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LC003852/SUB A/3  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY  
JANUARY SESSION, A.D. 2022

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM

Introduced By: Representatives Diaz, Noret, Slater, Batista, Amore, Morales, and Ajello

Date Introduced: January 26, 2022

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-4-51 of the General Laws in Chapter 36-4 entitled "Merit System"

2 is hereby amended to read as follows:

3 **36-4-51. Running for elective office by classified employee.**

4 (a) No ~~classified employee or~~ member of the personnel appeal board shall seek the  
5 nomination of or be a candidate for any elective state office; ~~neither shall any state elective officer~~  
6 ~~be appointed a member of the personnel appeal board or a classified employee unless he or she~~  
7 ~~resigns his or her elective office.~~

8 (b) A classified employee, whose position is not fully funded through federal loans and/or  
9 grants, may seek the nomination of or be a candidate for elective state office in the state of Rhode  
10 Island. Provided, however, if said classified employee is elected to state office, the employee must  
11 resign or terminate their classified employee position prior to assuming or holding any state elective  
12 office in the state of Rhode Island.

13 (c) A state elective officer may be appointed a classified employee or a member of the  
14 personnel appeal board, but only after resigning their elective office.

15 SECTION 2. This act shall take effect on January 1, 2023.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM

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1           This act would allow a classified employee, whose position is not fully funded through  
2 federal loans and/or grants to seek the nomination of or to be a candidate for elective state office.

3           This act would also provide that if the employee is elected, they must resign their position prior to  
4 assuming or holding elective office.

5           This act would take effect on January 1, 2023.

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