

2025 -- H 6122

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CIVIL RIGHTS OF PEOPLE  
WITH DISABILITIES

Introduced By: Representatives McNamara, Kislak, Chippendale, Casimiro, Spears,  
Knight, Potter, Carson, McEntee, and Cortvriend

Date Introduced: March 21, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 42-87-2 of the General Laws in Chapter 42-87 entitled "Civil Rights  
2 of People with Disabilities" is hereby amended to read as follows:

3           **42-87-2. Discrimination prohibited.**

4           (a) No otherwise qualified person with a disability shall, solely by reason of the person's  
5 disability, be subject to discrimination by any person or entity doing business in the state; nor shall  
6 any otherwise qualified person with a disability be excluded from participation in or denied the  
7 benefits of any program, activity, or service of, or, by any person or entity regulated, by the state  
8 or having received financial assistance from the state or under any program or activity conducted  
9 by the state, its agents, or any entity doing business with the state.

10           (b) Provided, if any provision or provisions of Section 504 of the Rehabilitation Act of  
11 1973, prohibiting discrimination based on disability in federally funded programs or activities,  
12 codified at 29 U.S.C. § 794, and any implementing regulations relating to prohibiting this  
13 discrimination, are determined by the Rhode Island commission for human rights and the  
14 governor's commission on disabilities, to have been repealed or to have been declared invalid or  
15 nullified by the final judgment of a federal court applicable to the state or by executive or  
16 administrative action, which shall be deemed to include an action of the federal executive or judicial  
17 branch that nullifies the effectiveness of 29 U.S.C. § 794 in prohibiting discrimination based on  
18 disability in federally funded programs or activities, then the following shall apply:

1           (1) Discrimination prohibited under this chapter shall continue to include those acts  
2 prohibited on the basis of disability by 29 U.S.C. § 794, and any implementing regulations, as those  
3 regulations were in effect as of the date immediately prior to date of the repeal, revocation, or  
4 nullification.

5           (2) The provisions of this section shall be interpreted broadly and to the fullest extent  
6 possible under state and federal law, in order to continue the protections afforded persons with  
7 disabilities under this chapter and throughout the general laws of the state.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would provide that in the event any provision of Section 504 of the Rehabilitation  
2 Act of 1973, prohibiting discrimination based on disability in federally funded programs or  
3 activities, codified at 29 U.S.C. § 794, is repealed or nullified by a federal judicial or executive  
4 branch action, the law applied in Rhode Island would be the law in effect on the date immediately  
5 prior to the date of the repeal or revocation.

6           This act would take effect upon passage.

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