

2025 -- H 5435

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Introduced By: Representatives Baginski, Lima, Spears, and Solomon

Date Introduced: February 12, 2025

Referred To: House Innovation, Internet, & Technology

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 37-2 of the General Laws entitled "State Purchases" is hereby
2 amended by adding thereto the following section:

3 **37-2-83. Prohibiting state agencies from entering into contracts limiting ability to**
4 **install or run certain software.**

5 (a) As used in this section:

6 (1) "State agencies" has the same meaning as defined in § 37-2-7.

7 (2) "State software application purchases" means all types of agreements, including grants
8 and orders, for the purchase or disposal of supplies, services, construction, or any other item,
9 entered into by a state agency the cost or price of which is to be paid, in whole or in part, with or
10 out of state funds. It includes awards; contracts of a fixed-price, cost, cost-plus-a-fixed-fee, or
11 incentive type; contracts providing for the issuance of job or task orders; leases; letter contracts;
12 purchase orders; and construction management contracts. It also includes supplemental agreements
13 with respect to any of the foregoing documents.

14 (b) A state contract for the licensing of software applications, which are intended to be
15 installed by a state agency and designed to run on generally available desktop or server hardware,
16 shall not limit a state agency's ability to install or run the software on the hardware of the state
17 agency's choosing.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

- 1 This act would prohibit state agencies from entering into software contracts that limit the
- 2 agency's ability to install or run the software on their hardware.
- 3 This act would take effect upon passage.

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