections</b>			
24	General Revenues	6,249,463	(279,652)	5,969,811
25	<b>Rhode Island Ethics Commission</b>			
26	General Revenues	2,035,145	2,336	2,037,481
27	<b>Office of Governor</b>			
28	General Revenues			
29	General Revenues	7,002,280	446,987	7,449,267
30	Contingency Fund	150,000	0	150,000
31	Grand Total - Office of Governor	7,152,280	446,987	7,599,267
32	<b>Commission for Human Rights</b>			
33	General Revenues	1,744,334	116,491	1,860,825
34	Federal Funds	408,411	(13,197)	395,214

1	Grand Total - Commission for Human Rights	2,152,745	103,294	2,256,039
2	<b>Public Utilities Commission</b>			
3	Federal Funds	582,689	(58,971)	523,718
4	Restricted Receipts	12,987,076	209,563	13,196,639
5	Grand Total - Public Utilities Commission	13,569,765	150,592	13,720,357
6	<b>Office of Health and Human Services</b>			
7	<i>Central Management</i>			
8	General Revenues	49,502,266	(1,221,659)	48,280,607
9	Provided that <del>\$250,000</del> <u>\$30,000</u> shall be for the children’s cabinet, established under			
10	Rhode Island General Law, Chapter 42-72.5, to assist with the planning for an early childhood			
11	governance structure of and for the transition of established early childhood programs to such an			
12	office.			
13	Federal Funds			
14	Federal Funds	167,520,158	(16,957,721)	150,562,437
15	Federal Funds - State Fiscal Recovery Fund			
16	<i>Butler Hospital Short Term</i>			
17	Stay Unit	8,000,000	0	8,000,000
18	Pediatric Recovery	7,500,000	1,534,900	9,034,900
19	Early Intervention Recovery	5,500,000	1,448,785	6,948,785
20	<i>Certified Community</i>			
21	Behavioral Health Clinics	30,000,000	0	30,000,000
22	Restricted Receipts	56,342,012	(20,945,192)	35,396,820
23	Total - Central Management	324,364,436	(36,140,887)	288,223,549
24	<i>Medical Assistance</i>			
25	General Revenues			
26	Managed Care	407,943,888	(41,714,198)	366,229,690
27	Hospitals	86,155,276	3,384,097	89,539,373
28	Of the general revenue funding, \$2.5 million shall be provided for Graduate Medical			
29	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center,			
30	\$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care and \$0.5 million			
31	is for the new residential training program at Landmark Hospital.			
32	Nursing Facilities	137,967,876	(17,439,676)	120,528,200
33	Home and Community			
34	Based Services	61,054,127	(11,406,087)	49,648,040

1	Other Services	145,886,477	(6,924,567)	138,961,910
2	Pharmacy	87,283,555	(7,314,725)	79,968,830
3	Rhody Health	221,113,381	(33,363,951)	187,749,430
4	Federal Funds			
5	Managed Care	552,913,884	41,018,438	593,932,322
6	Hospitals	128,123,193	6,058,782	134,181,975
7	Nursing Facilities	173,656,008	7,815,792	181,471,800
8	Home and Community			
9	Based Services	76,711,843	(1,959,883)	74,751,960
10	Other Services	865,746,927	(42,005,836)	823,741,091
11	Pharmacy	116,445	414,725	531,170
12	Rhody Health	275,851,622	3,698,948	279,550,570
13	Other Programs	44,798,580	(11,183,332)	33,615,248
14	Restricted Receipts	24,750,000	(4,297,873)	20,452,127
15	Total - Medical Assistance	3,290,073,082	(115,219,346)	3,174,853,736
16	Grand Total –			
17	Office of Health and Human Services	3,614,437,518	(151,360,233)	3,463,077,285
18	<b>Children, Youth and Families</b>			
19	<i>Central Management</i>			
20	General Revenues	14,033,990	407,655	14,441,645
21	The director of the department of children, youth and families shall provide to the speaker			
22	of the house and president of the senate at least every sixty (60) days beginning September 1, 2021,			
23	a report on its progress implementing the accreditation plan filed in accordance with Rhode Island			
24	General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The			
25	report shall, at minimum, provide data regarding recruitment and retention efforts including			
26	attaining and maintaining a diverse workforce, documentation of newly filled and vacated			
27	positions, and progress towards reducing worker caseloads.			
28	Federal Funds			
29	Federal Funds	5,222,426	(570,813)	4,651,613
30	Federal Funds - State Fiscal Recovery Fund			
31	Foster Home Lead Abatement & Fire Safety	1,500,000	0	1,500,000
32	Provider Workforce Stabilization	2,500,000	5,672,204	8,172,204
33	Other Funds			
34	Rhode Island Capital Plan Funds			

1	DCYF Headquarters	250,000	(250,000)	0
2	DCYF Transitional Housing	500,000	(500,000)	0
3	Total - Central Management	24,006,416	4,759,046	28,765,462
4	<i>Children's Behavioral Health Services</i>			
5	General Revenues	8,684,693	(958,658)	7,726,035
6	Federal Funds			
7	Federal Funds	9,445,069	(867,236)	8,577,833
8	Federal Funds - State Fiscal Recovery Fund			
9	Psychiatric Residential Treatment			
10	Facility	12,000,000	0	12,000,000
11	Total - Children's Behavioral Health Services	30,129,762	(1,825,894)	28,303,868
12	<i>Juvenile Correctional Services</i>			
13	General Revenues	22,098,188	20,363	22,118,551
14	Federal Funds	416,972	(222,483)	194,489
15	Restricted Receipts	317,386	(172,400)	144,986
16	Other Funds			
17	Rhode Island Capital Plan Funds			
18	Training School Asset Protection	250,000	5,500	255,500
19	Total - Juvenile Correctional Services	23,082,546	(369,020)	22,713,526
20	<i>Child Welfare</i>			
21	General Revenues	161,584,128	(1,815,468)	159,768,660
22	Provided that up to \$2,000,000 of unexpended funding shall be available for vehicles in			
23	the following fiscal year for which a purchase was initiated prior to June 30, 2023.			
24	Federal Funds	74,035,823	3,476,288	77,512,111
25	Restricted Receipts	1,467,772	(103,024)	1,364,748
26	Total - Child Welfare	237,087,723	1,557,796	238,645,519
27	<i>Higher Education Incentive Grants</i>			
28	General Revenues	200,000	0	200,000
29	Grand Total - Children, Youth and Families	314,506,447	4,121,928	318,628,375
30	<b>Health</b>			
31	<i>Central Management</i>			
32	General Revenues	2,965,099	367,509	3,332,608
33	Federal Funds	4,322,005	1,524,737	5,846,742
34	Restricted Receipts	26,202,867	(484,768)	25,718,099

1            Provided that the disbursement of any indirect cost recoveries on federal grants budgeted  
2 in this line item that are derived from grants authorized under The Coronavirus Preparedness and  
3 Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus  
4 Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-  
5 136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); the  
6 Consolidated Appropriations Act, 2021 (P.L. 116-260); and the American Rescue Plan Act of 2021  
7 (P.L. 117-2), are hereby subject to the review and prior approval of the Director of Management  
8 and Budget. No obligation or expenditure of these funds shall take place without such approval.

9	Total - Central Management	33,489,971	1,407,478	34,897,449
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10 *Community Health and Equity*

11	General Revenues	1,588,431	84	1,588,515
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12      Federal Funds

13	Federal Funds	81,169,548	(1,910,692)	79,258,856
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14      Federal Funds – State Fiscal Recovery Fund

15	Public Health Clinics	4,000,000	0	4,000,000
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16	Restricted Receipts	41,511,977	1,313,788	42,825,765
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17	Total - Community Health and Equity	128,269,956	(596,820)	127,673,136
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18 *Environmental Health*

19	General Revenues	6,088,320	(696,472)	5,391,848
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20	Federal Funds	8,549,060	1,418,514	9,967,574
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21	Restricted Receipts	967,543	(106,050)	861,493
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22	Total - Environmental Health	15,604,923	615,992	16,220,915
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23 *Health Laboratories and Medical Examiner*

24	General Revenues	10,980,589	1,424,564	12,405,153
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25	Federal Funds	2,756,028	783,517	3,539,545
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26      Other Funds

27 Rhode Island Capital Plan Funds

28 Health Laboratories & Medical

29	Examiner Equipment	400,000	176,012	576,012
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30 Total – Health Laboratories and

31	Medical Examiner	14,136,617	2,384,093	16,520,710
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32 *Customer Services*

33	General Revenues	8,198,687	(206,570)	7,992,117
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34	Federal Funds	6,369,584	1,006,902	7,376,486
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1	Restricted Receipts	4,024,890	2,459,043	6,483,933
2	Total - Customer Services	18,593,161	3,259,375	21,852,536
3	<i>Policy, Information and Communications</i>			
4	General Revenues	958,580	34,088	992,668
5	Federal Funds	2,876,367	266,775	3,143,142
6	Restricted Receipts	1,266,247	(381,834)	884,413
7	Total - Policy, Information and			
8	Communications	5,101,194	(80,971)	5,020,223
9	<i>Preparedness, Response, Infectious Disease &amp; Emergency Services</i>			
10	General Revenues	2,092,672	31,339	2,124,011
11	Federal Funds	24,921,020	(425,488)	24,495,532
12	Total - Preparedness, Response,			
13	Infectious Disease & Emergency Services	27,013,692	(394,149)	26,619,543
14	<i>COVID-19</i>			
15	General Revenues	0	156,132	156,132
16	Federal Funds	131,144,016	(2,936,968)	128,207,048
17	Total - COVID-19	131,144,016	(2,780,836)	128,363,180
18	Grand Total - Health	373,353,530	3,814,162	377,167,692

19 **Human Services**

20 *Central Management*

21	General Revenues	7,586,208	149,083	7,735,291
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22       Of this amount, \$400,000 is to support the Domestic Violence Prevention Fund to provide  
23 direct services through the Coalition Against Domestic Violence, \$350,000 to support Project  
24 Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$267,000 is for outreach and  
25 supportive services through Day One, \$450,000 is for food collection and distribution through the  
26 Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads  
27 Rhode Island, \$600,000 for the Community Action Fund, \$250,000 is for the Institute for the Study  
28 and Practice of Nonviolence’s Reduction Strategy, \$50,000 is to support services provided to the  
29 immigrant and refugee population through Higher Ground International, and \$50,000 is for services  
30 provided to refugees through the Refugee Dream Center. An additional \$750,000 is for enhanced  
31 support to the RI Alliance of Boys and Girls Clubs to assist students with academic, mental health,  
32 and workforce readiness needs, and \$1,400,000 is for the Community Action Fund for support to  
33 individuals and families affected by the pandemic.

34       The director of the department of human services shall provide to the speaker of the house,



1 president of the senate, and chairs of the house and senate finance committees at least every sixty  
2 (60) days beginning August 1, 2022, a report on its progress in recruiting and retaining customer  
3 serving staff. The report shall include: documentation of newly filled and vacated positions,  
4 including lateral transfers, position titles, civil service information, including numbers of eligible  
5 and available candidates, plans for future testing and numbers of eligible and available candidates  
6 resulting from such testing, impacts on caseload backlogs and call center wait times, as well as  
7 other pertinent information as determined by the director.

8	Federal Funds	5,425,851	1,476,532	6,902,383
9	Restricted Receipts	300,000	0	300,000
10	Total - Central Management	13,312,059	1,625,615	14,937,674
11	<i>Child Support Enforcement</i>			
12	General Revenues	3,678,142	516,146	4,194,288
13	Federal Funds	8,773,784	105,668	8,879,452
14	Restricted Receipts	3,575,448	38,411	3,613,859
15	Total - Child Support Enforcement	16,027,374	660,225	16,687,599
16	<i>Individual and Family Support</i>			
17	General Revenues	46,264,236	(2,341,513)	43,922,723
18	Federal Funds			
19	Federal Funds	123,929,840	24,880,602	148,810,442
20	Federal Funds - State Fiscal Recovery Fund			
21	Child Care Support	21,283,000	(8,624,421)	12,658,579
22	Restricted Receipts	250,255	51,795	302,050
23	Other Funds			
24	Rhode Island Capital Plan Funds			
25	Blind Vending Facilities	165,000	(5,214)	159,786
26	Total - Individual and Family Support	191,892,331	13,961,249	205,853,580
27	<i>Office of Veterans Services</i>			
28	General Revenues	32,402,204	1,400,960	33,803,164
29	Of this amount, \$200,000 is to provide support services through Veterans' organizations.			
30	Federal Funds	12,647,664	(236,447)	12,411,217
31	Restricted Receipts	759,968	50,573	810,541
32	Other Funds			
33	Rhode Island Capital Plan Funds			
34	Veterans Home Asset Protection	400,000	(375,000)	25,000

1	Veterans Memorial Cemetery Asset			
2	Protection	200,000	201,850	401,850
3	Total - Office of Veterans Services	46,409,836	1,041,936	47,451,772
4	<i>Health Care Eligibility</i>			
5	General Revenues	9,969,089	(1,988,647)	7,980,442
6	Federal Funds	16,052,510	(5,482,946)	10,569,564
7	Total - Health Care Eligibility	26,021,599	(7,471,593)	18,550,006
8	<i>Supplemental Security Income Program</i>			
9	General Revenues	17,886,000	(1,105,460)	16,780,540
10	<i>Rhode Island Works</i>			
11	General Revenues	8,681,937	455,544	9,137,481
12	Federal Funds	94,595,896	(15,778,156)	78,817,740
13	Total - Rhode Island Works	103,277,833	(15,322,612)	87,955,221
14	<i>Other Programs</i>			
15	General Revenues			
16	General Revenues	1,347,120	220,980	1,568,100
17	Of this appropriation, \$90,000 shall be used for hardship contingency payments.			
18	Retail SNAP Incentives Pilot Program	11,500,000	(10,000,000)	1,500,000
19	All unexpended or unencumbered balances, at the end of the fiscal year, shall be			
20	reappropriated to the ensuing fiscal year, and made immediately available for the same purpose.			
21	Federal Funds	435,426,342	63,027,402	498,453,744
22	Restricted Receipts	8,000	0	8,000
23	Total - Other Programs	448,281,462	53,248,382	501,529,844
24	<i>Office of Healthy Aging</i>			
25	General Revenues	12,996,855	(1,067,373)	11,929,482
26	Of this amount, \$325,000 is to provide elder services, including respite, through the			
27	Diocese of Providence, \$40,000 is for ombudsman services provided by the Alliance for Long Term			
28	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 is for security for			
29	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, and			
30	\$1,000,000 is for Senior Services Support and \$580,000 is for elderly nutrition, of which \$530,000			
31	is for Meals on Wheels.			
32	Federal Funds	21,375,702	643,882	22,019,584
33	Restricted Receipts	61,000	0	61,000
34	Other Funds			

1	Intermodal Surface Transportation			
2	Fund	4,593,213	(323,663)	4,269,550
3	Total - Office of Healthy Aging	39,026,770	(747,154)	38,279,616
4	Grand Total - Human Services	902,135,264	45,890,588	948,025,852
5	<b>Behavioral Healthcare, Developmental Disabilities and Hospitals</b>			
6	<i>Central Management</i>			
7	General Revenues	4,900,015	(1,985,248)	2,914,767
8	Federal Funds	609,732	80,884	690,616
9	Total - Central Management	5,509,747	(1,904,364)	3,605,383
10	<i>Hospital and Community System Support</i>			
11	General Revenues	2,791,946	(989,701)	1,802,245
12	Federal Funds	796,646	(733,323)	63,323
13	Restricted Receipts	261,029	173,143	434,172
14	Total - Hospital and Community System			
15	Support	3,849,621	(1,549,881)	2,299,740
16	<i>Services for the Developmentally Disabled</i>			
17	General Revenues	173,368,833	(20,738,738)	152,630,095

18        Provided that of this general revenue funding, ~~\$15,170,870~~ \$13,826,656 shall be expended  
19 on certain community-based department of behavioral healthcare, developmental disabilities and  
20 hospitals (BHDDH) developmental disability private provider and self-directed consumer direct  
21 care service worker raises and associated payroll ~~cost~~ costs as authorized by BHDDH. Any  
22 ~~increases~~ increase for direct support-staff and residential or other community-based setting must  
23 first receive the approval of BHDDH.

24        Provided further that of this general revenue funding, ~~\$4,748,600~~ \$4,469,600 shall be  
25 expended on a Transformation Fund to be used for I/DD integrated day activities and supported  
26 employment services ~~for individuals with intellectual and developmental disabilities~~, of which a  
27 total of \$2,000,000 shall be expended specifically on those who self-direct for creation of regional  
28 service advisement models and pool of substitute staff. An additional ~~\$458,100~~ \$779,493 shall be  
29 expended on technology acquisition for individuals within the ~~developmental disabilities system~~  
30 Developmental Disabilities System. An additional \$42,100 shall be expended on technical  
31 assistance for the aforementioned technology acquisition. An additional \$450,000 shall be  
32 expended on creating a statewide workforce initiative focused on recruiting, creating pipelines, and  
33 credentialing. For these two designations of general revenue funding, all unexpended or  
34 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 208,693,092 13,436,726 222,129,818

3 Provided that of this federal funding, ~~\$19,105,835~~ \$19,765,802 shall be expended on  
4 certain community-based department of behavioral healthcare, developmental disabilities and  
5 hospitals (BHDDH) developmental disability private provider and self-directed consumer direct  
6 care service worker raises and associated payroll ~~cost~~ costs as authorized by BHDDH. Any  
7 ~~increases~~ increase for direct support staff and residential or other community-based setting must  
8 first receive the approval of BHDDH.

9 Provided further that of this federal funding, ~~\$4,748,600~~ \$3,530,400 shall be expended on  
10 a Transformation Fund to be used for I/DD integrated day activities and supported employment  
11 services ~~for individuals with intellectual and developmental disabilities, of which \$2,000,000 shall~~  
12 ~~be expended specifically on those who self direct for creation of regional service advisement~~  
13 ~~models and pool of substitute staff~~. An additional ~~\$458,100~~ \$1,114,319 shall be expended on  
14 technology acquisition for individuals within the ~~developmental disabilities system~~ Developmental  
15 Disabilities System. An additional \$42,100 shall be expended on technical assistance for the  
16 aforementioned technology acquisition. An additional \$450,000 shall be expended on creating a  
17 statewide workforce initiative focused on recruiting, creating pipelines, and credentialing. For these  
18 two designations of federal funding, all unexpended or unencumbered balances at the end of the  
19 fiscal year shall be reappropriated to the ensuing fiscal year and made immediately available for  
20 the same purpose.

21 Restricted Receipts 1,275,700 106,265 1,381,965

22 Other Funds

23 Rhode Island Capital Plan Funds

24 DD Residential Support 100,000 100,000 200,000

25 Total - Services for the Developmentally Disabled 383,437,625 (7,095,747) 376,341,878

26 *Behavioral Healthcare Services*

27 General Revenues 2,969,495 2,009,726 4,979,221

28 Federal Funds 45,702,498 (4,237,498) 41,465,000

29 Provided that \$250,000 from Social Services Block Grant funds is awarded to The  
30 Providence Center to coordinate with Oasis Wellness and Recovery for its support and services  
31 program offered to individuals with behavioral health issues.

32 Federal Funds - State Fiscal Recovery Fund

33 Crisis Intervention Trainings 550,000 0 550,000

34 9-8-8 Hotline 1,875,000 0 1,875,000

1	Restricted Receipts	3,640,116	7,127,898	10,768,014
2	Provided that \$500,000 from the Opioid Stewardship Fund is distributed equally to the			
3	seven Regional Substance Abuse Prevention Task Forces to fund priorities determined by each			
4	Task Force.			
5	Total - Behavioral Healthcare Services	54,737,109	4,900,126	59,637,235
6	<i>Hospital and Community Rehabilitative Services</i>			
7	General Revenues	88,307,069	(10,005,554)	78,301,515
8	Federal Funds	30,232,988	(1,293,386)	28,939,602
9	Restricted Receipts	25,000	2,183,330	2,208,330
10	Other Funds			
11	Rhode Island Capital Plan Funds			
12	Hospital Equipment	300,000	314,000	614,000
13	Total - Hospital and Community			
14	Rehabilitative Services	118,865,057	(8,801,610)	110,063,447
15	<i>State of RI Psychiatric Hospital</i>			
16	General Revenue	30,662,874	(1,180,222)	29,482,652
17	Grand Total - Behavioral Healthcare,			
18	Developmental Disabilities and Hospitals	597,062,033	(15,631,698)	581,430,335
19	<b>Office of the Child Advocate</b>			
20	General Revenues	1,494,065	(9,005)	1,485,060
21	The Department of Administration shall hold a public hearing, in accordance with Rhode			
22	Island General Law, Sections 36-4-16 and 36-4-16.2, by September 1, 2022 to consider revisions			
23	to the Office's unclassified service classification and pay plan consistent with the additional			
24	appropriation provided.			
25	Federal Funds	0	12,000	12,000
26	Grand Total – Office of the Child Advocate	1,494,065	2,995	1,497,060
27	<b>Commission on the Deaf and Hard of Hearing</b>			
28	General Revenues	716,876	24,369	741,245
29	Restricted Receipts	100,000	5,599	105,599
30	Grand Total - Commission on the Deaf and			
31	Hard-of-Hearing	816,876	29,968	846,844
32	<b>Governor's Commission on Disabilities</b>			
33	General Revenues			
34	General Revenues	766,858	(35,341)	731,517

1	Livable Home Modification			
2	Grant Program	985,743	118,372	1,104,115
3	Provided that this will be used for home modification and accessibility enhancements to			
4	construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.			
5	This will be in consultation with the Executive Office of Health and Human Services. All			
6	unexpended or unencumbered balances, at the end of the fiscal year, shall be reappropriated to the			
7	ensuing fiscal year, and made immediately available for the same purpose.			
8	Federal Funds	378,658	(20)	378,638
9	Restricted Receipts	84,235	(28,662)	55,573
10	<b>Grand Total - Governor's Commission on</b>			
11	Disabilities	2,215,494	54,349	2,269,843
12	<b>Office of the Mental Health Advocate</b>			
13	General Revenues	973,329	(72,835)	900,494
14	<b>Elementary and Secondary Education</b>			
15	Administration of the Comprehensive Education Strategy			
16	General Revenues	26,401,820	(285,449)	26,116,371
17	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children's			
18	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to			
19	support child opportunity zones through agreements with the Department of Elementary and			
20	Secondary Education to strengthen education, health and social services for students and their			
21	families as a strategy to accelerate student achievement.			
22	Federal Funds			
23	Federal Funds	291,417,789	44,373,422	335,791,211
24	Provided that \$684,000 from the Department's administrative share of Individuals with			
25	Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to			
26	support the Rhode Island Vision Education and Services Program.			
27	Federal Funds - State Fiscal Recovery Fund			
28	Adult Education <del>Investment</del> <u>Providers</u>	2,000,000	0	2,000,000
29	Restricted Receipts			
30	Restricted Receipts	2,271,670	732,204	3,003,874
31	HRIC Adult Education Grants	3,500,000	0	3,500,000
32	Total - Admin. of the Comprehensive			
33	Ed. Strategy	325,591,279	44,820,177	370,411,456
34	<i>Davies Career and Technical School</i>			

1	General Revenues	14,774,827	320,065	15,094,892
2	Federal Funds	1,872,920	1,354,632	3,227,552
3	Restricted Receipts	4,525,049	98,277	4,623,326
4	Other Funds			
5	Rhode Island Capital Plan Funds			
6	Davies School HVAC	1,150,000	(1,150,000)	0
7	Davies School Asset Protection	500,000	0	500,000
8	Davies School Healthcare Classroom			
9	Renovations	6,500,000	(6,400,000)	100,000
10	Total - Davies Career and Technical School	29,322,796	(5,777,026)	23,545,770
11	<i>RI School for the Deaf</i>			
12	General Revenues	7,940,337	76,645	8,016,982
13	Federal Funds	420,053	93,619	513,672
14	Restricted Receipts	605,166	13,034	618,200
15	Other Funds			
16	School for the Deaf Transformation Grants	59,000	0	59,000
17	Rhode Island Capital Plan Funds			
18	School for the Deaf Asset Protection	100,000	250,000	350,000
19	Total - RI School for the Deaf	9,124,556	433,298	9,557,854
20	<i>Metropolitan Career and Technical School</i>			
21	General Revenues	9,790,163	0	9,790,163
22	Federal Funds	4,125,711	(2,200,782)	1,924,929
23	Other Funds			
24	Rhode Island Capital Plan Funds			
25	MET School Asset Protection	800,000	0	800,000
26	Total - Metropolitan Career and Technical			
27	School	14,715,874	(2,200,782)	12,515,092
28	<i>Education Aid</i>			
29	General Revenues	1,063,437,756	396,153	1,063,833,909
30	Provided that the criteria for the allocation of early childhood funds shall prioritize			
31	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one			
32	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities			
33	with higher concentrations of low performing schools.			
34	Federal Funds	200,042,202	61,546,120	261,588,322

1	Restricted Receipts	36,719,278	(1,694,753)	35,024,525
2	Other Funds			
3	Permanent School Fund	300,000	0	300,000
4	Total - Education Aid	1,300,499,236	60,247,520	1,360,746,756
5	<i>Central Falls School District</i>			
6	General Revenues	48,961,338	0	48,961,338
7	Federal Funds	20,845,329	(10,845,329)	10,000,000
8	Total - Central Falls School District	69,806,667	(10,845,329)	58,961,338
9	<i>School Construction Aid</i>			
10	General Revenues			
11	General Revenues			
12	School Housing Aid	88,536,507	(3,839,206)	84,697,301
13	School Building Authority			
14	Capital Fund	50,000,000	3,839,206	53,839,206
15	Total – School Construction Aid	138,536,507	0	138,536,507
16	<i>Teachers’ Retirement</i>			
17	General Revenues	130,855,471	0	130,855,471
18	Grand Total – Elementary and			
19	Secondary Education	2,018,452,386	86,677,858	2,105,130,244
20	<b>Public Higher Education</b>			
21	<i>Office of Postsecondary Commissioner</i>			
22	General Revenues	18,597,940	(1,342,754)	17,255,186
23	Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to			
24	the Rhode Island General Law, Section 16-70-5, \$75,000 shall be allocated to Best Buddies Rhode			
25	Island to support its programs for children with developmental and intellectual disabilities, and			
26	\$200,000 shall be allocated to the Rhode Island School for Progressive Education to support access			
27	to higher education opportunities for teachers of color. It is also provided that <del>\$7,900,543</del>			
28	<u>\$6,567,542</u> shall be allocated to the Rhode Island Promise Scholarship program and \$147,000 shall			
29	be used to support Rhode Island’s membership in the New England Board of Higher Education.			
30	Federal Funds			
31	Federal Funds	3,604,422	82,488	3,686,910
32	Guaranty Agency Administration	400,000	0	400,000
33	Guaranty Agency Operating Fund			
34	- Scholarships & Grants	4,000,000	0	4,000,000



1	Restricted Receipts	4,045,406	33,320	4,078,726
2	Other Funds			
3	Tuition Savings Program - Dual Enrollment	2,300,000	0	2,300,000
4	Tuition Savings Program - Scholarships and Grants	5,595,000	0	5,595,000
5	Nursing Education Center - Operating	2,891,398	(33,992)	2,857,406
6	Rhode Island Capital Plan Funds			
7	Higher Education Centers	2,932,500	763,656	3,696,156
8	Provided that the state fund no more than 50.0 percent of the total project cost.			
9	Total - Office of Postsecondary			
10	Commissioner	44,366,666	(497,282)	43,869,384
11	<i>University of Rhode Island</i>			
12	General Revenues			
13	General Revenues	91,270,252	93,063	91,363,315
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, \$100,000 shall be allocated			
16	to the Institute for Labor Studies & Research and that \$50,000 shall be allocated to Special			
17	Olympics Rhode Island to support its mission of providing athletic opportunities for individuals			
18	with intellectual and developmental disabilities.			
19	Debt Service	29,049,378	253,084	29,302,462
20	RI State Forensics Laboratory	1,516,015	0	1,516,015
21	Other Funds			
22	University and College Funds	707,626,466	15,693,989	723,320,455
23	Debt - Dining Services	999,983	(3,000)	996,983
24	Debt - Education and General	5,402,219	70,000	5,472,219
25	Debt - Health Services	991,794	(1,000)	990,794
26	Debt - Housing Loan Funds	12,965,597	1	12,965,598
27	Debt - Memorial Union	2,053,787	98,848	2,152,635
28	Debt - Ryan Center	2,375,073	1	2,375,074
29	Debt - Parking Authority	1,294,923	2,501	1,297,424
30	URI Restricted Debt Service			
31	- Energy Conservation	546,271	0	546,271
32	URI Debt Service			
33	- Energy Conservation	2,071,504	0	2,071,504
34	Rhode Island Capital Plan Funds			

1	Asset Protection	11,350,000	0	11,350,000
2	Mechanical, Electric, and			
3	Plumbing Improvements	4,694,533	(4,400,000)	294,533
4	Fire Protection Academic Buildings	1,706,802	0	1,706,802
5	Bay Campus	6,000,000	(6,000,000)	0
6	Total - University of Rhode Island	881,914,597	5,807,487	887,722,084

7 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
8 unencumbered balances as of June 30, 2023 relating to the University of Rhode Island are hereby  
9 reappropriated to fiscal year 2024.

10 *Rhode Island College*

11 General Revenues

12	General Revenues	62,341,287	28,375	62,369,662
13	Debt Service	6,002,565	216,936	6,219,501

14 Other Funds

15	University and College Funds	108,584,424	(2,787,513)	105,796,911
16	Debt - Education and General	879,474	699,575	1,579,049
17	Debt - Housing	371,105	(2,026)	369,079
18	Debt - Student Center and Dining	155,000	0	155,000
19	Debt - Student Union	208,800	0	208,800
20	Debt - G.O. Debt Service	1,640,931	0	1,640,931
21	Debt - Energy Conservation	699,575	0	699,575

22 Rhode Island Capital Plan Funds

23	Asset Protection	9,618,000	885,000	10,503,000
24	Infrastructure Modernization	4,900,000	2,944,910	7,844,910
25	Total - Rhode Island College	195,401,161	1,985,257	197,386,418

26 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or  
27 unencumbered balances as of June 30, 2023 relating to Rhode Island College are hereby  
28 reappropriated to fiscal year 2024.

29 *Community College of Rhode Island*

30 General Revenues

31	General Revenues	55,693,282	17,202	55,710,484
32	Debt Service	1,405,299	36,180	1,441,479
33	Federal Funds	1,818,835	1,478,001	3,296,836
34	Restricted Receipts	804,787	(913)	803,874

1	Other Funds			
2	University and College Funds	121,625,011	(11,700,420)	109,924,591
3	Rhode Island Capital Plan Funds			
4	Asset Protection	3,246,000	1,096,001	4,342,001
5	Knight Campus Renewal	2,896,182	0	2,896,182
6	Data, Cabling, and			
7	Power Infrastructure	1,803,000	(1,300,000)	503,000
8	Flanagan Campus Renovations	1,982,000	(1,782,000)	200,000
9	CCRI Renovation and			
10	Modernization Phase I	5,000,000	(3,000,000)	2,000,000
11	Knight Campus Lab Renovations	0	53,790	53,790
12	Total - Community College of RI	196,274,396	(15,102,159)	181,172,237
13	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
14	unencumbered balances as of June 30, 2023 relating to the Community College of Rhode Island			
15	are hereby reappropriated to fiscal year 2024.			
16	Grand Total - Public Higher Education	1,317,956,820	(7,806,697)	1,310,150,123
17	<b>RI State Council on the Arts</b>			
18	General Revenues			
19	Operating Support	1,033,276	(12,355)	1,020,921
20	Grants	1,165,000	0	1,165,000
21	Provided that \$375,000 be provided to support the operational costs of WaterFire			
22	Providence art installations.			
23	Federal Funds	1,331,719	189,729	1,521,448
24	Restricted Receipts	50,000	500	50,500
25	Other Funds			
26	Art for Public Facilities	585,000	0	585,000
27	Grand Total - RI State Council on the Arts	4,164,995	177,874	4,342,869
28	<b>RI Atomic Energy Commission</b>			
29	General Revenues	1,146,763	(45,174)	1,101,589
30	Federal Funds	0	206,742	206,742
31	Restricted Receipts	25,036	0	25,036
32	Other Funds			
33	URI Sponsored Research	314,597	0	314,597
34	Rhode Island Capital Plan Funds			

1	Asset Protection	50,000	0	50,000
2	Grand Total - RI Atomic Energy Commission	1,536,396	161,568	1,697,964
3	<b>RI Historical Preservation and Heritage Commission</b>			
4	General Revenues	1,572,452	(320,782)	1,251,670
5	Provided that \$30,000 support the operational costs of the Fort Adams Trust's restoration			
6	activities.			
7	Federal Funds	1,359,283	(250,246)	1,109,037
8	Restricted Receipts	424,100	0	424,100
9	Other Funds			
10	RIDOT Project Review	156,901	(49,998)	106,903
11	Grand Total - RI Historical Preservation and			
12	Heritage Comm.	3,512,736	(621,026)	2,891,710
13	<b>Attorney General</b>			
14	<i>Criminal</i>			
15	General Revenues	20,115,052	142,945	20,257,997
16	Federal Funds	2,884,123	(34,771)	2,849,352
17	Restricted Receipts	603,772	(37,903)	565,869
18	Total - Criminal	23,602,947	70,271	23,673,218
19	<i>Civil</i>			
20	General Revenues	6,778,199	71,791	6,849,990
21	Restricted Receipts	1,431,698	32,438	1,464,136
22	Total - Civil	8,209,897	104,229	8,314,126
23	<i>Bureau of Criminal Identification</i>			
24	General Revenues	2,042,239	40,259	2,082,498
25	Federal Funds	0	238,000	238,000
26	Restricted Receipts	1,187,466	71,392	1,258,858
27	Total - Bureau of Criminal Identification	3,229,705	349,651	3,579,356
28	<i>General</i>			
29	General Revenues	4,570,478	(30,475)	4,540,003
30	Other Funds			
31	Rhode Island Capital Plan Funds			
32	Building Renovations and Repairs	1,890,000	153,196	2,043,196
33	Total - General	6,460,478	122,721	6,583,199
34	Grand Total - Attorney General	41,503,027	646,872	42,149,899

1	<b>Corrections</b>			
2	<i>Central Management</i>			
3	General Revenues	20,060,213	2,381,334	22,441,547
4	<i>Parole Board</i>			
5	General Revenues	1,438,337	(77,296)	1,361,041
6	<i>Custody and Security</i>			
7	General Revenues	141,448,395	23,778,105	165,226,500
8	Federal Funds	1,149,582	264,791	1,414,373
9	Total - Custody and Security	142,597,977	24,042,896	166,640,873
10	<i>Institutional Support</i>			
11	General Revenues	23,108,898	8,257,141	31,366,039
12	Other Funds			
13	Rhode Island Capital Plan Funds			
14	Asset Protection	5,125,000	3,340,791	8,465,791
15	Correctional Facilities - Renovations	250,000	614,089	864,089
16	Total - Institutional Support	28,483,898	12,212,021	40,695,919
17	<i>Institutional Based Rehab/Population Management</i>			
18	General Revenues	11,773,097	648,992	12,422,089
19	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender			
20	discharge planning.			
21	The director of the department of corrections shall provide to the speaker of the house and			
22	president of the senate at least every ninety (90) days beginning September 1, 2022, a report on			
23	efforts to modernize the correctional industries program. The report shall, at minimum, provide			
24	data on the past ninety (90) days regarding program participation, changes made in programming			
25	to more closely align with industry needs, new or terminated partnerships with employers,			
26	nonprofits, and advocacy groups, current program expenses and revenues, and the employment			
27	status of all persons on the day of discharge from department care who participated in the			
28	correctional industries program.			
29	Federal Funds	625,118	224,752	849,870
30	Restricted Receipts	64,600	0	64,600
31	Total - Institutional Based			
32	Rehab/Population Mgt.	12,462,815	873,744	13,336,559
33	<i>Healthcare Services</i>			
34	General Revenues	28,149,588	3,560,414	31,710,002

1	Restricted Receipts	2,868,614	0	2,868,614
2	Total - Healthcare Services	31,018,202	3,560,414	34,578,616
3	<i>Community Corrections</i>			
4	General Revenues	19,872,087	845,177	20,717,264
5	Federal Funds	369,417	40,654	410,071
6	Restricted Receipts	11,107	8,604	19,711
7	Total - Community Corrections	20,252,611	894,435	21,147,046
8	Grand Total - Corrections	256,314,053	43,887,548	300,201,601
9	<b>Judiciary</b>			
10	<i>Supreme Court</i>			
11	General Revenues			
12	General Revenues	32,346,588	1,438,164	33,784,752
13	Provided however, that no more than \$1,302,057 in combined total shall be offset to the			
14	Public Defender's Office, the Attorney General's Office, the Department of Corrections, the			
15	Department of Children, Youth and Families, and the Department of Public Safety for square-			
16	footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to			
17	the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy			
18	project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to			
19	Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.			
20	Defense of Indigents	5,075,432	0	5,075,432
21	Federal Funds	338,402	249,538	587,940
22	Restricted Receipts	4,051,045	766,892	4,817,937
23	Other Funds			
24	Rhode Island Capital Plan Funds			
25	Garrahy Courtroom Restoration	750,000	866	750,866
26	Judicial Complexes - HVAC	1,000,000	195,532	1,195,532
27	Judicial Complexes Asset Protection	1,500,000	90,235	1,590,235
28	Judicial Complexes Fan Coil Unit			
29	Replacements	750,000	0	750,000
30	Licht Judicial Complex Restoration	750,000	612	750,612
31	McGrath Judicial Complex	225,000	0	225,000
32	Total - Supreme Court	46,786,467	2,741,839	49,528,306
33	<i>Judicial Tenure and Discipline</i>			
34	General Revenues	169,767	1,645	171,412

1	<i>Superior Court</i>			
2	General Revenues	26,708,059	(177,584)	26,530,475
3	Federal Funds	236,617	(182,253)	54,364
4	Restricted Receipts	665,000	0	665,000
5	Total - Superior Court	27,609,676	(359,837)	27,249,839
6	<i>Family Court</i>			
7	General Revenues	25,436,666	(557,653)	24,879,013
8	Federal Funds	3,984,190	(220,400)	3,763,790
9	Total - Family Court	29,420,856	(778,053)	28,642,803
10	<i>District Court</i>			
11	General Revenues	16,059,965	(267,429)	15,792,536
12	Federal Funds	586,167	406,497	992,664
13	Restricted Receipts	60,000	0	60,000
14	Total - District Court	16,706,132	139,068	16,845,200
15	<i>Traffic Tribunal</i>			
16	General Revenues	10,728,771	(446,148)	10,282,623
17	<i>Workers' Compensation Court</i>			
18	Restricted Receipts	10,020,945	(504,964)	9,515,981
19	Grand Total - Judiciary	141,442,614	793,550	142,236,164
20	<b>Military Staff</b>			
21	General Revenues	3,365,511	(93,824)	3,271,687
22	Federal Funds	34,311,530	5,283,608	39,595,138
23	Restricted Receipts			
24	RI Military Family Relief Fund	55,000	0	55,000
25	Other Funds			
26	Rhode Island Capital Plan Funds			
27	Aviation Readiness Center	138,272	(138,272)	0
28	AMC Roof	366,500	0	366,500
29	Asset Protection	1,290,000	0	1,290,000
30	Quonset Airport Runway			
31	Reconstruction	275,000	0	275,000
32	Sun Valley Armory	788,161	(788,161)	0
33	Grand Total - Military Staff	40,589,974	4,263,351	44,853,325
34	<b>Public Safety</b>			

1	<i>Central Management</i>			
2	General Revenues	16,437,445	(13,741,282)	2,696,163
3	Provided that <del>\$15,000,000</del> <u>\$1,500,000</u> shall be allocated as the state contribution for the			
4	Statewide Body-worn Camera Program, subject to all program and reporting rules, regulations,			
5	policies, and guidelines prescribed in the Rhode Island General Laws. No money appropriated shall			
6	be distributed for Rhode Island police department body-worn camera expenses prior to the			
7	promulgation of rules and regulations. Notwithstanding the provisions of section 35-3-15 of the			
8	general laws, all unexpended or unencumbered balances as of June 30, 2023, from this			
9	appropriation are hereby reappropriated to fiscal year 2024.			
10	Federal Funds	10,840,576	4,553,338	15,393,914
11	Federal Funds - State Fiscal Recovery Fund			
12	Support for Survivors of Domestic Violence	3,500,000	0	3,500,000
13	Restricted Receipts	186,121	(627)	185,494
14	Total - Central Management	30,964,142	(9,188,571)	21,775,571
15	<i>E-911 Emergency Telephone System</i>			
16	Restricted Receipts	8,468,710	340,870	8,809,580
17	<i>Security Services</i>			
18	General Revenues	29,858,676	(2,819,565)	27,039,111
19	<i>Municipal Police Training Academy</i>			
20	General Revenues	281,456	(2,890)	278,566
21	Federal Funds	608,963	(50,438)	558,525
22	Total - Municipal Police Training Academy	890,419	(53,328)	837,091
23	<i>State Police</i>			
24	General Revenues	89,727,365	(560,798)	89,166,567
25	Federal Funds	6,413,954	3,815,664	10,229,618
26	Restricted Receipts	935,739	178,204	1,113,943
27	Other Funds			
28	Airport Corporation Assistance	168,211	(18,180)	150,031
29	Road Construction Reimbursement	2,871,108	483,542	3,354,650
30	Weight and Measurement Reimbursement	437,860	72,232	510,092
31	Rhode Island Capital Plan Funds			
32	DPS Asset Protection	1,000,000	693,033	1,693,033
33	Portsmouth Barracks	1,650,000	(1,650,000)	0
34	Southern Barracks	13,000,000	(3,548,542)	9,451,458



1	Training Academy Upgrades	1,386,380	42,728	1,429,108
2	Statewide Communications			
3	System Network	230,929	0	230,929
4	Headquarters Roof Replacement	0	384,836	384,836
5	Total - State Police	117,821,546	(107,281)	117,714,265
6	Grand Total - Public Safety	188,003,493	(11,827,875)	176,175,618
7	<b>Office of Public Defender</b>			
8	General Revenues	14,708,807	(409,604)	14,299,203
9	Federal Funds	65,665	30,000	95,665
10	Grand Total - Office of Public Defender	14,774,472	(379,604)	14,394,868
11	<b>Emergency Management Agency</b>			
12	General Revenues	4,308,154	1,129,365	5,437,519
13	Federal Funds	29,462,797	10,224,933	39,687,730
14	Restricted Receipts	457,420	(60,550)	396,870
15	Other Funds			
16	Rhode Island Capital Plan Funds			
17	RI Statewide Communications			
18	Network	1,494,400	0	1,494,400
19	Emergency Management Building	0	250,000	250,000
20	State Emergency Ops Center	524,657	0	524,657
21	RI Statewide Communications			
22	Infrastructure	1,134,400	0	1,134,400
23	Grand Total - Emergency			
24	Management Agency	37,381,828	11,543,748	48,925,576
25	<b>Environmental Management</b>			
26	<i>Office of the Director</i>			
27	General Revenues	8,957,872	28,622,773	37,580,645
28	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts and			
29	\$100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a			
30	veterinarian at the Wildlife Clinic of Rhode Island. <a href="#">Provided further that of this general revenue</a>			
31	<a href="#">amount, \$28,500,000 is to be used to support the state match for the Clean Water State Revolving</a>			
32	<a href="#">Fund and Drinking Water State Revolving Fund through the Rhode Island Infrastructure Bank and</a>			
33	<a href="#">that the Infrastructure Bank provide acceptable documentation to the Office of Management and</a>			
34	<a href="#">Budget showing the need for the funding to be used as state match.</a>			

1	Federal Funds	65,100	115,000	180,100
2	Restricted Receipts	4,126,794	(98,541)	4,028,253
3	Total - Office of the Director	13,149,766	28,639,232	41,788,998
4	<i>Natural Resources</i>			
5	General Revenues	29,057,514	486,679	29,544,193
6	Federal Funds	23,181,039	(780,658)	22,400,381
7	Restricted Receipts	5,699,215	140,819	5,840,034
8	Other Funds			
9	DOT Recreational Projects	762,000	0	762,000
10	Blackstone Bike Path Design	1,000,000	0	1,000,000
11	Rhode Island Capital Plan Funds			
12	Blackstone Park Improvements	244,191	797,798	1,041,989
13	Dam Repair	824,238	(309,735)	514,503
14	Fort Adams Rehabilitation	300,000	338,409	638,409
15	Port of Galilee	9,348,461	(2,639,461)	6,709,000
16	Recreation Facility Asset Protection	500,000	499,784	999,784
17	Recreational Facilities Improvement	3,400,000	(513,885)	2,886,115
18	Natural Resources Office and Visitor's Center	250,000	0	250,000
19	Fish & Wildlife Maintenance Facilities	100,000	0	100,000
20	Newport Pier Upgrades	0	258,820	258,820
21	Total - Natural Resources	74,666,658	(1,721,430)	72,945,228
22	<i>Environmental Protection</i>			
23	General Revenues	15,081,859	517,815	15,599,674
24	Federal Funds	11,503,721	403,364	11,907,085
25	Restricted Receipts	7,569,654	207,801	7,777,455
26	Other Funds			
27	Transportation MOU	30,986	12,478	43,464
28	Total - Environmental Protection	34,186,220	1,141,458	35,327,678
29	Grand Total - Environmental Management	122,002,644	28,059,260	150,061,904
30	<b>Coastal Resources Management Council</b>			
31	General Revenues	3,327,275	(454,878)	2,872,397
32	Federal Funds	1,980,304	884,305	2,864,609
33	Restricted Receipts	250,000	0	250,000
34	Other Funds			

1	Rhode Island Capital Plan Funds			
2	South Coast Restoration Project	1,900,000	0	1,900,000
3	Pawcatuck Resiliency	50,000	0	50,000
4	Little Narragansett Bay	50,000	0	50,000
5	Grand Total - Coastal Resources Mgmt. Council	7,557,579	429,427	7,987,006
6	<b>Transportation</b>			
7	<i>Central Management</i>			
8	Federal Funds	16,577,046	(1,674,881)	14,902,165
9	Other Funds			
10	Gasoline Tax	9,118,769	(1,085,831)	8,032,938
11	Total - Central Management	25,695,815	(2,760,712)	22,935,103
12	<i>Management and Budget</i>			
13	Other Funds			
14	Gasoline Tax	3,761,946	270,947	4,032,893
15	<i>Infrastructure Engineering</i>			
16	Federal Funds			
17	Federal Funds	415,019,330	4,267,760	419,287,090
18	Federal Funds – State Fiscal Recovery Fund			
19	RI Turnpike and Bridge Authority			
20	– Safety Barriers Study	1,000,000	0	1,000,000
21	RI Public Transit Authority			
22	– R-Line Free Service Pilot	2,500,000	0	2,500,000
23	Restricted Receipts	5,949,070	215,461	6,164,531
24	Other Funds			
25	Gasoline Tax	74,241,610	(4,135,979)	70,105,631

26           Of this amount, \$75,000 is appropriated for the Rhode Island Public Transit Authority to  
27 study current operations and paratransit bus services and to design of a statewide program that  
28 addresses the transportation needs of seniors and individuals whose disability prevents independent  
29 use of the fixed route system and who do not fall within the three quarter of a mile of a fixed route  
30 as required by ADA paratransit services. This study must include input from riders with disabilities,  
31 seniors, and the Human Services Transportation Coordinating Council, as established in 39-18.1-  
32 5(e). On or before January 1, 2023, the Rhode Island Public Transit Authority must submit a report  
33 to the speaker of the house and the president of the senate summarizing the study and design of a  
34 statewide program, including cost estimates for the implementation and ongoing service that

1	address the transportation needs of seniors and individuals with disabilities.			
2	Toll Revenue	33,614,329	(20,114,329)	13,500,000
3	Land Sale Revenue	9,260,141	223,422	9,483,563
4	Rhode Island Capital Plan Funds			
5	Highway Improvement Program	55,645,000	30,000,000	85,645,000
6	Bike Path Asset Protection	400,000	0	400,000
7	RIPTA - Land and Buildings	12,889,628	(11,553,821)	1,335,807
8	RIPTA – Warwick Bus Hub	0	260,000	260,000
9	RIPTA - URI Mobility Hub	250,000	350,000	600,000
10	RIPTA – Pawtucket/Central Falls			
11	Bus Hub Passenger Facility	4,000,000	(4,000,000)	0
12	RIPTA – Pawtucket Bus Hub & Transit Corridor	0	900,817	900,817
13	RIPTA - Providence High-Capacity			
14	Transit Corridor Study	225,000	0	225,000
15	Total - Infrastructure Engineering	614,994,108	(3,586,669)	611,407,439
16	<i>Infrastructure Maintenance</i>			
17	Federal Funds	21,456,198	8,679,948	30,136,146
18	Other Funds			
19	Gasoline Tax	23,708,688	(3,782,489)	19,926,199
20	Rhode Island Highway			
21	Maintenance Account	102,647,711	76,057,725	178,705,436
22	Rhode Island Capital Plan Funds			
23	Maintenance Capital Equipment			
24	Replacement	1,500,000	1,499,462	2,999,462
25	Maintenance Facilities Improvements	500,000	830,244	1,330,244
26	Welcome Center	200,000	0	200,000
27	Salt Storage Facilities	1,900,000	0	1,900,000
28	Train Station Asset Protection	350,000	349,415	699,415
29	Total - Infrastructure Maintenance	152,262,597	83,634,305	235,896,902
30	Grand Total - Transportation	796,714,466	77,557,871	874,272,337
31	<b>Statewide Totals</b>			
32	General Revenues	5,042,159,928	132,048,606	5,174,208,534
33	Federal Funds	5,708,365,308	117,237,046	5,825,602,354
34	Restricted Receipts	453,536,893	22,404,817	475,941,710

1	Other Funds	2,398,392,497	(19,545,290)	2,378,847,207
2	Statewide Grand Total	13,602,454,626	252,145,179	13,854,599,805

3 SECTION 2. Each line appearing in Section 1 of this Article shall constitute an  
4 appropriation.

5 SECTION 3. The general assembly authorizes the state controller to establish the internal  
6 service accounts shown below, and no other, to finance and account for the operations of state  
7 agencies that provide services to other agencies, institutions and other governmental units on a cost  
8 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in  
9 a businesslike manner, promote efficient use of services by making agencies pay the full costs  
10 associated with providing the services, and allocate the costs of central administrative services  
11 across all fund types, so that federal and other non-general fund programs share in the costs of  
12 general government support. The controller is authorized to reimburse these accounts for the cost  
13 of work or services performed for any other department or agency subject to the following  
14 expenditure limitations:

15	Account	Expenditure Limit		
16		FY2023	FY2023	FY2023
17		Enacted	Change	FINAL
18	State Assessed Fringe Benefit Internal Service			
19	Fund	37,370,321	14,390	37,384,711
20	Administration Central Utilities Internal Service			
21	Fund	27,355,205	8,024,140	35,379,345
22	State Central Mail Internal Service Fund	7,303,550	436,229	7,739,779
23	State Telecommunications Internal Service Fund	3,513,931	(54,112)	3,459,819
24	State Automotive Fleet Internal Service Fund	12,869,107	17,379	12,886,486
25	Surplus Property Internal Service Fund	3,000	41,789	44,789
26	Health Insurance Internal Service Fund	272,697,174	(54,556)	272,642,618
27	Other Post-Employment Benefits Fund	63,858,483	0	63,858,483
28	Capitol Police Internal Service Fund	1,380,836	(18,487)	1,362,349
29	Corrections Central Distribution Center Internal			
30	Service Fund	7,524,912	(7,986)	7,516,926
31	Correctional Industries Internal Service Fund	8,472,206	(102,602)	8,369,604
32	Secretary of State Record Center Internal Service			
33	Fund	1,143,730	13,013	1,156,743
34	Human Resources Internal Service Fund	15,991,654	13,440	16,005,094

1	DCAMM Facilities Internal Service Fund	47,011,910	7,855,089	54,866,999
2	Information Technology Internal Service Fund	50,789,409	(41,002)	50,748,407

3 SECTION 4. Departments and agencies listed below may not exceed the number of full-  
4 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do  
5 not include limited period positions or, seasonal or intermittent positions whose scheduled period  
6 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not  
7 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor  
8 do they include individuals engaged in training, the completion of which is a prerequisite of  
9 employment. Provided, however, that the Governor or designee, Speaker of the House of  
10 Representatives or designee, and the President of the Senate or designee may authorize an  
11 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a  
12 detailed written recommendation to the Governor, the Speaker of the House, and the President of  
13 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the  
14 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor,  
15 and the Senate Fiscal Advisor.

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

19 FY 2023 FTE POSITION AUTHORIZATION

20	Departments and Agencies	Full-Time Equivalent
21	Administration	662.7
22	Provided that no more than 429.5 of the total authorization would be limited to positions	
23	that support internal service fund programs.	
24	Business Regulation	181.0
25	Executive Office of Commerce	20.0
26	Labor and Training	461.7
27	Revenue	575.5
28	Legislature	298.5
29	Office of the Lieutenant Governor	8.0
30	Office of the Secretary of State	59.0
31	Office of the General Treasurer	89.0
32	Board of Elections	13.0
33	Rhode Island Ethics Commission	12.0
34	Office of the Governor	45.0

1	Commission for Human Rights	15.0
2	Public Utilities Commission	54.0
3	Office of Health and Human Services	204.0
4	Children, Youth and Families	702.5
5	Health	<del>535.4</del> <u>543.4</u>
6	Human Services	773.0
7	Office of Veterans Services	263.0
8	Office of Healthy Aging	31.0
9	Behavioral Healthcare, Developmental Disabilities and Hospitals	1,200.4
10	Office of the Child Advocate	10.0
11	Commission on the Deaf and Hard of Hearing	4.0
12	Governor's Commission on Disabilities	5.0
13	Office of the Mental Health Advocate	6.0
14	Elementary and Secondary Education	143.1
15	School for the Deaf	60.0
16	Davies Career and Technical School	123.0
17	Office of Postsecondary Commissioner	34.0
18	Provided that 1.0 of the total authorization would be available only for positions that are	
19	supported by third-party funds, 11.0 would be available only for positions at the State's Higher	
20	Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for	
21	positions at the Nursing Education Center.	
22	University of Rhode Island	2,555.0
23	Provided that 357.8 of the total authorization would be available only for positions that are	
24	supported by third-party funds.	
25	Rhode Island College	949.2
26	Provided that 76.0 of the total authorization would be available only for positions that are	
27	supported by third-party funds.	
28	Community College of Rhode Island	849.1
29	Provided that 89.0 of the total authorization would be available only for positions that are	
30	supported by third-party funds.	
31	Rhode Island State Council on the Arts	9.6
32	RI Atomic Energy Commission	8.6
33	Historical Preservation and Heritage Commission	15.6
34	Office of the Attorney General	249.1

1	Corrections				1,427.0
2	Judicial				739.3
3	Military Staff				93.0
4	Emergency Management Agency				35.0
5	Public Safety				632.2
6	Office of the Public Defender				100.0
7	Environmental Management				417.0
8	Coastal Resources Management Council				32.0
9	Transportation				755.0
10	<b>Total</b>			<del>15,455.5</del>	<u>15,463.5</u>

11 No agency or department may employ contracted employee services where contract  
12 employees would work under state employee supervisors without determination of need by the  
13 Director of Administration acting upon positive recommendations by the Budget Officer and the  
14 Personnel Administrator and 15 days after a public hearing.

15 Nor may any agency or department contract for services replacing work done by state  
16 employees at that time without determination of need by the Director of Administration acting upon  
17 the positive recommendations of the State Budget Officer and the Personnel Administrator and 30  
18 days after a public hearing.

19 SECTION 5. The appropriations from federal funds contained in Section 1 shall not be  
20 construed to mean any federal funds or assistance appropriated, authorized, allocated or  
21 apportioned to the State of Rhode Island from the State Fiscal Recovery Fund and Capital Projects  
22 Fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2023  
23 except for those instances specifically designated.

24 ~~The following amounts are hereby appropriated out of any money available in the State~~  
25 ~~Fiscal Recovery Fund and Capital Projects Fund for the fiscal years ending June 30, 2024, June 30,~~  
26 ~~2025, June 30, 2026, and June 30, 2027.~~

27 ~~For the purposes and functions hereinafter mentioned, the State Controller is hereby~~  
28 ~~authorized and directed to draw his or her orders upon the General Treasurer for payment of such~~  
29 ~~sums and such portions thereof as may be required by him or her upon receipt of properly~~  
30 ~~authenticated vouchers.~~

31 ~~State Fiscal Recovery Fund—Federal Funds~~

32 ~~Project~~

33	<del>DOA—Administration</del>	<del>1,621,728</del>	<del>1,621,728</del>	<del>1,621,728</del>	<del>125,449</del>
34	<del>DOA—Electric Heat Pump Grant Program</del>	<del>10,000,000</del>	<del>10,000,000</del>	<del>0</del>	<del>0</del>



1	<del>DOA—Ongoing COVID-19 Response</del>	<del>75,052,439</del>	<del>38,819,129</del>	<del>0</del>	<del>0</del>
2	<del>DLT—Enhanced Real Jobs</del>	<del>10,000,000</del>	<del>10,000,000</del>	<del>0</del>	<del>0</del>
3	<del>EOC—Minority Business Accelerator</del>	<del>4,000,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
4	<del>EOC—Destination Marketing</del>	<del>1,500,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
5	<del>EOC—Blue Economy Investments</del>	<del>40,000,000</del>	<del>20,000,000</del>	<del>0</del>	<del>0</del>
6	<del>EOC—Bioscience Investments</del>	<del>15,000,000</del>	<del>9,000,000</del>	<del>1,000,000</del>	<del>0</del>
7	<del>EOC—South Quay Marine Terminal</del>	<del>23,000,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
8	<del>RHH—Development of Affordable Housing</del>	<del>30,000,000</del>	<del>25,000,000</del>	<del>0</del>	<del>0</del>
9	<del>RHH—Site Acquisition</del>	<del>5,000,000</del>	<del>5,000,000</del>	<del>0</del>	<del>0</del>
10	<del>RHH—Down Payment Assistance</del>	<del>10,000,000</del>	<del>10,000,000</del>	<del>0</del>	<del>0</del>
11	<del>RHH—Workforce Housing</del>	<del>8,000,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
12	<del>RHH—Affordable Housing</del>				
13	<del>Predevelopment Program</del>	<del>2,500,000</del>	<del>2,500,000</del>	<del>2,500,000</del>	<del>0</del>
14	<del>RHH—Home Repair and Community</del>				
15	<del>Revitalization</del>	<del>10,000,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
16	<del>OHCD—Predevelopment and Capacity Building</del>	<del>500,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
17	<del>OHCD—Homelessness Assistance Program</del>	<del>7,000,000</del>	<del>6,000,000</del>	<del>0</del>	<del>0</del>
18	<del>QDC—Port of Davisville</del>	<del>19,360,000</del>	<del>27,000,000</del>	<del>7,640,000</del>	<del>0</del>
19	<del>DCYF—Foster Home Lead Abatement &amp;</del>				
20	<del>Fire Safety</del>	<del>375,000</del>	<del>0</del>	<del>0</del>	<del>0</del>
21	<del>DHS—Childcare Support</del>	<del>1,217,000</del>	<del>500,000</del>	<del>0</del>	<del>0</del>
22	<del>BHDDH—Crisis Intervention Trainings</del>	<del>550,000</del>	<del>550,000</del>	<del>550,000</del>	<del>0</del>
23	<del>ELSEC—Adult Education</del>	<del>1,500,000</del>	<del>1,500,000</del>	<del>0</del>	<del>0</del>
24	<del>DPS—Support for Survivors of Domestic</del>				
25	<del>Violence</del>	<del>3,500,000</del>	<del>3,500,000</del>	<del>0</del>	<del>0</del>
26	<del>Capital Projects Fund—Federal Funds Project</del>				
27	<del>DOA—CPF Administration</del>	<del>2,807,250</del>	<del>2,442,616</del>	<del>0</del>	<del>0</del>
28	<del>DOA—Municipal and Higher Ed</del>				
29	<del>Matching Grant Program</del>	<del>23,360,095</del>	<del>0</del>	<del>0</del>	<del>0</del>
30	<del>DOA—RIC Student Services Center</del>	<del>15,000,000</del>	<del>15,000,000</del>	<del>0</del>	<del>0</del>
31	<del>EOC—Broadband</del>	<del>5,160,500</del>	<del>4,413,000</del>	<del>0</del>	<del>0</del>

32           The State Fiscal Recovery Fund and Capital Projects Fund appropriations herein shall be  
33 made in support of the following projects:

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

1           **Department of Administration (DOA)**

2           DOA - Aid to the Convention Center. These funds shall provide operating support to the  
3 Rhode Island convention center authority.

4           DOA - Electric Heat Pump Grant Program. These funds shall support a grant program  
5 within the office of energy resources to assist homeowners and small-to-mid-size business owners  
6 with the purchase and installation of high-efficiency electric heat pumps, with an emphasis on  
7 families in environmental justice communities, minority-owned businesses, and community  
8 organizations who otherwise cannot afford this technology. The office of energy resources shall  
9 report to the Speaker of the House and Senate President no later than April 1 of each year the results  
10 of this program, including but not limited to, the number of grants issued, amount of each grant and  
11 the average grant amount, and the expected cumulative carbon emissions reductions associated  
12 with heat pumps that received a grant.

13           DOA - Pandemic Recovery Office. These funds shall be allocated to finance the Pandemic  
14 Recovery Office established within the Department of Administration.

15           ~~DOA - Ongoing COVID-19 Response. These funds shall be allocated to continue COVID-~~  
16 ~~19 mitigation activities and to address the public health impacts of the pandemic in Rhode Island,~~  
17 ~~to be administered by the director of administration, in consultation with the director of health and~~  
18 ~~the secretary of health and human services.~~

19           DOA - Health Care Facilities. These funds shall address the ongoing staffing needs of  
20 hospitals, nursing facilities and community health centers related to the COVID-19 public health  
21 emergency totaling \$77.5 million. This includes \$45.0 million that shall be allocated to hospitals,  
22 or systems if hospitals are members of one, to include a base payment equivalent to \$1.0 million  
23 per hospital with the remaining based on a hospital's pro rata share of operating expenses from the  
24 2021 cost reports and \$30.0 million for distribution to nursing facilities based on the number of  
25 Medicaid beds days from the 2020 facility cost reports, provided at least 80 percent is dedicated to  
26 direct care workers. There is \$2.5 million to be distributed to the community health centers through  
27 the Rhode Island Health Center Association to support direct care staffing needs.

28           DOA - Public Health Response Warehouse Support. These funds shall be allocated to the  
29 proper of PPE and other necessary COVID-19 response related supplies.

30           DOA - Nonprofit Assistance. These funds shall be allocated to the Rhode Island  
31 Foundation to distribute to nonprofit organizations to address needs that have been exacerbated by  
32 COVID-19, including housing and food insecurity, and behavioral health issues, among others.

33           DOA - Auto-Enrollment Program. These funds shall support a program for automatically  
34 enrolling qualified individuals transitioned off Medicaid coverage at the end of the COVID-19

1 public health emergency into qualified health plans to avoid gaps in coverage, administered by  
2 HealthSource RI.

3 **Department of Labor and Training (DLT)**

4 DLT - Unemployment Insurance Trust Fund Contribution. The director of labor and  
5 training shall allocate these appropriations to the employment security fund prior to determining  
6 the experience rate for each eligible employer for calendar year 2023.

7 DLT - Enhanced Real Jobs. These funds shall support the Real Jobs Rhode Island program  
8 in the development of job partnerships, connecting industry employers adversely impacted by the  
9 pandemic to individuals enrolled in workforce training programs.

10 **Executive Office of Commerce (EOC)**

11 EOC - Destination Marketing. These funds shall be used for destination tourism marketing  
12 in support of airline routes to Rhode Island T.F. Green International Airport. The Commerce  
13 Corporation is required to supply equivalent matching funds out of its portion of the state hotel tax.

14 EOC - Statewide Broadband Planning and Mapping. These funds shall be allocated to  
15 develop a statewide broadband strategic plan to provide broadband access to unserved and  
16 underserved households and businesses, to support a state broadband director at the Commerce  
17 Corporation, and to conduct mapping in support of future state broadband investment.

18 EOC - Minority Business Accelerator. These funds shall support a program to invest  
19 additional resources to enhance the growth of minority business enterprises as defined in chapter  
20 14.1 of title 37. The initiative will support a range of assistance and programming, including  
21 financial and technical assistance, entrepreneurship training, space for programming and co-  
22 working, and assistance accessing low-interest loans. Commerce shall work with minority small  
23 business associations, including the Rhode Island Black Business Association (RIBBA), to advance  
24 this program. Of the amount allocated for FY 2023, five hundred thousand dollars (\$500,000) shall  
25 support the Rhode Island Black Business Association and three hundred thousand dollars  
26 (\$300,000) shall support the Roger Williams University Business Start-Up Clinic.

27 ~~EOC - Blue Economy Investments. These funds shall support a program to invest in the~~  
28 ~~state's blue economy industries consistent with the University of Rhode Island Research~~  
29 ~~Foundation's Blue Economy Technology Cluster grant application. These funds shall only be~~  
30 ~~allocated and spent after a commitment of at least thirty five million dollars (\$35,000,000) in federal~~  
31 ~~matching funds is secured from the economic development administration for Rhode Island. Funds~~  
32 ~~shall be used for purposes and amounts specified in the grant approval.~~

33 ~~EOC - Bioscience Investments. These funds shall support a program to invest in the state's~~  
34 ~~life science industries consistent with Northeastern University's BioConnects New England grant~~

1 ~~application. These funds shall only be allocated and spent after a commitment of at least fifteen~~  
2 ~~million dollars (\$15,000,000) in federal matching funds is secured from the economic development~~  
3 ~~administration for Rhode Island. Funds shall be used for purposes and amounts specified in the~~  
4 ~~grant approval.~~

5 ~~EOC – South Quay Marine Terminal. These funds shall support the development of an~~  
6 ~~integrated and centralized hub of intermodal shipping designed to support the offshore wind~~  
7 ~~industry along memorial parkway in the East Providence waterfront special development district.~~  
8 ~~Funds may be used for design and development of the waterfront portion of the terminal into a~~  
9 ~~marine industrial facility.~~

10 EOC - Small Business Assistance. These funds shall be allocated to a program of financial  
11 and technical assistance to small businesses and COVID-impacted industries as follows: twelve  
12 million five hundred thousand dollars (\$12,500,000) shall be provided as direct payments to  
13 businesses for lost revenue, eighteen million dollars (\$18,000,000) shall support technical  
14 assistance for long-term business capacity building, support public health upgrades, energy  
15 efficiency improvements, and outdoor programming, and one million five hundred thousand dollars  
16 (\$1,500,000) shall be allocated to support administration of these programs. To be eligible to  
17 receive funds or support under this program a business must have less than two million dollars  
18 (\$2,000,000) in annual gross revenues and demonstrate a negative impact from the COVID-19  
19 pandemic as determined by the Rhode Island Commerce Corporation. Under this program, total  
20 support in the form of direct payments or technical assistance grants shall not exceed ten thousand  
21 dollars (\$10,000) per eligible business through either program. Total support in the form of direct  
22 payments, technical assistance, and grants for public health upgrades, energy efficiency and  
23 outdoor programming shall not exceed thirty thousand dollars (\$30,000) in the aggregate. Provided  
24 further that at least twenty percent (20%) of all funds must be reserved for awards to assist minority  
25 business enterprises as defined in chapter 14.1 of title 37.

26 EOC - Assistance to Impacted Industries. These funds shall be allocated to a program of  
27 assistance to the tourism, hospitality, and events industries as follows: eight million dollars  
28 (\$8,000,000) shall be provided as direct payments to businesses for lost revenue, three million  
29 dollars (\$3,000,000) shall support outdoor and public space capital improvements and event  
30 programming, and two million dollars (\$2,000,000) shall support tourism marketing in  
31 coordination with state tourism regions and the Airport Corporation. A business is eligible to  
32 receive funds or support under this program if it can demonstrate a negative impact from the  
33 COVID-19 pandemic as determined by the Rhode Island Commerce Corporation.

34 **Rhode Island Housing (RIH)**

1           RIH - Development of Affordable Housing. These funds shall expand a program at the  
2 Rhode Island housing and mortgage finance corporation to provide additional investments in the  
3 development of affordable housing units in conjunction with general obligation bond funds and  
4 other sources of available financing according to guidelines approved by the Coordinating  
5 Committee of the Housing Resources Commission. Of this amount, ten million (\$10,000,000) shall  
6 be available to Rhode Island housing and mortgage finance corporation to establish a pilot program,  
7 which may ~~take the form~~ include the establishment of a revolving fund, that shall direct funds to  
8 support low income public housing through project-based rental assistance vouchers and financing  
9 for pre-development, improvement, and housing production costs. Within eighteen (18) months,  
10 any money available for the pilot that is not yet allocated to viable projects, or which has been  
11 awarded to public housing authorities which are unable to demonstrate substantial completion of  
12 all work within eighteen (18) months of receipt of any such funds, shall be returned to this program  
13 and no longer be included in the pilot. Determination of viability and substantial completion under  
14 the pilot shall be at the sole discretion of the ~~deputy secretary of commerce for housing~~ secretary  
15 of housing.

16           RIH - Site Acquisition. These funds shall be allocated to the Rhode Island housing and  
17 mortgage finance corporation toward the acquisition of properties for redevelopment as affordable  
18 and supportive housing to finance projects that include requirements for deed restrictions not less  
19 than thirty (30) years, and a non-recourse structure.

20           RIH - Down Payment Assistance. Administered by the Rhode Island housing and mortgage  
21 finance corporation, these funds shall be allocated to a program to provide ~~\$17,500~~ up to \$20,000  
22 in down payment assistance to eligible first-time home buyers to promote homeownership.

23           RIH - Workforce Housing. These funds shall be allocated to the Rhode Island housing and  
24 mortgage finance corporation to support a program to increase the housing supply for families  
25 earning up to 120 percent of area median income.

26           RIH - Affordable Housing Predevelopment Program. These funds shall be allocated to the  
27 Rhode Island housing mortgage finance corporation to support predevelopment work, for proposed  
28 affordable housing developments to build a pipeline of new projects and build the capacity of  
29 affordable housing developers in the state to expand affordable housing production.

30           RIH - Home Repair and Community Revitalization. These funds shall expand the  
31 acquisition and revitalization program administered by the Rhode Island housing and mortgage  
32 finance corporation to finance the acquisition and redevelopment of blighted properties to increase  
33 the number of commercial and community spaces in disproportionately impacted communities and  
34 or to increase the development of affordable housing. Residential development will serve

1 households earning no more than 80 percent of area median income. Commercial and community  
2 spaces must serve or meet the needs of residents of a census tract where at least 51 percent of the  
3 residents are low-and moderate-income persons. ~~The program will also~~ Of this amount, four million  
4 five hundred thousand dollars (\$4,500,000) will support critical home repairs within the same  
5 communities.

6 **Office of Housing and Community Development (OHCD)**

7 OHCD - Predevelopment and Capacity Building. These funds shall support a program to  
8 increase contract staffing capacity to administer proposed affordable housing projects. These funds  
9 will support research and data analysis, stakeholder engagement, and the expansion of services for  
10 people experiencing homelessness.

11 OHCD - Homelessness Assistance Program. These funds shall support a program to  
12 expand housing navigation, behavioral health, and stabilization services to address pandemic-  
13 related homelessness. The program will support both operating subsidies for extremely low-income  
14 housing units and services for people transitioning from homelessness to housing, including  
15 individuals transitioning out of the adult correctional institutions.

16 OHCD - Homelessness Infrastructure. These funds shall be used to support a program to  
17 respond to ~~pandemic-related~~ and prevent homelessness, including but not limited to, acquisition or  
18 construction of temporary or permanent shelter and other housing solutions and stabilization  
19 programs, of which ten million (\$10,000,000) shall support Crossroads Rhode Island sponsored  
20 housing development-based and/or housing- based solutions, wrap-around services and  
21 administrative costs of implementation.

22 OHCD - Statewide Housing Plan. These funds shall be allocated to the development of a  
23 statewide comprehensive housing plan to assess current and future housing needs, consider barriers  
24 to home ownership and affordability, and identify services needed for increased investments toward  
25 disproportionately impacted individuals and communities. These funds shall be used to support  
26 municipal planning efforts to identify and cultivate viable sites and housing projects.

27 **Quonset Development Corporation (QDC)**

28 QDC - Port of Davisville. These funds shall be allocated to expand a program developing  
29 port infrastructure and services at the Port of Davisville in Quonset in accordance with the  
30 corporation's master plan.

31 **Executive Office of Health and Human Services (EOHHS)**

32 EOHHS - Pediatric Recovery. These funds shall support a program to provide relief to  
33 pediatric providers in response to the decline in visitation and enrollment caused by the public  
34 health emergency and incentivize providers to increase developmental and psychosocial behavioral

1 screenings.

2 EOHHS - Early Intervention Recovery. These funds shall support a program to provide  
3 relief to early intervention providers in response to a decline in enrollment for early intervention,  
4 family home visiting and screening programs. This program will also provide performance bonuses  
5 for providers who hit certain targets, such as recovering referral numbers and achieving reduced  
6 staff turnover.

7 EOHHS - Certified Community Behavioral Clinics. These funds shall be allocated to a  
8 program to support certified community behavioral health clinics to bolster behavioral health  
9 supports, medical screening and monitoring, and social services to particularly vulnerable  
10 populations in response to a rise in mental health needs during the public health emergency.

11 EOHHS - Butler Hospital Short Term Stay Unit. These funds shall be allocated to support  
12 construction of a 25-bed short stay unit at Butler Hospital to provide behavioral health care services,  
13 crisis intervention and other related services.

14 **Department of Children, Youth and Families (DCYF)**

15 DCYF - Provider Workforce Stabilization. These funds shall be allocated to support  
16 workforce stabilization supplemental wage payments and sign-on bonuses to eligible direct care  
17 and supporting care staff of contracted service providers.

18 DCYF - Psychiatric Treatment Facility. These funds shall be allocated to expand existing  
19 provider Psychiatric Residential Treatment Facility capacity to provide intensive residential  
20 treatment options for adolescent girls and young women who face severe and complex behavioral  
21 health challenges.

22 DCYF - Foster Home Lead Abatement & Fire Safety. These funds shall be allocated to  
23 provide financial assistance to foster families for lead remediation and fire suppression upgrades.

24 **Department of Health (DOH)**

25 DOH - Public Health Clinics. Of these funds, \$2.0 million shall be allocated to the RI Free  
26 Clinic to improve statewide access and quality of primary care for uninsured adults; to increase  
27 access to dental care for uninsured adults integrated into medical care at the clinic; and, to build  
28 infrastructure for telehealth and electronic medical records, ~~and \$2.0 million shall be allocated to~~  
29 ~~Open Door Health to expand services to address issues for people who are disproportionately~~  
30 ~~impacted by the COVID-19 pandemic.~~ Additionally, \$2.0 million shall be allocated to Rhode  
31 Island Public Health Foundation/DBA Open Door Health to support the purchase of existing land  
32 and facilities in order to expand services for people who are disproportionately impacted by the  
33 COVID-19 pandemic. These funds may be used to support the purchase of land, the costs of  
34 acquiring a building or constructing a facility, as well as related costs. The terms and conditions

1 of the allocation shall require Rhode Island Public Health Foundation/DBA Open Door Health to  
2 execute a purchase and sale agreement by June 30, 2024, for any part of the allocation that is used  
3 for the purchase of land. For any part of the allocation that is used for the acquisition or construction  
4 of a facility a contract for such purpose must be executed by June 30, 2024. Any part of the  
5 allocation that is not used for the execution of a purchase and sale agreement or under contract for  
6 the acquisition or construction of a facility shall be returned to the state by July 31, 2024. Any part  
7 of the allocation that is unexpended by December 31, 2026, regardless of the purpose for which it  
8 was obligated, shall be returned to the state no later than January 31, 2027.

9 **Department of Human Services (DHS)**

10 DHS - Child Care Support. To address the adverse impact the pandemic has had on the  
11 child care sector, the funds allocated to this program will provide retention bonuses for direct care  
12 staff at child care centers and licensed family providers in response to pandemic-related staffing  
13 shortages and start up and technical assistance grants for family child care providers. Retention  
14 bonuses shall be paid monthly or as often as administratively feasible, but not less than quarterly.  
15 The director of the department of human services and the director of the department of children,  
16 youth and families may waive any fees otherwise assessed upon child care provider applicants who  
17 have been awarded the family child care provider incentive grant. The allocation to this program  
18 will also support quality improvements, the creation of a workforce registry and additional funds  
19 for educational opportunities for direct care staff.

20 **Department of Behavioral Healthcare, Developmental Disabilities and Hospitals**  
21 **(BHDDH)**

22 BHDDH - Crisis Intervention Trainings. To respond to the increased volume of mental-  
23 health related calls reported by police departments, these funds shall be allocated to the crisis  
24 intervention training program to provide training every three years for law enforcement as well as  
25 continuing education opportunities.

26 BHDDH - 9-8-8 Hotline. These funds shall be allocated for the creation of a 9-8-8 hotline  
27 to maintain compliance with the National Suicide Hotline Designation Act of 2020 and the Federal  
28 Communications Commission-adopted rules to assure that all citizens receive a consistent level of  
29 9-8-8 and crisis behavioral health services.

30 **Rhode Island Department of Elementary and Secondary Education (ELSEC)**

31 RIDE - Adult Education Providers. These funds shall be directly distributed through the  
32 Office of Adult Education to nonprofit adult education providers to expand access to educational  
33 programs and literary services.

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



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

5           **Department of Transportation**

6           DOT - RIPTA R-Line Free Service Pilot. These funds shall be allocated to the Rhode Island  
7 Public Transit Authority (RIPTA) to provide free fare bus route service along the “R Line” for a  
8 twelve (12) month period beginning September 1, 2022. RIPTA will track ridership data and submit  
9 a report to the Speaker of the House, the President of the Senate, and the Governor no later than  
10 March 1, 2024.

11          DOT - Turnpike and Bridge Authority – Safety Barriers Study. These funds shall be used  
12 by the Turnpike and Bridge Authority to conduct a study to identify and evaluate the options to  
13 prevent and address the risk of suicide on bridges under its purview. The selection of a vendor to  
14 conduct the study shall be done through a request for proposals process.

15          **Federal Funds - Capital Projects Fund**

16          **Department of Administration (DOA)**

17          DOA - CPF Administration. These funds shall be allocated to the department of  
18 administration to oversee the implementation of the Capital Projects Fund award from the  
19 American Rescue Plan Act.

20          DOA - Municipal and Higher Ed Matching Grant Program. These funds shall be allocated  
21 to a matching fund program for cities and towns that renovate or build a community wellness center  
22 that meets the work, education and health monitoring requirements identified by the U.S.  
23 Department of the Treasury.

24          ~~DOA – RIC Student Services Center. These funds shall support the development of a~~  
25 ~~centralized hub at Rhode Island College, where students can complete essential tasks.~~

26          **Executive Office of Commerce (EOC)**

27          EOC - Broadband. These funds shall be allocated to the executive office of commerce to  
28 invest in broadband projects to provide high-speed, reliable internet to all Rhode Islanders. The  
29 secretary of commerce, in partnership with the director of business regulation, will run a series of  
30 requests for proposals for broadband infrastructure projects, providing funds to municipalities,  
31 public housing authorities, business cooperatives and local internet service providers for projects  
32 targeted at those unserved and underserved by the current infrastructure as defined by national  
33 telecommunications and information administration standards. This investment shall be used to  
34 augment or provide a match for federal funds for broadband investment made available through the

1 Infrastructure Investment and Jobs Act. These funds shall be used in accordance with the statewide  
2 broadband strategic plan and may not be obligated nor expended prior to its submission in  
3 accordance with the requirements of the Rhode Island Broadband Development Program set forth  
4 in Chapter 42-162.

5 SECTION 6. [Notwithstanding any general laws to the contrary, the State Controller shall](#)  
6 [transfer \\$4,444,444 to the Workers' Compensation Administrative Fund by June 30, 2023.](#)

7 SECTION 7. This article shall take effect upon passage.

**ARTICLE 11 AS AMENDED**

RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND OPERATING SPACE

SECTION 1. This article consists of a Joint Resolution that is submitted pursuant to Rhode Island General Law § 37-6-2(d) authorizing various lease agreements for office space and operating space.

SECTION 2. *Department of Human Services (31 John Clarke Road, Middletown).*

WHEREAS, the Department of Human Services currently occupies approximately 4,400 square feet at 31 John Clarke Road in the Town of Middletown;

WHEREAS, the Department of Human Services currently has a current lease agreement, in full force and effect, with Child and Family Services of Newport County for approximately 4,400 square feet of office space located at 31 John Clarke Road, Middletown;

WHEREAS, the existing lease expires on November 30, 2023, and the Department of Human Services wishes to exercise its option to renew this lease for an additional five (5) year term;

WHEREAS, the State of Rhode Island, acting by and through the Department of Human Services, attests to the fact that there are no clauses in the lease agreement with Child and Family Services of Newport County that would interfere with the Department of Human Services lease agreement or use of the facility;

WHEREAS, the leased premises provide a critical location for the offices of the Department of Human Services from which the agency can fulfill its mission;

WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June 30, 2023, is \$88,989.18;

WHEREAS, the anticipated annual base rent of the agreement in each of the five (5) years of the renewal term will not exceed \$97,196.00;

WHEREAS, the payment of the annual base rent will be made from funds available to the Department of Human Services 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 General Assembly for the lease agreement between the Department of Human Services and Child and Family Services of Newport County for leased space located at 31 John Clarke Road,

1 Middletown; now therefore be it

2 RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
3 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
4 \$485,980.00;

5 RESOLVED, that this Joint Resolution shall take effect upon passage by the General  
6 Assembly;

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 Director of the Department of Human  
9 Services, the Director of Administration, the State Budget Officer, and the Chair of the State  
10 Properties Committee.

11 SECTION 3. *Department of Human Services (125 Holden Street, Providence).*

12 WHEREAS, the population who resides in the Greater Providence area and who qualifies  
13 for Department of Human Services programming has a demonstrable need for a second customer  
14 service center in the capital city that is readily accessible to residents and includes adequate parking;

15 WHEREAS, the Department of Administration has conducted of review of its State-owned  
16 inventory of space. Based on this review, the current State-owned building inventory does not  
17 include office space that can accommodate the space requirements of the Department of Human  
18 Services;

19 WHEREAS, it is anticipated that effective January 17, 2023, the Department of Human  
20 Services will enter into a one-year lease for a property located at 125 Holden Street, Providence,  
21 which features a 17,000 square foot office space that meets these requirements, including fifty (50)  
22 parking spaces;

23 WHEREAS, the annual base rent for the first year of the agreement is \$476,000.00;

24 WHEREAS, it is anticipated that the annual base rent of the new lease agreement in each  
25 of the ~~ten~~ five years of the term increases annually by the greater of (i) the percentage increase in  
26 the Consumer Price Index (the "CPI") as published in the Bureau of Labor Statistics on December  
27 31 of each lease year or (ii) three percent (3%);

28 WHEREAS, the payment of the annual base rent will be made from funds available to the  
29 Department of Human Services for the payments of rental and lease costs based on annual  
30 appropriations made by the General Assembly;

31 WHEREAS, tenant shall have the right, at its election, to extend the Term of this lease for  
32 one (1) option to extend the Term for five (5) years, (the "Option Term" or "Renewal Term"),  
33 provided however, that (i) Landlord receives written notice from Tenant of such exercise at least  
34 twelve (12) months prior to the expiration of the Term of Lease, and (ii) Landlord and Tenant

1 negotiate in good faith and reach agreement on the Rent and all of the other terms and conditions  
2 applicable to the Option Term at least seven (7) months prior to the expiration of the initial Term  
3 of lease. This Option Term is subject to Rhode Island General Assembly funding approval and  
4 approval by the State Properties Committee;

5 WHEREAS, the State Properties Committee now respectfully requests the approval of the  
6 General Assembly for the lease agreement between the Department of Human Services and 125  
7 Holden St. LLC, for the office space located at 125 Holden St. in the City of Providence, Rhode  
8 Island; now therefore be it

9 RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
10 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
11 \$2,527,148.65;

12 RESOLVED, that this joint resolution shall take effect upon passage by the General  
13 Assembly;

14 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
15 certified copies of this resolution to the Governor, the Director of the Department of Human  
16 Services, the Director of Administration, the State Budget Officer, and the Chair of the State  
17 Properties Committee.

18 SECTION 4. *Department of Human Services (One Reservoir Avenue, Providence)*

19 WHEREAS, The Department of Human Services and the Department of Labor and  
20 Training currently occupy 25,000 square feet at One Reservoir Avenue in the City of Providence;  
21 and

22 WHEREAS, the Department of Labor and Training has a current lease agreement in full  
23 force and effect, with First Reservoir, LLC for 25,000 square feet of office space located at One  
24 Reservoir Avenue; and

25 WHEREAS, the Department of Labor and Training will be vacating the leased premises  
26 effective June 30, 2023 and the Lease, with the Landlord's written consent, will be assigned to the  
27 Department of Human Services; and

28 WHEREAS, the existing lease expires on June 30, 2023 and the Department of Human  
29 Services wishes to exercise its option to renew this lease for an additional term; and

30 WHEREAS, the State of Rhode Island, acting by and through the Department of Human  
31 Services attests to the fact that there are no clauses in the lease agreement with First Reservoir,  
32 LLC that would interfere with the Department of Human Services lease agreement or use of the  
33 facility; and

34 WHEREAS, the leased premises provide a critical location for the offices of the

1 Department of Human Services from which the organization can fulfill its mission; and

2 WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June  
3 30, 2023 is \$579,250.00; and

4 WHEREAS, the anticipated annual base rent in years 1-2 of the term shall not exceed  
5 \$579,250.00, the anticipated annual base rent in years 3-5 of the term shall not exceed \$593,731.25;  
6 and

7 WHEREAS, the payment of the annual base rent will be made from funds available to the  
8 Department of Human Services for the payments of rental and lease costs based on annual  
9 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 Department of Human Services and First Reservoir, LLC for leased space located at  
13 One Reservoir Avenue, Providence; now therefore be it

14 RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
15 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
16 \$2,939,693.75; and it be further

17 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
18 certified copies of this resolution to the Governor, the Director of the Department of Human  
19 Services, the Director of Administration, the State Budget Officer, and the Chair of the State  
20 Properties Committee.

21 SECTION 5. *Department of Children, Youth and Families (530 Wood Street, Bristol).*

22 WHEREAS, the Department of Children, Youth and Families currently occupies  
23 approximately 15,693 square feet at 530 Wood Street in the Town of Bristol;

24 WHEREAS, the Department of Children, Youth and Families currently has a current lease  
25 agreement, in full force and effect, with WSA Property, Inc. for approximately 15,693 square feet  
26 of office space located at 530 Wood Street, Bristol;

27 WHEREAS, the existing lease expires on July 31, 2023, and the Department of Children,  
28 Youth and Families wishes to exercise its option to renew this lease for an additional five (5) year  
29 term;

30 WHEREAS, the State of Rhode Island, acting by and through the Department of Children,  
31 Youth and Families, attests to the fact that there are no clauses in the lease agreement with WSA  
32 Property, Inc. that would interfere with the Department of Children, Youth and Families lease  
33 agreement or use of the facility;

34 WHEREAS, the leased premises provide a critical location for the offices of the

1 Department of Children, Youth and Families from which the agency can fulfill its mission;

2 WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June  
3 30, 2023 is \$356,701.80;

4 WHEREAS, the anticipated annual base rent of the agreement in each of the five (5) years  
5 of the renewal term will not exceed \$337,399.50 in years one (1) through three (3) and \$353,092.50  
6 in years four (4) through five (5);

7 WHEREAS, the payment of the annual base rent will be made from funds available to the  
8 Department of Children, Youth and Families for the payments of rental and lease costs based on  
9 annual appropriations made by the General Assembly; and

10 WHEREAS, the State Properties Committee now respectfully requests the approval of the  
11 General Assembly for the lease agreement between the Department of Children, Youth and  
12 Families and WSA Property, Inc. for leased space located at 530 Wood Street, Bristol; now  
13 therefore be it

14 RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
15 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
16 \$1,718,383.50;

17 RESOLVED, that this Joint Resolution shall take effect upon passage by the General  
18 Assembly; and be it 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 Department of Children,  
21 Youth and Families, the Director of Administration, the State Budget Officer, and the Chair of the  
22 State Properties Committee.

23 SECTION 6. *Department of Revenue (2000 Diamond Hill Road, Woonsocket).*

24 WHEREAS, the Department of Revenue currently occupies approximately 4,877 square  
25 feet at 2000 Diamond Hill Road in the City of Woonsocket;

26 WHEREAS, the Department of Revenue currently has a current lease agreement, in full  
27 force and effect, with Woonsocket Mall, LLC for approximately 4,877 square feet of office space  
28 located at 2000 Diamond Hill Road, Woonsocket;

29 WHEREAS, the existing lease expires on November 30, 2023 and the Department of  
30 Revenue wishes to exercise its option to renew this lease for an additional five (5) year term;

31 WHEREAS, the State of Rhode Island, acting by and through the Department of Revenue,  
32 attests to the fact that there are no clauses in the lease agreement with Woonsocket Mall, LLC that  
33 would interfere with the Department of Revenue lease agreement or use of the facility;

34 WHEREAS, the leased premises provide a critical location for the offices of the

1 Department of Revenue from which the agency can fulfill its mission;

2 WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June  
3 30, 2023 is \$75,770.00;

4 WHEREAS, the anticipated annual base rent of the agreement in each of the five (5) years  
5 of the renewal term will not exceed \$78,519.70;

6 WHEREAS, the payment of the annual base rent will be made from funds available to the  
7 Department of Revenue for the payments of rental and lease costs based on annual appropriations  
8 made by the General Assembly;

9 WHEREAS, the State Properties Committee now respectfully requests the approval of the  
10 General Assembly for the lease agreement between the Department of Revenue and Woonsocket  
11 Mall, LLC for leased space located at 2000 Diamond Hill Road; now therefore be it

12 RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the  
13 lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed  
14 \$392,598.50;

15 RESOLVED, that this Joint Resolution shall take effect upon passage by the General  
16 Assembly;

17 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly  
18 certified copies of this resolution to the Governor, the Director of the Department of Revenue, the  
19 Director of Administration, the State Budget Officer, and the Chair of the State Properties  
20 Committee.

21 SECTION 7. This article shall take effect upon passage.





1 allowance as computed in accordance with § 16-16-40.1, compounded annually from the year for  
2 which the cost of living adjustment was determined to be payable by the retirement board pursuant  
3 to the provisions of subsection (a) or (b) of this section. Such cost of living adjustments are available  
4 to teachers who retire before October 1, 2009, or are eligible to retire as of September 30, 2009.

5 (2) The provisions of this subsection shall be deemed to apply prospectively only and no  
6 retroactive payment shall be made.

7 (3) The retirement allowance of all teachers and all beneficiaries of teachers who have not  
8 completed at least ten (10) years of contributory service on or before July 1, 2005, or were not  
9 eligible to retire as of September 30, 2009, shall, on the month following the third anniversary date  
10 of the retirement, and on the month following the anniversary date of each succeeding year be  
11 adjusted and computed by multiplying the retirement allowance by three percent (3%) or the  
12 percentage of increase in the Consumer Price Index for all Urban Consumers (CPI-U) as published  
13 by the United States Department of Labor Statistics, determined as of September 30 of the prior  
14 calendar year, whichever is less; the cost of living adjustment shall be compounded annually from  
15 the year for which the cost of living adjustment was determined payable by the retirement board;  
16 provided, that no adjustment shall cause any retirement allowance to be decreased from the  
17 retirement allowance provided immediately before such adjustment.

18 (d) For teachers not eligible to retire in accordance with this chapter as of September 30,  
19 2009, and not eligible upon passage of this article, and for their beneficiaries, the cost of living  
20 adjustment described in subsection (3) above shall only apply to the first thirty-five thousand  
21 dollars (\$35,000) of retirement allowance, indexed annually, and shall commence upon the third  
22 (3rd) anniversary of the date of retirement or when the retiree reaches age sixty-five (65), whichever  
23 is later. The thirty-five thousand dollar (\$35,000) limit shall increase annually by the percentage  
24 increase in the Consumer Price Index for all Urban Consumer (CPI-U) as published by the United  
25 States Department of Labor Statistics determined as of September 30 of the prior calendar year or  
26 three percent (3%), whichever is less. The first thirty-five thousand dollars (\$35,000), as indexed,  
27 of retirement allowance shall be multiplied by the percentage of increase in the Consumer Price  
28 Index for all Urban Consumers (CPI-U) as published by the United States Department of Labor  
29 Statistics determined as of September 30 of the prior calendar year or three percent (3%), whichever  
30 is less, on the month following the anniversary date of each succeeding year. For teachers eligible  
31 to retire as of September 30, 2009, or eligible upon passage of this article, and for their  
32 beneficiaries, the provisions of this subsection (d) shall not apply.

33 (e) The provisions of §§ 45-13-7 — 45-13-10 shall not apply to this section.

34 (f) This subsection (f) shall be effective for the period July 1, 2012, through June 30, 2015.

1 (1) Notwithstanding the prior paragraphs of this section, and subject to paragraph (f)(2)  
2 below, for all present and former teachers, active and retired teachers, and beneficiaries receiving  
3 any retirement, disability or death allowance or benefit of any kind, the annual benefit adjustment  
4 provided in any calendar year under this section shall be equal to (A) multiplied by (B) where (A)  
5 is equal to the percentage determined by subtracting five and one-half percent (5.5%) (the  
6 “subtrahend”) from the Five-Year Average Investment Return of the retirement system determined  
7 as of the last day of the plan year preceding the calendar year in which the adjustment is granted,  
8 said percentage not to exceed four percent (4%) and not to be less than zero percent (0%), and (B)  
9 is equal to the lesser of the teacher’s retirement allowance or the first twenty-five thousand dollars  
10 (\$25,000) of retirement allowance, such twenty-five thousand dollars (\$25,000) amount to be  
11 indexed annually in the same percentage as determined under paragraph (f)(1)(A) above. The  
12 “Five-Year Average Investment Return” shall mean the average of the investment returns of the  
13 most recent five (5) plan years as determined by the retirement board. Subject to paragraph (f)(2)  
14 below, the benefit adjustment provided by this paragraph shall commence upon the third (3rd)  
15 anniversary of the date of retirement or the date on which the retiree reaches his or her Social  
16 Security retirement age, whichever is later. In the event the retirement board adjusts the actuarially  
17 assumed rate of return for the system, either upward or downward, the subtrahend shall be adjusted  
18 either upward or downward in the same amount.

19 (2) Except as provided in paragraph (f)(3), the benefit adjustments under this section for  
20 any plan year shall be suspended in their entirety unless the Funded Ratio of the Employees’  
21 Retirement System of Rhode Island, the Judicial Retirement Benefits Trust and the State Police  
22 Retirement Benefits Trust, calculated by the system’s actuary on an aggregate basis, exceeds eighty  
23 percent (80%) in which event the benefit adjustment will be reinstated for all teachers for such plan  
24 year.

25 In determining whether a funding level under this paragraph (f)(2) has been achieved, the  
26 actuary shall calculate the funding percentage after taking into account the reinstatement of any  
27 current or future benefit adjustment provided under this section.

28 (3) Notwithstanding paragraph (f)(2), in each fifth plan year commencing after June 30,  
29 2012, commencing with the plan year ending June 30, 2017, and subsequently at intervals of five  
30 plan years, a benefit adjustment shall be calculated and made in accordance with paragraph (f)(1)  
31 above until the Funded Ratio of the Employees’ Retirement System of Rhode Island, the Judicial  
32 Retirement Benefits Trust and the State Police Retirement Benefits Trust, calculated by the  
33 system’s actuary on an aggregate basis, exceeds eighty percent (80%).

34 (4) Notwithstanding any other provisions of this chapter, the provisions of this paragraph

1 (f) of § 16-16-40 shall become effective July 1, 2012, and shall apply to any benefit adjustments  
2 not granted on or prior to June 30, 2012.

3 (g) This subsection (g) shall become effective July 1, 2015.

4 (1)(A) As soon as administratively reasonable following the enactment into law of this  
5 subsection (g)(1)(A), a one-time benefit adjustment shall be provided to teachers and/or  
6 beneficiaries of teachers who retired on or before June 30, 2012, in the amount of two percent (2%)  
7 of the lesser of either the teacher's retirement allowance or the first twenty-five thousand dollars  
8 (\$25,000) of the teacher's retirement allowance. This one-time benefit adjustment shall be provided  
9 without regard to the retiree's age or number of years since retirement.

10 (B) Notwithstanding the prior subsections of this section, for all present and former  
11 teachers, active and retired teachers, and beneficiaries receiving any retirement, disability or death  
12 allowance or benefit of any kind, the annual benefit adjustment provided in any calendar year under  
13 this section for adjustments on and after January 1, 2016, and subject to subsection (g)(2) below,  
14 shall be equal to (I) multiplied by (II):

15 (I) Shall equal the sum of fifty percent (50%) of (i) plus fifty percent (50%) of (ii) where:

16 (i) Is equal to the percentage determined by subtracting five and one-half percent (5.5%)  
17 (the "subtrahend") from the five-year average investment return of the retirement system  
18 determined as of the last day of the plan year preceding the calendar year in which the adjustment  
19 is granted, said percentage not to exceed four percent (4%) and not to be less than zero percent  
20 (0%). The "five-year average investment return" shall mean the average of the investment returns  
21 of the most recent five (5) plan years as determined by the retirement board. In the event the  
22 retirement board adjusts the actuarially assumed rate of return for the system, either upward or  
23 downward, the subtrahend shall be adjusted either upward or downward in the same amount.

24 (ii) Is equal to the lesser of three percent (3%) or the percentage increase in the Consumer  
25 Price Index for all Urban Consumers (CPI-U) as published by the U.S. Department of Labor  
26 Statistics determined as of September 30 of the prior calendar year.

27 In no event shall the sum of (i) plus (ii) exceed three and one-half percent (3.5%) or be less  
28 than (0%) percent.

29 (II) is equal to the lesser of either the teacher's retirement allowance or the first twenty-  
30 five thousand eight hundred and fifty-five dollars (\$25,855) of retirement allowance, such amount  
31 to be indexed annually in the same percentage as determined under subsection (g)(1)(B)(I) above.

32 The benefit adjustments provided by this subsection (g)(1)(B) shall be provided to all  
33 retirees entitled to receive a benefit adjustment as of June 30, 2012, under the law then in effect,  
34 and for all other retirees the benefit adjustments shall commence upon the third anniversary of the

1 date of retirement or the date on which the retiree reaches his or her Social Security retirement age,  
2 whichever is later.

3 (2) ~~Except as provided in subsection (g)(3), the~~ The benefit adjustments under subsection  
4 (g)(1)(B) for any plan year shall be ~~suspended in their entirety~~ reduced to twenty-five percent (25%)  
5 of the benefit adjustment unless the funded ratio of the employees' retirement system of Rhode  
6 Island, the judicial retirement benefits trust and the state police retirement benefits trust, calculated  
7 by the system's actuary on an aggregate basis, exceeds eighty percent (80%) in which event the  
8 benefit adjustment will be reinstated for all teachers for such plan year.

9 In determining whether a funding level under this subsection (g)(2) has been achieved, the  
10 actuary shall calculate the funding percentage after taking into account the reinstatement of any  
11 current or future benefit adjustment provided under this section.

12 (3) ~~Notwithstanding subsection (g)(2), in each fourth plan year commencing after June 30,~~  
13 ~~2012, commencing with the plan year ending June 30, 2016, and subsequently at intervals of four~~  
14 ~~plan years: (i) A benefit adjustment shall be calculated and made in accordance with subsection~~  
15 ~~(g)(1)(B) above; and (ii)~~ Effective for teachers and/or beneficiaries of teachers who retired on or  
16 before June 30, 2015, the dollar amount in subsection (g)(1)(B)(II) of twenty-five thousand eight  
17 hundred and fifty-five dollars (\$25,855) shall be replaced with thirty-one thousand and twenty-six  
18 dollars (\$31,026) until the funded ratio of the employees' retirement system of Rhode Island, the  
19 judicial retirement benefits trust and the state police retirement benefits trust, calculated by the  
20 system's actuary on an aggregate basis, exceeds eighty percent (80%).

21 (4) Effective for teachers and or beneficiaries of teachers who have retired on or before  
22 July 1, 2015, a one-time stipend of five hundred dollars (\$500) shall be payable within sixty (60)  
23 days following the enactment of the legislation implementing this provision, and a second one-time  
24 stipend of five hundred dollars (\$500) in the same month of the following year. These stipends  
25 shall be payable to all retired teachers or beneficiaries receiving a benefit as of the applicable  
26 payment date and shall not be considered cost of living adjustments under the prior provisions of  
27 this § 16-16-40.

28 SECTION 2. Section 36-10-35 of the General Laws in Chapter 36-10 entitled "Retirement  
29 System — Contributions and Benefits" is hereby amended to read as follows:

30 **36-10-35. Additional benefits payable to retired employees.**

31 (a) All state employees and all beneficiaries of state employees receiving any service  
32 retirement or ordinary or accidental disability retirement allowance pursuant to the provisions of  
33 this title on or before December 31, 1967, shall receive a cost of living retirement adjustment equal  
34 to one and one-half percent (1.5%) per year of the original retirement allowance, not compounded,

1 for each calendar year the retirement allowance has been in effect. For the purposes of computation,  
2 credit shall be given for a full calendar year regardless of the effective date of the retirement  
3 allowance. This cost of living adjustment shall be added to the amount of the retirement allowance  
4 as of January 1, 1968, and an additional one and one-half percent (1.5%) shall be added to the  
5 original retirement allowance in each succeeding year during the month of January, and provided  
6 further, that this additional cost of living increase shall be three percent (3%) for the year beginning  
7 January 1, 1971, and each year thereafter, through December 31, 1980. Notwithstanding any of the  
8 above provisions, no employee receiving any service retirement allowance pursuant to the  
9 provisions of this title on or before December 31, 1967, or the employee's beneficiary, shall receive  
10 any additional benefit hereunder in an amount less than two hundred dollars (\$200) per year over  
11 the service retirement allowance where the employee retired prior to January 1, 1958.

12 (b) All state employees and all beneficiaries of state employees retired on or after January  
13 1, 1968, who are receiving any service retirement or ordinary or accidental disability retirement  
14 allowance pursuant to the provisions of this title shall, on the first day of January next following  
15 the third anniversary date of the retirement, receive a cost of living retirement adjustment, in  
16 addition to his or her retirement allowance, in an amount equal to three percent (3%) of the original  
17 retirement allowance. In each succeeding year thereafter through December 31, 1980, during the  
18 month of January, the retirement allowance shall be increased an additional three percent (3%) of  
19 the original retirement allowance, not compounded, to be continued during the lifetime of the  
20 employee or beneficiary. For the purposes of computation, credit shall be given for a full calendar  
21 year regardless of the effective date of the service retirement allowance.

22 (c)(1) Beginning on January 1, 1981, for all state employees and beneficiaries of the state  
23 employees receiving any service retirement and all state employees, and all beneficiaries of state  
24 employees, who have completed at least ten (10) years of contributory service on or before July 1,  
25 2005, pursuant to the provisions of this chapter, and for all state employees, and all beneficiaries  
26 of state employees who receive a disability retirement allowance pursuant to §§ 36-10-12 — 36-  
27 10-15, the cost of living adjustment shall be computed and paid at the rate of three percent (3%) of  
28 the original retirement allowance or the retirement allowance as computed in accordance with §  
29 36-10-35.1, compounded annually from the year for which the cost of living adjustment was  
30 determined to be payable by the retirement board pursuant to the provisions of subsection (a) or (b)  
31 of this section. Such cost of living adjustments are available to members who retire before October  
32 1, 2009, or are eligible to retire as of September 30, 2009.

33 (2) The provisions of this subsection shall be deemed to apply prospectively only and no  
34 retroactive payment shall be made.

1           (3) The retirement allowance of all state employees and all beneficiaries of state employees  
2 who have not completed at least ten (10) years of contributory service on or before July 1, 2005, or  
3 were not eligible to retire as of September 30, 2009, shall, on the month following the third  
4 anniversary date of retirement, and on the month following the anniversary date of each succeeding  
5 year be adjusted and computed by multiplying the retirement allowance by three percent (3%) or  
6 the percentage of increase in the Consumer Price Index for all Urban Consumers (CPI-U) as  
7 published by the United States Department of Labor Statistics determined as of September 30 of  
8 the prior calendar year, whichever is less; the cost of living adjustment shall be compounded  
9 annually from the year for which the cost of living adjustment was determined payable by the  
10 retirement board; provided, that no adjustment shall cause any retirement allowance to be decreased  
11 from the retirement allowance provided immediately before such adjustment.

12           (d) For state employees not eligible to retire in accordance with this chapter as of  
13 September 30, 2009, and not eligible upon passage of this article, and for their beneficiaries, the  
14 cost of living adjustment described in subsection (c)(3) of this section shall only apply to the first  
15 thirty-five thousand dollars (\$35,000) of retirement allowance, indexed annually, and shall  
16 commence upon the third (3rd) anniversary of the date of retirement or when the retiree reaches  
17 age sixty-five (65), whichever is later. The thirty-five thousand dollar (\$35,000) limit shall increase  
18 annually by the percentage increase in the Consumer Price Index for all Urban Consumers (CPI-  
19 U) as published by the United States Department of Labor Statistics determined as of September  
20 30 of the prior calendar year or three percent (3%), whichever is less. The first thirty-five thousand  
21 dollars (\$35,000) of retirement allowance, as indexed, shall be multiplied by the percentage of  
22 increase in the Consumer Price Index for all Urban Consumers (CPI-U) as published by the United  
23 States Department of Labor Statistics determined as of September 30 of the prior calendar year or  
24 three percent (3%), whichever is less, on the month following the anniversary date of each  
25 succeeding year. For state employees eligible to retire as of September 30, 2009, or eligible upon  
26 passage of this article, and for their beneficiaries, the provisions of this subsection (d) shall not  
27 apply.

28           (e) All legislators and all beneficiaries of legislators who are receiving a retirement  
29 allowance pursuant to the provisions of § 36-10-9.1 for a period of three (3) or more years, shall,  
30 commencing January 1, 1982, receive a cost of living retirement adjustment, in addition to a  
31 retirement allowance, in an amount equal to three percent (3%) of the original retirement allowance.  
32 In each succeeding year thereafter during the month of January, the retirement allowance shall be  
33 increased an additional three percent (3%) of the original retirement allowance, compounded  
34 annually, to be continued during the lifetime of the legislator or beneficiary. For the purposes of

1 computation, credit shall be given for a full calendar year regardless of the effective date of the  
2 service retirement allowance.

3 (f) The provisions of §§ 45-13-7 — 45-13-10 shall not apply to this section.

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

5 (1) Notwithstanding the prior paragraphs of this section, and subject to paragraph (g)(2)  
6 below, for all present and former employees, active and retired members, and beneficiaries  
7 receiving any retirement, disability or death allowance or benefit of any kind, the annual benefit  
8 adjustment provided in any calendar year under this section shall be equal to (A) multiplied by (B)  
9 where (A) is equal to the percentage determined by subtracting five and one-half percent (5.5%)  
10 (the “subtrahend”) from the Five-Year Average Investment Return of the retirement system  
11 determined as of the last day of the plan year preceding the calendar year in which the adjustment  
12 is granted, said percentage not to exceed four percent (4%) and not to be less than zero percent  
13 (0%), and (B) is equal to the lesser of the member’s retirement allowance or the first twenty-five  
14 thousand dollars (\$25,000) of retirement allowance, such twenty-five thousand dollars (\$25,000)  
15 amount to be indexed annually in the same percentage as determined under (g)(1)(A) above. The  
16 “Five-Year Average Investment Return” shall mean the average of the investment returns of the  
17 most recent five (5) plan years as determined by the retirement board. Subject to paragraph (g)(2)  
18 below, the benefit adjustment provided by this paragraph shall commence upon the third (3rd)  
19 anniversary of the date of retirement or the date on which the retiree reaches his or her Social  
20 Security retirement age, whichever is later. In the event the retirement board adjusts the actuarially  
21 assumed rate of return for the system, either upward or downward, the subtrahend shall be adjusted  
22 either upward or downward in the same amount.

23 (2) Except as provided in paragraph (g)(3), the benefit adjustments under this section for  
24 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 paragraph (g)(2) has been achieved, the  
30 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 (3) Notwithstanding paragraph (g)(2), in each fifth plan year commencing after June 30,  
33 2012, commencing with the plan year ending June 30, 2017, and subsequently at intervals of five  
34 plan years, a benefit adjustment shall be calculated and made in accordance with paragraph (g)(1)



1 above until the Funded Ratio of the Employees' Retirement System of Rhode Island, the Judicial  
2 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 (4) Notwithstanding any other provision of this chapter, the provisions of this paragraph  
5 (g) shall become effective July 1, 2012, and shall apply to any benefit adjustment not granted on or  
6 prior to June 30, 2012.

7 (h) This subsection (h) shall become effective July 1, 2015.

8 (1)(A) As soon as administratively reasonable following the enactment into law of this  
9 subsection (h)(1)(A), a one-time benefit adjustment shall be provided to members and/or  
10 beneficiaries of members who retired on or before June 30, 2012, in the amount of 2% of the lesser  
11 of either the member's retirement allowance or the first twenty-five thousand dollars (\$25,000) of  
12 the member's retirement allowance. This one-time benefit adjustment shall be provided without  
13 regard to the retiree's age or number of years since retirement.

14 (B) Notwithstanding the prior subsections of this section, for all present and former  
15 employees, active and retired members, and beneficiaries receiving any retirement, disability or  
16 death allowance or benefit of any kind, the annual benefit adjustment provided in any calendar year  
17 under this section for adjustments on and after January 1, 2016, and subject to subsection (h)(2)  
18 below, shall be equal to (I) multiplied by (II):

19 (I) Shall equal the sum of fifty percent (50%) of (i) plus fifty percent (50%) of (ii) where:

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

28 (ii) Is equal to the lesser of three percent (3%) or the percentage increase in the Consumer  
29 Price Index for all Urban Consumers (CPI-U) as published by the U.S. Department of Labor  
30 Statistics determined as of September 30 of the prior calendar year. In no event shall the sum of (i)  
31 plus (ii) exceed three and one-half percent (3.5%) or be less than zero percent (0%).

32 (II) Is equal to the lesser of either the member's retirement allowance or the first twenty-  
33 five thousand eight hundred and fifty-five dollars (\$25,855) of retirement allowance, such amount  
34 to be indexed annually in the same percentage as determined under subsection (h)(1)(B)(I) above.

1 The benefit adjustments provided by this subsection (h)(1)(B) shall be provided to all  
2 retirees entitled to receive a benefit adjustment as of June 30, 2012, under the law then in effect,  
3 and for all other retirees the benefit adjustments shall commence upon the third anniversary of the  
4 date of retirement or the date on which the retiree reaches his or her Social Security retirement age,  
5 whichever is later.

6 (2) ~~Except as provided in subsection (h)(3) of this section, the~~ The benefit adjustments  
7 under subsection (h)(1)(B) for any plan year shall be ~~suspended in their entirety~~ reduced to twenty-  
8 twenty-five percent (25%) of the benefit adjustment unless the funded ratio of the employees'  
9 retirement system of Rhode Island, the judicial retirement benefits trust and the state police  
10 retirement benefits trust, calculated by the system's actuary on an aggregate basis, exceeds eighty  
11 percent (80%) in which event the benefit adjustment will be reinstated for all members for such  
12 plan year.

13 In determining whether a funding level under this subsection (h)(2) has been achieved, the  
14 actuary shall calculate the funding percentage after taking into account the reinstatement of any  
15 current or future benefit adjustment provided under this section.

16 (3) ~~Notwithstanding subsection (h)(2), in each fourth plan year commencing after June 30,~~  
17 ~~2012, commencing with the plan year ending June 30, 2016, and subsequently at intervals of four~~  
18 ~~plan years:~~

19 ~~(i) A benefit adjustment shall be calculated and made in accordance with subsection~~  
20 ~~(h)(1)(B) above; and~~

21 ~~(ii)~~ Effective for members and/or beneficiaries of members who retired on or before June  
22 30, 2015, the dollar amount in subsection (h)(1)(B)(II) of twenty-five thousand eight hundred and  
23 fifty-five dollars (\$25,855) shall be replaced with thirty-one thousand and twenty-six dollars  
24 (\$31,026) until the funded ratio of the employees' retirement system of Rhode Island, the judicial  
25 retirement benefits trust and the state police retirement benefits trust, calculated by the system's  
26 actuary on an aggregate basis, exceeds eighty percent (80%).

27 (i) Effective for members and/or beneficiaries of members who have retired on or before  
28 July 1, 2015, a one-time stipend of five hundred dollars (\$500) shall be payable within sixty (60)  
29 days following the enactment of the legislation implementing this provision, and a second one-time  
30 stipend of five hundred dollars (\$500) in the same month of the following year. These stipends  
31 shall be payable to all retired members or beneficiaries receiving a benefit as of the applicable  
32 payment date and shall not be considered cost of living adjustments under the prior provisions of  
33 this section.

34 SECTION 3. Section 45-21-52 of the General Laws in Chapter 45-21 entitled "Retirement

1 of Municipal Employees" is hereby amended to read as follows:

2 **45-21-52. Automatic increase in service retirement allowance.**

3 (a) The local legislative bodies of the cities and towns may extend to their respective  
4 employees automatic adjustment increases in their service retirement allowances, by a resolution  
5 accepting any of the plans described in this section:

6 (1) Plan A. All employees and beneficiaries of those employees receiving a service  
7 retirement or disability retirement allowance under the provisions of this chapter on December 31  
8 of the year their city or town accepts this section, receive a cost of living adjustment equal to one  
9 and one-half percent (1½%) per year of the original retirement allowance, not compounded, for  
10 each calendar year the retirement allowance has been in effect. This cost of living adjustment is  
11 added to the amount of the retirement allowance as of January 1 following acceptance of this  
12 provision, and an additional one and one-half percent (1½%) is added to the original retirement  
13 allowance in each succeeding year during the month of January, and provided, further, that this  
14 additional cost of living increase is three percent (3%) for the year beginning January 1 of the year  
15 the plan is accepted and each succeeding year.

16 (2) Plan B. All employees and beneficiaries of those employees receiving a retirement  
17 allowance under the provisions of this chapter on December 31 of the year their municipality  
18 accepts this section, receive a cost of living adjustment equal to three percent (3%) of their original  
19 retirement allowance. This adjustment is added to the amount of the retirement allowance as of  
20 January 1 following acceptance of this provision, and an additional three percent (3%) of the  
21 original retirement allowance, not compounded, is payable in each succeeding year in the month  
22 of January.

23 (3) Plan C. All employees and beneficiaries of those employees who retire on or after  
24 January 1 of the year following acceptance of this section, on the first day of January next following  
25 the date of the retirement, receive a cost of living adjustment in an amount equal to three percent  
26 (3%) of the original retirement allowance.

27 (b) In each succeeding year in the month of January, the retirement allowance is increased  
28 an additional three percent (3%) of the original retirement allowance, not compounded.

29 (c) This subsection (c) shall be effective for the period July 1, 2012, through June 30, 2015.

30 (1) Notwithstanding any other paragraphs of this section, and subject to paragraph (c)(2)  
31 below, for all present and former employees, active and retired members, and beneficiaries  
32 receiving any retirement, disability or death allowance or benefit of any kind by reason of adoption  
33 of this section by their employer, the annual benefit adjustment provided in any calendar year under  
34 this section shall be equal to (A) multiplied by (B) where (A) is equal to the percentage determined

1 by subtracting five and one-half percent (5.5%) (the “subtrahend”) from the Five-Year Average  
2 Investment Return of the retirement system determined as of the last day of the plan year preceding  
3 the calendar year in which the adjustment is granted, said percentage not to exceed four percent  
4 (4%) and not to be less than zero percent (0%), and (B) is equal to the lesser of the member’s  
5 retirement allowance or the first twenty-five thousand dollars (\$25,000) of retirement allowance,  
6 such twenty-five thousand dollars (\$25,000) amount to be indexed annually in the same percentage  
7 as determined under (c)(1)(A) above. The “Five-Year Average Investment Return” shall mean the  
8 average of the investment returns of the most recent five (5) plan years as determined by the  
9 retirement board. Subject to paragraph (c)(2) below, the benefit adjustment provided by this  
10 paragraph shall commence upon the third (3rd) anniversary of the date of retirement or the date on  
11 which the retiree reaches his or her Social Security retirement age, whichever is later; or for  
12 municipal police and fire retiring under the provisions of chapter 45-21.2, the benefit adjustment  
13 provided by this paragraph shall commence on the later of the third (3rd) anniversary of the date of  
14 retirement or the date on which the retiree reaches age fifty-five (55). In the event the retirement  
15 board adjusts the actuarially assumed rate of return for the system, either upward or downward, the  
16 subtrahend shall be adjusted either upward or downward in the same amount.

17 (2) Except as provided in paragraph (c)(3) the benefit adjustments provided under this  
18 section for any plan year shall be ~~suspended in their entirety~~ reduced to twenty-five percent (25%)  
19 of the benefit adjustment for each municipal plan within the municipal employees retirement  
20 system unless the municipal plan is determined to be funded at a Funded Ratio equal to or greater  
21 than eighty percent (80%) as of the end of the immediately preceding plan year in accordance with  
22 the retirement system’s actuarial valuation report as prepared by the system’s actuary, in which  
23 event the benefit adjustment will be reinstated for all members for such plan year.

24 In determining whether a funding level under this paragraph (c)(2) has been achieved, the  
25 actuary shall calculate the funding percentage after taking into account the reinstatement of any  
26 current or future benefit adjustment provided under this section.

27 (3) Notwithstanding paragraph (c)(2), for each municipal plan that has a Funded Ratio of  
28 less than eighty percent (80%) as of June 30, 2012, in each fifth plan year commencing after June  
29 30, 2012, commencing with the plan year ending June 30, 2017, and subsequently at intervals of  
30 five (5) plan years, a benefit adjustment shall be calculated and made in accordance with paragraph  
31 (c)(1) above until the municipal plan’s Funded Ratio exceeds eighty percent (80%).

32 (d) This subsection (d) shall become effective July 1, 2015.

33 (1)(A) As soon as administratively reasonable following the enactment into law of this  
34 subsection (d)(1)(A), a one-time benefit adjustment shall be provided to members and/or

1 beneficiaries of members who retired on or before June 30, 2012, in the amount of two percent  
2 (2%) of the lesser of either the employee's retirement allowance or the first twenty-five thousand  
3 dollars (\$25,000) of the member's retirement allowance. This one-time benefit adjustment shall be  
4 provided without regard to the retiree's age or number of years since retirement.

5 (B) Notwithstanding the prior subsections of this section, for all present and former  
6 employees, active and retired employees, and beneficiaries receiving any retirement, disability or  
7 death allowance or benefit of any kind by reason of adoption of this section by their employer, the  
8 annual benefit adjustment provided in any calendar year under this section for adjustments on and  
9 after January 1, 2016, and subject to paragraph (d)(2) below, shall be equal to (I) multiplied by (II):

10 (I) Shall equal the sum of fifty percent (50%) of (i) plus fifty percent (50%) of (ii) where:

11 (i) Is equal to the percentage determined by subtracting five and one-half percent (5.5%)  
12 (the "subtrahend") from the five-year average investment return of the retirement system  
13 determined as of the last day of the plan year preceding the calendar year in which the adjustment  
14 is granted, said percentage not to exceed four percent (4%) and not to be less than zero percent  
15 (0%). The "five-year average investment return" shall mean the average of the investment returns  
16 of the most recent five (5) plan years as determined by the retirement board. In the event the  
17 retirement board adjusts the actuarially assumed rate of return for the system, either upward or  
18 downward, the subtrahend shall be adjusted either upward or downward in the same amount.

19 (ii) Is equal to the lesser of three percent (3%) or the percentage increase in the Consumer  
20 Price Index for all Urban Consumers (CPI-U) as published by the U.S. Department of Labor  
21 Statistics determined as of September 30 of the prior calendar year.

22 In no event shall the sum of (i) plus (ii) exceed three and one-half percent (3.5%) or be less  
23 than zero percent (0%).

24 (II) Is equal to the lesser of either the member's retirement allowance or the first twenty-  
25 five thousand eight hundred and fifty-five dollars (\$25,855) of retirement allowance, such amount  
26 to be indexed annually in the same percentage as determined under subsection (d)(1)(B)(I) above.

27 The benefit adjustments provided by this subsection (d)(1)(B) shall be provided to all  
28 retirees entitled to receive a benefit adjustment as of June 30, 2012, under the law then in effect,  
29 and for all other retirees the benefit adjustments shall commence upon the third anniversary of the  
30 date of retirement or the date on which the retiree reaches his or her Social Security retirement age,  
31 whichever is later; or for municipal police and fire retiring under the provisions of § 45-21.2-  
32 5(b)(1)(A), the benefit adjustment provided by this paragraph shall commence on the later of the  
33 third anniversary of the date of retirement or the date on which the retiree reaches age fifty-five  
34 (55); or for municipal police and fire retiring under the provisions of § 45-21.2-5(b)(1)(B), the

1 benefit adjustment provided by this paragraph shall commence on the later of the third anniversary  
2 of the date of retirement or the date on which the retiree reaches age fifty (50).

3 (2) ~~Except as provided in subsection (d)(3), the~~ The benefit adjustments under subsection  
4 (d)(1)(B) for any plan year shall be ~~suspended in their entirety~~ reduced to twenty-five percent (25%)  
5 of the benefit adjustment for each municipal plan within the municipal employees retirement  
6 system unless the municipal plan is determined to be funded at a funded ratio equal to or greater  
7 than eighty percent (80%) as of the end of the immediately preceding plan year in accordance with  
8 the retirement system's actuarial valuation report as prepared by the system's actuary, in which  
9 event the benefit adjustment will be reinstated for all members for such plan year.

10 In determining whether a funding level under this subsection (d)(2) has been achieved, the  
11 actuary shall calculate the funding percentage after taking into account the reinstatement of any  
12 current or future benefit adjustment provided under this section.

13 (3) ~~Notwithstanding subsection (d)(2), in each fourth plan year commencing after June 30,~~  
14 ~~2012, commencing with the plan year ending June 30, 2016, and subsequently at intervals of four~~  
15 ~~plan years: (i) A benefit adjustment shall be calculated and made in accordance with subsection~~  
16 ~~(d)(1)(B) above; and (ii)~~ Effective for members and/or beneficiaries of members who retired on or  
17 before June 30, 2015, the dollar amount in subsection (d)(1)(B)(II) of twenty-five thousand eight  
18 hundred and fifty-five dollars (\$25,855) shall be replaced with thirty-one thousand and twenty-six  
19 dollars (\$31,026) until the municipal plan's funded ratio exceeds eighty percent (80%).

20 (e) Upon acceptance of any of the plans in this section, each employee shall on January 1  
21 next succeeding the acceptance, contribute by means of salary deductions, pursuant to § 45-21-41,  
22 one percent (1%) of the employee's compensation concurrently with and in addition to  
23 contributions otherwise being made to the retirement system.

24 (f) The city or town shall make any additional contributions to the system, pursuant to the  
25 terms of § 45-21-42, for the payment of any benefits provided by this section.

26 (g) The East Greenwich town council shall be allowed to accept Plan C of subsection (a)(3)  
27 of this section for all employees of the town of East Greenwich who either, pursuant to contract  
28 negotiations, bargain for Plan C, or who are non-union employees who are provided with Plan C  
29 and who shall all collectively be referred to as the "Municipal-COLA Group" and shall be separate  
30 from all other employees of the town and school department, union or non-union, who are in the  
31 same pension group but have not been granted Plan C benefits. Upon acceptance by the town  
32 council, benefits in accordance with this section shall be available to all such employees who retire  
33 on or after January 1, 2003.

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

1 July 1, 2015, and without regard to whether the retired member or beneficiary is receiving a benefit  
2 adjustment under this section, a one-time stipend of five hundred dollars (\$500) shall be payable  
3 within sixty (60) days following the enactment of the legislation implementing this provision, and  
4 a second one-time stipend of five hundred dollars (\$500) in the same month of the following year.  
5 These stipends shall not be considered cost of living adjustments under the prior provisions of this  
6 section.

7 SECTION 4. The general assembly makes the following findings of fact:

8 (1) The Rhode Island Retirement Security Act of 2011 was enacted to ensure sustainability  
9 of the state's public retirement systems;

10 (2) At the time of enactment, the pension system was critically underfunded and the state  
11 was experiencing continuing financial instability following the Great Recession;

12 (3) The state's contributions and projected future contributions to fund the pension system  
13 combined with the state's fragile economy jeopardized public pensions and vital government  
14 services;

15 (4) Rapidly escalating pension costs posed a significant risk to state and municipal credit  
16 ratings, further jeopardizing vital public services and the ability to address critical infrastructure  
17 needs;

18 (5) The Rhode Island Retirement Security Act of 2011 restructured public pensions  
19 programs, including COLA benefits for retirees, with the stated goals to ensure: the ability of state  
20 and municipalities to provide retirement benefits that will enable a dignified retirement for public  
21 employees; an adequate source of retirement funds for public retiree benefits and an affordable  
22 pension program that does not jeopardize vital public services;

23 (6) More than a decade has passed since enactment of the Rhode Island Retirement Security  
24 Act of 2011;

25 (7) The reforms in the Rhode Island Retirement Security Act of 2011 have had various  
26 effects over time, including changing the condition of the retirements systems throughout the state,  
27 as well as impacting the retirement security of current and future public retirees; and

28 (8) A thorough review of the restructured pension programs will assist in determining if  
29 the stated goals of the Rhode Island Retirement Security Act of 2011 are being met, as well as  
30 inform any changes that may be needed to improve the pension programs and address any  
31 unintended consequences of the Act and any impacts on the ability of the state to attract and retain  
32 a stable workforce.

33 SECTION 5. Chapter 36-10.2 of the General Laws entitled "Pension Protection Act" is  
34 hereby amended by adding thereto the following section:

1           **36-10.2-11. Advisory working group - Report.**

2           (a) The general treasurer shall establish and convene an advisory working group to assist  
3 in the review and analysis of the impacts of the Rhode Island Retirement Security Act of 2011 on  
4 the state's public retirement systems and their current and retired members. The working group  
5 shall develop options for consideration by the general assembly that may be needed to improve the  
6 pension programs or address any unintended consequences of the Act. Options, to the extent  
7 possible, shall include a clear cost-benefit analysis.

8           (b) The advisory working group may include, but not be limited to, designees from the  
9 following: the office of the general treasurer, actuarial professionals, public sector unions, state  
10 and/or national organizations interested in pension reform and sustainability, pension advocacy  
11 groups and financial and investment professionals.

12           (c) On or before March 1, 2024, the general treasurer shall forward a report containing the  
13 findings, recommendations and proposed options for consideration to the governor, speaker of the  
14 house and president of the senate.

15           SECTION 6. Section 5 shall take effect upon passage. The remainder of the article shall  
16 take effect on January 1, 2024.



1

## **ARTICLE 13**

2

### RELATING TO EFFECTIVE DATE

3

SECTION 1. This act shall take effect as of July 1, 2023, except as otherwise provided

4

herein.

5

SECTION 2. This article shall take effect upon passage.