MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2025

Introduced By: Representative Marvin L. Abney
Date Introduced: January 18, 2024
Referred To: House Finance

It is enacted by the General Assembly as follows:

1  ARTICLE 1  RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2025
2  ARTICLE 2  RELATING TO STATE FUNDS
3  ARTICLE 3  RELATING TO GOVERNMENT REFORM AND REORGANIZATION
4  ARTICLE 4  RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS
5  ARTICLE 5  RELATING TO CAPITAL DEVELOPMENT PROGRAM
6  ARTICLE 6  RELATING TO TAXES AND FEES
7  ARTICLE 7  RELATING TO ECONOMIC DEVELOPMENT
8  ARTICLE 8  RELATING TO EDUCATION
9  ARTICLE 9  RELATING TO HEALTH AND HUMAN SERVICES
10  ARTICLE 10  RELATING TO LEASES
11  ARTICLE 11  RELATING TO EFFECTIVE DATE
ARTICLE 1

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2025

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, 2025. 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 3,654,794
Federal Funds
Federal Funds 33,000,000
Federal Funds - State Fiscal Recovery Fund
Public Health Response Warehouse Support 778,347
Health Care Facilities 10,000,000
Community Learning Center Programming Support Grant 2,000,000
Total - Central Management 49,433,141

Legal Services

General Revenues 2,491,594

Accounts and Control

General Revenues 5,355,257
Restricted Receipts - OPEB Board Administration 155,811
Restricted Receipts - Grants Management Administration 2,477,997
Total - Accounts and Control 7,989,065

Office of Management and Budget

General Revenues 9,915,379

Federal Funds

Federal Funds 101,250
Federal Funds – Capital Projects Fund
CPF Administration 484,149
Federal Funds – State Fiscal Recovery Fund
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<tr>
<td>9</td>
<td><strong>Securities Regulation</strong></td>
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<td>10</td>
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<td>880,722</td>
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<td>11</td>
<td><strong>Insurance Regulation</strong></td>
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<td>12</td>
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<td>13</td>
<td>Restricted Receipts</td>
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<td>14</td>
<td>Total - Insurance Regulation</td>
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<td>15</td>
<td><strong>Office of the Health Insurance Commissioner</strong></td>
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<td>17</td>
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<td>19</td>
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<td>4,471,885</td>
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<td>21</td>
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<td>22</td>
<td><strong>Commercial Licensing and Gaming and Athletics Licensing</strong></td>
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<td>25</td>
<td>Total - Commercial Licensing and Gaming and Athletics Licensing</td>
<td>1,996,604</td>
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<td><strong>Building, Design and Fire Professionals</strong></td>
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<td>Other Funds</td>
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<td>Quonset Development Corporation</td>
<td>67,300</td>
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<td>32</td>
<td>Rhode Island Capital Plan Funds</td>
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<td>33</td>
<td>Fire Academy Expansion</td>
<td>1,941,000</td>
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<td>Total - Building, Design and Fire Professionals</td>
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</tr>
<tr>
<td>1</td>
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<td>3</td>
<td>Grand Total - Business Regulation</td>
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<td><strong>Executive Office of Commerce</strong></td>
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<td>5</td>
<td><strong>Central Management</strong></td>
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<td>6</td>
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<td>2,264,703</td>
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<td>7</td>
<td><strong>Quasi-Public Appropriations</strong></td>
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<td>8</td>
<td>General Revenues</td>
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<td>9</td>
<td>Rhode Island Commerce Corporation</td>
<td>8,506,041</td>
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<td>10</td>
<td>Airport Impact Aid</td>
<td>1,010,036</td>
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<tr>
<td>11</td>
<td>Sixty percent (60%) of the first $1,000,000 appropriated for airport impact</td>
<td></td>
<td></td>
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<tr>
<td>12</td>
<td>aid shall be distributed to each airport serving more than 1,000,000</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>13</td>
<td>passengers based upon its percentage of the total passengers served by all</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>14</td>
<td>airports serving more than 1,000,000 passengers. Forty percent (40%) of the</td>
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<tr>
<td>15</td>
<td>first $1,000,000 shall be distributed based on the share of landings during</td>
<td></td>
<td></td>
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<tr>
<td>16</td>
<td>calendar year 2024 at North Central Airport, Newport-Middletown Airport,</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>17</td>
<td>Block Island Airport, Quonset Airport, T.F. Green International Airport and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Westerly Airport, respectively. The Rhode Island Commerce Corporation</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>19</td>
<td>shall make an impact payment to the towns or cities in which the airport is</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>20</td>
<td>located based on this calculation. Each community upon which any part of the</td>
<td></td>
<td></td>
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<tr>
<td>21</td>
<td>above airports is located shall receive at least $25,000.</td>
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<td>22</td>
<td>STAC Research Alliance</td>
<td>900,000</td>
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<td></td>
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<tr>
<td>23</td>
<td>Innovative Matching Grants/Internships</td>
<td>1,000,000</td>
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<tr>
<td>24</td>
<td>I-195 Redevelopment District Commission</td>
<td>1,245,050</td>
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<tr>
<td>25</td>
<td>Polaris Manufacturing Grant</td>
<td>450,000</td>
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<td>26</td>
<td>East Providence Waterfront Commission</td>
<td>50,000</td>
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<td>27</td>
<td>Urban Ventures</td>
<td>140,000</td>
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<td>28</td>
<td>Chafee Center at Bryant</td>
<td>476,200</td>
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<td>29</td>
<td>Industrial Recreational Building Authority Obligations</td>
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<td>30</td>
<td>Rhode Island Capital Plan Funds</td>
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<td>31</td>
<td>I-195 Redevelopment District Commission</td>
<td>646,180</td>
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<td>32</td>
<td>I-195 Park Improvements</td>
<td>3,000,000</td>
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<tr>
<td>33</td>
<td>Quonset Carrier Pier</td>
<td>2,250,000</td>
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<tr>
<td>34</td>
<td>Quonset Infrastructure</td>
<td>2,500,000</td>
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<tr>
<td></td>
<td>Total - Quasi-Public Appropriations</td>
<td>22,626,060</td>
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### Economic Development Initiatives Fund

<table>
<thead>
<tr>
<th>1. Economic Development Initiatives Fund</th>
<th>2. General Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Innovation Initiative</td>
<td>1,000,000</td>
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<tr>
<td>4. Rebuild RI Tax Credit Fund</td>
<td>10,085,000</td>
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<tr>
<td>5. Small Business Promotion</td>
<td>1,000,000</td>
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<tr>
<td>6. Small Business Assistance</td>
<td>2,000,000</td>
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<tr>
<td>7. Destination Marketing</td>
<td>1,400,000</td>
</tr>
<tr>
<td>8. Federal Funds</td>
<td></td>
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<tr>
<td>9. Federal Funds</td>
<td>20,000,000</td>
</tr>
<tr>
<td>10. Federal Funds - State Fiscal Recovery Fund</td>
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<tr>
<td>11. Assistance to Impacted Industries</td>
<td>2,000,000</td>
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<tr>
<td>12. Total - Economic Development Initiatives Fund</td>
<td>37,485,000</td>
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### Commerce Programs

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<tbody>
<tr>
<td>15. Wavemaker Fellowship</td>
<td>3,576,400</td>
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<tr>
<td>16. Air Service Development Fund</td>
<td>1,200,000</td>
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<tr>
<td>17. Main Street RI Streetscape Improvement Fund</td>
<td>1,000,000</td>
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<tr>
<td>18. Minority Business Accelerator</td>
<td>500,000</td>
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<td>19. Total - Commerce Programs</td>
<td>6,276,400</td>
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<tr>
<td>20. Grand Total - Executive Office of Commerce</td>
<td>68,652,163</td>
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### Housing

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<tr>
<td>23. General Revenues</td>
<td>9,840,596</td>
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<td>24. Federal Funds</td>
<td>18,530,670</td>
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<td>25. Restricted Receipts</td>
<td>7,664,150</td>
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<td>26. Grand Total - Housing</td>
<td>36,035,416</td>
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### Labor and Training

<table>
<thead>
<tr>
<th>27. Labor and Training</th>
<th>28. Central Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>29. General Revenues</td>
<td>1,763,445</td>
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</tbody>
</table>

Provided that $200,000 shall be allocated to the Workers’ Compensation Advisory Council for the purpose of conducting a comprehensive study of the Rhode Island workers’ compensation system that shall include an analysis of rates, benefits, and administrative costs. The report shall include metrics comparing the Rhode Island workers’ compensation system to other states and shall include recommendations for system improvements. The report shall be submitted to the Governor,
the Speaker of the House of Representatives, and the President of the Senate no later than March 31, 2025.

Restricted Receipts 305,765

Total - Central Management 2,069,210

Workforce Development Services

General Revenues 1,109,430

Provided that $200,000 of this amount is used to support Year Up.

Federal Funds 23,836,453

Total - Workforce Development Services 24,945,883

Workforce Regulation and Safety

General Revenues 4,833,768

Income Support

General Revenues 3,692,213

Federal Funds 18,875,141

Restricted Receipts 2,721,683

Other Funds

Temporary Disability Insurance Fund 278,906,931

Employment Security Fund 222,700,000

Total - Income Support 526,895,968

Injured Workers Services

Restricted Receipts 10,630,130

Labor Relations Board

General Revenues 541,797

Governor’s Workforce Board

General Revenues 6,050,000

Provided that $600,000 of these funds shall be used for enhanced training for direct care and support services staff to improve resident quality of care and address the changing health care needs of nursing facility residents due to higher acuity and increased cognitive impairments pursuant to Rhode Island General Laws, Section 23-17.5-36.

Restricted Receipts 18,379,506

Total - Governor’s Workforce Board 24,429,506

Grand Total - Labor and Training 594,346,262

Department of Revenue

Director of Revenue
<table>
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<tr>
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<th>Description</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>General Revenues</td>
<td>2,883,605</td>
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<td>Office of Revenue Analysis</td>
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<td>3</td>
<td>General Revenues</td>
<td>1,015,848</td>
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<td>4</td>
<td>Lottery Division</td>
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<td>5</td>
<td>Other Funds</td>
<td>422,981,930</td>
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<td>Municipal Finance</td>
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<tr>
<td>7</td>
<td>General Revenues</td>
<td>1,741,697</td>
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<td>Other Funds</td>
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<td>12</td>
<td>Motor Fuel Tax Evasion</td>
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<td>13</td>
<td>Total - Taxation</td>
<td>40,024,285</td>
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<td>Registry of Motor Vehicles</td>
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<td>15</td>
<td>General Revenues</td>
<td>31,206,744</td>
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<td>Federal Funds</td>
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<td>3,659,640</td>
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<td>18</td>
<td>Total - Registry of Motor Vehicles</td>
<td>35,672,051</td>
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<tr>
<td>19</td>
<td>State Aid</td>
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<tr>
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<td>General Revenues</td>
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<td>21</td>
<td>Distressed Communities Relief Fund</td>
<td>12,384,458</td>
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<td>22</td>
<td>Payment in Lieu of Tax Exempt Properties</td>
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<td>23</td>
<td>Motor Vehicle Excise Tax Payments</td>
<td>234,712,307</td>
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<td>24</td>
<td>Property Revaluation Program</td>
<td>1,887,448</td>
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<td>25</td>
<td>Tangible Tax Exemption Program</td>
<td>28,000,000</td>
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<td>26</td>
<td>Provided that all unexpended or unencumbered balances as of June 30, 2025, appropriated</td>
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</tr>
<tr>
<td>27</td>
<td>for tangible tax exemption reimbursements pursuant to Rhode Island General Law, Chapter 44-5.3</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>are hereby reappropriated to the following fiscal year.</td>
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<tr>
<td>29</td>
<td>Restricted Receipts</td>
<td>995,120</td>
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<td>30</td>
<td>Total - State Aid</td>
<td>327,180,745</td>
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<td>32</td>
<td>General Revenues</td>
<td>965,438</td>
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<td>33</td>
<td>Grand Total - Revenue</td>
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<td>Legislature</td>
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<td>2,431,651</td>
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<tr>
<td>3</td>
<td><strong>Grand Total - Legislature</strong></td>
<td>55,789,931</td>
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</table>

4. **Lieutenant Governor**

5. General Revenues 1,447,015

6. **Secretary of State**

7. Administration

8. General Revenues 5,076,740

9. Provided that $100,000 be allocated to support the Rhode Island Council for the Humanities for grant making to civic and cultural organizations, and $50,000 to support Rhode Island’s participation in the We the People Civics Challenge.

10. **Corporations**

11. General Revenues 2,807,730

12. **State Archives**

13. General Revenues 349,562

14. Restricted Receipts 384,347

15. **Other Funds**

16. Rhode Island Capital Plan Funds 3,757,444

17. Rhode Island Archives and History Center 4,491,353

18. **Elections and Civics**

19. General Revenues 2,489,990

20. Federal Funds 2,001,207

21. Total - Elections and Civics 4,491,197

22. **State Library**

23. General Revenues 649,250

24. Provided that $125,000 be allocated to support the Rhode Island Historical Society and $18,000 be allocated to support the Newport Historical Society, pursuant to Sections 29-2-1 and 29-2-2 of the Rhode Island General Laws, and $25,000 be allocated to support the Rhode Island Black Heritage Society.

25. **Office of Public Information**

26. General Revenues 738,969

27. Receipted Receipts 25,000

28. Total - Office of Public Information 763,969
1. Grand Total - Secretary of State 18,280,239

2. **General Treasurer**

3. *Treasury*

4. General Revenues 3,022,950
5. Federal Funds 335,037
6. Other Funds
7. Temporary Disability Insurance Fund 247,266
8. Tuition Savings Program - Administration 353,760
9. Total - Treasury 3,959,013

10. **State Retirement System**

11. Restricted Receipts
12. Admin Expenses - State Retirement System 11,808,078
13. Retirement - Treasury Investment Operations 2,149,961
14. Defined Contribution - Administration 287,609
15. Total - State Retirement System 14,245,648

16. **Unclaimed Property**

17. Restricted Receipts 2,981,837
18. **Crime Victim Compensation**

19. General Revenues 892,383
20. Federal Funds 427,993
21. Restricted Receipts 380,000
22. Total - Crime Victim Compensation 1,700,376
23. Grand Total - General Treasurer 22,886,874

24. **Board of Elections**

25. General Revenues 5,156,957
26. **Rhode Island Ethics Commission**

27. General Revenues 2,299,337
28. **Office of Governor**

29. General Revenues
30. General Revenues 8,321,265
31. Contingency Fund 150,000
32. Grand Total - Office of Governor 8,471,265

33. **Commission for Human Rights**

34. General Revenues 2,055,616
<table>
<thead>
<tr>
<th></th>
<th>Federal Funds</th>
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<tbody>
<tr>
<td>1</td>
<td></td>
<td>450,110</td>
</tr>
<tr>
<td>2</td>
<td>Grand Total - Commission for Human Rights</td>
<td>2,505,726</td>
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<tr>
<td>3</td>
<td><strong>Public Utilities Commission</strong></td>
<td></td>
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<tr>
<td>4</td>
<td>Federal Funds</td>
<td>711,984</td>
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<td>5</td>
<td>Restricted Receipts</td>
<td>13,739,288</td>
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<td>6</td>
<td>Grand Total - Public Utilities Commission</td>
<td>14,451,272</td>
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<tr>
<td>7</td>
<td><strong>Office of Health and Human Services</strong></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Central Management</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>General Revenues</td>
<td>56,010,456</td>
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<tr>
<td>10</td>
<td>Federal Funds</td>
<td>203,893,766</td>
</tr>
<tr>
<td>11</td>
<td>Provided that $250,000 shall be for the Executive Office to develop an Olmstead Plan.</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Restricted Receipts</td>
<td>45,392,855</td>
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<tr>
<td>13</td>
<td>Total - Central Management</td>
<td>305,297,077</td>
</tr>
<tr>
<td>14</td>
<td><strong>Medical Assistance</strong></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>General Revenues</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Managed Care</td>
<td>457,974,487</td>
</tr>
<tr>
<td>17</td>
<td>Hospitals</td>
<td>119,660,046</td>
</tr>
<tr>
<td>18</td>
<td>Nursing Facilities</td>
<td>174,411,630</td>
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<tr>
<td>19</td>
<td>Home and Community Based Services</td>
<td>84,020,529</td>
</tr>
<tr>
<td>20</td>
<td>Other Services</td>
<td>169,441,306</td>
</tr>
<tr>
<td>21</td>
<td>Pharmacy</td>
<td>107,728,475</td>
</tr>
<tr>
<td>22</td>
<td>Rhody Health</td>
<td>239,649,563</td>
</tr>
<tr>
<td>23</td>
<td>Federal Funds</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Managed Care</td>
<td>612,367,722</td>
</tr>
<tr>
<td>25</td>
<td>Hospitals</td>
<td>238,078,826</td>
</tr>
<tr>
<td>26</td>
<td>Nursing Facilities</td>
<td>221,888,370</td>
</tr>
<tr>
<td>27</td>
<td>Home and Community Based Services</td>
<td>107,019,363</td>
</tr>
<tr>
<td>28</td>
<td>Other Services</td>
<td>798,187,128</td>
</tr>
<tr>
<td>29</td>
<td>Pharmacy</td>
<td>(628,475)</td>
</tr>
<tr>
<td>30</td>
<td>Rhody Health</td>
<td>302,471,709</td>
</tr>
<tr>
<td>31</td>
<td>Other Programs</td>
<td>21,379,083</td>
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<tr>
<td>32</td>
<td>Restricted Receipts</td>
<td>9,833,144</td>
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<tr>
<td>33</td>
<td>Total - Medical Assistance</td>
<td>3,663,482,906</td>
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<tr>
<td>34</td>
<td>Grand Total - Office of Health and Human Services</td>
<td>3,968,779,983</td>
</tr>
</tbody>
</table>
The director of the department of children, youth and families shall provide to the speaker of the house and president of the senate at least every sixty (60) days beginning September 1, 2021, a report on its progress implementing the accreditation plan filed in accordance with Rhode Island General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The report shall, at minimum, provide data regarding recruitment and retention efforts including attaining and maintaining a diverse workforce, documentation of newly filled and vacated positions, and progress towards reducing worker caseloads.
The director of the department of children, youth and families shall provide to the governor, speaker of the house and president of the senate a report on higher education participation for department affiliated youth. The report due on December 1 and July 1 of each year shall, at minimum, include data by institution on the past 180 days regarding amounts awarded, each awardee’s unmet need, the number of youth eligible, applications, and awards made by the department, and the number of students who dropped out. It shall also include participation information on trade school and workforce development programs.

Grand Total - Children, Youth and Families 361,735,263

Health

Central Management

- General Revenues 3,569,508
- Federal Funds 9,348,930
- Restricted Receipts 17,365,961

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

Total - Central Management 30,284,399

Community Health and Equity

- General Revenues 1,151,326
- Federal Funds 83,451,102
- Restricted Receipts 80,924,334

Total - Community Health and Equity 165,526,762

Environmental Health

- General Revenues 7,155,472
- Federal Funds 11,442,251
- Restricted Receipts 968,283

Total - Environmental Health 19,566,006

Health Laboratories and Medical Examiner

- General Revenues 13,340,120
<table>
<thead>
<tr>
<th></th>
<th>Federal Funds</th>
<th>2,515,810</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Health Laboratories &amp; Medical Examiner Equipment</td>
<td>800,000</td>
</tr>
<tr>
<td>5</td>
<td>Department of Health Laboratory Building</td>
<td>3,221,762</td>
</tr>
<tr>
<td>6</td>
<td>Total - Health Laboratories and Medical Examiner</td>
<td>19,877,692</td>
</tr>
<tr>
<td>7</td>
<td><strong>Customer Services</strong></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>General Revenues</td>
<td>8,969,365</td>
</tr>
<tr>
<td>9</td>
<td>Federal Funds</td>
<td>7,882,616</td>
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<td>10</td>
<td>Restricted Receipts</td>
<td>5,773,607</td>
</tr>
<tr>
<td>11</td>
<td>Total - Customer Services</td>
<td>22,625,588</td>
</tr>
<tr>
<td>12</td>
<td><strong>Policy, Information and Communications</strong></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>General Revenues</td>
<td>998,588</td>
</tr>
<tr>
<td>14</td>
<td>Federal Funds</td>
<td>4,095,600</td>
</tr>
<tr>
<td>15</td>
<td>Restricted Receipts</td>
<td>1,812,550</td>
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<tr>
<td>16</td>
<td>Total - Policy, Information and Communications</td>
<td>6,906,738</td>
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<tr>
<td>17</td>
<td><strong>Preparedness, Response, Infectious Disease &amp; Emergency Services</strong></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>General Revenues</td>
<td>2,169,568</td>
</tr>
<tr>
<td>19</td>
<td>Federal Funds</td>
<td>17,503,333</td>
</tr>
<tr>
<td>20</td>
<td>Total - Preparedness, Response, Infectious Disease &amp; Emergency Services</td>
<td>19,672,901</td>
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<tr>
<td>21</td>
<td><strong>COVID-19</strong></td>
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<tr>
<td>22</td>
<td>Federal Funds</td>
<td>57,721,419</td>
</tr>
<tr>
<td>23</td>
<td>Grand Total - Health</td>
<td>342,181,505</td>
</tr>
<tr>
<td>24</td>
<td><strong>Human Services</strong></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td><strong>Central Management</strong></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>General Revenues</td>
<td>6,160,641</td>
</tr>
<tr>
<td>27</td>
<td>Of this amount, $400,000 is to support the Domestic Violence Prevention Fund to provide</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>direct services through the Coalition Against Domestic Violence, $25,000 for the Center for</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Southeast Asians, $450,000 to support Project Reach activities provided by the RI Alliance of Boys and Girls Clubs, $267,000 is for outreach and supportive services through Day One, $550,000 is</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>for food collection and distribution through the Rhode Island Community Food Bank, $500,000 for services provided to the homeless at Crossroads Rhode Island, $600,000 for the Community Action Fund, $250,000 is for the Institute for the Study and Practice of Nonviolence’s Reduction Strategy, $75,000 is to support services provided to the immigrant and refugee population through Higher</td>
<td></td>
</tr>
</tbody>
</table>
Ground International, and $50,000 is for services provided to refugees through the Refugee Dream Center.

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

Federal Funds 8,012,780

Of this amount, $3.0 million is to sustain Early Head Start and Head Start programs.

Restricted Receipts 300,000

Total - Central Management 14,473,421

Child Support Enforcement

Federal Funds 4,624,506

Restricted Receipts 3,823,859

Total - Child Support Enforcement 18,436,579

Individual and Family Support

General Revenues 46,482,910

Federal Funds 131,396,290

Restricted Receipts 705,708

Other Funds

Rhode Island Capital Plan Funds

Blind Vending Facilities 165,000

Food Stamp Bonus Funding 298,874

Total - Individual and Family Support 179,048,782

Office of Veterans Services

General Revenues 33,185,642

Of this amount, $200,000 is to provide support services through Veterans’ organizations, $50,000 is to support Operation Stand Down, and $100,000 is to support the Veterans Services Officers (VSO) program through the Veterans of Foreign Wars.

Federal Funds 16,618,112
<table>
<thead>
<tr>
<th></th>
<th>Restricted Receipts</th>
<th>1,360,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Veterans Home Asset Protection</td>
<td>760,000</td>
</tr>
<tr>
<td>5</td>
<td>Veterans Memorial Cemetery Asset Protection</td>
<td>250,000</td>
</tr>
<tr>
<td>6</td>
<td>Total - Office of Veterans Services</td>
<td>52,173,754</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>7</th>
<th>Health Care Eligibility</th>
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</thead>
<tbody>
<tr>
<td>8</td>
<td>General Revenues</td>
<td>10,634,812</td>
</tr>
<tr>
<td>9</td>
<td>Federal Funds</td>
<td>16,821,865</td>
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<tr>
<td>10</td>
<td>Total - Health Care Eligibility</td>
<td>27,456,677</td>
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</table>

<table>
<thead>
<tr>
<th>11</th>
<th>Supplemental Security Income Program</th>
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</thead>
<tbody>
<tr>
<td>12</td>
<td>General Revenues</td>
<td>16,521,000</td>
</tr>
<tr>
<td>13</td>
<td>Rhode Island Works</td>
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<tr>
<td>14</td>
<td>General Revenues</td>
<td>10,139,902</td>
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<tr>
<td>15</td>
<td>Federal Funds</td>
<td>86,480,618</td>
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<td>16</td>
<td>Total - Rhode Island Works</td>
<td>96,620,520</td>
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<table>
<thead>
<tr>
<th>17</th>
<th>Other Programs</th>
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</thead>
<tbody>
<tr>
<td>18</td>
<td>General Revenues</td>
<td>2,444,424</td>
</tr>
<tr>
<td>19</td>
<td>Of this appropriation, $90,000 shall be used for hardship contingency payments.</td>
<td></td>
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<tr>
<td>20</td>
<td>Federal Funds</td>
<td>361,440,000</td>
</tr>
<tr>
<td>21</td>
<td>Restricted Receipts</td>
<td>8,000</td>
</tr>
<tr>
<td>22</td>
<td>Total - Other Programs</td>
<td>363,892,424</td>
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</table>

<table>
<thead>
<tr>
<th>23</th>
<th>Office of Healthy Aging</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>General Revenues</td>
<td>11,811,882</td>
</tr>
<tr>
<td>25</td>
<td>Of this amount, $325,000 is to provide elder services, including respite, through the</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Diocese of Providence, $40,000 is for ombudsman services provided by the Alliance for Long Term</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Care in accordance with Rhode Island General Laws, Chapter 42-66.7, $85,000 is for security for</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, and</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>$1,400,000 is for Senior Services Support and $680,000 is for elderly nutrition, of which $630,000</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>is for Meals on Wheels.</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Federal Funds</td>
<td>15,592,237</td>
</tr>
<tr>
<td>32</td>
<td>Restricted Receipts</td>
<td>46,200</td>
</tr>
<tr>
<td>33</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Intermodal Surface Transportation Fund</td>
<td>1,082,242</td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td><strong>Total - Office of Healthy Aging</strong></td>
<td>28,532,561</td>
</tr>
<tr>
<td>2</td>
<td><strong>Grand Total - Human Services</strong></td>
<td>797,155,718</td>
</tr>
<tr>
<td>3</td>
<td><strong>Behavioral Healthcare, Developmental Disabilities and Hospitals</strong></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td><strong>Central Management</strong></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>General Revenues</td>
<td>2,780,069</td>
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<tr>
<td>6</td>
<td>Federal Funds</td>
<td>1,276,605</td>
</tr>
<tr>
<td>7</td>
<td><strong>Total - Central Management</strong></td>
<td>4,056,674</td>
</tr>
<tr>
<td>8</td>
<td><strong>Hospital and Community System Support</strong></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>General Revenues</td>
<td>1,463,642</td>
</tr>
<tr>
<td>10</td>
<td>Federal Funds</td>
<td>400,294</td>
</tr>
<tr>
<td>11</td>
<td>Restricted Receipts</td>
<td>67,548</td>
</tr>
<tr>
<td>12</td>
<td><strong>Total - Hospital and Community System Support</strong></td>
<td>1,931,484</td>
</tr>
<tr>
<td>13</td>
<td><strong>Services for the Developmentally Disabled</strong></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>General Revenues</td>
<td>225,785,600</td>
</tr>
<tr>
<td>15</td>
<td>Provided that of this general revenue funding, an amount certified by the department shall be expended on the community-based department of behavioral healthcare, developmental disabilities and hospitals (BHDDH) developmental disability private provider and self-directed consumer direct care service worker raises and associated payroll costs as authorized by BHDDH and to finance the new services rates implemented by BHDDH pursuant to the Consent Decree Action Plan. Any increase for direct support staff and residential or other community-based setting must first receive the approval of BHDDH.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Federal Funds</td>
<td>283,359,342</td>
</tr>
<tr>
<td>17</td>
<td>Provided that of this federal funding, an amount certified by the department shall be expended on the community-based department of behavioral healthcare, developmental disabilities and hospitals (BHDDH) developmental disability private provider and self-directed consumer direct care service worker raises and associated payroll costs as authorized by BHDDH and to finance the new services rates implemented by BHDDH pursuant to the Consent Decree Action Plan. Any increase for direct support staff and residential or other community-based setting must first receive the approval of BHDDH.</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Restricted Receipts</td>
<td>1,444,204</td>
</tr>
<tr>
<td>19</td>
<td><strong>Total - Services for the Developmentally Disabled</strong></td>
<td>510,589,146</td>
</tr>
<tr>
<td>20</td>
<td><strong>Behavioral Healthcare Services</strong></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>General Revenues</td>
<td>4,118,531</td>
</tr>
<tr>
<td>22</td>
<td>Federal Funds</td>
<td></td>
</tr>
</tbody>
</table>
Provided that $250,000 from Social Services Block Grant funds is awarded to The Providence Center to coordinate with Oasis Wellness and Recovery Center for its support and services program offered to individuals with behavioral health issues.

Federal Funds - State Fiscal Recovery Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>9-8-8 Hotline</td>
<td>1,875,000</td>
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<tr>
<td>Restricted Receipts</td>
<td>6,819,883</td>
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</table>

Provided that $500,000 from the Opioid Stewardship Fund is distributed equally to the seven Regional Substance Abuse Prevention Task Forces to fund priorities determined by each Task Force.

Total - Behavioral Healthcare Services

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>52,044,891</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>50,768,748</td>
</tr>
<tr>
<td>Restricted Receipts</td>
<td>4,535,481</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
</tr>
<tr>
<td>Hospital Equipment</td>
<td>500,000</td>
</tr>
<tr>
<td>Total - Hospital and Community Rehabilitative Services</td>
<td>107,849,120</td>
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</table>

State of RI Psychiatric Hospital

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>35,149,422</td>
</tr>
</tbody>
</table>

Grand Total - Behavioral Healthcare, Developmental Disabilities and Hospitals

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>1,641,426</td>
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Commission on the Deaf and Hard of Hearing

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>782,651</td>
</tr>
<tr>
<td>Restricted Receipts</td>
<td>131,533</td>
</tr>
</tbody>
</table>

Grand Total - Comm. On Deaf and Hard-of-Hearing

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>763,664</td>
</tr>
<tr>
<td>Livable Home Modification Grant Program</td>
<td>765,304</td>
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</tbody>
</table>

Provided that this will be used for home modification and accessibility enhancements to
construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.

This will be in consultation with the Executive Office of Health and Human Services. 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 purpose.

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Federal Funds</td>
<td>85,000</td>
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<tr>
<td>Restricted Receipts</td>
<td>66,539</td>
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</table>

Grand Total - Governor’s Commission on Disabilities 1,680,507

Office of the Mental Health Advocate

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>General Revenues</td>
<td>981,608</td>
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Elementary and Secondary Education

<table>
<thead>
<tr>
<th>Administration of the Comprehensive Education Strategy</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>49,074,536</td>
</tr>
</tbody>
</table>

Provided that $90,000 be allocated to support the hospital school at Hasbro Children’s Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that $395,000 be allocated to support child opportunity zones through agreements with the Department of Elementary and Secondary Education to strengthen education, health and social services for students and their families as a strategy to accelerate student achievement and further provided that $450,000 and 3.0 full-time equivalent positions be allocated to support a special education function to facilitate individualized education program (IEP) and 504 services; and further provided that $130,000 be allocated to City Year for the Whole School Whole Child Program, which provides individualized support to at-risk students.

Federal Funds

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Funds</td>
<td>268,652,215</td>
</tr>
</tbody>
</table>

Provided that $684,000 from the Department’s administrative share of Individuals with Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to support the Rhode Island Vision Education and Services Program.

Federal Funds – State Fiscal Recovery Fund

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Education Providers</td>
<td>127,822</td>
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Restricted Receipts

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Restricted Receipts</td>
<td>1,654,727</td>
</tr>
</tbody>
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HRIC Adult Education Grants 3,500,000

Total - Admin. of the Comprehensive Ed. Strategy 323,009,300

Davies Career and Technical School

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>17,562,853</td>
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Davies Career and Technical School

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
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<tr>
<td>General Revenues</td>
<td>17,562,853</td>
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Davies Career and Technical School
<table>
<thead>
<tr>
<th></th>
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<td>1</td>
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<td>2</td>
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<td>4,667,353</td>
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<td>3</td>
<td>Other Funds</td>
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<tr>
<td>4</td>
<td>Rhode Island Capital Plan Funds</td>
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<tr>
<td>5</td>
<td>Davies School HVAC</td>
<td>50,000</td>
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<tr>
<td>6</td>
<td>Davies School Asset Protection</td>
<td>750,000</td>
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<td>7</td>
<td>Davies School Wing Renovation</td>
<td>30,000,000</td>
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<td>8</td>
<td>Total - Davies Career and Technical School</td>
<td>54,317,251</td>
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<tr>
<td>9</td>
<td>RI School for the Deaf</td>
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<td>14</td>
<td>School for the Deaf Transformation Grants</td>
<td>59,000</td>
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<td>15</td>
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<td>16</td>
<td>School for the Deaf Asset Protection</td>
<td>167,648</td>
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<td>17</td>
<td>Total - RI School for the Deaf</td>
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<td>Metropolitan Career and Technical School</td>
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<td>19</td>
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<td>10,741,033</td>
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<tr>
<td>20</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>21</td>
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<tr>
<td>22</td>
<td>MET School Asset Protection</td>
<td>2,000,000</td>
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<td>23</td>
<td>Total - Metropolitan Career and Technical School</td>
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<td>24</td>
<td>Education Aid</td>
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<tr>
<td>25</td>
<td>General Revenues</td>
<td>1,190,623,956</td>
</tr>
<tr>
<td>26</td>
<td>Provided that the criteria for the allocation of early childhood funds shall prioritize prekindergarten seats and classrooms for four-year-olds whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities with higher concentrations of low performing schools.</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Federal Funds</td>
<td>36,844,747</td>
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<td>28</td>
<td>Restricted Receipts</td>
<td>42,626,878</td>
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<td>29</td>
<td>Total - Education Aid</td>
<td>1,270,095,581</td>
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<td>30</td>
<td>Central Falls School District</td>
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<td>31</td>
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<td></td>
<td>Description</td>
<td>Amount</td>
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</tr>
<tr>
<td>1</td>
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<td>Total - Central Falls School District</td>
<td>53,491,842</td>
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<td>School Construction Aid</td>
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<tr>
<td>5</td>
<td>School Housing Aid</td>
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<td>Teachers' Retirement</td>
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<td>7</td>
<td>General Revenues</td>
<td>132,268,922</td>
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<td>8</td>
<td>Grand Total - Elementary and Secondary Education</td>
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<td>9</td>
<td>Public Higher Education</td>
<td></td>
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<tr>
<td>10</td>
<td>Office of Postsecondary Commissioner</td>
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</tr>
<tr>
<td>11</td>
<td>General Revenues</td>
<td>30,622,180</td>
</tr>
<tr>
<td>12</td>
<td>Provided that $355,000 shall be allocated to the Rhode Island College Crusade pursuant to the Rhode Island General Law, Section 16-70-5, $75,000 shall be allocated to Best Buddies Rhode Island to support its programs for children with developmental and intellectual disabilities. It is also provided that $7,878,650 shall be allocated to the Rhode Island Promise Scholarship program, $151,410 shall be used to support Rhode Island’s membership in the New England Board of Higher Education, $3,375,500 shall be allocated to the Rhode Island Hope Scholarship Program, and $200,000 shall be allocated to the Rhode Island School for Progressive Education to support access to higher education opportunities for teachers of color.</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Federal Funds</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Guaranty Agency Administration</td>
<td>60,000</td>
</tr>
<tr>
<td>15</td>
<td>Restricted Receipts</td>
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<td>16</td>
<td>Other Funds</td>
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<tr>
<td>17</td>
<td>Tuition Savings Program - Scholarships and Grants</td>
<td>3,500,000</td>
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<tr>
<td>18</td>
<td>Nursing Education Center - Operating</td>
<td>3,120,498</td>
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<tr>
<td>19</td>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
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<tr>
<td>20</td>
<td>WEC Expansion - Annex Site</td>
<td>1,220,000</td>
</tr>
<tr>
<td>21</td>
<td>Total - Office of Postsecondary Commissioner</td>
<td>51,278,008</td>
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<tr>
<td>22</td>
<td>University of Rhode Island</td>
<td></td>
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<tr>
<td>23</td>
<td>General Revenues</td>
<td>108,750,396</td>
</tr>
<tr>
<td>24</td>
<td>Provided that in order to leverage federal funding and support economic development, $700,000 shall be allocated to the Small Business Development Center, $100,000 shall be allocated</td>
<td></td>
</tr>
</tbody>
</table>
to the Institute for Labor Studies & Research and that $50,000 shall be allocated to Special Olympics Rhode Island to support its mission of providing athletic opportunities for individuals with intellectual and developmental disabilities.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service</td>
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<td>RI State Forensics Laboratory</td>
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<tr>
<td>University and College Funds</td>
<td>794,703,980</td>
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<tr>
<td>Debt - Dining Services</td>
<td>744,765</td>
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<tr>
<td>Debt - Education and General</td>
<td>6,850,702</td>
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<tr>
<td>Debt - Health Services</td>
<td>118,345</td>
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<td>Debt - Housing Loan Funds</td>
<td>14,587,677</td>
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<tr>
<td>Debt - Memorial Union</td>
<td>91,202</td>
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<td>Debt - Ryan Center</td>
<td>2,377,246</td>
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<tr>
<td>Debt - Parking Authority</td>
<td>531,963</td>
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<tr>
<td>URI Restricted Debt Service - Energy Conservation</td>
<td>524,431</td>
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<tr>
<td>URI Debt Service - Energy Conservation</td>
<td>1,914,069</td>
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<tr>
<td>Rhode Island Capital Plan Funds</td>
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<tr>
<td>Asset Protection</td>
<td>14,006,225</td>
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<tr>
<td>Mechanical, Electric, and Plumbing Improvements</td>
<td>7,858,588</td>
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<tr>
<td>Fire Protection Academic Buildings</td>
<td>3,311,666</td>
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<tr>
<td>Bay Campus</td>
<td>6,000,000</td>
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<tr>
<td>Athletics Complex</td>
<td>8,882,689</td>
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<tr>
<td>Stormwater Management</td>
<td>2,221,831</td>
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<td>Fine Arts Center Renovation</td>
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<td>PFAS Removal Water Treatment Plant</td>
<td>1,015,192</td>
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<tr>
<td>Total - University of Rhode Island</td>
<td>1,015,940,011</td>
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</tbody>
</table>
| Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2025 relating to the University of Rhode Island are hereby reappropriated to fiscal year 2026.

**Rhode Island College**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenues</td>
<td>69,702,836</td>
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<tr>
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<td>Description</td>
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<td>---</td>
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</tr>
<tr>
<td>1</td>
<td>Debt Service</td>
</tr>
<tr>
<td>2</td>
<td>Other Funds</td>
</tr>
<tr>
<td>3</td>
<td>University and College Funds</td>
</tr>
<tr>
<td>4</td>
<td>Debt - Education and General</td>
</tr>
<tr>
<td>5</td>
<td>Debt - Student Union</td>
</tr>
<tr>
<td>6</td>
<td>Debt - G.O. Debt Service</td>
</tr>
<tr>
<td>7</td>
<td>Debt - Energy Conservation</td>
</tr>
<tr>
<td>8</td>
<td>Rhode Island Capital Plan Funds</td>
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<tr>
<td>9</td>
<td>Asset Protection</td>
</tr>
<tr>
<td>10</td>
<td>Infrastructure Modernization</td>
</tr>
<tr>
<td>11</td>
<td>Master Plan Phase III</td>
</tr>
<tr>
<td>12</td>
<td>Phase IV: Whipple Hall</td>
</tr>
<tr>
<td>13</td>
<td>Total - Rhode Island College</td>
</tr>
<tr>
<td>14</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2025 relating to Rhode Island College are hereby reappropriated to fiscal year 2026.</td>
</tr>
<tr>
<td>16</td>
<td>Community College of Rhode Island</td>
</tr>
<tr>
<td>17</td>
<td>General Revenues</td>
</tr>
<tr>
<td>18</td>
<td></td>
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<tr>
<td>19</td>
<td>General Revenues</td>
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<tr>
<td>20</td>
<td>Debt Service</td>
</tr>
<tr>
<td>21</td>
<td>Restricted Receipts</td>
</tr>
<tr>
<td>22</td>
<td>Other Funds</td>
</tr>
<tr>
<td>23</td>
<td>University and College Funds</td>
</tr>
<tr>
<td>24</td>
<td>Rhode Island Capital Plan Funds</td>
</tr>
<tr>
<td>25</td>
<td>Asset Protection</td>
</tr>
<tr>
<td>26</td>
<td>Data, Cabling, and Power Infrastructure</td>
</tr>
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<td>27</td>
<td>Flanagan Campus Renovations</td>
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<tr>
<td>28</td>
<td>CCRI Renovation and Modernization Phase I</td>
</tr>
<tr>
<td>29</td>
<td>CCRI Accessibility Improvements</td>
</tr>
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<td>30</td>
<td>Total - Community College of RI</td>
</tr>
<tr>
<td>31</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2025 relating to the Community College of Rhode Island are hereby reappropriated to fiscal year 2026.</td>
</tr>
<tr>
<td>33</td>
<td>Grand Total - Public Higher Education</td>
</tr>
<tr>
<td></td>
<td>RI State Council on the Arts</td>
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<tr>
<td>---</td>
<td>-------------------------------------------------------------------</td>
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<tr>
<td>1</td>
<td>General Revenues</td>
</tr>
<tr>
<td>2</td>
<td>Operating Support 1,205,211</td>
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<td>3</td>
<td>Grants 1,190,000</td>
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<tr>
<td>4</td>
<td>Provided that $400,000 be provided to support the operational costs of WaterFire Providence art installations.</td>
</tr>
<tr>
<td>5</td>
<td>Federal Funds 996,126</td>
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<td>Other Funds</td>
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<td>7</td>
<td>Art for Public Facilities 585,000</td>
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<td>Grand Total - RI State Council on the Arts 3,976,337</td>
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<tr>
<td>10</td>
<td>General Revenues 1,180,419</td>
</tr>
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<td>11</td>
<td>Restricted Receipts 25,036</td>
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<td>Other Funds</td>
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<td>URI Sponsored Research 338,456</td>
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<td>Rhode Island Capital Plan Funds</td>
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<tr>
<td>15</td>
<td>Asset Protection 50,000</td>
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<tr>
<td>16</td>
<td>Grand Total - RI Atomic Energy Commission 1,593,911</td>
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<tr>
<td>17</td>
<td><strong>RI Historical Preservation and Heritage Commission</strong></td>
</tr>
<tr>
<td>18</td>
<td>General Revenues 1,898,100</td>
</tr>
<tr>
<td>19</td>
<td>Provided that $30,000 support the operational costs of the Fort Adams Trust’s restoration activities and that $25,000 shall be allocated to Rhode Island Slave History Medallions.</td>
</tr>
<tr>
<td>20</td>
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</tr>
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<td>21</td>
<td>Restricted Receipts 419,300</td>
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<td>Other Funds</td>
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<tr>
<td>23</td>
<td>RIDOT Project Review 142,829</td>
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<td>24</td>
<td>Grand Total - RI Historical Preservation and Heritage Comm.</td>
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<td>25</td>
<td>3,727,660</td>
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<tr>
<td>27</td>
<td>Criminal</td>
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<td>28</td>
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<td>29</td>
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<td>30</td>
<td>Restricted Receipts 1,473,682</td>
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<td>31</td>
<td>Total - Criminal 25,879,441</td>
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<tr>
<td>32</td>
<td><strong>Civil</strong></td>
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<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
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<td>1</td>
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<td>3</td>
<td>Total - Civil</td>
<td>9,622,059</td>
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<td>4</td>
<td><strong>Bureau of Criminal Identification</strong></td>
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<td>5</td>
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<td>7</td>
<td>Restricted Receipts</td>
<td>2,847,793</td>
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<tr>
<td>8</td>
<td>Total - Bureau of Criminal Identification</td>
<td>5,045,548</td>
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<tr>
<td>9</td>
<td><strong>General</strong></td>
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<tr>
<td>10</td>
<td>General Revenues</td>
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<td>11</td>
<td>Other Funds</td>
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<tr>
<td>12</td>
<td>Rhode Island Capital Plan Funds</td>
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</tr>
<tr>
<td>13</td>
<td>Building Renovations and Repairs</td>
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<tr>
<td>14</td>
<td>Total - General</td>
<td>4,909,579</td>
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<tr>
<td>15</td>
<td>Grand Total - Attorney General</td>
<td>45,456,627</td>
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<tr>
<td>16</td>
<td><strong>Corrections</strong></td>
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</tr>
<tr>
<td>17</td>
<td><strong>Central Management</strong></td>
<td></td>
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<tr>
<td>18</td>
<td>General Revenues</td>
<td>22,522,753</td>
</tr>
<tr>
<td>19</td>
<td>The Department of Corrections shall conduct a study to evaluate recidivism trends and outcomes of existing correctional programs intended to promote rehabilitation and reduce recidivism. The report shall include, but not be limited to, historical recidivism rates including demographic data, and regional comparisons; prison population projections and driving factors; an inventory of evidence-based rehabilitative practices and programs; and a review of Correctional Industries and its alignment to workforce needs. On or before March 1, 2025, the Department of Corrections must submit a report to the governor, the speaker of the house and the president of the senate including a summary, relevant data and findings, and recommendations to reduce recidivism.</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td><strong>Parole Board</strong></td>
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<td>21</td>
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<td>Provided that $1,050,000 be allocated to Crossroads Rhode Island for sex offender discharge planning.</td>
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<td>The director of the department of corrections shall provide to the speaker of the house and president of the senate at least every ninety (90) days beginning September 1, 2022, a report on efforts to modernize the correctional industries program. The report shall, at minimum, provide data on the past ninety (90) days regarding program participation, changes made in programming to more closely align with industry needs, new or terminated partnerships with employers, nonprofits, and advocacy groups, current program expenses and revenues, and the employment status of all persons on the day of discharge from department care who participated in the correctional industries program.</td>
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<td>Of this general revenue amount, $100,000 is appropriated to the Conservation Districts and $100,000 is appropriated to the Wildlife Rehabilitators Association of Rhode Island for a veterinarian at the Wildlife Clinic of Rhode Island.</td>
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<tr>
<td>17</td>
<td>The Rhode Island Public Transit Authority shall conduct a thorough review of its transit operations and administration. The aim of this review is to uncover ways to enhance efficiency and streamline costs, ensuring a more effective use of resources. This evaluation shall encompass a range of areas, including but not limited to, a comprehensive analysis of the fixed-route service. Analysis should include operating expenses, ridership figures, cost per rider, and other pertinent data across all routes and serviced regions. A review focusing on the cost-effectiveness of the agency’s diverse transit services will be a key component of this study. Additionally, the study shall explore different transit service delivery models, incorporating successful strategies from other transit systems; financial planning strategies; agency management structure, capital plan development and funding strategies; project management; and Transit Master Plan scope and schedule. By January 1, 2025, the Rhode Island Public Transit Authority shall compile and present a report to the governor, the speaker of the house, and the president of the senate. This report will summarize the findings of the study and include recommendations aimed at fostering sustainable and effective transit operations.</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td><strong>Restricted Receipts</strong></td>
<td><strong>6,116,969</strong></td>
</tr>
<tr>
<td>19</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Gasoline Tax</td>
<td><strong>72,301,225</strong></td>
</tr>
<tr>
<td>21</td>
<td>Toll Revenue</td>
<td><strong>1,500,000</strong></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land Sale Revenue</td>
<td>6,568,333</td>
</tr>
<tr>
<td>2</td>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Highway Improvement Program</td>
<td>121,102,060</td>
</tr>
<tr>
<td>4</td>
<td>Bike Path Asset Protection</td>
<td>400,000</td>
</tr>
<tr>
<td>5</td>
<td>RIPTA - Land and Buildings</td>
<td>11,214,401</td>
</tr>
<tr>
<td>6</td>
<td>RIPTA - Pawtucket/Central Falls Bus Hub Passenger Facility</td>
<td>3,424,529</td>
</tr>
<tr>
<td>7</td>
<td>Total - Infrastructure Engineering</td>
<td>640,277,910</td>
</tr>
<tr>
<td>8</td>
<td>Infrastructure Maintenance</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Other Funds</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Gasoline Tax</td>
<td>39,544,619</td>
</tr>
<tr>
<td>11</td>
<td>The department of transportation will establish a Municipal Roadway Database,</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>which will include information concerning the name, condition, length,</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>roadway infrastructure, and pedestrian features of each municipal roadway,</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>updated annually by municipalities. The database will serve as a</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>comprehensive and transparent list of municipal roadway conditions.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Rhode Island Highway Maintenance Account</td>
<td>105,190,431</td>
</tr>
<tr>
<td>17</td>
<td>Rhode Island Capital Plan Funds</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Maintenance Capital Equipment Replacement</td>
<td>1,800,000</td>
</tr>
<tr>
<td>19</td>
<td>Maintenance Facilities Improvements</td>
<td>500,000</td>
</tr>
<tr>
<td>20</td>
<td>Welcome Center</td>
<td>150,000</td>
</tr>
<tr>
<td>21</td>
<td>Salt Storage Facilities</td>
<td>1,150,000</td>
</tr>
<tr>
<td>22</td>
<td>Train Station Asset Protection</td>
<td>475,585</td>
</tr>
<tr>
<td>23</td>
<td>Total - Infrastructure Maintenance</td>
<td>148,810,635</td>
</tr>
<tr>
<td>24</td>
<td>Grand Total - Transportation</td>
<td>816,719,830</td>
</tr>
<tr>
<td>25</td>
<td>Statewide Totals</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>General Revenues</td>
<td>5,500,088,983</td>
</tr>
<tr>
<td>27</td>
<td>Federal Funds</td>
<td>4,929,239,756</td>
</tr>
<tr>
<td>28</td>
<td>Restricted Receipts</td>
<td>450,860,737</td>
</tr>
<tr>
<td>29</td>
<td>Other Funds</td>
<td>2,795,864,892</td>
</tr>
<tr>
<td>30</td>
<td>Statewide Grand Total</td>
<td>13,676,054,368</td>
</tr>
</tbody>
</table>

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

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

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

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

<table>
<thead>
<tr>
<th>Account</th>
<th>Expenditure Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Assessed Fringe Benefit Internal Service Fund</td>
<td>36,946,270</td>
</tr>
<tr>
<td>Administration Central Utilities Internal Service Fund</td>
<td>30,029,111</td>
</tr>
<tr>
<td>State Central Mail Internal Service Fund</td>
<td>8,419,019</td>
</tr>
<tr>
<td>State Telecommunications Internal Service Fund</td>
<td>3,748,530</td>
</tr>
<tr>
<td>State Automotive Fleet Internal Service Fund</td>
<td>15,496,081</td>
</tr>
<tr>
<td>Surplus Property Internal Service Fund</td>
<td>44,789</td>
</tr>
<tr>
<td>Health Insurance Internal Service Fund</td>
<td>272,804,635</td>
</tr>
<tr>
<td>Other Post-Employment Benefits Fund</td>
<td>63,854,008</td>
</tr>
<tr>
<td>Capitol Police Internal Service Fund</td>
<td>1,466,975</td>
</tr>
<tr>
<td>Corrections Central Distribution Center Internal Service Fund</td>
<td>7,659,339</td>
</tr>
<tr>
<td>#</td>
<td>Fund Description</td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td>Correctional Industries Internal Service Fund</td>
</tr>
<tr>
<td>2</td>
<td>Secretary of State Record Center Internal Service Fund</td>
</tr>
<tr>
<td>3</td>
<td>Human Resources Internal Service Fund</td>
</tr>
<tr>
<td>4</td>
<td>DCAMM Facilities Internal Service Fund</td>
</tr>
<tr>
<td>5</td>
<td>Information Technology Internal Service Fund</td>
</tr>
</tbody>
</table>

**SECTION 6.** The director of the department of administration shall exercise his powers under R.I. Gen. Laws Chapter 42-11 to centralize state fleet operations under the department as it relates to light and medium duty vehicle management, in accordance with best practices.

**SECTION 7. Legislative Intent** - The General Assembly may provide a written “statement of legislative intent” signed by the chairperson of the House Finance Committee and by the chairperson of the Senate Finance Committee to show the intended purpose of the appropriations contained in Section 1 of this Article. The statement of legislative intent shall be kept on file in the House Finance Committee and in the Senate Finance Committee.

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

**SECTION 8. Appropriation of Temporary Disability Insurance Funds** -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2025.

**SECTION 9. Appropriation of Employment Security Funds** -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2025.

**SECTION 10. Appropriation of Lottery Division Funds** -- There is hereby appropriated to the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2025.

**SECTION 11. Appropriation of CollegeBoundSaver Funds** - There is hereby appropriated to the Office of the General Treasurer designated funds received under the CollegeBoundSaver program for transfer to the Division of Higher Education Assistance within the Office of the Postsecondary Commissioner to support student financial aid for the fiscal year ending June 30, 2025.

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

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

**FY 2025 FTE POSITION AUTHORIZATION**

<table>
<thead>
<tr>
<th>Departments and Agencies</th>
<th>Full-Time Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>683.6</td>
</tr>
<tr>
<td>Provided that no more than 419.1 of the total authorization would be limited to positions</td>
<td></td>
</tr>
<tr>
<td>that support internal service fund programs.</td>
<td></td>
</tr>
<tr>
<td>Business Regulation</td>
<td>181.0</td>
</tr>
<tr>
<td>Executive Office of Commerce</td>
<td>5.0</td>
</tr>
<tr>
<td>Housing</td>
<td>38.0</td>
</tr>
<tr>
<td>Labor and Training</td>
<td>461.7</td>
</tr>
<tr>
<td>Revenue</td>
<td>599.5</td>
</tr>
<tr>
<td>Legislature</td>
<td>298.5</td>
</tr>
<tr>
<td>Office of the Lieutenant Governor</td>
<td>8.0</td>
</tr>
<tr>
<td>Office of the Secretary of State</td>
<td>61.0</td>
</tr>
<tr>
<td>Office of the General Treasurer</td>
<td>91.0</td>
</tr>
<tr>
<td>Board of Elections</td>
<td>13.0</td>
</tr>
<tr>
<td>Rhode Island Ethics Commission</td>
<td>12.0</td>
</tr>
<tr>
<td>Office of the Governor</td>
<td>45.0</td>
</tr>
<tr>
<td>Commission for Human Rights</td>
<td>15.0</td>
</tr>
<tr>
<td>Public Utilities Commission</td>
<td>56.0</td>
</tr>
</tbody>
</table>
1 Office of Health and Human Services 233.0
2 Children, Youth and Families 714.5
3 Health 572.6
4 Human Services 779.0
5 Office of Veterans Services 267.0
6 Office of Healthy Aging 33.0
7 Behavioral Healthcare, Developmental Disabilities and Hospitals 1,203.4
8 Office of the Child Advocate 10.0
9 Commission on the Deaf and Hard of Hearing 4.0
10 Governor’s Commission on Disabilities 5.0
11 Office of the Mental Health Advocate 6.0
12 Elementary and Secondary Education 153.1
13 School for the Deaf 61.0
14 Davies Career and Technical School 123.0
15 Office of Postsecondary Commissioner 46.0
16 Provided that 1.0 of the total authorization would be available only for positions that are supported by third-party funds, 12.0 would be available only for positions at the State’s Higher Education Centers located in Woonsocket and Westerly, 10.0 would be available only for positions at the Nursing Education Center, and 7.0 would be available for the longitudinal data systems program.
17 University of Rhode Island 2,551.0
18 Provided that 353.8 of the total authorization would be available only for positions that are supported by third-party funds.
19 Rhode Island College 949.2
20 Provided that 76.0 of the total authorization would be available only for positions that are supported by third-party funds.
21 Community College of Rhode Island 849.1
22 Provided that 89.0 of the total authorization would be available only for positions that are supported by third-party funds.
23 Rhode Island State Council on the Arts 10.0
24 RI Atomic Energy Commission 8.6
25 Historical Preservation and Heritage Commission 15.6
26 Office of the Attorney General 264.1
27 Corrections 1,461.0
No agency or department may employ contracted employee services where contract employees would work under state employee supervisors without determination of need by the Director of Administration acting upon positive recommendations by the Budget Officer and the Personnel Administrator and 15 days after a public hearing.

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

SECTION 13. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2025 and supersede appropriations provided for FY 2025 within Section 12 of Article 1 of Chapter 79 of the P.L. of 2023.

The following amounts are hereby appropriated out of any money in the State’s Rhode Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending June 30, 2026, June 30, 2027, June 30, 2028, and June 30, 2029. These amounts supersede appropriations provided within Section 12 of Article 1 of Chapter 79 of the P.L. of 2023.

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 and such portions thereof as may be required by him or her upon receipt of properly authenticated vouchers.

<table>
<thead>
<tr>
<th>Project</th>
<th>FY Ending 06/30/2026</th>
<th>FY Ending 06/30/2027</th>
<th>FY Ending 06/30/2028</th>
<th>FY Ending 06/30/2029</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOA - 560 Jefferson Boulevard Asset Protection</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>DOA – Arrigan Center</td>
<td>200,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>DOA – Big River Management Area</td>
<td>797,000</td>
<td>746,000</td>
<td>742,000</td>
<td>792,000</td>
</tr>
<tr>
<td>DOA – Cannon Building</td>
<td>1,050,000</td>
<td>3,925,000</td>
<td>4,225,000</td>
<td>4,225,000</td>
</tr>
</tbody>
</table>

Total: 15,725.8
<table>
<thead>
<tr>
<th></th>
<th>Project Description</th>
<th>Budget 2021</th>
<th>Budget 2022</th>
<th>FY 2023</th>
<th>FY 2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DOA – Chapin Health Laboratory</td>
<td>350,000</td>
<td>300,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>DOA – Civic Center</td>
<td>3,800,000</td>
<td>1,250,000</td>
<td>1,075,000</td>
<td>1,500,000</td>
</tr>
<tr>
<td>3</td>
<td>DOA – Communities Facilities Asset Protection</td>
<td>225,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
</tr>
<tr>
<td>4</td>
<td>DOA - Cranston Street Armory</td>
<td>1,600,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>5</td>
<td>DOA - DoIT Enterprise Operations Center</td>
<td>2,050,000</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
</tr>
<tr>
<td>6</td>
<td>DOA – Energy Efficiency Improvements</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>1,000,000</td>
</tr>
<tr>
<td>7</td>
<td>DOA – Environmental Compliance</td>
<td>225,000</td>
<td>225,000</td>
<td>225,000</td>
<td>225,000</td>
</tr>
<tr>
<td>8</td>
<td>DOA – Group Homes Consolidation</td>
<td>4,325,000</td>
<td>4,325,000</td>
<td>4,426,000</td>
<td>5,450,000</td>
</tr>
<tr>
<td>9</td>
<td>DOA – Medical Examiners - New Facility</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>10</td>
<td>DOA – Old State House</td>
<td>600,000</td>
<td>600,000</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>11</td>
<td>DOA - Pastore Campus Infrastructure</td>
<td>25,000,000</td>
<td>25,000,000</td>
<td>15,000,000</td>
<td>8,500,000</td>
</tr>
<tr>
<td>12</td>
<td>DOA - Pastore Center Hospital Buildings</td>
<td>4,500,000</td>
<td>2,500,000</td>
<td>500,000</td>
<td>500,000</td>
</tr>
<tr>
<td>13</td>
<td>DOA - Pastore Center Non-Hospital Buildings</td>
<td>7,750,000</td>
<td>4,500,000</td>
<td>4,600,000</td>
<td>4,600,000</td>
</tr>
<tr>
<td>14</td>
<td>DOA - Pastore Power Plant Rehabilitation</td>
<td>250,000</td>
<td>5,250,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>15</td>
<td>DOA – Replacement of Fueling Tanks</td>
<td>620,000</td>
<td>100,000</td>
<td>100,000</td>
<td>0</td>
</tr>
<tr>
<td>16</td>
<td>DOA - RI Convention Center Authority</td>
<td>2,800,000</td>
<td>2,825,000</td>
<td>2,500,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>17</td>
<td>DOA - Shepard Building Upgrades</td>
<td>555,000</td>
<td>3,920,000</td>
<td>8,125,000</td>
<td>4,785,000</td>
</tr>
<tr>
<td>18</td>
<td>DOA – State Building Security Measures</td>
<td>700,000</td>
<td>650,000</td>
<td>600,000</td>
<td>600,000</td>
</tr>
<tr>
<td>19</td>
<td>DOA - State House Renovations</td>
<td>1,759,000</td>
<td>17,379,000</td>
<td>16,000,000</td>
<td>31,940,000</td>
</tr>
<tr>
<td>20</td>
<td>DOA – State Office Building</td>
<td>250,000</td>
<td>550,000</td>
<td>300,000</td>
<td>50,000</td>
</tr>
<tr>
<td>21</td>
<td>DOA – State Office Reorganization &amp; Relocation</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
</tr>
<tr>
<td>22</td>
<td>DOA – Veterans’ Auditorium</td>
<td>380,000</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
</tr>
<tr>
<td>23</td>
<td>DOA – Washington County Government Center</td>
<td>600,000</td>
<td>150,000</td>
<td>150,000</td>
<td>150,000</td>
</tr>
<tr>
<td>24</td>
<td>DOA - William Powers Building</td>
<td>2,200,000</td>
<td>2,350,000</td>
<td>1,850,000</td>
<td>1,700,000</td>
</tr>
<tr>
<td>25</td>
<td>DOA - Zambarano Buildings and Campus</td>
<td>2,850,000</td>
<td>250,000</td>
<td>900,000</td>
<td>900,000</td>
</tr>
<tr>
<td>26</td>
<td>DOA – Zambarano LTAC Hospital</td>
<td>26,065,740</td>
<td>23,804,439</td>
<td>24,427,656</td>
<td>24,155,740</td>
</tr>
<tr>
<td>27</td>
<td>DBR – Fire Academy Expansion</td>
<td>675,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>28</td>
<td>EOC – I-195 Redevelopment Commission</td>
<td>700,000</td>
<td>700,000</td>
<td>700,000</td>
<td>0</td>
</tr>
<tr>
<td>29</td>
<td>EOC – Quonset Infrastructure</td>
<td>2,500,000</td>
<td>2,500,000</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>30</td>
<td>SOS – Rhode Island Archives and History Center</td>
<td>3,901,863</td>
<td>2,340,693</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>31</td>
<td>DCYF – Training School Asset Protection</td>
<td>250,000</td>
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<td>DHS – Blind Vending Facilities</td>
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<td>7</td>
<td>ELSEC – Davies School Asset Protection</td>
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<td>511,000</td>
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<td>9</td>
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<td>URI – Mechanical, Electric and Plumbing</td>
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<td>AG – Building Renovations and Repairs</td>
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<td>Military Staff – Counter Drug Training</td>
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<td>Military Staff – Repair Squadron Ops</td>
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<td>DEM – Port of Galilee</td>
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<td>24</td>
<td>CRMC – Confined Aquatic Dredged</td>
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<tr>
<td>DOT - Salt Storage Facilities</td>
<td>1,150,000</td>
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<tr>
<td>DOT – Train Station Asset Protection</td>
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<td>DOT – Welcome Center</td>
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<td>DOT - RIPTA Pawtucket/Central Falls</td>
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<td>627,977</td>
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Any unexpended and unencumbered funds from Rhode Island Capital Plan Fund project appropriations shall be reappropriated in the ensuing fiscal year and made available for the same purpose. However, any such reappropriations are subject to final approval by the General Assembly as part of the supplemental appropriations act. Any unexpended funds of less than five hundred dollars ($500) shall be reappropriated at the discretion of the State Budget Officer.

SECTION 15. For the Fiscal Year ending June 30, 2025, the Rhode Island Housing and Mortgage Finance Corporation shall provide from its resources such sums as appropriate in support of the Neighborhood Opportunities Program. The Corporation shall provide a report detailing the amount of funding provided to this program, as well as information on the number of units of housing provided as a result to the Director of Administration, the Chair of the Housing Resources Commission, the Chair of the House Finance Committee, the Chair of the Senate Finance Committee, and the State Budget Officer.

SECTION 16. Appropriation of Economic Activity Taxes in accordance with the city of Pawtucket downtown redevelopment statute -- There is hereby appropriated for the fiscal year ending June 30, 2025, all State Economic Activity Taxes to be collected pursuant to § 45-33.4-4 of the Rhode Island General Laws, as amended (including, but not limited to, the amount of tax revenues certified by the Commerce Corporation in accordance with § 45-33.4-1(13) of the Rhode Island General Laws), for the purposes of paying debt service on bonds, funding debt service reserves, paying costs of infrastructure improvements in and around the ballpark district, arts district, and the growth center district, funding future debt service on bonds, and funding a redevelopment revolving fund established in accordance with § 45-33-1 of the Rhode Island General Laws.

SECTION 17. The appropriations from federal funds contained in Section 1 shall not be construed to mean any federal funds or assistance appropriated, authorized, allocated or apportioned to the State of Rhode Island from the State Fiscal Recovery Fund and Capital Projects Fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2 for fiscal year 2025 except for those instances specifically designated.
The State Fiscal Recovery Fund and Capital Projects Fund appropriations herein shall be made in support of the following projects:

**Federal Funds - State Fiscal Recovery Fund**

**Department of Administration (DOA)**

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

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

DOA – Health Care Facilities. These funds shall address the ongoing staffing needs of nursing facilities related to the COVID-19 public health emergency. $10.0 million shall be distributed to nursing facilities based on the number of Medicaid beds days from the 2022 facility cost reports, provided at least 80 percent is dedicated to direct care workers.

DOA – Community Learning Center Programming Support Grant. These funds shall be distributed to municipalities that have approved community learning center projects under the coronavirus capital projects fund community learning center municipal grant program. An equal amount of funding will be allocated to each approved community learning center project that reaches substantial completion as defined by the U.S. Department of Treasury by October 31, 2026. These funds must be used to support the establishment of U.S. Department of the Treasury compliant health monitoring, work, and or education programming that will take place in a community learning center.

**Executive Office of Commerce (EOC)**

EOC – Assistance to Impacted Industries. These funds shall be allocated to provide assistance to the tourism, hospitality, and events industries for outdoor and public space capital improvements and event programming.

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

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

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

RIDE - Adult Education Providers. These funds shall be directly distributed through the Office of Adult Education to nonprofit adult education providers to expand access to educational programs and literary services.
Department of Transportation (DOT)

DOT - Municipal Roads Grant Program. These funds shall support a program to distribute grants with a required local match for the replacement, rehabilitation, preservation, and maintenance of existing roads, sidewalks, and bridges. These funds shall be distributed equally to each city and town provided that each municipality is required to provide a 67 percent match.

DOT - RIPTA Operating Grant. These funds shall provide operating support to the Rhode Island public transit authority.

Federal Funds - Capital Projects Fund

Department of Administration (DOA)

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

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

SECTION 19. The pandemic recovery office shall monitor the progress and performance of all programs financed by the State Fiscal Recovery Fund and the Capital Projects Fund. On or before October 31, 2023, and quarterly thereafter until and including October 31, 2024, the office shall provide a report to the speaker of the house and senate president, with copies to the chairpersons of the house and senate finance committees, identifying programs that are at risk of significant underspending or noncompliance with federal or state requirements. The report, at a minimum must include an assessment of how programs that are at risk can be remedied. In the event that any State Fiscal Recovery Fund program would put the state at risk of forfeiture of federal funds, the governor may reallocate funding from the at-risk program to the unemployment insurance trust fund.

SECTION 20. This article shall take effect as of July 1, 2024, except as otherwise provided herein.
ARTICLE 2

RELATING TO STATE FUNDS

SECTION 1. Effective July 1, 2023, section 35-3-20.2 of the General Laws in Chapter 35-3 entitled "State Budget" is hereby amended to read as follows:

35-3-20.2. Supplemental state budget reserve account.
(a) There is hereby created within the general fund a supplemental state budget reserve account, which shall be administered by the state controller and which shall be used solely for the purpose of providing such sums as may be appropriated to fund any unanticipated general revenue deficit caused by a general revenue shortfall.

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

(c) Whenever a transfer has been made pursuant to subsection (b), that transfer shall be considered as estimated general revenues for the purposes of determining the amount to be transferred to the Rhode Island Capital Plan fund for the purposes of § 35-6-1(e).

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

SECTION 2. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds" is hereby amended to read as follows:

35-4-27. Indirect cost recoveries on restricted receipt accounts.
Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions from nonprofit charitable organizations; (2) From the assessment of indirect cost-recovery rates on federal grant funds; or (3) Through transfers from state agencies to the department of administration for the payment of debt service. These indirect cost recoveries shall be applied to all accounts, unless prohibited by federal law or regulation, court order, or court settlement. The following restricted receipt accounts shall not be subject to the provisions of this section:
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<thead>
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SECTION 3. Effective July 1, 2023, section 35-6-1 of the General Laws in Chapter 35-6 entitled "Accounts and Control" is hereby amended to read as follows:

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

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

1. Administer a comprehensive accounting and recording system that will classify the transactions of the state departments and agencies in accordance with the budget plan;
2. Maintain control accounts for all supplies, materials, and equipment for all departments and agencies except as otherwise provided by law;
3. Prescribe a financial, accounting, and cost accounting system for state departments and agencies;
4. Identify federal grant-funding opportunities to support the governor’s and general assembly’s major policy initiatives and provide technical assistance with the application process and post-award grants management;
5. Manage federal fiscal proposals and guidelines and serve as the state clearinghouse for the application of federal grants;
6. Pre-audit all state receipts and expenditures;
7. Prepare financial statements required by the several departments and agencies, by the governor, or by the general assembly;
8. Approve the orders drawn on the general treasurer; provided, that the pre-audit of all expenditures under authority of the legislative department and the judicial department by the state controller shall be purely ministerial, concerned only with the legality of the expenditure and availability of the funds, and in no event shall the state controller interpose his or her judgment regarding the wisdom or expediency of any item or items of expenditure;
9. Prepare and timely file, on behalf of the state, any and all reports required by the United States, including, but not limited to, the Internal Revenue Service, or required by any department or agency of the state, with respect to the state payroll; and
(10) Prepare a preliminary closing statement for each fiscal year. The controller shall forward the statement to the chairpersons of the house finance committee and the senate finance committee, with copies to the house fiscal advisor and the senate fiscal and policy advisor, by September 1 following the fiscal year ending the prior June 30 or thirty (30) days after enactment of the appropriations act, whichever is later. The report shall include but is not limited to:

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

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

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

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

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

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

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

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

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

(1) There shall be no service charge of any type paid by the state employee at any time which shall decrease the net amount of the employee’s salary deposited to the financial institution of the personal choice of the employee as a result of the use of direct deposit.
(2) Employees hired after September 30, 2014, shall participate in the direct deposit system. At the time the employee is hired, the employee shall identify a financial institution that will serve as a personal depository agent for the employee.

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

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

SECTION 4. Sections 37-7-13 and 37-7-15 of the General Laws in Chapter 37-7 entitled “Management and Disposal of Property” are hereby amended to read as follows:

37-7-13. Surplus group homes.
Any group home purchased or built by the state of Rhode Island and licensed pursuant to house § 40.1-24-3, which is no longer used to house persons with disabilities and is vacant for a period of one year must be offered for sale on the private housing market forthwith and shall thereafter remain under the jurisdiction of the zoning enforcement officer and the zoning code of that municipality in which the home is located. The zoning enforcement officer and zoning code shall govern the use thereof. The group home shall not acquire any rights of a nonconforming use.

Proceeds from the sale of group homes owned by the state of Rhode Island shall be transferred to the group home facility improvement fund, pursuant to § 40.1-1-22.


(a) Total annual proceeds from the sale of any land and the buildings and improvements thereon, and other real property, title to which is vested in the state of Rhode Island or title to which will be vested in the state upon completion of any condemnation or other proceedings, except for the sale of group homes as referenced in § 37-7-13, shall be transferred to the information technology restricted receipt account (ITRR account) and made available for the purposes outlined in § 42-11-2.5(a), unless otherwise prohibited by federal law.

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

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Island, delineated on that certain plan of land captioned “Improvements to Interstate Route 195, Providence, Rhode Island, Proposed Development Parcel Plans 1 through 10, Scale: 1”=20′, May 2010, Bryant Associates, Inc., Engineers-Surveyors-Construction Managers, Lincoln, Rhode Island, Maguire Group, Inc., Architects/Engineers/Planners, Providence, Rhode Island.”

(c) Provided, however, the transfer of proceeds in subsection (a) shall not include proceeds from the sale of state-owned group homes or “community residences” as that term is defined in § 40.1-24-1(2) and licensed by the department of behavioral healthcare, developmental disabilities and hospitals. Proceeds from the sale of these properties will be transferred to the group home facility improvement fund, pursuant to § 40.1-1-22.

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

SECTION 5. Chapter 40.1-1 of the General Laws entitled “Behavioral Healthcare, Developmental Disabilities and Hospitals” is hereby amended by adding thereto the following section:


There is created within the general fund of the state a restricted receipt account to be known as the “group home facility improvement fund.” Money transferred to this fund shall include, but is not limited to, the proceeds from the surplus of state-owned group home facilities or “community residences” as that term is defined in § 40.1-24-1(2) and licensed by the department of behavioral healthcare, developmental disabilities and hospitals; or, notwithstanding the provisions of §§ 37-7-1 and 37-7-9, rents collected from provider agencies providing services in state-owned group home

improvement fund shall be exempt from the indirect cost recovery provisions of § 35-4-27.

SECTION 6. Section 42-6.2-3.1 of the General Laws in Chapter 42-6.2 entitled “2021 Act on Climate” is hereby amended to read as follows:

42-6.2-3.1. Funding for the council.

There is hereby established a restricted receipt account in the general fund of the state and
housed in the budget of the department of administration entitled “RGGI-executive climate change
coordinating council projects.” The express purpose of this account is to record receipts and
expenditures allocated pursuant to § 23-82-6(a)(7). The state budget officer is hereby authorized
to create restricted receipt sub-accounts in any department of state government that receives such
funding as directed by the executive climate change coordinating council.

The Rhode Island executive climate change coordinating council shall report annually to
the governor and general assembly within one hundred twenty (120) days of the end of each
calendar year how the funds were used to achieve the statutory objectives of the 2021 Act on
Climate.

SECTION 7. Section 42-11-2.5 of the General Laws in Chapter 42-11 entitled “Department
of Administration” is hereby amended to read as follows:

42-11-2.5. Information technology restricted receipt account and large systems
initiatives fund.

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

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

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

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

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

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

SECTION 8. Section 42-66-4 of the General Laws in Chapter 42-66 entitled "Office of Healthy Aging" is hereby amended to read as follows:

42-66-4. Duties of the division.

(a) The division shall be the principal agency of the state to mobilize the human, physical, and financial resources available to plan, develop, and implement innovative programs to ensure the dignity and independence of elderly persons, including the planning, development, and implementation of a home- and long-term-care program for the elderly in the communities of the state.

(b)(1) The division shall serve as an advocate for the needs of the adult with a disability as these needs and services overlap the needs and services of elderly persons.

(2) The division shall serve as the state’s central agency for the administration and coordination of a long-term-care entry system, using community-based access points, that will provide the following services related to long-term care: information and referral; initial screening for service and benefits eligibility; and a uniform assessment program for state-supported long-term care.

(3) The division shall investigate reports of elder abuse, neglect, exploitation, or self-neglect and shall provide and/or coordinate protective services.

(c) To accomplish these objectives, the director is authorized:

(1) To provide assistance to communities in solving local problems with regard to elderly persons including, but not limited to, problems in identifying and coordinating local resources to
serve the needs of elderly persons;

(2) To facilitate communications and the free flow of information between communities and the offices, agencies, and employees of the state;

(3) To encourage and assist communities, agencies, and state departments to plan, develop, and implement home- and long-term care programs;

(4) To provide and act as a clearinghouse for information, data, and other materials relative to elderly persons;

(5) To initiate and carry out studies and analyses that will aid in solving local, regional, and statewide problems concerning elderly persons;

(6) To coordinate those programs of other state agencies designed to assist in the solution of local, regional, and statewide problems concerning elderly persons;

(7) To advise and inform the governor on the affairs and problems of elderly persons in the state;

(8) To exercise the powers and discharge the duties assigned to the director in the fields of health care, nutrition, homemaker services, geriatric day care, economic opportunity, local and regional planning, transportation, and education and pre-retirement programs;

(9) To further the cooperation of local, state, federal, and private agencies and institutions providing for services or having responsibility for elderly persons;

(10) To represent and act on behalf of the state in connection with federal grant programs applicable to programs for elderly persons in the functional areas described in this chapter;

(11) To seek, accept, and otherwise take advantage of all federal aid available to the division, and to assist other agencies of the state, local agencies, and community groups in taking advantage of all federal grants and subventions available for elderly persons and to accept other sources of funds with the approval of the director of administration that shall be deposited as general revenues;

(12) To render advice and assistance to communities and other groups in the preparation and submission of grant applications to state and federal agencies relative to programs for elderly persons;

(13) To review and coordinate those activities of agencies of the state and of any political subdivision of the state at the request of the subdivision, that affect the full and fair utilization of community resources for programs for elderly persons, and initiate programs that will help ensure such utilization;

(14) To encourage the formation of councils on aging and to assist local communities in the development of the councils;
(15) To promote and coordinate daycare facilities for the frail elderly who are in need of supportive care and supervision during the daytime;

(16) To provide and coordinate the delivery of in-home services to the elderly, as defined under the rules and regulations adopted by the office of healthy aging;

(17) To advise and inform the public of the risks of accidental hypothermia;

(18) To establish a clearinghouse for information and education of the elderly citizens of the state, including, but not limited to, and subject to available funding, a web-based caregiver support information center;

(19) [As amended by P.L. 2019, ch. 110, § 2]. To establish and operate, in collaboration with the departments of behavioral health, developmental disabilities and hospitals; human services; and children youth and families regular community agencies supporting caregivers, a statewide family-caregiver support association and a family-caregiver resource network to provide and coordinate family-caregiver training and support services to include counseling and elder caregiver respite services, which shall be subject to available funding, and include home health/homemaker care, adult day services, assisted living, and nursing facility care; and

(20) To establish and operate, in collaboration with the department of behavioral healthcare, developmental disabilities and hospitals; the department of human services; the department of children, youth and families, and community agencies supporting caregivers, a statewide family-caregiver support association and a family-caregiver resource network to provide and coordinate family-caregiver training and support services to include counseling and caregiver respite services, which shall be subject to available funding, and include home health/homemaker care, adult day services, assisted living, and nursing facility care; and

(20) To supervise the citizens’ commission for the safety and care of the elderly created pursuant to the provisions of chapter 1.4 of title 12.

(d) In order to assist in the discharge of the duties of the division, the director may request from any agency of the state information pertinent to the affairs and problems of elderly persons.

(e) There is hereby established within the general fund of the state and housed within the budget of the office of healthy aging a restricted receipt account entitled “Commodity Supplemental Food Program- Claims” to account for funds collected in payment of claims for donated food losses, pursuant to United States Department of Agriculture guidelines under the commodity supplemental food program. Expenditures from this account shall be utilized by the office solely for the following purposes:

(i) Purchase of replacement foods.
(ii) Payment of administrative costs.

(iii) Replacement of lost or improperly used funds.

(iv) For use as a salvage account in compliance with federal regulations.

SECTION 9. Chapter 42-140 of the General Laws entitled “Rhode Island Energy Resources Act” is hereby amended by adding thereto the following section:

42-140-11. Electric vehicle charging stations operating and maintenance fund.

(a) There is established a restricted receipts account within the general fund of the state, to be known as the "electric vehicle charging stations operating and maintenance account”, to be administered by the office of energy resources for the purposes of installing, operating, and maintaining electric vehicle charging stations on state properties.

(b) Effective January 1, 2025, the office of energy resources shall establish electric vehicle charging station fees for electric vehicle charging stations operating on state properties.

(c) The office of energy resources shall post the proposed charging station fees on its website and solicit public comment for a period of thirty (30) days.

(d) The office of energy resources shall have the authority to allocate funds not utilized in a fiscal year to fulfill the objectives of this section. Funds deposited into the electric vehicle charging stations operating and maintenance account shall be exempt from the indirect cost recovery provisions of R.I. Gen. Laws § 35-4-27.

SECTION 10. Sections 1 and 3 of this Article shall take effect as of July 1, 2023. Section 2 and Sections 4 through 9 shall take effect as of July 1, 2024.
ARTICLE 3

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. Section 23-1-5.5 of the General Laws in Chapter 23-1 entitled “Department of Health” is hereby amended to read as follows:

23-1-5.5. Annual report.

The department of health shall prepare and issue an annual report on the status of private well water contamination in the state. The report shall be submitted to the governor and the general assembly by January 15th of each year and shall be made available to the public.

SECTION 2. Section 23-1-9 of the General Laws in Chapter 23-1 entitled “Department of Health” is hereby repealed:


The director of health shall make an annual report to the general assembly of his or her proceedings during the year ending on the thirty-first (31st) day of December next preceding, with any suggestions in relation to the sanitary laws and interests of the state that he or she shall deem important.

SECTION 3. Section 23-1-1.1-3 of the General Laws in Chapter 23-1.1 entitled “Division of Occupational Health” is hereby repealed.

23-1-1.1-3. Annual report.

The director of health shall annually furnish information regarding the activities of the division of occupational health to the director of labor and training for inclusion in the director of labor and training’s annual report to the governor and to the general assembly. The director of health shall also provide information to the director of labor and training for reports to be submitted to the United States Secretary of Labor in the form and from time to time that the secretary of labor and training may require.

SECTION 4. Section 23-6.4-8 of the General Laws in Chapter 23-6.4 entitled “Life-Saving Allergy Medication — Stock Supply of Epinephrine Auto-Injectors — Emergency Administration” is hereby amended to read as follows:

23-6.4-8. Reporting.

An authorized entity that possesses and makes available epinephrine auto-injectors shall submit to the department of health, on a form developed by the department of health, a report of each incident on the authorized entity’s premises that involves the administration of an epinephrine auto-injector. The department of health shall annually publish a report that summarizes and analyzes all reports submitted to it under this section.

SECTION 5. Section 23-12.7-3 of the General Laws in Chapter 23-12.7 entitled “The
Breast Cancer Act” is hereby amended to read as follows:

**23-12.7-3. Program established.**

(a) Through funding from the Rhode Island Cancer Council, the Rhode Island department of health is required to establish a program of free mammography screening according to American Cancer Society standards, and, where required, follow-up, diagnostic testing, and case management for women in the state who are uninsured or underinsured.

(b) The screening program shall:

(1) Secure radiology facilities to participate in the screening program;

(2) Pay for screening mammograms;

(3) Ensure that screening results are sent by mail, electronically, or otherwise, to the patient in a timely manner;

(4) Provide diagnostic tests as required to diagnose breast cancer;

(5) Provide case management facilitating appropriate contact to breast surgeons, medical oncologists, and radiation oncologists; and

(6) Provide follow-up support to women who are found to have breast cancer as a result of this screening program.

(c) The director of the Rhode Island department of health is required to provide an annual report due to the general assembly on May 15 on the program of free mammography screening, follow-up diagnostic testing and case management, and public education. An advisory committee concerned with advocacy, outreach, and public education shall meet on a quarterly basis and report to the director.

**SECTION 6.** Section 23-13.7-2 of the General Laws in Chapter 23-12.7 entitled “The Rhode Island Family Home-Visiting Act” is hereby amended to read as follows:

**23-13.7-2. Home-visiting system components.**

(a) The Rhode Island department of health shall coordinate the system of early childhood home-visiting services in Rhode Island and shall work with the department of human services and department of children, youth and families to identify effective, evidence-based, home-visiting models that meet the needs of vulnerable families with young children.

(b) The Rhode Island department of health shall implement a statewide home-visiting system that uses evidence-based models proven to improve child and family outcomes. Evidence-based, home-visiting programs must follow with fidelity a program model with comprehensive standards that ensure high-quality service delivery, use research-based curricula, and have demonstrated significant positive outcomes in at least two (2) of the following areas:

(1) Improved prenatal, maternal, infant, or child health outcomes;
(2) Improved safety and reduced child maltreatment and injury;

(3) Improved family economic security and self-sufficiency;

(4) Enhanced early childhood development (social-emotional, language, cognitive, physical) to improve children’s readiness to succeed in school.

(c) The Rhode Island department of health shall implement a system to identify and refer families prenatally, or as early after the birth of a child as possible, to voluntary, evidence-based, home-visiting programs. The referral system shall prioritize families for services based on risk factors known to impair child development, including:

(1) Adolescent parent(s);

(2) History of prenatal drug or alcohol abuse;

(3) History of child maltreatment, domestic abuse, or other types of violence;

(4) Incarcerated parent(s);

(5) Reduced parental cognitive functioning or significant disability;

(6) Insufficient financial resources to meet family needs;

(7) History of homelessness; or

(8) Other risk factors as determined by the department.

(d) Beginning on or before October 1, 2016, and annually thereafter, the Rhode Island department of health shall issue a state home-visiting report due annually by March 1 of each year that outlines the components of the state’s family home-visiting system that shall be made publicly available on the department’s website. The report shall include:

(1) The number of families served by each evidence-based model; and

(2) Demographic data on families served; and

(3) Duration of participation of families; and

(4) Cross-departmental coordination; and

(5) Outcomes related to prenatal, maternal, infant and child health, child maltreatment, family economic security, and child development and school readiness; and

(6) An annual estimate of the number of children born to Rhode Island families who face significant risk factors known to impair child development, and a plan including the fiscal costs and benefits to gradually expand access to the existing evidence-based, family home-visiting programs in Rhode Island to all vulnerable families.

(e) State appropriations for this purpose shall be combined with federal dollars to fund the expansion of evidence-based, home-visiting programs, with the goal of offering the program to all the state’s pregnant and parenting teens; families with a history of involvement with the child welfare system; and other vulnerable families.
SECTION 7. Section 23-18.16-4 of the General Laws in Chapter 23-18.16 entitled “Newspaper Recyclability” is hereby amended to read as follows:

(a) The department shall annually report to the governor and the general assembly all findings regarding publications both in compliance and not in compliance with the requirements of this chapter.
(b) The department must by July 1 of each year produce a written determination on any publication that does not comply with the provision of this chapter.
(c) All publications will report on an annual basis their annual rate of purchase of post consumer materials to the department of environmental management. A person adversely affected or aggrieved by the issuance of an order under the provisions of this section may seek judicial review of an order in the superior courts.


(a) The department shall annually report to the governor and the general assembly on the status, funding, and results of all demonstration and research projects awarded grants.
(b) This report shall include recommendations for legislation and shall identify those state and federal economic and financial incentives which can best accelerate and maximize the research, development, and demonstration of hazardous waste reduction, recycling, and treatment technologies.

SECTION 9. Section 23-20.11-4 of the General Laws in Chapter 23-20.11 entitled “Reduced Cigarette Ignition Propensity and Firefighter Protection” is hereby amended to read as follows:

23-20.11-4. Standards for cigarette fire safety.
(a) No cigarettes may be sold or offered for sale in this state or offered for sale or sold to persons located in this state unless such cigarettes have been tested in accordance with the test method and meet the performance standard specified in this subsection; and a written certification has been filed by the manufacturer with the director in accordance with § 23-20.11-5 of this act; and the cigarettes have been marked in accordance with § 23-20.11-6 of this act.
(2) Testing shall be conducted on ten (10) layers of filter paper.

(3) No more than twenty-five percent (25%) of the cigarettes tested in a test trial in accordance with this subsection shall exhibit full-length burns. Forty (40) replicate tests shall comprise a complete test trial for each cigarette tested.

(4) The performance standard required by this subsection shall only be applied to a complete test trial.

(5) Written certifications shall be based upon testing conducted by a laboratory that has been accredited pursuant to Standard ISO/IEC 17025 of the International Organization for Standardization (“ISO”), or other comparable accreditation standard required by the director.

(6) Laboratories conducting testing in accordance with this subsection shall implement a quality control and quality assurance program that includes a procedure to determine the repeatability of the testing results. The repeatability value shall be no greater than nineteen hundredths (0.19).

(7) This section does not require additional testing if cigarettes are tested consistent with this chapter for any other purpose.

(8) Testing performed or sponsored by the director to determine a cigarette’s compliance with the performance standard required by this section shall be conducted in accordance with this section.

(b) Each cigarette listed in a certification submitted pursuant to § 23-20.11-5 of this act that uses lowered permeability bands in the cigarette paper to achieve compliance with the performance standard set forth in this section shall have at least two (2) nominally identical bands on the paper surrounding the tobacco column. At least one complete band shall be located at least fifteen (15) millimeters from the lighting end of the cigarette. For cigarettes on which the bands are positioned by design, there shall be at least two (2) bands fully located at least fifteen (15) millimeters from the lighting end and ten (10) millimeters from the filter end of the tobacco column, or ten (10) millimeters from the labeled end of the tobacco column for a nonfiltered cigarette.

(c) The manufacturer or manufacturers of a cigarette that the director determines cannot be tested in accordance with the test method prescribed in subsection 23-20.11-4(a) shall propose a test method and performance standard for such cigarette to the director. Upon approval of the proposed test method and a determination by the director that the performance standard proposed by the manufacturer or manufacturers is equivalent to the performance standard prescribed in subsection 23-20.11-4(a), the manufacturer or manufacturers may employ such test method and performance standard to certify such cigarette pursuant to § 23-20.11-5 of this act. If the director determines that another state has enacted reduced cigarette ignition propensity standards that
include a test method and performance standard that are the same as those contained in this section, and the director finds that the officials responsible for implementing those requirements have approved the proposed alternative test method and performance standard for a particular cigarette proposed by a manufacturer as meeting the reduced cigarette ignition propensity standards of that state’s law or regulation under a legal provision comparable to this subsection, then the director shall authorize that manufacturer to employ the alternative test method and performance standard to certify that cigarette for sale in this state, unless the director demonstrates a reasonable basis why the alternative test should not be accepted under this chapter. All other applicable requirements of this section shall apply to such manufacturer or manufacturers.

(d) Each manufacturer shall maintain copies of the reports of all tests conducted on all cigarettes offered for sale for a period of three (3) years, and shall make copies of these reports available to the director and the attorney general upon written request. Any manufacturer who fails to make copies of these reports available within sixty (60) days of receiving a written request shall be subject to a civil penalty not to exceed ten thousand dollars ($10,000) for each day after the sixtieth (60th) day that the manufacturer does not make such copies available.

(e) The director may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that such subsequent method does not result in a change in the percentage of full-length burns exhibited by any tested cigarette when compared to the percentage of full-length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard prescribed in subsection 23-20.11-4(a).

(f) As of January 1, 2010, and at least every three (3) years thereafter, the director shall review of the effectiveness of this section and report to the legislature the director’s finding’s and, if appropriate, recommendations for legislation to improve the effectiveness of this section. The report and legislative recommendations shall be submitted no later than January 1 of each three (3) year period.

(g) This chapter shall be implemented in accordance with the implementation and substance of the New York Fire Safety Standards for Cigarettes.

SECTION 10. Sections 23-24.12-2 and 23-24.12-3 of the General Laws in Chapter 23-24.12 entitled “Proper Management of Unused Paint” are hereby amended to read as follows:


(1) “Architectural paint” means interior and exterior architectural coatings sold in containers of five (5) gallons or less. Architectural paint does not include industrial, original equipment or specialty coatings.

(2) “Department” means the department of environmental management.
(3) “Director” means the director of the department of environmental management.

(4) “Distributor” means a company that has a contractual relationship with one or more producers to market and sell architectural paint to retailers in this state.

(5) “Environmentally sound management practices” means procedures for the collection, storage, transportation, reuse, recycling and disposal of architectural paint, to be implemented by the representative implementing organization or such representative implementing organization’s contracted partners to ensure compliance with all applicable federal, state and local laws, regulations and ordinances and the protection of human health and the environment. Environmentally sound management practices include, but are not limited to, record keeping, the tracking and documenting of the use and disposition of post-consumer paint in and outside of this state, and environmental liability coverage for professional services and for the operations of the contractors working on behalf of the representative implementing organization.

(6) “Paint stewardship assessment” means the amount added to the purchase price of architectural paint sold in this state that is necessary to cover the cost of collecting, transporting and processing post-consumer paint by the representative implementing organization pursuant to the paint stewardship program.

(7) “Post-consumer paint” means architectural paint that is not used and that is no longer wanted by a purchaser of architectural paint.

(8) “Producer” means a manufacturer of architectural paint who sells, offers for sale, distributes or contracts to distribute architectural paint in this state.

(9) “Recycling” means any process by which discarded products, components and by-products are transformed into new, usable or marketable materials in a manner in which the original products may lose their identity.

(10) “Representative Implementing organization” means the nonprofit organization created by producers selected by the department to implement the paint stewardship program described in § 23-24.11-3 23-24.12-3.

(11) “Retailer” means any person who offers architectural paint for sale at retail in this state.

(12) “Reuse” means the return of a product into the economic stream for use in the same kind of application as the product was originally intended to be used, without a change in the product’s identity.

(13) “Sell” or “sale” means any transfer of title for consideration including, but not limited to, remote sales conducted through sales outlets, catalogues, the Internet or any other similar electronic means.

(a) On or before March 1, 2014, each producer shall join the representative organization and such representative organization shall submit a plan for the establishment of a paint stewardship program to the department for approval. The program shall minimize the public sector involvement in the management of post-consumer paint by reducing the generation of post-consumer paint, negotiating agreements to collect, transport, reuse, recycle, and/or burn for energy recovery at an appropriately licensed facility, post-consumer paint using environmentally sound management practices. No later than June 30, 2025, and every five years thereafter, unless otherwise delegated to the department by the chief purchasing officer, the division of purchases shall issue a solicitation seeking an organization or entity to implement and administer the paint stewardship program as described in this section. The solicitation shall be conducted in accordance with State Purchases Act, R.I. Gen. Laws 37-2-1 et seq. The paint stewardship program in effect at the time that this statute is enacted shall remain in effect until such time as an organization or entity is selected by the department to administer the program.

(b) The program shall also provide for convenient and available state-wide collection of post-consumer paint that, at a minimum, provides for collection rates and convenience greater than the collection programs available to consumers prior to such paint stewardship program; propose a paint stewardship assessment; include a funding mechanism that requires each producer who participates in the representative organization to remit to the representative organization payment of the paint stewardship assessment for each container of architectural paint sold within the state; include an education and outreach program to help ensure the success of the program; and, work with the department and Rhode Island Commerce Corporation to identify ways in which the state can motivate local infrastructure investment, business development and job creation related to the collection, transportation and processing of post-consumer paint. Each proposal submitted to the department shall include, at a minimum, the following elements:

(1) Recommendations to minimize the public sector involvement in the management of post-consumer paint by reducing the generation of post-consumer paint, negotiating agreements to collect, transport, reuse, recycle, and/or burn for energy recovery at an appropriately licensed facility post-consumer paint using environmentally sound management practices.

(2) A proposed program that will provide for convenient and available state-wide collection of post-consumer paint that, at a minimum, provides for collection rates and convenience greater than the collection programs available to consumers prior to such paint stewardship program; propose a paint stewardship assessment; include a funding mechanism that requires each producer to remit to the implementing organization payment of the paint stewardship assessment for each
container of architectural paint sold within the state; include an education and outreach program to help ensure the success of the program; and, work with the department and Rhode Island commerce corporation to identify ways in which the state can motivate local infrastructure investment, business development and job creation related to the collection, transportation and processing of post-consumer paint.

(c) The plan submitted to the department pursuant to this section shall include:

Each proposal shall also:

(1) Identify each producer participating in the paint stewardship program and the brands of architectural paint sold in this state covered by the program;

(2) Identify how the representative implementing organization will provide convenient, statewide accessibility to the program;

(3) Set forth the process by which an independent auditor will be selected and identify the criteria used by the representative implementing organization in selecting an independent auditor;

(4) Identify, in detail, the educational and outreach program that will be implemented to inform consumers and retailers of the program and how to participate;

(5) Identify the methods and procedures under which the paint stewardship program will be coordinated with the Rhode Island resource recovery corporation;

(6) Identify, in detail, the operational plans for interacting with retailers on the proper handling and management of post-consumer paint;

(7) Include the proposed, audited paint assessment as identified in this section;

(8) Include the targeted annual collection rate;

(9) Include a description of the intended treatment, storage, transportation and disposal options and methods for the collected post-consumer paint; and

(10) Be accompanied by a fee in the amount of two thousand five hundred dollars ($2,500) to be deposited into the environmental response fund to cover the review of said plan by the department.

(d) Not later than sixty (60) days after submission of a plan pursuant to this section, the department shall make a determination whether to:

(1) Approve the plan as submitted;

(2) Approve the plan with conditions; or

(3) Deny the plan.

(e) Not later than three (3) months after the date the plan is approved, the representative organization shall implement the paint stewardship program.

(f) On or before March 1, 2014, the representative organization shall
propose a uniform paint stewardship assessment for all architectural paint sold in this state. The proposed paint stewardship assessment shall be sufficient to cover the costs of administering the program. The assessment may also be used to create a reserve fund, provided that such reserve fund shall not exceed 50% of projected program costs in any given year. If the reserve fund is projected to exceed 50% of projected program costs, the implementing organization shall immediately propose to the department an amendment to the approved plan which will reduce the paint stewardship assessment in the following calendar year by an amount sufficient to cause the reserve fund to not exceed 50% of projected program costs. The department shall have the authority to cap administrative expenses at a percentage of program costs as part of any contract awarded to administer the paint stewardship program. Such proposed paint stewardship assessment shall be reviewed by an independent auditor to assure that such assessment is consistent with the budget of the paint stewardship program described in this section and such independent auditor shall recommend an amount for such paint stewardship assessment to the department. The department shall be responsible for the approval of such paint stewardship assessment based upon the independent auditor’s recommendation. If the paint stewardship assessment previously approved by the department pursuant to this section is proposed to be changed, the representative organization shall submit the new, adjusted uniform paint stewardship assessment to an independent auditor for review. After such review has been completed, the representative organization shall submit the results of said auditor’s review and a proposal to amend the paint stewardship assessment to the department for review. The department shall review and approve, in writing, the adjusted paint stewardship assessment before the new assessment can be implemented. Any proposed changes to the paint stewardship assessment shall be submitted to the department no later than sixty (60) days prior to the date the representative organization anticipates the adjusted assessment to take effect.

(ge) On and after the date of implementation of the paint stewardship program pursuant to this section, the paint stewardship assessment shall be added to the cost of all architectural paint sold to retailers and distributors in this state by each producer. On and after such implementation date, each retailer or distributor, as applicable, shall add the amount of such paint stewardship assessment to the purchase price of all architectural paint sold in this state.

(id) Any retailer may participate, on a voluntary basis, as a paint collection point pursuant to such paint stewardship program and in accordance with any applicable provision of law or regulation.

(iig) Each producer and the representative implementing organization shall be immune from liability for any claim of a violation of antitrust law or unfair trade practice if such conduct is a
violation of antitrust law, to the extent such producer or representative implementing organization is exercising authority pursuant to the provisions of this section.

(ih) Not later than the implementation date of the paint stewardship program, the department shall list the names of participating producers, the brands of architectural paint covered by such paint stewardship program and the cost of the approved paint stewardship assessment on its website.

(kj)(1) On and after the implementation date of the paint stewardship program, no producer, distributor or retailer shall sell or offer for sale architectural paint to any person in this state if the producer of such architectural paint is not a member of paint stewardship assessment is not collected and remitted to the representative implementing organization.

(2) No retailer or distributor shall be found to be in violation of the provisions of this section if, on the date the architectural paint was ordered from the producer or its agent, the producer or the subject brand of architectural paint was listed on the department’s website in accordance with the provisions of this section.

(ij) Producers or the representative implementing organization shall provide retailers with educational materials regarding the paint stewardship assessment and paint stewardship program to be distributed at the point of sale to the consumer. Such materials shall include, but not be limited to, information regarding available end-of-life management options for architectural paint offered through the paint stewardship program and information that notifies consumers that a charge for the operation of such paint stewardship program is included in the purchase price of all architectural paint sold in this state.

(mk) On or before October 15, 2015, and annually thereafter, the representative implementing organization shall submit a report to the director of the department of environmental management that details the paint stewardship program. Said report shall include a copy of the independent audit detailed in subdivision (4) below. Such annual report shall include, but not be limited to:

(1) A detailed description of the methods used to collect, transport and process post-consumer paint in this state;

(2) The overall volume of post-consumer paint collected in this state;

(3) The volume and type of post-consumer paint collected in this state by method of disposition, including reuse, recycling and other methods of processing or disposal;

(4) The total cost of implementing the program, as determined by an independent financial audit, as performed by an independent auditor;

(5) An evaluation of the adequacy of the program’s funding mechanism;
(6) Samples of all educational materials provided to consumers of architectural paint and participating retailers; and

(7) A detailed list of efforts undertaken and an evaluation of the methods used to disseminate such materials including recommendations, if any, for how the educational component of the program can be improved.

(a) The representative implementing organization shall may update the plan, as needed, when there are changes proposed to the current program. An new plan or amendment to the existing plan will be required to be submitted to the department for approval when:

(1) There is a proposed change to the amount of the assessment; or

(2) There is an addition to the products covered under the program; or

(3) There is a revision of the product stewardship organization’s goals.

(4) Every four (4) years, if requested, in writing, by the department the representative organization shall notify the department annually, in writing, if there are no changes proposed to the program and the representative organization intends to continue implementation of the program as previously approved by the department.

(m) Upon selection of a new implementing organization to administer the paint stewardship program, the program shall be audited by the independent auditor and, upon certification of the audit by the department, any funds held by the previous implementing organization shall be immediately transferred to the department. These funds shall then be transferred by the department to the new implementing organization for use in administering the approved paint stewardship program.

(n) If there are no respondents to the solicitation required by this section, or the department determines that none of the responses are sufficient to meet the requirements of this section, the Rhode Island resource recovery corporation established pursuant to § 23-19 et. seq. shall serve as the implementing organization, as defined in this chapter, until such time as another solicitation is required to occur by this section.

SECTION 11. Chapter 23-28.2 of the General Laws entitled “Office of the State Fire Marshal” is hereby amended by adding thereto the following section:

23-28.2-30. Deputy state fire marshals assigned to towns or fire districts.

In the event any town or fire district does not have an assistant deputy state fire marshal appointed by the state fire marshal pursuant to § 23-28.2-9 of this chapter to perform fire prevention, protection, inspection, and other duties under chapters 28.1 – 28.39 of title 23, the applicable town or fire district shall provide written notice to the state fire marshal within ten (10) business days of such absence. The notice shall include, at a minimum, the reason for the absence,
the anticipated duration, and a stated plan for appointment of an assistant deputy state fire marshal
to perform such services within the applicable town or fire district. Failure to provide such notice
may result in the assessment of additional fees as deemed necessary and appropriate by the state
fire marshal. During the absence, the state fire marshal is authorized to assign and appoint one or
more deputy state fire marshals of the office of the state fire marshal to duty in the applicable town
or fire district. Each deputy state fire marshal assigned to duty as aforesaid shall during the period
of such duty continue to be a deputy state fire marshal of the office of the state fire marshal, but the
salary and expenses of each deputy state fire marshal so assigned, or such prorated amount as
determined by the state fire marshal, shall be reimbursed by the applicable town or fire district.
The state fire marshal shall have full power at all times to withdraw any deputy state fire marshal
assigned to duty in a town or fire district and assign another deputy state fire marshal to his or her
place or to discontinue such duty and to make no assignment to replace.

cardiovascular screening and risk reduction pilot program” is hereby repealed.

23-86-1. Women’s cardiovascular screening and risk reduction pilot program.

(a) The department of health (hereinafter, “the department”) shall develop a cardiovascular
disease screening and lifestyle intervention pilot program at one site in one of Rhode Island’s six
(6) core cities for low-income, underinsured and uninsured women between forty (40) and sixty-
four (64) years of age, inclusive, at risk for heart disease, diabetes and stroke, namely Pawtucket,
Providence, Woonsocket, Newport, West Warwick or Central Falls.

(b) The department shall develop the program based on the federal WISEWOMEN
program administered by the Centers for Disease Control and Prevention. The pilot program shall
employ specified measures to gauge the impact and outcome of the program. These measures may
include the number of women served, the number who receive lifestyle interventions, the number
of follow-up visits per woman, an evaluation of the use of progress markers to reduce risk factors,
and a research and evaluation component.

(c) The department shall prepare an annual report and submit it to the legislature by January
31 of each year summarizing the scope and reach of the pilot program. The final report shall include
a fiscal analysis and a recommendation outlining the benefits and costs of expanding the pilot
program throughout the state after the program has been in existence for three (3) years. The pilot
program shall expire July 1, 2014.

(d) Implementation of the Women’s Cardiovascular screening and risk reduction pilot
program shall be subject to appropriation.

in Chapter 23-90 entitled “Responsible Recycling, Reuse and Disposal of Mattresses” are hereby amended to read as follows:


As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

(1) “Brand” means a name, symbol, word or mark that attributes a mattress to the producer of such mattress.

(2) “Covered entity” means any political subdivision of the state, any mattress retailer, any permitted transfer station, any waste to energy facility, any healthcare facility, any educational facility, any correctional facility, any military base, or any commercial or non-profit lodging establishment that possesses a discarded mattress that was discarded in this state. Covered entity does not include any renovator, refurbisher or any person who transports a discarded mattress.

(3) “Consumer” means an individual who is also a resident of this state.

(4) “Corporation” means the Rhode Island Resource Recovery Corporation.

(5) “Corporation Director” means the executive director of the Rhode Island Resource Recovery Corporation.

(6) “Council” or “mattress recycling council” means the state wide, non-profit organization created by producers, or created by any trade association that represents producers, who account for a majority of mattress production in the United States to design, submit, and implement the mattress stewardship plan as described in this chapter.

(7) “Discarded mattress” means any mattress that a consumer intends to discard, has discarded, or that is abandoned.

(8) “Energy recovery” means the process by which all or a portion of solid waste materials are processed or combusted in order to utilize the heat content or other forms of energy derived from such solid waste materials.

(9) “Foundation” means any ticking-covered structure that is used to support a mattress and that is composed of one or more of the following: A constructed frame, foam, or a box spring. “Foundation” does not include any bed frame or base made of wood, metal, or other material that rests upon the floor and that serves as a brace for a mattress.

(10) “Implementing organization” means the organization or entity selected by the resource recovery corporation to administer the mattress stewardship program.

(11) “Mattress” means any resilient material, or combination of materials, that is enclosed by ticking, used alone or in combination with other products, and that is intended for, or promoted for, sleeping upon. “Mattress” includes any foundation, renovated foundation, or renovated
“Mattress” does not include any of the following:

(i) An unattached mattress pad, an unattached mattress topper, including any item with resilient filling, with or without ticking, that is intended to be used with, or on top of a mattress;

(ii) A sleeping bag, pillow;

(iii) A crib or bassinet mattress, car bed;

(iv) Juvenile products, including: a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper, and the pads for those juvenile products;

(v) A product that contains liquid- or gaseous-filled ticking, including any water bed or air mattress that does not contain upholstery material between the ticking and the mattress core;

(vi) Any upholstered furniture that does not contain a detachable mattress; or

(vii) A fold-out sofa bed or futon.

(11) “Mattress core” means the main support system that is present in a mattress, including, but not limited to: springs, foam, air bladder, water bladder, or resilient filling.

(12) “Mattress recycling council” or “council” means the organization created by producers to design, submit, and implement the mattress stewardship program described in § 23-90-5.

(13) “Mattress stewardship fee” means the amount added to the purchase price of a mattress sold in this state that is necessary to cover the cost of collecting, transporting, and processing discarded mattresses by the council pursuant to the mattress stewardship program.

(14) “Mattress stewardship program” or “program” means the state wide, program described in § 23-90-5 and implemented pursuant to the mattress stewardship plan as approved by the corporation director.

(15) “Mattress topper” means any item that contains resilient filling, with or without ticking, that is intended to be used with or on top of a mattress.

(16) “Performance goal” means a metric proposed by the council, to measure, on an annual basis, the performance of the mattress stewardship program, taking into consideration technical and economic feasibilities, in achieving continuous, meaningful improvement in improving the rate of mattress recycling in the state and any other specified goal of the program.

(17) “Producer” means any person who manufactures or renovates a mattress that is sold, offered for sale, or distributed in the state under the manufacturer’s own name or brand. “Producer” includes:

(i) The owner of a trademark or brand under which a mattress is sold, offered for sale, or distributed in this state, whether or not such trademark or brand is registered in this state; and

(ii) Any person who imports a mattress into the United States that is sold or offered for sale.
in this state and that is manufactured or renovated by a person who does not have a presence in the
United States;

(18) “Recycling” means any process in which discarded mattresses, components, and
by-products may lose their original identity or form as they are transformed into new, usable, or
marketable materials. “Recycling” does not include as a primary process the use of incineration for
energy recovery or energy generation by means of combustion.

(19) “Renovate” or “renovation” means altering a mattress for the purpose of resale and
includes any one, or a combination of, the following: Replacing the ticking or filling, adding
additional filling, rebuilding a mattress, or replacing components with new or recycled materials.

“Renovate” or “renovation” does not include the:

(i) Stripping of a mattress of its ticking or filling without adding new material;

(ii) Sanitization or sterilization of a mattress without otherwise altering the mattress; or

(iii) Altering of a mattress by a renovator when a person retains the altered mattress for
personal use, in accordance with regulations of the department of business regulation.

(20) “Renovator” means a person who renovates discarded mattresses for the purpose of
reselling such mattresses in a retail store.

(21) “Retailer” means any person who sells mattresses in this state or offers mattresses
in this state to a consumer through any means, including, but not limited to, remote offerings such
as sales outlets, catalogs, or the internet.

(22) “Sanitization” means the direct application of chemicals to a mattress to kill human
disease-causing pathogens.

(23) “Sale” means the transfer of title of a mattress for consideration, including through
the use of a sales outlet, catalog, internet website, or similar electronic means.

(24) “Sterilization” means the mitigation of any deleterious substances or organisms
including human disease-causing pathogens, fungi, and insects from a mattress or filling material
using a process approved by the department of business regulation.

does not include any layer of fabric or material quilted together with, or otherwise attached to, the
outermost layer of fabric or material of a mattress.

(26) “Upholstery material” means all material, loose or attached, between the ticking
and the core of a mattress.

(27) “Wholesaler” means any person who sells or distributes mattresses in the state, in a
nonretail setting, for the purpose of the resale of such mattresses.

(a) On or before July 1, 2015, December 31, 2024, and every five years thereafter, the mattress stewardship council shall submit a mattress stewardship plan for the establishment of a mattress stewardship program to the corporation director for approval. The corporation shall issue a solicitation consistent with state procurement law to identify an implementing organization to administer the mattress stewardship program.

(b) The plan Responses to the solicitation submitted pursuant to subsection (a) of this section shall, to the extent it is technologically feasible and economically practical:

1. Identify each producer’s participation in the program;
2. Describe the fee structure for the program and propose a uniform stewardship fee that is sufficient to cover the costs of operating and administering the program;
3. Establish performance goals for the first two years of the program;
4. Identify proposed recycling facilities to be used by the program, such facilities shall not require a solid waste management facilities license;
5. Detail how the program will promote the recycling of discarded mattresses;
6. Include a description of the public education program;
7. Describe fee-disclosure language that retailers will be required to prominently display that will inform consumers of the amount and purpose of the fee; and
8. Identify the methods and procedures to facilitate implementation of the mattress stewardship program in coordination with the corporation director and municipalities.

(c) Not later than ninety (90) days after submission of the plan pursuant to this section, the corporation shall make a determination whether to:

1. Approve the plan as submitted; or
2. Deny the plan.

(d) The corporation director shall approve the plan for the establishment of the mattress stewardship program, provided such plan reasonably meets the requirements of this section. Prior to making such determination, the corporation director shall post the plan for at least thirty (30) days, in accordance with the “Administrative Procedures Act” as set forth in chapter 35 of title 42, on the corporation’s website and solicit public comments on the plan to be posted on the website.

(e) In the event that the corporation does not select a respondent to administer the mattress stewardship program, or the director of the corporation determines that the corporation can administer a mattress stewardship program at lower cost to the consumer, then the corporation shall administer a mattress stewardship program consistent with the requirements of this chapter. In such cases, the corporation shall assume all duties and responsibilities of the implementing organization, as defined in this chapter, and shall administer the mattress stewardship program until such time as
a new implementing organization is selected pursuant to the solicitation required by this section to
occur every five years, director denies the plan, the corporation director shall provide a notice of
determination to the council, within sixty (60) days, detailing the reasons for the disapproval. The
council shall revise and resubmit the plan to the corporation director not later than forty five (45)
days after receipt of notice of the corporation director’s denial notice. Not later than forty five (45)
days after receipt of the revised plan, the corporation director shall review and approve or deny the
revised plan. The council may resubmit a revised plan to the corporation director for approval on
not more than two (2) occasions. If the council fails to submit a plan that is acceptable to the
 corporation director, because it does not meet the criteria pursuant to subdivisions (b)(1-8), the
corporation director shall have the ability to modify the submitted plan and approve it. Not later
than one hundred twenty (120) days after the approval of a plan pursuant to this section, the council
shall implement the mattress stewardship program.

(f) It is the responsibility of the council implementing organization to:

(1) Notify the corporation director whenever there is a proposed substantial change to the
program. If the corporation director takes no action on a proposed substantial change within ninety
(90) days after notification of the proposed change, the proposed change shall be deemed approved.
For the purposes of this subdivision, “substantial change” shall include, but not be limited to:

(i) A change in the processing facilities to be used for discarded mattresses collected
pursuant to the program; or

(ii) A material change to the system for collecting mattresses.

(2) Not later than October 1, 2017, the council shall submit to the corporation director for
review, updated performance goals that are based on the experience of the program during the first
two (2) years of the program.

(g) The council implementing organization shall notify the corporation director of any
other changes to the program on an ongoing basis, whenever they occur, without resubmission of
the plan to the corporation director for approval. Such changes shall include, but not be limited to,
a change in the composition, officers, or contact information of the council.

(h) On or before July 1, 2015, and every two (2) years thereafter, the council shall propose
a uniform fee for all mattresses sold in this state. The council may propose a change to the uniform
fee more frequently than once every two (2) years if the council determines such change is needed
to avoid funding shortfalls or excesses. Any proposed fee shall be reviewed by an independent
auditor to ensure that such assessment does not exceed the costs of the mattress stewardship
program described in subsection (b) of this section and to maintain financial reserves sufficient to
operate the program over a multi-year period in a fiscally prudent and responsible manner. Not
later than sixty (60) days after the council proposes a mattress stewardship fee, the auditor shall render an opinion to the corporation director as to whether the proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed fee shall go into effect not less than ninety (90) days after the auditor notifies the corporation director that the fee is reasonable. If the auditor concludes that the mattress stewardship fee is not reasonable, the auditor shall provide the council with written notice explaining the auditor’s opinion. Specific documents or information provided to the auditor by the council, along with any associated internal documents or information held by the council, shall be made available to the corporation for its review upon request but shall not be made public if the documents and information contain trade secrets or commercial or financial information of a privileged or confidential nature, pursuant to chapter 2 of title 38 (“access to public records”). Not later than fourteen (14) days after the council’s receipt of the auditor’s opinion, the council may either propose a new mattress stewardship fee, or provide written comments on the auditor’s opinion. If the auditor concludes that the fee is not reasonable, the corporation director shall decide, based on the auditor’s opinion and any comments provided by the council, whether to approve the proposed mattress stewardship fee. Such auditor shall be selected by the council. The cost of any work performed by such auditor pursuant to the provisions of this subsection and subsection (i) of this section shall be funded by the council.

(i) (1) On and after the implementation of the mattress stewardship program, each retailer shall add the amount of the fee established pursuant to subsection (b) of this section and described in subsection (b) of this section to the purchase price of all mattresses sold in this state. The fee shall be remitted by the retailer to the council implementing organization. The council implementing organization may, subject to the corporation director’s approval, establish an alternative, practicable means of collecting or remitting such fee.

(2) On and after the implementation date of the mattress stewardship program, no producer, distributor, or retailer shall sell or offer for sale a mattress to any person in the state if the producer is not a member participant of the mattress stewardship program administered by the council implementing organization.

(3) No retailer or distributor shall be found to be in violation of the provisions of this section, if, on the date the mattress was ordered from the producer or its agent, the producer of said mattress was listed on the corporation’s website in accordance with the provisions of this chapter.

(j) Not later than October 1, 2016, and annually thereafter, the council implementing organization shall submit an annual report to the corporation director. The corporation director shall post such annual report on the corporation’s website. Such report shall include, but not be limited
to:

(1) The weight of mattresses collected pursuant to the program from:
   (i) Municipal and/or transfer stations;
   (ii) Retailers; and
   (iii) All other covered entities;

(2) The weight of mattresses diverted for recycling;

(3) Identification of the mattress recycling facilities to which mattresses were delivered for
    recycling;

(4) The weight of discarded mattresses recycled, as indicated by the weight of each of the
    commodities sold to secondary markets;

(5) The weight of mattresses, or parts thereof, sent for disposal at each of the following:
   (i) Rhode Island resource recovery corporation; and
   (ii) Any other facilities;

(6) Samples of public education materials and methods used to support the program;

(7) A description of efforts undertaken and evaluation of the methods used to
    disseminate such materials;

(8) Updated performance goals and an evaluation of the effectiveness of the methods and
    processes used to achieve performance goals of the program; and

(9) Recommendations for any changes to the program.

(kh) Two (2) years after the implementation of the program and upon the request of the
    corporation director, but not more frequently than once a year, the council implementing
    organization shall cause an audit of the program to be conducted by the auditor described in
    subsection (h) of this section an independent auditor selected by the implementing organization.
    Such audit shall review the accuracy of the council’s implementing organization’s data concerning
    the program and provide any other information requested by the corporation director. Such audit
    shall be paid for by the council implementing organization. The council implementing organization
    shall maintain all records relating to the program for not less than three (3) years.

(li) No covered entity that participates in the program shall charge for receipt of mattresses
    generated in the state. Covered entities may charge a fee for providing the service of collecting
    mattresses and may restrict the acceptance of mattresses by number, source, or physical condition.

(mj) Covered entities that, upon the date of this act’s passage, have an existing program for
    recycling discarded mattresses may continue to operate such program without coordination of the
    council, so long as the entities are able to demonstrate, in writing, to the corporation director that
    the facilities to which discarded mattresses are delivered are engaged in the business of recycling
said mattresses and the corporation director approves the written affirmation that the facility
engages in mattress recycling of mattresses received by the covered entity. A copy of the written
affirmation and the corporation’s approval shall be provided to the council by the corporation
director in a timely manner.

(k) The implementing organization may, subject to approval by the corporation, propose
the establishment and maintenance of a financial reserve sufficient to operate the program over a
multi-year period in a fiscally prudent and responsible manner. Such financial reserve shall not
exceed 50 percent of the projected program costs in any given year.

(l) The corporation is authorized to cap administrative expenses to administer the mattress
stewardship program at a set percentage of annual program expenses as determined by the
corporation.


(a) The corporation shall review for approval responses to the solicitation for an
implementing organization to administer the mattress stewardship plan of the council.

(b) The corporation shall maintain on its website information on collection opportunities
for mattresses, including collection site locations. The information must be made available in a
printable format for retailers and consumers.

(c) Not later than the implementation date of the mattress stewardship program, the
corporation shall list the names of participating producers covered by the program and the cost of
the approved mattress stewardship fee on its website.

(d) The corporation shall approve the mattress stewardship fee to be applied by the council
implementing organization to mattresses pursuant to this chapter.

(e) The corporation shall assume responsibility for administering the mattress stewardship
program in the event that none of the submissions to the solicitation for an implementing
organization are deemed sufficient, or if the director of the corporation determines that the
corporation can administer the mattress stewardship program at a lower cost to the consumer than
any of the respondents to the solicitation.

(e) Pursuant to § 23-90-11, the corporation shall report biennially to the general assembly
on the operation of the statewide system for collection, transportation and recycling of mattresses.


Each producer, retailer and the council implementing organization shall be immune from
liability for any claim of a violation of antitrust law, to the extent such producer or council
implementing organization is exercising authority pursuant to the provisions of this chapter,
including but not limited to:
(1) The creation, implementation or management of a plan pursuant to § 23-90-5, and the
types or quantities of used mattresses recycled or otherwise managed pursuant to a plan;
(2) The cost and structure of a plan; and
(3) The establishment, administration, collection or disbursement of the mattress
stewardship fee associated with funding the implementation of the plan.

In the event that another state implements a mattress recycling program, the council
implementing organization may collaborate with such state to conserve efforts and resources used
in carrying out the mattress stewardship program, provided such collaboration is consistent with
the requirements of this chapter.

and Disposal of Mattresses” is hereby repealed.

(a) On or before July 1, 2015, each producer shall join the council and such council shall
submit a plan, for the corporation director’s approval, to establish a statewide mattress stewardship
program, as described in this section. Any retailer may be a member of such council. Such mattress
stewardship program shall, to the extent it is technologically feasible and economically practical:
(1) Minimize public sector involvement in the management of discarded mattresses;
(2) Provide for the convenient and accessible statewide collection of discarded mattresses
from any person in the state with a discarded mattress that was discarded in the state, including
from participating covered entities that accumulated and segregated a minimum of fifty (50)
discarded mattresses for collection at one time, or a minimum of thirty (30) discarded mattresses
for collection at one time in the case of participating municipal transfer stations;
(3) Provide for council-financed recycling and disposal of discarded mattresses;
(4) Provide suitable storage containers at permitted municipal transfer stations, municipal
government property or other solid waste management facilities for segregated, discarded
mattresses, or make other mutually agreeable storage and transportation agreements at no cost to
such municipality provided the municipal transfer station, municipal government property or other
solid waste management facilities make space available for such purpose and imposes no fee for
placement of such storage container on its premises;
(5) Include a uniform mattress stewardship fee that is sufficient to cover the costs of
operating and administering the program; and
(6) Establish a financial incentive that provides for the payment of a monetary sum,
established by the council, to promote the recovery of mattresses.
(b) The council shall be a nonprofit organization with a fee structure that covers, but does not exceed, the costs of developing the plan and operating and administering the program in accordance with the requirements of this chapter, and maintaining a financial reserve sufficient to operate the program over a multi-year period of time in a fiscally prudent and responsible manner. The council shall maintain all records relating to the program for a period of not less than three (3) years.

(c) Pursuant to the program, recycling shall be preferred over any other disposal method to the extent that recycling is technologically feasible and economically practical.

(d) The council shall enter into an agreement with the corporation to reimburse for reasonable costs directly related to administering the program but not to exceed the cost of two (2) full-time equivalent employees.

SECTION 15. Title 23 of the General Laws entitled “Health and Safety” is hereby amended by adding thereto the following Chapter:

CHAPTER 100

RHODE ISLAND HEALTHCARE WORKFORCE DATA COLLECTION ACT

23-100-1. Short Title.
This Chapter shall be known and may be cited as the Rhode Island Healthcare Workforce Data Collection Act.

23-100-2. Definitions.
(1) “Department” means the Rhode Island department of health.

(2) “Health care professional” means physicians, physician assistants, dentists, registered nurses, licensed practical nurses, advanced practice registered nurses, nursing assistants, psychologists, licensed clinical social workers, and mental health counselors and marriage and family therapists, and any other licensees as defined by the department.

(3) “Not currently working” means unemployed-not looking for a job, unemployed and looking for a job, on extended leave, retired, or other.

(4) “Principal specialty” means the specialty the healthcare professional spends the most time practicing.

23-100-3. Health care workforce data collection authorized.
The department is hereby authorized to collect healthcare workforce data on all healthcare professionals licensed by the department as part of the department’s licensure and license renewal process and to request all healthcare professionals to voluntarily provide the following healthcare workforce data elements as a part of licensure and licensure renewal:
(a) Principal Specialty;
(b) Education level;
(c) Current practice status in Rhode Island, including but not limited to, clinical practice, medical administrative or legal services only, clinical teaching or clinical research only, not currently working in the medical field, status as a provider of telemedicine, and other practice status as determined by the department;
(d) Ethnicity;
(e) Race;
(f) Languages spoken other than English;
(g) Additional years planning to practice or anticipated retirement year;
(h) Total number of clinical/non-clinical hours per week providing services;
(i) Practice name(s), location(s), and contact information;
(j) Acceptance of Medicaid as a form of payment;
(k) Other data as defined by the department.

23-100-4. Privacy.
The department shall not make publicly available individual data acquired pursuant to § 23-97-3. Individualized healthcare workforce data elements shall remain confidential and shall only be available as de-identified aggregate analysis to support healthcare planning, workforce analysis and other health program and policy recommendations. Publicly available data may include, but not be limited to:
(a) Aggregate de-identified data and information on current healthcare workforce capacity;
(b) Geographic distribution of healthcare professionals actively practicing;
(c) Provider-to-population rates; and
(d) Projections of healthcare workforce need.

23-100-5. Rules and regulations.
The department shall promulgate rules and regulations pursuant to this chapter.

SECTION 16. Section 28-43-1 of the General Laws in Chapter 34-18 entitled “Employment Security - Contributions” is hereby amended to read as follows:

28-43-1. Definitions.
The following words and phrases as used in this chapter have the following meanings, unless the context clearly requires otherwise:
(1) “Balancing account” means a book account to be established within the employment security fund, the initial balance of which shall be established by the director as of September 30, 1979, by transferring the balance of the solvency account on that date to the balancing account.
(2) “Computation date” means September 30 of each year, provided, however, that in calendar year 2024, for the purposes of establishing which schedule shall be in effect for tax year 2025, “computation date” means any date between September 30 and December 31 in the discretion of the director of the department of labor.

(3) “Eligible employer” means an employer who has had three (3) consecutive experience years during each of which contributions have been credited to the employer’s account and benefits have been chargeable to this account.

(4) “Employer’s account” means a separate account to be established within the employment security fund by the director as of September 30, 1958, for each employer subject to chapters 42 — 44 of this title, out of the money remaining in that fund after the solvency account has been established in the fund, by crediting to each employer an initial credit balance bearing the same relation to the total fund balance so distributed, as his or her tax contributions to the fund during the period beginning October 1, 1955, and ending on September 30, 1958, have to aggregate tax contributions paid by all employers during the same period; provided, that nothing contained in this section shall be construed to grant to any employer prior claim or rights to the amount contributed by him or her to the fund.

(5) “Experience rate” means the contribution rate assigned to an employer’s account under whichever is applicable of schedules A — I in § 28-43-8.

(6) “Experience year” means the period of twelve (12), consecutive calendar months ending September 30 of each year.

(7) “Most recent employer” means the last base-period employer from whom an individual was separated from employment and for whom the individual worked for at least four (4) weeks, and in each of those four (4) weeks had earnings of at least twenty (20) times the minimum hourly wage as defined in chapter 12 of this title.

(8) “Reserve percentage” means, in relation to an employer’s account, the net balance of that account on a computation date, including any voluntary contributions made in accordance with § 28-43-5.1, stated as a percentage of the employer’s twelve-month (12) average taxable payroll for the last thirty-six (36) months ended on the immediately preceding June 30.

(9) “Reserve ratio of fund” means the ratio which the total amount available for the payment of benefits in the employment security fund on September 30, 1979, or any computation date thereafter, minus any outstanding federal loan balance, plus an amount equal to funds transferred to the job development fund through the job development assessment adjustment for the prior calendar year, bears to the aggregate of all total payrolls subject to this chapter paid during the twelve-month (12) period ending on the immediately preceding June 30, or the twelve-month
(12) average of all total payrolls during the thirty-six-month (36) period ending on that June 30,
whichever percentage figure is smaller.

(10) “Taxable payroll” means, for the purpose of this chapter, the total of all wages as
defined in § 28-42-3(29).

SECTION 17. Section 34-18-58 of the General Laws in Chapter 34-18 entitled "Residential
Landlord and Tenant Act" is hereby amended to read as follows:

34-18-58. Statewide mandatory rental lead registry.

(a) All landlords who own at least one (1) rental dwelling unit built before 1978 shall
register the following information with the department of health:

(1) Names of individual landlords or any business entity responsible for leasing to a tenant
under this chapter;

(2) An active business address, PO box, or home address;

(3) An active email address;

(4) An active telephone number that would reasonably facilitate communications with the
tenant of each dwelling unit;

(5) Any property manager, management company, or agent for service of the property,
along with the business address, PO box, or home address of the property manager, management
company, or agent and including:

(i) An active email address; and

(ii) An active telephone number, for each such person or legal entity, if applicable, for each
dwelling unit; and

(6) Information necessary to identify each dwelling unit.

(b) All landlords who lease a residential property constructed prior to 1978 and that is not
exempt from the requirements of chapter 128.1 of title 42 (“lead hazard mitigation”) shall, in
addition to the requirements of subsection (a) of this section, for each dwelling unit, provide the
department of health with a valid certificate of conformance in accordance with chapter 128.1 of
title 42 (“lead hazard mitigation”) and regulations derived therefrom, or evidence sufficient to
demonstrate that they are exempt from the requirement to obtain a certificate of conformance.

(c) Contingent upon available funding, no later than September 1, 2025, the department of
health, or designee, shall create a publicly accessible online database containing the information
obtained in accordance with subsections (a) and (b) of this section, no later than nine (9) months
following the effective date of this section [June 20, 2023], on all landlords who have not provided
the department with a valid certificate of conformance. The database shall contain:

(i) The names of individual landlords or any business entity responsible for leasing to a
tenant under this chapter.

(ii) The property address and,

(iii) Any property manager, management company, or agent for service of the property.

(d) All landlords subject to the requirements of subsections (a) and (b) of this section as of September 1, 2024, shall register the information required by those subsections no later than October 1, 2024. A landlord who acquires a rental property, or begins leasing a rental property to a new tenant, after September 1, 2024, shall register the information required by subsections (a) and (b) of this section within thirty (30) days after the acquisition or lease to a tenant, whichever date is earlier. All landlords subject to the requirements of subsections (a) and (b) of this section shall, following initial registration, re-register by October 1 of each year in order to update any information required to comply with subsections (a) and (b) of this section, or to confirm that the information already supplied remains accurate.

(e) Any person or entity subject to subsections (a) and (b) of this section who fails to comply with the registration provision in subsection (d) of this section, shall be subject to a civil fine of at least fifty dollars ($50.00) per month for failure to register the information required by subsection (a) of this section, or at least one hundred and twenty-five dollars ($125) per month, for failure to register the information required by subsection (b) of this section.

(f) All civil penalties imposed pursuant to subsection (e) of this section shall be payable to the department of health. There is to be established a restricted receipt account to be known as the "rental registry account" which shall be a separate account within the department of health. Penalties received by the department pursuant to the terms of this section shall be deposited into the account. Monies deposited into the account shall be transferred to the department of health and shall be expended for the purpose of administering the provisions of this section or lead hazard mitigation, abatement, enforcement, or poisoning prevention. No penalties shall be levied under this section prior to October 1, 2024.

(g) Notwithstanding the provisions of § 34-18-35, a landlord or any agent of a landlord may not commence an action to evict for nonpayment of rent in any court of competent jurisdiction, unless, at the time the action is commenced, the landlord is in compliance with the requirements of subsections (a), (b), and (d) of this section. A landlord must present the court with evidence of compliance with subsections (a), (b), and (d) of this section at the time of filing an action to evict for nonpayment of rent in order to proceed with the civil action.

(h) The department of health may commence an action for injunctive relief and additional civil penalties of up to fifty dollars ($50.00) per violation against any landlord who repeatedly fails to comply with subsection (a) of this section. The attorney general may commence an action for
injunctive relief and additional civil penalties of up to one thousand dollars ($1,000) per violation against any landlord who repeatedly fails to comply with subsection (b) of this section. Any penalties obtained pursuant to this subsection shall be used for the purposes of lead hazard mitigation, abatement, enforcement, or poisoning prevention, or for the purpose of administering the provisions of this section. No penalties shall be levied under this section prior to October 1, 2025.

SECTION 18. Effective July 1, 2024, section 35-17-1 of the General Laws in Chapter 35-17 entitled "Medical Assistance and Public Assistance Caseload Estimating Conferences" is hereby amended to read as follows:

35-17-1. Purpose and membership.

(a) In order to provide for a more stable and accurate method of financial planning and budgeting, it is hereby declared the intention of the legislature that there be a procedure for the determination of official estimates of anticipated medical assistance expenditures and public assistance caseloads, upon which the executive budget shall be based and for which appropriations by the general assembly shall be made.

(b) The state budget officer, the house fiscal advisor, and the senate fiscal advisor shall meet in regularly scheduled caseload estimating conferences (C.E.C.). These conferences shall be open public meetings.

(c) The chairpersonship of each regularly scheduled C.E.C. will rotate among the state budget officer, the house fiscal advisor, and the senate fiscal advisor, hereinafter referred to as principals. The schedule shall be arranged so that no chairperson shall preside over two (2) successive regularly scheduled conferences on the same subject.

(d) Representatives of all state agencies are to participate in all conferences for which their input is germane.

(e) The department of human services shall provide monthly data to the members of the caseload estimating conference by the fifteenth day of the following month. Monthly data shall include, but is not limited to, actual caseloads and expenditures for the following case assistance programs: Rhode Island Works, SSI state program, general public assistance, and child care. For individuals eligible to receive the payment under § 40-6-27(a)(1)(vi), the report shall include the number of individuals enrolled in a managed care plan receiving long-term-care services and supports and the number receiving fee-for-service benefits. The executive office of health and human services shall report relevant caseload information and expenditures for the following medical assistance categories: hospitals, long-term care, managed care, pharmacy, and other medical services. In the category of managed care, caseload information and expenditures for the
following populations shall be separately identified and reported: children with disabilities, children in foster care, and children receiving adoption assistance and RItes Share enrollees under § 40-8.4-12(j). The information shall include the number of Medicaid recipients whose estate may be subject to a recovery and the anticipated amount to be collected from those subject to recovery, the total recoveries collected each month and number of estates attached to the collections and each month, the number of open cases and the number of cases that have been open longer than three months.

(f) Beginning July 1, 2021, the department of behavioral healthcare, developmental disabilities and hospitals shall provide monthly data to the members of the caseload estimating conference by the fifteenth twenty-fifth day of the following month. Monthly data shall include, but is not limited to, actual caseloads and expenditures for the private community developmental disabilities services program. Information shall include, but not be limited to: the number of cases and expenditures from the beginning of the fiscal year at the beginning of the prior month; cases added and denied during the prior month; expenditures made; and the number of cases and expenditures at the end of the month. The information concerning cases added and denied shall include summary information and profiles of the service-demand request for eligible adults meeting the state statutory definition for services from the division of developmental disabilities as determined by the division, including age, Medicaid eligibility and agency selection placement with a list of the services provided, and the reasons for the determinations of ineligibility for those cases denied. The department shall also provide, monthly, the number of individuals in a shared-living arrangement and how many may have returned to a twenty-four-hour (24) residential placement in that month. The department shall also report, monthly, any and all information for the consent decree that has been submitted to the federal court as well as the number of unduplicated individuals employed; the place of employment; and the number of hours working. The department shall also provide the amount of funding allocated to individuals above the assigned resource levels; the number of individuals and the assigned resource level; and the reasons for the approved additional resources. The department will also collect and forward to the house fiscal advisor, the senate fiscal advisor, and the state budget officer, by November 1 of each year, the annual cost reports for each community-based provider for the prior fiscal year. The department shall also provide the amount of patient liability to be collected and the amount collected as well as the number of individuals who have a financial obligation. The department will also provide a list of community-based providers awarded an advanced payment for residential and community-based day programs; the address for each property; and the value of the advancement. If the property is sold, the department must report the final sale, including the purchaser, the value of the sale, and the name of the agency.
that operated the facility. If residential property, the department must provide the number of
individuals residing in the home at the time of sale and identify the type of residential placement
that the individual(s) will be moving to. The department must report if the property will continue
to be licensed as a residential facility. The department will also report any newly licensed twenty-
four-hour (24) group home; the provider operating the facility; and the number of individuals
residing in the facility. Prior to December 1, 2017, the department will provide the authorizations
for community-based and day programs, including the unique number of individuals eligible to
receive the services and at the end of each month the unique number of individuals who participated
in the programs and claims processed.

(g) The executive office of health and human services shall provide direct assistance to the
department of behavioral healthcare, developmental disabilities and hospitals to facilitate
compliance with the monthly reporting requirements in addition to preparation for the caseload
estimating conferences.

SECTION 19. Chapter 37-2 of the General Laws entitled “State Purchases” is hereby
amended by adding thereto the following section:

37-2-83. Ethics.

(a) All state employees shall be subject to the provisions of Chapter 36-14 and all
regulations promulgated by the Rhode Island Ethics Commission, and any special provisions of
this section.

(b) In addition to Chapter 36-14, the following Supplemental State Code of Procurement
Ethics shall apply to procurement personnel and vendors. Procurement personnel shall be defined
as every employee within the division of purchases, any state employee that is directly involved in
drafting or approving specifications, requirements, and requisitions, and/or any state employee
involved in or advising on the technical evaluation for solicitations. Procurement personnel shall
also include any agency directors involved in a particular procurement.

(1) The code of ethics applicable to all procurement personnel:

(A) To consider, first, the interests of the state in all transactions;

(B) To support and carry out state policies;

(C) To buy without prejudice;

(D) To avoid any conflict of interest with respect to procurement, or the appearance thereof;

(E) To obtain the maximum value for each dollar of expenditure;

(F) To subscribe to and work for honesty and truth in buying and selling, and to denounce
all forms and manifestations of bribery; and

(G) To respect obligation and to require that obligations to the state be respected, consistent
with good business practice.

(2) A primary responsibility of purchasing personnel shall be to maintain good relations with suppliers and potential suppliers. Relationships shall be maintained in a manner which assures that no conflict of interest situations arise.

(A) All potential suppliers shall be given a fair opportunity to present their capabilities and products.

(B) Reasonable effort shall be made to provide fair bidding opportunities to all qualified and interested suppliers.

(C) During the procurement process, procurement personnel shall maintain the confidentiality of information submitted by suppliers and potential suppliers.

(i) During the procurement process, supplier proposals shall be treated in confidence with regard to technical approach and cost.

(ii) Distribution of information contained in supplier proposals shall be limited to those having a "need to know" as determined by the Purchasing Agent.

(iii) Under no circumstances shall confidential information be made available to other vendors.

(D) Procurement personnel are prohibited from engaging in any conduct which might cause any existing or prospective supplier of goods or services to believe that its relationship with the state will be affected by purchasing or failing to purchase goods or services from any procurement personnel or any business associate of such procurement personnel.

(E) Under no circumstances may a vendor provide to procurement personnel, nor may procurement personnel accept, any goods or services, regardless of monetary value, for personal use for less than fair market value.

(F) Procurement personnel are prohibited from accepting gifts or gratuities in any form for themselves or their families (spouses, parents, children, sisters, brothers, in-laws, etc.) from contractors, subcontractors or suppliers now furnishing or desiring to furnish supplies or services to the division of purchases.

(i) Gifts or gratuities shall mean, but are not limited to money, merchandise, advertising media (any merchandise carrying a vendor's name or logo), gift certificates, trips (individually or in groups), cocktail parties, dinners, evening entertainment, sporting events, etc.

(G) Inappropriate social interaction between procurement personnel and any current or prospective contractors, subcontractors or suppliers and their representatives creating the impression of favoritism shall be avoided. However, social interactions between state employees and representatives of suppliers which are clearly of a personal nature, in which the parties involved
would normally be expected to reciprocate, and in which no reimbursement from the state is sought
by the employee, may be acceptable. However, the responsibility rests on the individual employee
to regulate his or her own actions and to seek advice from the State Purchasing Agent, or designee,
with respect to the Supplemental State Code of Procurement Ethics.

(3) It shall be the obligation of all state employees to avoid conflicts of interest with respect
to procurement, and to report promptly to the State Purchasing Agent all instances where a conflict
exists or is suspected to exist.

(4) The State Purchasing Agent shall investigate and issue determinations with respect to
any reports or complaints made under this section.

(5) All employees of the division of purchases shall be required to sign and submit annual
disclosure statements with respect to conflicts of interest.

(6) Procurement personnel shall not make purchases for personal use in the name of the
state or through the use of any state procurement forms.

(i) If a procurement personnel violates the provisions of this section, the State Purchasing
Agent, or designee, with approval by the Chief Purchasing Officer, will recommend appropriate
consequences to the division of human resources, including but not limited to: reassignment of the
procurement personnel or other state employee involved, termination of employment of the
procurement personnel or other state employee involved. Additionally, if appropriate, the Chief
Purchasing Officer may refer the matter to the Ethics Commission pursuant to Chapter 36-14.

(ii) If a vendor violates the provisions of this section, the State Purchasing Agent, or
designee, with approval by the Chief Purchasing Officer, will recommend appropriate
consequences, including, but not limited to the suspension or debarment of any and all vendors
who may be involved.

entitled "State Purchases" are hereby amended to read as follows:


(a) This chapter shall be liberally construed and applied to promote its underlying purposes
and policies.

(b) The purpose of the public procurement system for the State of Rhode Island and its
local public agencies is to deliver on a timely basis the best value product or service to the customer,
while maintaining the public’s trust and fulfilling public policy objectives in the best interest of the
State. The additional underlying purposes and policies of this chapter are to:

(1) Simplify, clarify, and modernize the law governing purchasing by the state of Rhode
Island and its local public agencies;
(2) Permit the continued development of purchasing policies and practices;
(3) Make as consistent as possible the purchasing laws among the various states;
(4) Provide for increased public confidence in the procedures followed in public
procurement;
(5) Insure the fair and equitable treatment of all persons who deal with the procurement
system of the state;
(6) Provide increased economy in state and public agency procurement activities by
fostering effective competition;
(7) Provide safeguards for the maintenance of a procurement system of quality, integrity
and highest ethical standards; and
(8) Ensure that a public agency, acting through its existing internal purchasing function,
adheres to the general principles, policies and practices enumerated herein.

(a) No request for proposal shall change to a master price agreement unless
the request for proposal is cancelled and reissued as a master price agreement.
(b) No vendor, parent corporation, subsidiary, affiliate, or subcontractor of any state vendor
may bid on a request for proposal if that person or entity has or had any contractual, financial,
business, or beneficial interest with the state or a conflict of interest as defined in chapter 36-14
with any official, officer, or agency in charge of the request or if they materially participated or
were consulted with respect to the direct requirements, and/or technical aspects, or any other part
of the formation and promulgation of the request for proposals except for in the situations outlined
in subsection (f) of this section.
(c) Further, no person or entity who or that acts as an operator or vendor for the state
may participate in any request for proposal relating to any audit, examination, independent
verification, review, or evaluation of any of the person’s or entity’s work, financials or operations
performed for or on behalf of the state, or any official, officer, or agency.
(d) Persons or entities certified as “sole source” providers under § 37-2-21 shall be
exempt from the requirements of subsection (b) of this section.
(e) Any person or entity submitting a proposal in response to a request for proposal
shall make a written certification attesting under the penalty of perjury that the terms of subsection
(b) of this section have been complied with or that the person or entity is exempt under subsection
(d) of this section.
(f) Requests for information formally issued by the division of purchases, feasibility studies
and preliminary evaluations, and emergency procurements as defined in § 37-2-21 shall be exempt
from subsection (b) of this section. However, the division of purchases shall publicly disclose any
final prior feasibility studies and/or evaluation reports completed in a subsequent procurement
regarding a project.


Except for purchases solicited pursuant to the provisions for small purchases set forth in §
37-2-22, all state contracts and purchases shall be solicited through utilization of the Rhode Island
Vendor Information Program (RIVIP) the State’s eProcurement system as set forth in § 37-2-17.1.

Except as otherwise authorized by law, all state contracts shall be awarded by:

(1) Competitive sealed offers, pursuant to § 37-2-18;

(2) Competitive negotiation, pursuant to §§ 37-2-19 and 37-2-20;

(3) Emergency procurements, sole source procurements, and noncompetitive
negotiation, pursuant to § 37-2-21;

(4) Small purchase procedures, pursuant to § 37-2-22; or

(5) Reverse auctions, pursuant to § 37-2-18.1.

37-2-17.1. Rhode Island vendor information program (RIVIP)- Rhode Island
eProcurement System.

(a) The chief purchasing officer is directed to institute an electronic vendor information
program which shall enable all solicitations, invitations for bid and requests for a proposal to be
accessed electronically by all potential vendors. This program is to be readily accessible through
public access stations located at the following locations:

(1) One Capitol Hill, Providence, Rhode Island;

(2) City hall, town hall or public library of each of the thirty-nine (39) cities and towns in
the state.

(b) Further, the vendor information program shall be accessible to potential vendors
through means of computer modem.

(c) The chief purchasing officer may contract with auctioneers as defined in § 37-2-15(10)
to conduct electronic reverse auctions, provided that notification of the opportunity to participate
in the auction is posted on the RIVIP in accordance with the requirements of § 37-2-25.1.

(d) Any reference to Rhode Island vendor information program (RIVIP) in this chapter
shall be amended to the Rhode Island eProcurement System.
All public agencies as defined by § 37-2-7(16) shall utilize the **RIVIP eProcurement system**

established by the chief purchasing officer for state agencies (director of the department of administration) to implement the requirements of §§ 37-2-17 and 37-2-17.1. The director of administration shall be authorized to assess prorated charges to public agencies to offset costs for acquisition of equipment, computer and other development, consultant services, installation of equipment, software, communications lines, initial and ongoing training and outreach, maintenance and any other costs of implementing and operating the department of administration RIVIP eProcurement system.


(a) Contracts exceeding the amount provided by § 37-2-22 or authorized under the procurement methods in § 37-2-17 shall be awarded by competitive sealed bidding unless it is determined in writing that this method is not practicable or that the best value for the state may be obtained by using an electronic reverse auction as set forth in § 37-2-18.1. Factors to be considered in determining whether competitive sealed bidding is practicable shall include whether:

1. Specifications can be prepared that permit award on the basis of either the lowest bid price or the lowest evaluated bid price; and
2. The available sources, the time and place of performance, and other relevant circumstances as are appropriate for the use of competitive sealed bidding.

(b) The invitation for bids solicitation shall state whether the award shall be made on the basis of the lowest bid price or the lowest evaluated or responsive bid price. If the latter basis is used the selection is not made on the basis of lowest price, the objective measurable criteria to be utilized shall be set forth in the invitation for bids solicitation, if available. **Subject to chapter 38-2, the Access to Public Records Act.** All documents submitted in response to the bid proposal are public pursuant to chapter 38-2 upon opening of the bids and are posted on the State’s eProcurement system for public inspection. The invitation for bids shall state that each bidder must submit a copy of their bid proposal to be available for public inspection upon the opening of the bids. The burden to identify and withhold from the public copy that is released at the bid opening any trade secrets, commercial or financial information, or other information the bidder deems not subject to public disclosure pursuant to chapter 38-2, the Access to Public Records Act, shall rest with the bidder submitting the bid proposal.

(c) Unless the invitations for bid are accessible under the provisions as provided in § 37-2-17.1 Through the eProcurement system, public notice of the invitation for bids solicitation shall be given a sufficient time prior to the date set forth therein for the opening of bids. Public notice may include publication in a newspaper of general circulation in the state as determined by the...
purchasing agent not less than seven (7) days nor more than twenty-eight (28) days before the date set for the opening of the bids. The purchasing agent may make a written determination that the twenty-eight (28) day limitation needs to be waived. The written determination shall state the reason why the twenty-eight (28) day limitation is being waived and shall state the number of days, giving a minimum and maximum, before the date set for the opening of bids when public notice is to be given.

(d) Bids shall be opened and read aloud publicly posted on the eProcurement system at the time and place designated in the invitation for bids solicitation. Each bid, together with the name of the bidder, shall be recorded and an abstract made available for public inspection posted on the eProcurement system unless otherwise provided herein.

(e) The chief purchasing officer shall adopt and file regulations governing the bidding of highway and bridge construction projects in the state not later than December 31, 2011.

(f) (e) Immediately subsequent to the opening of the bids, the copies of bid documents submitted pursuant to subsection 37-2-18(b) shall be made available for inspection by the public. Any objection to any bid on the grounds that it is nonresponsive to the invitation for bids solicitation must be filed with the purchasing agent within five (5) business days of the opening of the bids. The purchasing agent shall issue a written determination as to whether the subject bid is nonresponsive addressing each assertion in the objection and shall provide a copy of the determination to the objector and all those who submitted bids at least seven (7) business days prior to the award of the contract. If a bid is nonresponsive to the requirements in the invitation to bid, the bid is invalid and the purchasing agent shall reject the bid. The purchasing agent shall have no discretion to waive any requirements in the invitation to bid which are identified as mandatory. Nothing in this section shall be construed to interfere with or invalidate the results of the due diligence conducted by the division of purchasing to determine whether bids are responsive and responsible.

(g) Subsequent to the awarding of the bid, all documents pertinent to the awarding of the bid that were not made public pursuant to subsection 37-2-18(e) 37-2-18(b) shall be made available and open to public inspection, pursuant to chapter 38-2, the Access to Public Records Act, and retained in the bid file. The copy of the bid proposal provided pursuant to subsection 37-2-18(b) shall be retained until the bid is awarded.

(h) The contract shall be awarded with reasonable promptness by written notice to the responsive and responsible bidder whose bid is either the lowest bid price, lowest evaluated, or responsive bid price.

(i) Correction or withdrawal of bids may be allowed only to the extent permitted by
regulations issued by the chief purchasing officer.

(j) As of January 1, 2011, this section shall apply to contracts greater than one million dollars ($1,000,000); on January 1, 2012 for all contracts greater than seven hundred fifty thousand dollars ($750,000); on January 1, 2013 for all contracts greater than five hundred thousand dollars ($500,000); and on January 1, 2014 for all contracts awarded pursuant to this section. All available contracts awarded under this section shall be posted on the eProcurement system.

37-2.18.2. Exemption from competitive bidding.

(a) The three (3) public institutions of higher education (the University of Rhode Island, Rhode Island College and the Community College of Rhode Island) shall be exempt from the competitive bidding process provisions of this chapter for research or research related activity funded with federal funds or other third-party funds subject to rules and regulations promulgated by the board of governors for higher education-office of the postsecondary commissioner.

(b) In the event that none of the three Rhode Island public institutions of higher education can provide the services for research or research-related activity, private institutions of higher education shall also be exempted from the competitive bidding process provisions of this chapter for research or research related activity funded with federal funds or other third-party funds.

(c) The State of Rhode Island has a large number of well-qualified institutions of higher education. In instances where two (2) or more institutions of higher education can provide the services covered by this section, preference shall be given to the institution of higher education that is located within Rhode Island, all other factors being equal.


(a) When, under regulations issued by the chief purchasing officer, the purchasing agent determines in writing that the use of competitive sealed bidding is not practicable, and except as provided in §§ 37-2-21 and 37-2-22, a contract may be awarded by competitive negotiation.

(b) Adequate public notice of the request for proposals to be negotiated shall be given in the same manner as provided in § 37-2-18(c).

(c) The request for proposals shall indicate the relative importance of price and other evaluation factors.

(d) Written or oral discussions may be conducted with all responsible offerors who submit proposals determined in writing to be reasonably susceptible of being selected for award. All oral discussions conducted with responsible offerors who submit proposals shall be memorialized in writing and all such writings shall be deemed public record at the time the contract is awarded and shall be made available for public inspection. Discussions shall not disclose any information derived from proposals submitted by competing offerors.
(e) An award shall be made to the responsible offeror whose proposal is determined in
writing to be the most advantageous to the state, taking into consideration price and the evaluation
factors set forth in the request for proposals. Discussions need not be conducted if the purchasing
agent makes a written determination concerning one or more of the following:

(1) With respect to prices, where the prices are fixed by law or regulation, except that
consideration shall be given to competitive terms and conditions;

(2) Where time of delivery or performance will not permit discussions; or

(3) Where it can be clearly demonstrated and documented from the existence of adequate
competition or accurate prior cost experience with the particular supply, service, or construction
item that acceptance of an initial offer without discussion would result in fair and reasonable prices,
and the request for proposals notifies all offerors of the possibility that an award may be made on
the basis of the initial offers.

(f) Where time permits, the State Purchasing Agent may authorize a best and final offer
process to clarify requirements when there is a substantial price discrepancy among bidders or when
the cost exceeds the budget or in any circumstance determined to be in the best interest of the state.

37-2-20. Negotiations after unsuccessful competitive sealed bidding Negotiations after
unsuccessful solicitation.

(a) In the event that all bids submitted pursuant to competitive sealed bidding under § 37-2-18 result in bid prices in excess of
the funds available, to clarify requirements or where there is a substantial price discrepancy or in
any circumstance determined to be in the best interest of the state, the chief purchasing officer determines in writing that a negotiated award may be made as set forth in subsection (b) or (d) of this section.

(1) That there are no additional funds available from any source so as to permit an award
to the lowest responsive and responsible bidder, and

(2) The best interest of the state will not permit the delay attendant to a resolicitation under
revised specifications, or for revised quantities, under competitive sealed bidding as provided in §
37-2-18, then a negotiated award may be made as set forth in subsection (b) or (d) of this section.

(b) Where there is more than one bidder, competitive negotiations, pursuant to §
37-2-19, shall be conducted with the three (3) (or two (2) if there are only two (2)) lowest
scoring offerors, to the competitive sealed bid solicitation invitation. Competitive negotiations shall
be conducted under the following restrictions:

(1) If discussions pertaining to the revision of the specifications or quantities are held with
any potential offeror, all other potential offerors shall be afforded an opportunity to take part in
such discussions; and

(2) A request for proposals, based upon revised specifications or quantities, best and final offer shall be issued as promptly as possible, shall provide for an expeditious response to the revised requirements, and shall be awarded upon the basis of the lowest bid price, or lowest evaluated bid price the highest score submitted by any responsive and responsible offeror.

(c) Contracts may be competitively negotiated when it is determined in writing by the purchasing agent that the bid prices received by competitive sealed bidding were not independently reached in open competition, and for which:

(1) Each competitive bidder has been notified of the intention to negotiate and is given reasonable opportunity to negotiate; and

(2) The negotiated price is lower than the lowest rejected bid by any competitive bidder; and

(3) The negotiated price is the lowest negotiated price offered by a competitive offeror.

(d) When, after competitive sealed bidding solicitation, it is determined in writing that there is only one responsive and responsible bidder, a negotiated award may be made with the bidder subject to the provisions of § 37-2-28.


(a) Potential bidders shall be prequalified for participation in each electronic auction.

(b) A request for qualifications shall be issued stating the intent to conduct a reverse auction in accordance with the provisions of § 37-2-18.1. The request for qualifications shall identify the goods and services to be purchased and the criteria to be used to determine how many and/or which bidders will be selected to participate in the reverse auction. All requests for qualifications shall be solicited through utilization of the Rhode Island Vendor Information Program (RIVIP) eProcurement system as set forth in § 37-2-17.1.

(c) Participants shall be selected based on the criteria set forth in the request for qualifications, including agreement to any terms, conditions or other requirements of the solicitation. Written or oral discussions may be conducted with all responsible vendors determined in writing to be reasonably susceptible of being selected for award.

(d) Prior to the execution of the auction potential bidders shall be required to receive instruction on the use of the selected electronic bidding procedure. Only bidders who successfully complete the training phase of prequalification shall be permitted to participate in the electronic reverse auction specified in the request for qualifications.

37-2-54. Chief purchasing officer — Purchases.

(a) The chief purchasing officer, except as otherwise provided by law, shall purchase, or
delegate and control the purchase of, the combined requirements of all spending agencies of the state including, but not limited to, interests in real property, contractual services, rentals of all types, supplies, materials, equipment, and services, except that competitive bids may not be required:

1. For contractual services where no competition exists such as sewage treatment, water, and other public utility services;
2. When, in the judgment of the department of administration, food, clothing, equipment, supplies, or other materials to be used in laboratory and experimental studies can be purchased otherwise to the best advantage of the state;
3. When instructional materials are available from only one source;
4. Where rates are fixed by law or ordinance;
5. For library books;
6. For commercial items that are purchased for resale;
7. For professional, technical, or artistic services;
8. For all other commodities, equipment, and services which, in the reasonable discretion of the chief purchasing officer, are available from only one source;
9. For interests in real property.
10. For works of art for museum and public display;
11. For published books, maps, periodicals, newspaper or journal subscriptions, and technical pamphlets;
12. For licenses for use of proprietary or patented systems; and
13. For services of visiting speakers, professors, performing artists, and expert witnesses; and
14. For research-related activities and services provided by colleges and universities within the State of Rhode Island.

(b) Nothing in this section shall deprive the chief purchasing officer from negotiating with vendors who maintain a general service administration price agreement with the United States of America or any agency thereof or other governmental entities, provided, however, that no contract executed under this provision shall authorize a price higher than is contained in the contract between the general service administration and the vendor affected.

(c) The department of administration shall have supervision over all purchases by the various spending agencies, except as otherwise provided by law, and shall prescribe rules and regulations to govern purchasing by or for all spending agencies, subject to the approval of the chief purchasing officer; and shall publish a manual of procedures to be distributed to agencies and to be revised upon issuance of amendments to the procedures. No purchase or contract shall be
binding on the state or any agency thereof unless approved by the department or made under general
regulations which the chief purchasing officer may prescribe.

(d) The chief purchasing officer shall adopt regulations to require agencies to take and
maintain inventories of plant and equipment. The department of administration shall conduct
periodic physical audits of inventories.

(e) The department of administration shall require all agencies to furnish an estimate of
specific needs for supplies, materials, and equipment to be purchased by competitive bidding for
the purpose of permitting scheduling of purchasing in large volume. It shall establish and enforce
schedules for purchasing supplies, materials, and equipment. In addition, all agencies shall submit
to the department of administration, prior to the beginning of each fiscal year, an estimate of all
needs for supplies, materials, and equipment during that year which will have to be acquired
through competitive bidding.

(f) The director of the department of administration shall have the power: to transfer
between departments; to salvage; to exchange; and to condemn supplies and equipment.

(g) Unless the chief purchasing officer deems it is in the best interest of the state to proceed
otherwise, all property (including any interest in real property) shall be sold either by invitation of
sealed bids or by public auction; provided, however, that the selling price of any interest in real
property shall not be less than the appraised value thereof as determined by the department of
administration or the department of transportation for the requirements of that department.

(h) Subject to the provisions of this chapter, the chief purchasing officer shall purchase, or
otherwise acquire, all real property determined to be needed for state use, upon the approval of the
state properties committee as to the determination of need and as to the action of purchase or other
acquisition, provided that the amount paid shall not exceed the appraised value as determined by
the department of transportation (for such requirements of that department) or value set by eminent
domain procedure.

(i) The department of administration shall maintain records of all purchases and sales made
under its authority and shall make periodic summary reports of all transactions to the chief
purchasing officer, the governor, and the general assembly. The chief purchasing officer shall also
report trends in costs and prices, including savings realized through improved practices, to the
governor and general assembly.

(j) The chief purchasing officer shall attempt in every practicable way to insure that the
state is supplying its real needs at the lowest possible cost. Further, to assure that the lowest possible
cost is achieved, the chief purchasing officer may enter into cooperative purchasing agreements
with other governmental public entities and institutions of higher education.
37-2-56. Purchasing for municipalities and regional school districts. Purchasing for municipalities, and regional school districts, and institutions of higher education.

Any municipality, or regional school district, or institution of higher education of the state may participate in state master price agreement contracts for the purchase of materials, supplies, services and equipment entered into by the purchasing agent, provided, however, that the contractor is willing, when requested by the municipality, or school district, or institution of higher education, to extend the terms and conditions of the contract and that the municipality, or school district, or institution of higher education will be responsible for payment directly to the vendor under each purchase contract. Unless a state contract is the result of an intergovernmental cooperative purchase contract to which a municipality, or school district, or institution of higher education is a party, the purchasing agent shall not compel a successful bidder to extend the same terms and conditions to a municipality, or school district, or institution of higher education. However, the purchasing agent may, in the interest of obtaining better pricing on behalf of the state and local entities, solicit offers based upon anticipated master price agreement utilization by municipalities, and school districts, and institutions of higher education.


The chief purchasing officer may adopt regulations to establish an annual fee, of not less than twenty-five dollars ($25.00), which shall be paid by all potential bidders requesting to subscribe to solicitation mailings for public bids for specific types of supplies, services, and construction during a fiscal year, and may waive that fee for Rhode Island firms. Additionally, the chief purchasing agent officer may delegate to the purchasing agent the authority to waive that fee for an individual solicitation and to include unregistered bidders in the solicitation in the interest of expanding competition. Nothing herein shall prevent any interested party from submitting a bid in response to any solicitation of which they become aware.


§ 37-14.2-1. Short title.

This chapter shall be known and may be cited as “The Micro Businesses Act.”

§ 37-14.2-2. Purpose.

The purpose of this chapter is to carry out the state’s policy of supporting the fullest possible participation of micro businesses in the economic activity in the state of Rhode Island, including, but not limited to, state-directed public construction programs and projects and in-state
purchases of goods and services. The purpose of this chapter includes assisting micro businesses throughout the life of any contracts with the state of Rhode Island or its agencies.


As used in this chapter, the following words and terms shall have the following meanings unless the context shall clearly indicate another or different meaning or intent:

1. “Contract” means a mutually binding legal relationship, or any modification thereof, obligating the seller to furnish supplies or services, including construction, and the buyer to pay for them. As used in this chapter, a lease is a contract.

2. “Contractor” means one who participates, through a contract or subcontract, in any procurement or program covered by this chapter and includes lessees and material suppliers.

3. “Micro business” means a Rhode Island-based business entity, regardless of whether it is in the form of a corporation, limited liability company, limited partnership, general partnership, or sole proprietorship, that has a total of ten (10) or fewer members, owners, and employees and has gross sales totaling five hundred thousand dollars ($500,000) or less.

4. “MB coordinator” means the official designated to have overall responsibility for promoting, coordinating, documenting, and implementing efforts related to micro businesses.

5. “Registered” means those micro businesses that have provided their business name, address, owner-contact information, number of employees, and annual gross sales to the department of administration.

§ 37-14.2-4. Compilation and reporting of data on micro businesses.

(a) The department of administration shall compile and maintain data on the existence of registered micro businesses to facilitate the achievement of the purpose of this chapter. Within sixty (60) days of the effective date of this statute [July 20, 2016], the department of administration shall submit a report to the governor and general assembly that describes the methodology being used to compile such data and to report annual utilization of registered micro businesses in state directed public construction programs and projects and in state purchases of goods and services. The report shall be made public contemporaneously with its submission to the governor and general assembly.

(b) The department of administration shall maintain a micro business registration database that shall include the business name, address, owner-contact information, number of employees, and annual gross sales. Such registration of micro businesses with the department of administration shall be on a voluntary basis, and does not supersede any mandated business registration requirements with the secretary of state or other general offices, as well as with any city or town as applicable.

(c) On or before January 1, 2017, and on or before the first day of January in all years.
thereafter, the department of administration shall submit a report to the governor and general
assembly consisting of data concerning the registration of micro businesses in the state. The data
shall include, but not be limited to: the number of registered micro businesses; the distribution of
registered, micro businesses among the thirty-nine (39) cities or towns in the state; the number of
registered, micro businesses that are also Rhode Island certified minority business enterprises; and
the number of registered, micro businesses that are also Rhode Island certified women business
enterprises.

(d) At the request of the director of the department of administration, the secretary of state,
or all other general officers of the state, all agencies of the state and all cities and towns shall make
reasonable modifications to their record keeping procedures to facilitate the compilation of data
concerning the existence of micro businesses in Rhode Island.

SECTION 23. Section 41-5-23 of the General Laws in Chapter 41-5 entitled “Boxing and
Wrestling” is hereby repealed.

§ 41-5-23. Annual report to general assembly.
The division of gaming and athletics licensing shall make an annual report to the general
assembly on or before the first Wednesday in February, together with any recommendations for
legislation, that it may deem desirable.

of Administration” is hereby amended as follows:

The department of administration shall have the following powers and duties:

(1) To prepare a budget for the several state departments and agencies, subject to the
direction and supervision of the governor;

(2) To administer the budget for all state departments and agencies, except as specifically
exempted by law;

(3) To devise, formulate, promulgate, supervise, and control accounting systems,
procedures, and methods for the state departments and agencies, conforming to such accounting
standards and methods as are prescribed by law;

(4) To purchase or to contract for the supplies, materials, articles, equipment, printing, and
services needed by state departments and agencies, except as specifically exempted by law;

(5) To prescribe standard specifications for those purchases and contracts and to enforce
compliance with specifications;

(6) To supervise and control the advertising for bids and awards for state purchases;

(7) To regulate the requisitioning and storage of purchased items, the disposal of surplus
and salvage, and the transfer to or between state departments and agencies of needed supplies, equipment, and materials;

(8) To maintain, equip, and keep in repair the state house, state office building, and other premises owned or rented by the state for the use of any department or agency, excepting those buildings, the control of which is vested by law in some other agency;

(9) To provide for the periodic inspection, appraisal or inventory of all state buildings and property, real and personal;

(10) To require reports from state agencies on the buildings and property in their custody;

(11) To issue regulations to govern the protection and custody of the property of the state;

(12) To assign office and storage space and to rent and lease land and buildings for the use of the several state departments and agencies in the manner provided by law;

(13) To control and supervise the acquisition, operation, maintenance, repair, and replacement of state-owned motor vehicles by state agencies;

(14) To maintain and operate central duplicating and mailing service for the several state departments and agencies;

(15) To furnish the several departments and agencies of the state with other essential office services;

(16) To survey and examine the administration and operation of the state departments and agencies, submitting to the governor proposals to secure greater administrative efficiency and economy, to minimize the duplication of activities, and to effect a better organization and consolidation of functions among state agencies;

(17) To operate a merit system of personnel administration and personnel management as defined in § 36-3-3 in connection with the conditions of employment in all state departments and agencies within the classified service;

(18) To assign or reassign, with the approval of the governor, any functions, duties, or powers established by this chapter to any agency within the department;

(19) To establish, maintain, and operate a data processing center or centers, approve the acquisition and use of electronic data processing services by state agencies, furnish staff assistance in methods, systems and programming work to other state agencies, and arrange for and effect the centralization and consolidation of punch card and electronic data processing equipment and services in order to obtain maximum utilization and efficiency;

(20) To devise, formulate, promulgate, supervise, and control a comprehensive and coordinated statewide information system designed to improve the database used in the management of public resources, to consult and advise with other state departments and agencies
and municipalities to assure appropriate and full participation in this system, and to encourage the
participation of the various municipalities of this state in this system by providing technical or other
appropriate assistance toward establishing, within those municipalities, compatible information
systems in order to obtain the maximum effectiveness in the management of public resources;

(i) The comprehensive and coordinated statewide information system may include a Rhode
Island geographic information system of land-related economic, physical, cultural and natural
resources.

(ii) In order to ensure the continuity of the maintenance and functions of the geographic
information system, the general assembly may annually appropriate such sum as it may deem
necessary to the department of administration for its support;

(21) To administer a statewide planning program including planning assistance to the state
departments and agencies;

(22) To administer a statewide program of photography and photographic services;

(23) To negotiate with public or private educational institutions in the state, in cooperation
with the department of health, for state support of medical education;

(24) To promote the expansion of markets for recovered material and to maximize their
return to productive economic use through the purchase of materials and supplies with recycled
content by the state of Rhode Island to the fullest extent practically feasible;

(25) To approve costs as provided in § 23-19-32;

(26) To provide all necessary civil service tests for individuals seeking employment as
social workers at the department of human services at least twice each year and to maintain an
adequate hiring list for this position at all times;

(27)(i) To prepare a report every three (3) months of all current property leases or rentals
by any state or quasi-state agency to include the following information:

(A) Name of lessor;
(B) Description of the lease (purpose, physical characteristics, and location);
(C) Cost of the lease;
(D) Amount paid to date;
(E) Date initiated;
(F) Date covered by the lease.

(ii) To prepare a report by October 31, 2014, of all current property owned by the state or
leased by any state agency or quasi-state agency to include the following information:

(A) Total square feet for each building or leased space;
(B) Total square feet for each building and space utilized as office space currently;
(C) Location of each building or leased space;

(D) Ratio and listing of buildings owned by the state versus leased;

(E) Total occupancy costs which shall include capital expenses, provided a proxy should be provided to compare properties that are owned versus leased by showing capital expenses on owned properties as a per square foot cost at industry depreciation rates;

(F) Expiration dates of leases;

(G) Number of workstations per building or leased space;

(H) Total square feet divided by number of workstations;

(I) Total number of vacant workstations;

(J) Percentage of vacant workstations versus total workstations available;

(K) Date when an action is required by the state to renew or terminate a lease;

(L) Strategic plan for leases commencing or expiring by June 30, 2016;

(M) Map of all state buildings which provides: cost per square foot to maintain, total number of square feet, total operating cost, date each lease expires, number of persons per building and total number of vacant seats per building; and

(N) Industry benchmark report which shall include total operating cost by full-time equivalent employee, total operating cost by square foot and total square feet divided by full-time equivalent employee;

(28) To prepare a report to the chairs of the house and senate finance committees by December 15, 2021, and each year thereafter of all current property owned by the state or leased by any state agency or quasi-state agency to include the following information:

(i) Total square feet for each building or leased space;

(ii) Total square feet for each building and space utilized as office space currently;

(iii) Location of each building or leased space;

(iv) Ratio and listing of buildings owned by the state versus leased;

(v) Total occupancy costs which shall include capital expenses, provided a proxy should be provided to compare properties that are owned versus leased by showing capital expenses on owned properties as a per square foot cost at industry depreciation rates;

(vi) Expiration dates of leases;

(vii) Number of workstations per building or leased space;

(viii) Total square feet divided by number of workstations;

(ix) Total number of vacant workstations;

(x) Percentage of vacant workstations versus total workstations available;

(xi) Date when an action is required by the state to renew or terminate a lease;
(xii) Strategic plan for leases commencing or expiring by June 30, 2022, and each subsequent year thereafter;
(xiii) Map of all state buildings that provides: cost per square foot to maintain, total number of square feet, total operating cost, date each lease expires, number of persons per building and total number of vacant seats per building; and
(xiv) Industry benchmark report that shall include total operating cost by full-time equivalent employee, total operating cost by square foot and total square feet divided by full-time equivalent employee;
(29) To provide by December 31, 1995, the availability of automatic direct deposit to any recipient of a state benefit payment, provided that the agency responsible for making that payment generates one thousand (1,000) or more such payments each month;
(30) To encourage municipalities, school districts, and quasi-public agencies to achieve cost savings in health insurance, purchasing, or energy usage by participating in state contracts, or by entering into collaborative agreements with other municipalities, districts, or agencies. To assist in determining whether the benefit levels including employee cost sharing and unit costs of such benefits and costs are excessive relative to other municipalities, districts, or quasi-public agencies as compared with state benefit levels and costs; and
(31) To administer a health benefit exchange in accordance with chapter 157 of this title.

SECTION 25. Section 42-17.1-2 of the General Laws in Chapter 42-17.1 entitled “Department of Environmental Management” is hereby amended to read as follows:


The director of environmental management shall have the following powers and duties:
(1) To supervise and control the protection, development, planning, and utilization of the natural resources of the state, such resources, including, but not limited to: water, plants, trees, soil, clay, sand, gravel, rocks and other minerals, air, mammals, birds, reptiles, amphibians, fish, shellfish, and other forms of aquatic, insect, and animal life;
(2) To exercise all functions, powers, and duties heretofore vested in the department of agriculture and conservation, and in each of the divisions of the department, such as the promotion of agriculture and animal husbandry in their several branches, including the inspection and suppression of contagious diseases among animals; the regulation of the marketing of farm products; the inspection of orchards and nurseries; the protection of trees and shrubs from injurious insects and diseases; protection from forest fires; the inspection of apiaries and the suppression of contagious diseases among bees; the prevention of the sale of adulterated or misbranded agricultural seeds; promotion and encouragement of the work of farm bureaus, in cooperation with
the University of Rhode Island, farmers’ institutes, and the various organizations established for
the purpose of developing an interest in agriculture; together with such other agencies and activities
as the governor and the general assembly may, from time to time, place under the control of the
department; and as heretofore vested by such of the following chapters and sections of the general
laws as are presently applicable to the department of environmental management and that were
previously applicable to the department of natural resources and the department of agriculture and
conservation or to any of its divisions: chapters 1 through 22, inclusive, as amended, in title 2
entitled “Agriculture and Forestry”; chapters 1 through 17, inclusive, as amended, in title 4 entitled
“Animals and Animal Husbandry”; chapters 1 through 19, inclusive, as amended, in title 20 entitled
“Fish and Wildlife”; chapters 1 through 32, inclusive, as amended, in title 21 entitled “Food and
Drugs”; chapter 7 of title 23, as amended, entitled “Mosquito Abatement”; and by any other general
or public law relating to the department of agriculture and conservation or to any of its divisions or
bureaus;

(3) To exercise all the functions, powers, and duties heretofore vested in the division of
parks and recreation of the department of public works by chapters 1, 2, and 5 in title 32 entitled
“Parks and Recreational Areas”; by chapter 22.5 of title 23, as amended, entitled “Drowning
Prevention and Lifesaving”; and by any other general or public law relating to the division of parks
and recreation;

(4) To exercise all the functions, powers, and duties heretofore vested in the division of
harbors and rivers of the department of public works, or in the department itself by such as were
previously applicable to the division or the department, of chapters 1 through 22 and sections
thereof, as amended, in title 46 entitled “Waters and Navigation”; and by any other general or public
law relating to the division of harbors and rivers;

(5) To exercise all the functions, powers, and duties heretofore vested in the department of
health by chapters 25, 18.9, and 19.5 of title 23, as amended, entitled “Health and Safety”; and by
chapters 12 and 16 of title 46, as amended, entitled “Waters and Navigation”; by chapters 3, 4, 5,
6, 7, 9, 11, 13, 18, and 19 of title 4, as amended, entitled “Animals and Animal Husbandry”; and
those functions, powers, and duties specifically vested in the director of environmental
management by the provisions of § 21-2-22, as amended, entitled “Inspection of Animals and
Milk”; together with other powers and duties of the director of the department of health as are
incidental to, or necessary for, the performance of the functions transferred by this section;

(6) To cooperate with the Rhode Island commerce corporation in its planning and
promotional functions, particularly in regard to those resources relating to agriculture, fisheries,
and recreation;
(7) To cooperate with, advise, and guide conservation commissions of cities and towns created under chapter 35 of title 45 entitled “Conservation Commissions”, as enacted by chapter 203 of the Public Laws, 1960;

(8) To assign or reassign, with the approval of the governor, any functions, duties, or powers established by this chapter to any agency within the department, except as hereinafter limited;

(9) To cooperate with the water resources board and to provide to the board facilities, administrative support, staff services, and other services as the board shall reasonably require for its operation and, in cooperation with the board and the statewide planning program, to formulate and maintain a long-range guide plan and implementing program for development of major water-sources transmission systems needed to furnish water to regional- and local-distribution systems;

(10) To cooperate with the solid waste management corporation and to provide to the corporation such facilities, administrative support, staff services, and other services within the department as the corporation shall reasonably require for its operation;

(11) To provide for the maintenance of waterways and boating facilities, consistent with chapter 6.1 of title 46, by: (i) Establishing minimum standards for upland beneficial use and disposal of dredged material; (ii) Promulgating and enforcing rules for water quality, ground water protection, and fish and wildlife protection pursuant to § 42-17.1-24; (iii) Planning for the upland beneficial use and/or disposal of dredged material in areas not under the jurisdiction of the council pursuant to § 46-23-6(2); and (iv) Cooperating with the coastal resources management council in the development and implementation of comprehensive programs for dredging as provided for in §§ 46-23-6(1)(ii)(H) and 46-23-18.3; and (v) Monitoring dredge material management and disposal sites in accordance with the protocols established pursuant to § 46-6.1-5(a)(3) and the comprehensive program provided for in § 46-23-6(1)(ii)(H); no powers or duties granted herein shall be construed to abrogate the powers or duties granted to the coastal resources management council under chapter 23 of title 46, as amended;

(12) To establish minimum standards, subject to the approval of the environmental standards board, relating to the location, design, construction, and maintenance of all sewage-disposal systems;

(13) To enforce, by such means as provided by law, the standards for the quality of air, and water, and the design, construction, and operation of all sewage-disposal systems; any order or notice issued by the director relating to the location, design, construction, or maintenance of a sewage-disposal system shall be eligible for recordation under chapter 13 of title 34. The director shall forward the order or notice to the city or town wherein the subject property is located and the
order or notice shall be recorded in the general index by the appropriate municipal official in the
land evidence records in the city or town wherein the subject property is located. Any subsequent
transferee of that property shall be responsible for complying with the requirements of the order or
notice. Upon satisfactory completion of the requirements of the order or notice, the director shall
provide written notice of the same, which notice shall be similarly eligible for recordation. The
original written notice shall be forwarded to the city or town wherein the subject property is located
and the notice of satisfactory completion shall be recorded in the general index by the appropriate
municipal official in the land evidence records in the city or town wherein the subject property is
located. A copy of the written notice shall be forwarded to the owner of the subject property within
five (5) days of a request for it, and, in any event, shall be forwarded to the owner of the subject
property within thirty (30) days after correction;

(14) To establish minimum standards for the establishment and maintenance of salutary
environmental conditions, including standards and methods for the assessment and the
consideration of the cumulative effects on the environment of regulatory actions and decisions,
which standards for consideration of cumulative effects shall provide for: (i) Evaluation of potential
cumulative effects that could adversely affect public health and/or impair ecological functioning;
(ii) Analysis of other matters relative to cumulative effects as the department may deem appropriate
in fulfilling its duties, functions, and powers; which standards and methods shall only be applicable
to ISDS systems in the town of Jamestown in areas that are dependent for water supply on private
and public wells, unless broader use is approved by the general assembly. The department shall
report to the general assembly not later than March 15, 2008, with regard to the development and
application of the standards and methods in Jamestown;

(15) To establish and enforce minimum standards for permissible types of septage,
industrial-waste disposal sites, and waste-oil disposal sites;

(16) To establish minimum standards, subject to the approval of the environmental
standards board, for permissible types of refuse disposal facilities; the design, construction,
operation, and maintenance of disposal facilities; and the location of various types of facilities;

(17) To exercise all functions, powers, and duties necessary for the administration of
chapter 19.1 of title 23 entitled “Rhode Island Hazardous Waste Management Act”;

(18) To designate, in writing, any person in any department of the state government or any
official of a district, county, city, town, or other governmental unit, with that official’s consent, to
enforce any rule, regulation, or order promulgated and adopted by the director under any provision
of law; provided, however, that enforcement of powers of the coastal resources management
council shall be assigned only to employees of the department of environmental management,
(19) To issue and enforce the rules, regulations, and orders as may be necessary to carry out the duties assigned to the director and the department by any provision of law; and to conduct investigations and hearings and to issue, suspend, and revoke licenses as may be necessary to enforce those rules, regulations, and orders. Any license suspended under the rules, regulations, and/or orders shall be terminated and revoked if the conditions that led to the suspension are not corrected to the satisfaction of the director within two (2) years; provided that written notice is given by certified mail, return receipt requested, no less than sixty (60) days prior to the date of termination.

Notwithstanding the provisions of § 42-35-9 to the contrary, no informal disposition of a contested licensing matter shall occur where resolution substantially deviates from the original application unless all interested parties shall be notified of the proposed resolution and provided with opportunity to comment upon the resolution pursuant to applicable law and any rules and regulations established by the director;

(20) To enter, examine, or survey, at any reasonable time, places as the director deems necessary to carry out his or her responsibilities under any provision of law subject to the following provisions:

(i) For criminal investigations, the director shall, pursuant to chapter 5 of title 12, seek a search warrant from an official of a court authorized to issue warrants, unless a search without a warrant is otherwise allowed or provided by law;

(ii)(A) All administrative inspections shall be conducted pursuant to administrative guidelines promulgated by the department in accordance with chapter 35 of this title;

(B) A warrant shall not be required for administrative inspections if conducted under the following circumstances, in accordance with the applicable constitutional standards:

(I) For closely regulated industries;

(II) In situations involving open fields or conditions that are in plain view;

(III) In emergency situations;

(IV) In situations presenting an imminent threat to the environment or public health, safety, or welfare;

(V) If the owner, operator, or agent in charge of the facility, property, site, or location consents; or

(VI) In other situations in which a warrant is not constitutionally required.

(C) Whenever it shall be constitutionally or otherwise required by law, or whenever the director in his or her discretion deems it advisable, an administrative search warrant, or its
functional equivalent, may be obtained by the director from a neutral magistrate for the purpose of
conducting an administrative inspection. The warrant shall be issued in accordance with the
applicable constitutional standards for the issuance of administrative search warrants. The
administrative standard of probable cause, not the criminal standard of probable cause, shall apply
to applications for administrative search warrants;

   (I) The need for, or reliance upon, an administrative warrant shall not be construed as
   requiring the department to forfeit the element of surprise in its inspection efforts;

   (II) An administrative warrant issued pursuant to this subsection must be executed and
   returned within ten (10) days of its issuance date unless, upon a showing of need for additional
time, the court orders otherwise;

   (III) An administrative warrant may authorize the review and copying of documents that
   are relevant to the purpose of the inspection. If documents must be seized for the purpose of
   copying, and the warrant authorizes the seizure, the person executing the warrant shall prepare an
   inventory of the documents taken. The time, place, and manner regarding the making of the
   inventory shall be set forth in the terms of the warrant itself, as dictated by the court. A copy of the
   inventory shall be delivered to the person from whose possession or facility the documents were
   taken. The seized documents shall be copied as soon as feasible under circumstances preserving
   their authenticity, then returned to the person from whose possession or facility the documents were
   taken;

   (IV) An administrative warrant may authorize the taking of samples of air, water, or soil
   or of materials generated, stored, or treated at the facility, property, site, or location. Upon request,
   the department shall make split samples available to the person whose facility, property, site, or
   location is being inspected;

   (V) Service of an administrative warrant may be required only to the extent provided for
   in the terms of the warrant itself, by the issuing court.

   (D) Penalties. Any willful and unjustified refusal of right of entry and inspection to
department personnel pursuant to an administrative warrant shall constitute a contempt of court and
shall subject the refusing party to sanctions, which in the court’s discretion may result in up to six
(6) months imprisonment and/or a monetary fine of up to ten thousand dollars ($10,000) per refusal;

   (21) To give notice of an alleged violation of law to the person responsible therefor
whenever the director determines that there are reasonable grounds to believe that there is a
violation of any provision of law within his or her jurisdiction or of any rule or regulation adopted
pursuant to authority granted to him or her. Nothing in this chapter shall limit the authority of the
attorney general to prosecute offenders as required by law;
(i) The notice shall provide for a time within which the alleged violation shall be remedied, and shall inform the person to whom it is directed that a written request for a hearing on the alleged violation may be filed with the director within twenty (20) days after service of the notice. The notice will be deemed properly served upon a person if a copy thereof is served the person personally; or sent by registered or certified mail to the person’s last known address; or if the person is served with notice by any other method of service now or hereafter authorized in a civil action under the laws of this state. If no written request for a hearing is made to the director within twenty (20) days of the service of notice, the notice shall automatically become a compliance order;

(ii)(A) Whenever the director determines that there exists a violation of any law, rule, or regulation within the director’s jurisdiction that requires immediate action to protect the environment, the director may, without prior notice of violation or hearing, issue an immediate-compliance order stating the existence of the violation and the action he or she deems necessary. The compliance order shall become effective immediately upon service or within such time as is specified by the director in such order. No request for a hearing on an immediate-compliance order may be made;

(B) Any immediate-compliance order issued under this section without notice and prior hearing shall be effective for no longer than forty-five (45) days; provided, however, that for good cause shown, the order may be extended one additional period not exceeding forty-five (45) days;

(iii) The director may, at his or her discretion and for the purposes of timely and effective resolution and return to compliance, cite a person for alleged noncompliance through the issuance of an expedited citation in accordance with § 42-17.6-3(c);

(iv) If a person upon whom a notice of violation has been served under the provisions of this section or if a person aggrieved by any such notice of violation requests a hearing before the director within twenty (20) days of the service of notice of violation, the director shall set a time and place for the hearing, and shall give the person requesting that hearing at least five (5) days’ written notice thereof. After the hearing, the director may make findings of fact and shall sustain, modify, or withdraw the notice of violation. If the director sustains or modifies the notice, that decision shall be deemed a compliance order and shall be served upon the person responsible in any manner provided for the service of the notice in this section;

(v) The compliance order shall state a time within which the violation shall be remedied, and the original time specified in the notice of violation shall be extended to the time set in the order;

(vi) Whenever a compliance order has become effective, whether automatically where no hearing has been requested, where an immediate compliance order has been issued, or upon
decision following a hearing, the director may institute injunction proceedings in the superior court of the state for enforcement of the compliance order and for appropriate temporary relief, and in that proceeding, the correctness of a compliance order shall be presumed and the person attacking the order shall bear the burden of proving error in the compliance order, except that the director shall bear the burden of proving in the proceeding the correctness of an immediate compliance order. The remedy provided for in this section shall be cumulative and not exclusive and shall be in addition to remedies relating to the removal or abatement of nuisances or any other remedies provided by law;

(vii) Any party aggrieved by a final judgment of the superior court may, within thirty (30) days from the date of entry of such judgment, petition the supreme court for a writ of certiorari to review any questions of law. The petition shall set forth the errors claimed. Upon the filing of the petition with the clerk of the supreme court, the supreme court may, if it sees fit, issue its writ of certiorari;

(22) To impose administrative penalties in accordance with the provisions of chapter 17.6 of this title and to direct that such penalties be paid into the account established by subsection (26);

(23) The following definitions shall apply in the interpretation of the provisions of this chapter:

(i) Director: The term “director” shall mean the director of environmental management of the state of Rhode Island or his or her duly authorized agent;

(ii) Person: The term “person” shall include any individual, group of individuals, firm, corporation, association, partnership, or private or public entity, including a district, county, city, town, or other governmental unit or agent thereof, and in the case of a corporation, any individual having active and general supervision of the properties of the corporation;

(iii) Service:

(A) Service upon a corporation under this section shall be deemed to include service upon both the corporation and upon the person having active and general supervision of the properties of the corporation;

(B) For purposes of calculating the time within which a claim for a hearing is made pursuant to subsection (21)(i), service shall be deemed to be the date of receipt of such notice or three (3) days from the date of mailing of the notice, whichever shall first occur;

(24)(i) To conduct surveys of the present private and public camping and other recreational areas available and to determine the need for and location of other camping and recreational areas as may be deemed necessary and in the public interest of the state of Rhode Island and to report back its findings on an annual basis to the general assembly on or before March 1 of every year;
(ii) Additionally, the director of the department of environmental management shall take additional steps, including, but not limited to, matters related to funding as may be necessary to establish such other additional recreational facilities and areas as are deemed to be in the public interest;

(25)(i) To apply for and accept grants and bequests of funds, with the approval of the director of administration, from other states, interstate agencies, and independent authorities, and private firms, individuals, and foundations, for the purpose of carrying out his or her lawful responsibilities. The funds shall be deposited with the general treasurer in a restricted receipt account created in the natural resources program for funds made available for that program’s purposes or in a restricted receipt account created in the environmental protection program for funds made available for that program’s purposes. All expenditures from the accounts shall be subject to appropriation by the general assembly, and shall be expended in accordance with the provisions of the grant or bequest. In the event that a donation or bequest is unspecified, or in the event that the trust account balance shows a surplus after the project as provided for in the grant or bequest has been completed, the director may utilize the appropriated unspecified or appropriated surplus funds for enhanced management of the department’s forest and outdoor public recreation areas, or other projects or programs that promote the accessibility of recreational opportunities for Rhode Island residents and visitors;

(ii) The director shall submit to the house fiscal advisor and the senate fiscal advisor, by October 1 of each year, a detailed report on the amount of funds received and the uses made of such funds;

(26) To establish fee schedules by regulation, with the approval of the governor, for the processing of applications and the performing of related activities in connection with the department’s responsibilities pursuant to subsection (12); chapter 19.1 of title 23, as it relates to inspections performed by the department to determine compliance with chapter 19.1 and rules and regulations promulgated in accordance therewith; chapter 18.9 of title 23, as it relates to inspections performed by the department to determine compliance with chapter 18.9 and the rules and regulations promulgated in accordance therewith; chapters 19.5 and 23 of title 23; chapter 12 of title 46, insofar as it relates to water-quality certifications and related reviews performed pursuant to provisions of the federal Clean Water Act, 33 U.S.C. § 1251 et seq.; the regulation and administration of underground storage tanks and all other programs administered under chapter 12 of title 46 and § 2-1-18 et seq., and chapter 13.1 of title 46 and chapter 13.2 of title 46, insofar as they relate to any reviews and related activities performed under the provisions of the Groundwater Protection Act; chapter 24.9 of title 23 as it relates to the regulation and administration of mercury-
added products; and chapter 17.7 of this title, insofar as it relates to administrative appeals of all enforcement, permitting and licensing matters to the administrative adjudication division for environmental matters. Two (2) fee ranges shall be required: for “Appeal of enforcement actions,” a range of fifty dollars ($50) to one hundred dollars ($100), and for “Appeal of application decisions,” a range of five hundred dollars ($500) to ten thousand dollars ($10,000). The monies from the administrative adjudication fees will be deposited as general revenues and the amounts appropriated shall be used for the costs associated with operating the administrative adjudication division.

There is hereby established an account within the general fund to be called the water and air protection program. The account shall consist of sums appropriated for water and air pollution control and waste-monitoring programs and the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of the sums, or portions thereof, as may be required, from time to time, upon receipt by him or her of properly authenticated vouchers. All amounts collected under the authority of this subsection (26) for the sewage-disposal-system program and freshwater wetlands program will be deposited as general revenues and the amounts appropriated shall be used for the purposes of administering and operating the programs. The director shall submit to the house fiscal advisor and the senate fiscal advisor by January 15 of each year a detailed report on the amount of funds obtained from fines and fees and the uses made of the funds;

(27) To establish and maintain a list or inventory of areas within the state worthy of special designation as “scenic” to include, but not be limited to, certain state roads or highways, scenic vistas, and scenic areas, and to make the list available to the public;

(28) To establish and maintain an inventory of all interests in land held by public and private land trust and to exercise all powers vested herein to ensure the preservation of all identified lands;

(i) The director may promulgate and enforce rules and regulations to provide for the orderly and consistent protection, management, continuity of ownership and purpose, and centralized records-keeping for lands, water, and open spaces owned in fee or controlled in full or in part through other interests, rights, or devices such as conservation easements or restrictions, by private and public land trusts in Rhode Island. The director may charge a reasonable fee for filing of each document submitted by a land trust;

(ii) The term “public land trust” means any public instrumentality created by a Rhode Island municipality for the purposes stated herein and financed by means of public funds collected and appropriated by the municipality. The term “private land trust” means any group of five (5) or
more private citizens of Rhode Island who shall incorporate under the laws of Rhode Island as a nonbusiness corporation for the purposes stated herein, or a national organization such as the nature conservancy. The main purpose of either a public or a private land trust shall be the protection, acquisition, or control of land, water, wildlife, wildlife habitat, plants, and/or other natural features, areas, or open space for the purpose of managing or maintaining, or causing to be managed or maintained by others, the land, water, and other natural amenities in any undeveloped and relatively natural state in perpetuity. A private land trust must be granted exemption from federal income tax under Internal Revenue Code 501(c)(3) [26 U.S.C. § 501(c)(3)] within two (2) years of its incorporation in Rhode Island or it may not continue to function as a land trust in Rhode Island. A private land trust may not be incorporated for the exclusive purpose of acquiring or accepting property or rights in property from a single individual, family, corporation, business, partnership, or other entity. Membership in any private land trust must be open to any individual subscribing to the purposes of the land trust and agreeing to abide by its rules and regulations including payment of reasonable dues;

(iii)(A) Private land trusts will, in their articles of association or their bylaws, as appropriate, provide for the transfer to an organization, created for the same or similar purposes, of the assets, lands and land rights, and interests held by the land trust in the event of termination or dissolution of the land trust;

(B) All land trusts, public and private, will record in the public records, of the appropriate towns and cities in Rhode Island, all deeds, conservation easements, or restrictions or other interests and rights acquired in land and will also file copies of all such documents and current copies of their articles of association, their bylaws, and their annual reports with the secretary of state and with the director of the Rhode Island department of environmental management. The director is hereby directed to establish and maintain permanently a system for keeping records of all private and public land trust land holdings in Rhode Island;

(29) The director will contact in writing, not less often than once every two (2) years, each public or private land trust to ascertain: that all lands held by the land trust are recorded with the director; the current status and condition of each land holding; that any funds or other assets of the land trust held as endowment for specific lands have been properly audited at least once within the two-year (2) period; the name of the successor organization named in the public or private land trust’s bylaws or articles of association; and any other information the director deems essential to the proper and continuous protection and management of land and interests or rights in land held by the land trust. In the event that the director determines that a public or private land trust holding land or interest in land appears to have become inactive, the director shall initiate proceedings to
effect the termination of the land trust and the transfer of its lands, assets, land rights, and land
interests to the successor organization named in the defaulting trust’s bylaws or articles of
association or to another organization created for the same or similar purposes. Should such a
transfer not be possible, then the land trust, assets, and interest and rights in land will be held in
trust by the state of Rhode Island and managed by the director for the purposes stated at the time
of original acquisition by the trust. Any trust assets or interests other than land or rights in land
accruing to the state under such circumstances will be held and managed as a separate fund for the
benefit of the designated trust lands;

(30) Consistent with federal standards, issue and enforce such rules, regulations, and orders
as may be necessary to establish requirements for maintaining evidence of financial responsibility
for taking corrective action and compensating third parties for bodily injury and property damage
caused by sudden and non-sudden accidental releases arising from operating underground storage
tanks;

(31) To enforce, by such means as provided by law, the standards for the quality of air, and
water, and the location, design, construction, and operation of all underground storage facilities
used for storing petroleum products or hazardous materials; any order or notice issued by the
director relating to the location, design, construction, operation, or maintenance of an underground
storage facility used for storing petroleum products or hazardous materials shall be eligible for
recording under chapter 13 of title 34. The director shall forward the order or notice to the city or
town wherein the subject facility is located, and the order or notice shall be recorded in the general
index by the appropriate municipal officer in the land-evidence records in the city or town wherein
the subject facility is located. Any subsequent transferee of that facility shall be responsible for
complying with the requirements of the order or notice. Upon satisfactory completion of the
requirements of the order or notice, the director shall provide written notice of the same, which
notice shall be eligible for recording. The original, written notice shall be forwarded to the city
or town wherein the subject facility is located, and the notice of satisfactory completion shall be
recorded in the general index by the appropriate municipal official in the land-evidence records in
the city or town wherein the subject facility is located. A copy of the written notice shall be
forwarded to the owner of the subject facility within five (5) days of a request for it, and, in any
event, shall be forwarded to the owner of the subject facility within thirty (30) days after correction;

(32) To manage and disburse any and all funds collected pursuant to § 46-12.9-4, in
accordance with § 46-12.9-5, and other provisions of the Rhode Island Underground Storage Tank
Financial Responsibility Act, as amended;

(33) To support, facilitate, and assist the Rhode Island Natural History Survey, as
appropriate and/or as necessary, in order to accomplish the important public purposes of the survey in gathering and maintaining data on Rhode Island natural history; making public presentations and reports on natural history topics; ranking species and natural communities; monitoring rare species and communities; consulting on open-space acquisitions and management plans; reviewing proposed federal and state actions and regulations with regard to their potential impact on natural communities; and seeking outside funding for wildlife management, land management, and research;

(34) To promote the effective stewardship of lakes, ponds, rivers, and streams including, but not limited to, collaboration with watershed organizations and associations of lakefront property owners on planning and management actions that will prevent and mitigate water quality degradation, reduce the loss of native habitat due to infestation of non-native species, abate nuisance conditions that result from excessive growth of algal or non-native plant species as well as promote healthy freshwater riverine ecosystems;

(35) In implementing the programs established pursuant to this chapter, to identify critical areas for improving service to customers doing business with the department, and to develop and implement strategies to improve performance and effectiveness in those areas. Key aspects of a customer-service program shall include, but not necessarily be limited to, the following components:

(i) Maintenance of an organizational unit within the department with the express purpose of providing technical assistance to customers and helping customers comply with environmental regulations and requirements;

(ii) Maintenance of an employee-training program to promote customer service across the department;

(iii) Implementation of a continuous business process evaluation and improvement effort, including process reviews to encourage development of quality proposals; ensure timely and predictable reviews; and result in effective decisions and consistent follow up and implementation throughout the department; and publish an annual report on such efforts;

(iv) Creation of a centralized location for the acceptance of permit applications and other submissions to the department;

(v) Maintenance of a process to promote, organize, and facilitate meetings prior to the submission of applications or other proposals in order to inform the applicant on options and opportunities to minimize environmental impact; improve the potential for sustainable environmental compliance; and support an effective and efficient review and decision-making process on permit applications related to the proposed project;
(vi) Development of single permits under multiple authorities otherwise provided in state law to support comprehensive and coordinated reviews of proposed projects. The director may address and resolve conflicting or redundant process requirements in order to achieve an effective and efficient review process that meets environmental objectives; and

(vii) Exploration of the use of performance-based regulations coupled with adequate inspection and oversight, as an alternative to requiring applications or submissions for approval prior to initiation of projects. The department shall work with the office of regulatory reform to evaluate the potential for adopting alternative compliance approaches and provide a report to the governor and the general assembly by May 1, 2015;

(36) To formulate and promulgate regulations requiring any dock or pier longer than twenty feet (20’) and located on a freshwater lake or pond to be equipped with reflective materials, on all sides facing the water, of an appropriate width and luminosity such that it can be seen by operators of watercraft;

(37) To temporarily waive any control or prohibition respecting the use of a fuel or fuel additive required or regulated by the department if the director finds that:

(i) Extreme or unusual fuel or fuel additive supply circumstances exist in the state or the New England region that prevent the distribution of an adequate supply of the fuel or fuel additive to consumers;

(ii) Extreme or unusual fuel or fuel additive supply circumstances are the result of a natural disaster, an act of God, a pipeline or refinery equipment failure, or another event that could not reasonably have been foreseen; and

(iii) It is in the public interest to grant the waiver.

Any temporary waiver shall be made in writing and shall be effective for twenty (20) calendar days; provided, that the director may renew the temporary waiver, in writing, if it is deemed necessary; and

(38)(i) To designate by rule certain waters of the state as shellfish or marine life project management areas for the purpose of enhancing the cultivation and growth of marine species, managing the harvest of marine species, facilitating the conduct by the department of experiments in planting, cultivating, propagating, managing, and developing any and all kinds of marine life, and any other related purpose.

(ii) Any such designation shall be by reference to fixed landmarks and include an explicit description of the area to be designated.

(iii) Once so designated, the director may adopt rules and regulations addressing restrictions on the quantities, types, or sizes of marine species which may be taken in any individual
management area, the times during which marine species may be taken, the manner or manners in
which marine species may be taken, the closure of such area to the taking of marine species, or any
other specific restrictions as may be deemed necessary. Such rules shall be exempt from the

(iv) The director, upon the designation of a management area, may place any stakes, bounds, buoys, or markers with the words “Rhode Island department of environmental management” plainly marked on them, as will approximate the management area. Failure to place or maintain the stakes, bounds, buoys, or markers shall not be admissible in any judicial or administrative proceeding.

(v) Nothing in this section shall prevent the director from implementing emergency rules pursuant to § 42-35-2.10.

SECTION 26. Section 42-64-36 of the General Laws in Chapter 42-64 entitled “Rhode Island Commerce Corporation” is hereby amended to read as follows:

42-64-36. Program accountability.

(a) The board of the Rhode Island commerce corporation shall be responsible for establishing accountability standards, reporting standards, and outcome measurements for each of its programs to include, but not be limited to, the use of tax credits, loans, loan guarantees, and other financial transactions managed or utilized by the corporation. Included in the standards shall be a set of principles and guidelines to be followed by the board to include:

(1) A set of outcomes against which the board will measure each program’s and offering’s effectiveness;

(2) A set of standards for risk analysis for all of the programs especially the loans and loan guarantee programs; and

(3) A process for reporting out all loans, loan guarantees, and any other financial commitments made through the corporation that includes the purpose of the loan, financial data as to payment history, and other related information.

(b) The board shall annually prepare a report starting in January 2015 which shall be submitted to the house and senate. The report shall summarize the above listed information on each of its programs and offerings and contain recommendations for modification, elimination, or continuation.

(c) The commerce corporation shall prepare a report beginning January 1, 2019, which shall be submitted to the house and senate within a period of thirty (30) forty-five (45) days of the close of each quarter. The report shall summarize the information listed in subsection (a) of this section on each of its programs and offerings, including any modifications, adjustments, clawbacks,
reallocations, alterations, or other changes, made from the close of the prior fiscal quarter and include comparison data to the reports submitted pursuant to §§ 42-64.20-9(b), 42-64.21-8(a) and (c), 42-64.22-14(a), 42-64.23-5(d), 42-64.24-5(d), 42-64.25-12, 42-64.26-6, 42-64.27-4, 42-64.28-9, 42-64.29-7(a), 42-64.31-3, 44-48.3-13(b) and (c), chapters 64.20, 64.21, 64.22, 64.23, 64.24, 64.25, 64.26, 64.27, 64.28, 64.29, 64.30, 64.31, 64.32 of title 42 and § 44-48.3-13.

(d) The board shall coordinate its efforts with the office of revenue analysis to not duplicate information on the use of tax credits and other tax expenditures.

SECTION 27. Section 42-64.19-3 of the General Laws in Chapter 42-64.19 entitled “Executive Office of Commerce” is hereby amended to read as follows:

42-64.19-3. Executive office of commerce.

(a) There is hereby established within the executive branch of state government an executive office of commerce effective February 1, 2015, to serve as the principal agency of the executive branch of state government for managing the promotion of commerce and the economy within the state and shall have the following powers and duties in accordance with the following schedule:

(1) On or about February 1, 2015, to operate functions from the department of business regulation;

(2) On or about April 1, 2015, to operate various divisions and functions from the department of administration;

(3) On or before September 1, 2015, to provide to the Senate and the House of Representatives a comprehensive study and review of the roles, functions, and programs of the department of administration and the department of labor and training to devise recommendations and a business plan for the integration of these entities with the office of the secretary of commerce.

The governor may include such recommendations in the Fiscal Year 2017 budget proposal; and

(4) On or before July 1, 2021, to provide for the hiring of a deputy secretary of commerce and housing who shall report directly to the secretary of commerce. On July 1, 2022, the deputy secretary of commerce and housing shall succeed to the position of secretary of housing, and the position of deputy secretary of commerce and housing shall cease to exist under this chapter. All references in the general laws to the deputy secretary of commerce and housing shall be construed to mean the secretary of housing. The secretary of housing shall be appointed by and report directly to the governor and shall assume all powers, duties, and responsibilities formerly held by the deputy secretary of commerce and housing. Until the formation of the new department of housing pursuant to chapter 64.34 of this title, the secretary of housing shall reside within the executive office of commerce for administrative purposes only. The secretary of housing shall:
(i) Prior to hiring, have completed and earned a minimum of a master’s graduate degree in the field of urban planning, economics, or a related field of study or possess a juris doctor law degree. Preference shall be provided to candidates having earned an advanced degree consisting of an L.L.M. law degree or Ph.D. in urban planning or economics. Qualified candidates must have documented five (5) years’ full-time experience employed in the administration of housing policy and/or development;

(ii) Be responsible for overseeing all housing initiatives in the state of Rhode Island and developing a housing plan, including, but not limited to, the development of affordable housing opportunities to assist in building strong community efforts and revitalizing neighborhoods;

(iii) Coordinate with all agencies directly related to any housing initiatives and participate in the promulgation of any regulation having an impact on housing including, but not limited to, the Rhode Island housing and mortgage finance corporation, the coastal resources management council (CRMC), and state departments including, but not limited to: the department of environmental management (DEM), the department of business regulation (DBR), the department of transportation (DOT) and statewide planning, and the Rhode Island housing resources commission;

(iv) Coordinate with the housing resources commission to formulate an integrated housing report to include findings and recommendations to the governor, speaker of the house, senate president, each chamber’s finance committee, and any committee whose purview is reasonably related to, including, but not limited to, issues of housing, municipal government, and health on or before December 31, 2025, and annually thereafter which. This report shall include, but not be limited to, the following:

(A) The total number of housing units in the state with per community counts, including the number of Americans with Disabilities Act compliant special needs units;

(B) Every three years, beginning in 2026 and contingent upon funding for data collection, an assessment of the suitability of existing housing stock in meeting accessibility needs of residents;

(C) The occupancy and vacancy rate of the units referenced in subsection (a)(4)(iv)(A);

(D) The change in the number of units referenced in subsection (a)(4)(iv)(A), for each of the prior three (3) years in figures and as a percentage;

(E) The number of net new units in development and number of units completed since the prior report in the previous calendar year;

(F) For each municipality the number of single-family, two-family (2), and three-family (3) units, and multi-unit housing delineated sufficiently to provide the lay reader a useful description of current conditions, including a statewide sum of each unit type;
(F) The total number of units by income type;

(G) A projection of the number of status quo units. Every three years, beginning in 2026, a projection of the number of units required to meet estimated population growth and based upon household formation rates;

(H) A projection of the number of units required to meet housing formation trends;

(IH) A comparison of regional and other similarly situated state funding sources that support housing development including a percentage of private, federal, and public support;

(HI) A reporting of unit types by number of bedrooms for rental properties including an accounting of all:

(I) Single-family units;

(II) Accessory dwelling units;

(III) Two-family (2) units;

(IV) Three-family (3) units;

(V) Multi-unit sufficiently delineated units;

(VI) Mixed use sufficiently delineated units; and

(VII) Occupancy and vacancy rates for the prior three (3) years;

(KI) A reporting of unit types by ownership including an accounting of all:

(I) Single-family units;

(II) Accessory dwelling units;

(III) Two-family (2) units;

(IV) Three-family (3) units;

(V) Multi-unit sufficiently delineated units;

(VI) Mixed use sufficiently delineated units; and

(VII) Occupancy and vacancy rates for the prior three (3) years;

(KK) A reporting of the number of applications submitted or filed for each community according to unit type and an accounting of action taken with respect to each application to include, approved, denied, appealed, approved upon appeal, and if approved, the justification for each appeal approval;

(KLM) A reporting of permits for each community according to affordability level that were sought, approved, denied, appealed, approved upon appeal, and if approved, the justification for each approval;

(KNM) A reporting of affordability by municipality that shall include the following:

(I) The percent and number of units of extremely low-, very low-, low-, moderate-, fair-market rate, and above moderate-income market rate units; including the average and median costs
(II) The percent and number of units of extremely low-, very low-, low-, and moderate-income housing units by municipality required to satisfy the ten percent (10%) requirement pursuant to chapter 24 of title 45; including the average and median costs of those units;

(III) The percent and number of units for the affordability levels above moderate-income housing, including a comparison to fair-market rent and fair-market homeownership; including the average and median costs of those units;

(IV) The percentage of cost burden by municipality with population equivalent;

(V) The percentage and number of home financing sources, including all private, federal, state, or other public support; and

(VI) The disparities in mortgage loan financing by race and ethnicity based on Home Mortgage Disclosure Act data by available geographies;

(VII) The annual median gross rent cost growth for each of the previous five (5) years by unit type at each affordability level, by unit type municipality; and

(VIII) The annual growth in median owner-occupied home values for each of the previous five (5) years by municipality;

(ΩN) A reporting of municipal healthy housing stock by unit type and number of bedrooms and providing an assessment of the state’s existing housing stock and enumerating any risks to the public health from that housing stock, including, but not limited to: the presence of lead, mold, safe drinking water, disease vectors (insects and vermin), and other conditions that are an identifiable health detriment. Additionally, the report shall provide the percentage of the prevalence of health risks by age of the stock for each community by unit type and number of bedrooms; and

(ΩQ) A recommendation shall be included with the report required under this section that shall provide consideration to any and all populations, ethnicities, income levels, and other relevant demographic criteria determined by the secretary, and with regard to any and all of the criteria enumerated elsewhere in the report separately or in combination, provide recommendations to resolve any issues that provide an impediment to the development of housing, including specific data and evidence in support of the recommendation. All data and methodologies used to present evidence are subject to review and approval of the chief of revenue analysis, and that approval shall include an attestation of approval by the chief to be included in the report;

(ΩP) Municipal governments shall provide the Department of Housing’s requested data relevant to this report on or before February 15, 2025 and annually thereafter.

(v) Have direct oversight over the office of housing and community development (OHCD) and shall be responsible for coordinating with the secretary of commerce a shared staffing
arrangement until June 30, 2023, to carry out the provisions of this chapter;

(vi) On or before November 1, 2022, develop a housing organizational plan to be provided to the general assembly that includes a review, analysis, and assessment of functions related to housing of all state departments, quasi-public agencies, boards, and commissions. Provided, further, the secretary, with the input from each department, agency, board, and commission, shall include in the plan comprehensive options, including the advantages and disadvantages of each option and recommendations relating to the functions and structure of the new department of housing.

(vii) Establish rules and regulations as set forth in § 45-24-77.

(b) In this capacity, the office shall:

(1) Lead or assist state departments and coordinate business permitting processes in order to:

(i) Improve the economy, efficiency, coordination, and quality of the business climate in the state;

(ii) Design strategies and implement best practices that foster economic development and growth of the state’s economy;

(iii) Maximize and leverage funds from all available public and private sources, including federal financial participation, grants, and awards;

(iv) Increase public confidence by conducting customer centric operations whereby commercial enterprises are supported and provided programs and services that will grow and nurture the Rhode Island economy; and

(v) Be the state’s lead agency for economic development.

(c) The office shall include the office of regulatory reform and other administration functions that promote, enhance, or regulate various service and functions in order to promote the reform and improvement of the regulatory function of the state.

SECTION 28. Sections 42-72.8-2, 42-72.8-2.1, 42-72.8-3 and 42-72.8-4 of the General Laws in Chapter 42-72.8 entitled “Department of Children, Youth and Families Higher Education Incentive Grant” are hereby amended to read as follows:

42-72.8-2. Administration of program.

(a) Each year the Department shall notify, identify and recommend from among outreach to those youth in its legal custody, or who were in the Department’s legal custody on their eighteenth (18th) birthday, beginning at age fourteen (14) and until the youth exits care, who may satisfy the eligibility requirements prescribed in 42-72.8-2.1 those students who may be eligible to apply for the Higher Education Opportunity Incentive Grant. The department of
elementary and secondary education shall afford all appropriate assistance to the department in the
identification of youth who may be eligible for such grants. Each selected qualified applicant will
receive grants, a grant, to the extent of available funding, to supplement federal, state, private and
institutional scholarships, grants and loans, work-study opportunities awarded to the higher
education institution for the applicant in an amount not to exceed the full cost of attendance,
including but not limited to: tuition, fees, and room and board charges, books, academic support,
transportation, food and housing. The department shall request from the higher education institution
the qualified applicant’s unmet need calculated in accordance with federal and state laws and the
institution’s policies. For the Workforce Development Incentive Grant, each qualified applicant
shall receive a grant, to the extent of available funding, in an amount not to exceed the full cost of
attendance, including but not limited to: training, fees, books, transportation, food, and housing
calculated by the department, in collaboration with the Community College of Rhode Island.
Payments pursuant to this chapter shall be disbursed in accordance with the requirements of the
higher education institution.

(b) A grant period shall be limited to two (2) years of full-time study at the Community
College of Rhode Island, four (4) years of full-time study at Rhode Island College, and the
University of Rhode Island, and in no instance shall the grant period exceed a period of four (4)
years. Grant recipients shall be enrolled full-time and shall continue to make satisfactory progress
toward an academic certificate or degree as determined by the school in which they are enrolled.

(c) The department shall make recommendations for grant awards from among those youth
who:

(1) Have not yet reached the age of eighteen (18) on the day of recommendation, are in
the legal custody of the department on the day of recommendation and have remained in such
custody for at least twenty-four (24) months prior to the day of recommendation; or, for former
foster care, have reached the age of eighteen (18) prior to the date of recommendation, have not yet
reached the age of twenty-one (21) and were in the custody of the department from their sixteenth
(16th) to their eighteenth (18th) birthdays; and

(2) Have graduated from high school or received the equivalent of a high school diploma
not more than one year prior to the date of recommendation; and

(3) Has not reached his/her twenty-first (21st) birthday; except that youth who are
participating in this program on the date before his/her twenty-first (21st) birthday may remain
eligible until his/her twenty-third (23rd) birthday, as long as he/she continues to be considered a
full-time student by Community College of Rhode Island, Rhode Island College or University of
Rhode Island, and is making satisfactory progress, as determined by the school in which he/she is
42-72.8-2.1. Eligibility.

(a) To be eligible for a Higher Education Opportunity Incentive Grant, a youth:

(1) Must have been in foster care in Rhode Island through the department for at least six
(6) months on or after their fourteenth birthday. The six (6) months can be non-consecutive periods
of foster care placement or participation in the voluntary extension of care pursuant to §14-1-6;

(2) Must be no older than twenty-three (23) years of age prior to June 30 of the application
year;

(3) Must have graduated from high school or received a high school equivalency diploma;

(4) Must be admitted to, and must enroll, attend, and make satisfactory progress towards
the completion of a degree program of study at the Community College of Rhode Island, Rhode
Island College or the University of Rhode Island on a full-time or part-time basis enrolled in no
less than six (6) credits per semester; and

(5) Must complete the FAFSA and any required FAFSA verification, or for persons who
are legally unable to complete the FAFSA, must complete a comparable form created by the
institution by the applicable deadline for each year in which the student seeks to receive funding
under the aforesaid incentive grant;

(b) To be eligible for a Workforce Development Incentive Grant, a youth:

(1) Must have been in foster care in Rhode Island through the department for at least six
(6) months on or after their fourteenth birthday. The six (6) months can be non-consecutive periods
of foster care placement or participation in the voluntary extension of care pursuant to §14-1-6;

(2) Must be no older than twenty-three (23) years of age prior to June 30 of the application
year;

(3) Must have graduated from high school or received a high school equivalency diploma;

and

(4) Must be enrolled and attend a workforce development program at the community
college of Rhode Island approved by the commissioner of postsecondary education;

(c) Youth shall only be eligible for one of the incentive grants per academic year.

(d) Youth who meet the eligibility requirements in subsection (a) or (b) and who are
adopted or placed in guardianship through the department after their sixteenth (16) birthday are
eligible to receive the incentive grant.

42-72.8-3. Selection of grant recipients.

(a) There shall be a grant award selection committee which shall consist of a representative
from each of the institutions of higher education appointed by their respective presidents, two (2)
representatives from the department of children, youth and families appointed by the director, one representative from the department of elementary and secondary education appointed by the commissioner, and one representative from the office of higher education appointed by the commissioner and representatives of other organizations that the director of department of children, youth and families believes can help further the goals of the program. Grant awards shall be made by the department pursuant to its policies, procedures, rules and regulations.

(b) Grant awards shall be made on the basis of scholastic record, aptitude, financial need and general interest in higher education. Recipients must comply with all application deadlines and criteria for admission to the institution to which the recipient is making application and, further, the recipient must have been granted admission by the admissions office of the institution.

Cumulative grant awards shall not exceed available appropriations in any fiscal year. The department shall adopt policies, procedures, rules or regulations, which are reasonably necessary to implement the provisions of this chapter.

42-72.8-4. Appropriation.

The general assembly shall appropriate no less than the sum of $50,000 for the fiscal year ending June 30, 2000; $100,000 for the fiscal year ending June 30, 2001; $150,000 for the fiscal year ending June 30, 2002; and $200,000 annually for the fiscal year ending June 30, 2003 and thereafter. No later than September 1, 2024 and annually thereafter, the department shall provide an annual report to the governor, the speaker of the house of representatives and the president of the senate regarding the funds distributed pursuant to this chapter. The report shall include:

(a) the total number of applicants in relation to the total number of grants authorized by the department by school and approved workforce development program;

(b) the average unmet need for each grant recipient by each school and approved workforce development program;

(c) the average award amount by grant program; and

(d) the total amount of funding distributed to each grant program.

The department annually shall present the report and an update regarding the Higher Education Opportunity Incentive Grant and Workforce Development Incentive Grant to the youth advisory board and key partners.

SECTION 29. All sections in this Article shall take effect upon passage, except Section 18, which shall take effect July 1, 2024.
ARTICLE 4

RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

SECTION 1. This article shall serve as joint resolution required pursuant to Rhode Island Laws 35-18-1, et seq.

SECTION 2. University of Rhode Island – Utility Infrastructure Upgrade Phase III.

WHEREAS, the University of Rhode Island Board of Trustees and the University of Rhode Island (“University”) are proposing a project which involves the engineering and construction of upgrades and component replacements to five (5) municipal-level Kingston Campus utility systems;

WHEREAS, the University has engaged qualified engineering firms to examine its major infrastructure systems;

WHEREAS, based on the condition and capabilities of these systems, the studies have concluded that replacement of components and reconfiguration is advisable for each of these extensive systems to ensure necessary steam, water, sanitary, and electrical support for the University’s campuses for the next twenty (20) to forty (40) years;

WHEREAS, the University has also developed the required Stormwater Management Plan for the Kingston Campus, which provides guidelines that are being incorporated into new building projects under development and are driving stand-alone stormwater infrastructure projects as well;

WHEREAS, the University has successfully completed many extremely important individual utility infrastructure projects in its continuing progression of work to upgrade and replace infrastructure systems, but now needs additional investments beyond annual capital resources;

WHEREAS, this project is the third phase in a phased implementation plan to upgrade and improve the reliability of infrastructure on the University’s campuses;

WHEREAS, the total project cost associated with the completion of this phase of the project and proposed financing method is nine million one hundred ninety-one thousand two hundred fifty dollars ($9,191,250), including cost of issuance, debt service payments would be supported by revenues derived from the University’s unrestricted general revenues, and total debt service on the bonds is not expected to exceed eight hundred five thousand dollars ($805,000) annually and sixteen million one hundred thousand dollars ($16,100,000) in the aggregate based on an average interest rate of six (6%) percent and a twenty (20) year term; now, therefore be it

RESOLVED, that this General Assembly hereby approves financing in an amount not to exceed nine million one hundred ninety-one thousand two hundred fifty dollars ($9,191,250) for the Utility Infrastructure Upgrade Phase III project at the University; and be it further
RESOLVED, that, this Joint Resolution shall take effect upon passage by this General Assembly.

SECTION 2. This article shall take effect upon passage.
ARTICLE 5
RELATING TO CAPITAL DEVELOPMENT PROGRAM

SECTION 1. Proposition to be submitted to the people. -- At the general election to be held on the Tuesday next after the first Monday in November 2024, there shall be submitted to the people (“People”) of the State of Rhode Island (“State”), for their approval or rejection, the following proposition:

“Shall the action of the general assembly, by an act passed at the January 2024 session, authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode Island for the capital projects and in the amount with respect to each such project listed below be approved, and the issuance of bonds, refunding bonds, and temporary notes authorized in accordance with the provisions of said act?”

Project

(1) Higher Education Facilities $135,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred and thirty-five million dollars ($135,000,000) for capital improvements to higher education facilities, to be allocated as follows:

(a) University of Rhode Island Biomedical Sciences Building $80,000,000

Provides eighty million dollars ($80,000,000) for the construction of a biomedical sciences building to accelerate the education, research, and workforce development of life sciences for the state.

(b) Rhode Island College Cybersecurity Building $55,000,000

Provides fifty-five million dollars ($55,000,000) to fund the renovation of Whipple Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies.

(2) State Archives and History Center $60,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and/or temporary notes in an amount not to exceed sixty million dollars ($60,000,000) for the construction of a new Rhode Island State Archives and History Center.

(3) Housing and Community Opportunity $100,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation
bonds, refunding bonds, and/or temporary notes in an amount not to exceed one hundred million
dollars ($100,000,000) to increase affordable and middle-income housing production and
infrastructure, support community revitalization, and promote home ownership.

(4) Green Economy Bonds

$50,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation
bonds, refunding bonds, and/or temporary notes in an amount not to exceed fifty million dollars
($50,000,000) for environmental and recreational purposes, to be allocated as follows:

(a) Port of Davisville Infrastructure at Quonset

$20,000,000

Provides twenty million dollars ($20,000,000) for infrastructure projects that will support
the continued growth and modernization at the Port of Davisville. This investment will finance the
Port master plan. The work will include new port access roads, laydown area improvements, and
security upgrades to support the new Terminal Five Pier. These projects will upgrade World War
II-era infrastructure and position Davisville to accommodate offshore wind project cargo and
logistics staging while continuing to support the Port's existing businesses.

(b) Climate Resiliency and Public Access Projects

$2,000,000

Provides two million dollars ($2,000,000) for up to seventy-five percent (75%) matching
grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable
coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage
significant matching funds to support local programs to improve community resiliency and public
safety in the face of increased flooding, major storm events, and environmental degradation.

(c) Brownfields Remediation and Economic Development

$5,000,000

Provides five million dollars ($5,000,000) for up to eighty percent (80%) matching grants
to public, private, and/or non-profit entities for brownfield remediation projects.

(d) Local Recreation Projects

$5,000,000

Provides five million dollars ($5,000,000) for up to eighty percent (80%) matching grants
for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the
growing needs for active outdoor recreational facilities.

(e) Municipal Resiliency

$10,000,000
Provides ten million dollars ($10,000,000) to provide financial assistance to municipalities for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds to support local programs to improve community resiliency and public safety in the face of increased flooding, major storm events, and environmental degradation.

(f) Newport Cliff Walk

$8,000,000

Provides eight million dollars ($8,000,000) for restoring and improving the resiliency of the historic statewide tourism infrastructure of the public access walkway known as the Newport Cliff Walk located in Newport, Rhode Island.

SECTION 2. Ballot labels and applicability of general election laws. -- The Secretary of State shall prepare and deliver to the State Board of Elections ballot labels for each of the projects provided for in Section 1 hereof with the designations "approve" or "reject" provided next to the description of each such project to enable voters to approve or reject each such proposition. The general election laws, so far as consistent herewith, shall apply to this proposition.

SECTION 3. Approval of projects by the people. -- If a majority of the People voting on the proposition in Section 1 hereof shall vote to approve any project stated therein, said project shall be deemed to be approved by the People. The authority to issue bonds, refunding bonds and/or temporary notes of the State shall be limited to the aggregate amount for all such projects as set forth in the proposition, which has been approved by the People.

SECTION 4. Bonds for the capital development program. -- The General Treasurer is hereby authorized and empowered, with the approval of the Governor, and in accordance with the provisions of this Act to issue capital development bonds in serial form, in the name of and on behalf of the State of Rhode Island, in amounts as may be specified by the Governor in an aggregate principal amount not to exceed the total amount for all projects approved by the People and designated as "capital development loan of 2024 bonds." Provided, however, that the aggregate principal amount of such capital development bonds and of any temporary notes outstanding at any one time issued in anticipation thereof pursuant to Section 7 hereof shall not exceed the total amount for all such projects approved by the People. All provisions in this Act relating to "bonds" shall also be deemed to apply to "refunding bonds."

Capital development bonds issued under this Act shall be in denominations of one thousand dollars ($1,000) each, or multiples thereof, and shall be payable in any coin or currency of the United States which at the time of payment shall be legal tender for public and private debts. These capital development bonds shall bear such date or dates, mature at specified time or times, but not
mature beyond the end of the twentieth (20th) State fiscal year following the fiscal year in which they are issued; bear interest payable semi-annually at a specified rate or different or varying rates: be payable at designated time or times at specified place or places; be subject to express terms of redemption or recall, with or without premium; be in a form, with or without interest coupons attached; carry such registration, conversion, reconversion, transfer, debt retirement, acceleration and other provisions as may be fixed by the General Treasurer, with the approval by the Governor, upon each issue of such capital development bonds at the time of each issue. Whenever the Governor shall approve the issuance of such capital development bonds, the Governor’s approval shall be certified to the Secretary of State; the bonds shall be signed by the General Treasurer and countersigned by Secretary of State and shall bear the seal of the State. The signature approval of the Governor shall be endorsed on each bond.

SECTION 5. Refunding bonds for the 2024 capital development program. -- The General Treasurer is hereby authorized and empowered, with the approval of the Governor, and in accordance with the provisions of this Act, to issue bonds to refund the 2024 capital development program bonds, in the name of and on behalf of the state, in amounts as may be specified by the Governor in an aggregate principal amount not to exceed the total amount approved by the People, to be designated as "capital development program loan of 2024 refunding bonds" (hereinafter "Refunding Bonds").

The General Treasurer with the approval of the Governor shall fix the terms and form of any Refunding Bonds issued under this Act in the same manner as the capital development bonds issued under this Act, except that the Refunding Bonds may not mature more than twenty (20) years from the date of original issue of the capital development bonds being refunded.

The proceeds of the Refunding Bonds, exclusive of any premium and accrued interest and net the underwriters’ cost, and cost of bond issuance, shall, upon their receipt, be paid by the General Treasurer immediately to the paying agent for the capital development bonds which are to be called and prepaid. The paying agent shall hold the Refunding Bond proceeds in trust until they are applied to prepay the capital development bonds. While such proceeds are held in trust, the proceeds may be invested for the benefit of the State in obligations of the United States of America or the State of Rhode Island.

If the General Treasurer shall deposit with the paying agent for the capital development bonds the proceeds of the Refunding Bonds, or proceeds from other sources, amounts that, when invested in obligations of the United States or the State of Rhode Island, are sufficient to pay all principal, interest, and premium, if any, on the capital development bonds until these bonds are called for prepayment, then such capital development bonds shall not be considered debts of the
State of Rhode Island for any purpose starting from the date of deposit of such moneys with the paying agent. The Refunding Bonds shall continue to be a debt of the State until paid.

The term "bond" shall include "note," and the term "refunding bonds" shall include "refunding notes" when used in this Act.

SECTION 6. Proceeds of the capital development program. -- The General Treasurer is directed to deposit the proceeds from the sale of capital development bonds issued under this Act, exclusive of premiums and accrued interest and net the underwriters’ cost, and cost of bond issuance, in one or more of the depositories in which the funds of the State may be lawfully kept in special accounts (hereinafter cumulatively referred to as "such capital development bond fund") appropriately designated for each of the projects set forth in Section 1 hereof which shall have been approved by the People to be used for the purpose of paying the cost of all such projects so approved.

All monies in the capital development bond fund shall be expended for the purposes specified in the proposition provided for in Section 1 hereof under the direction and supervision of the Director of Administration (hereinafter referred to as "Director"). The Director or his or her designee shall be vested with all power and authority necessary or incidental to the purposes of this Act, including but not limited to, the following authority: (a) to acquire land or other real property or any interest, estate or right therein as may be necessary or advantageous to accomplish the purposes of this Act; (b) to direct payment for the preparation of any reports, plans and specifications, and relocation expenses and other costs such as for furnishings, equipment designing, inspecting and engineering, required in connection with the implementation of any projects set forth in Section 1 hereof; (c) to direct payment for the costs of construction, rehabilitation, enlargement, provision of service utilities, and razing of facilities, and other improvements to land in connection with the implementation of any projects set forth in Section 1 hereof; and (d) to direct payment for the cost of equipment, supplies, devices, materials and labor for repair, renovation or conversion of systems and structures as necessary for the 2024 capital development program bonds or notes hereunder from the proceeds thereof. No funds shall be expended in excess of the amount of the capital development bond fund designated for each project authorized in Section 1 hereof. With respect to the bonds and temporary notes described in Section 1, the proceeds shall be used for the following purposes:

Question 1, relating to bonds in the amount of one hundred and thirty-five million dollars ($135,000,000) to provide funding for higher education facilities to be allocated as follows:

(b) University of Rhode Island Biomedical Sciences Building

$80,000,000
Provides eighty million dollars ($80,000,000) for the construction of a biomedical sciences building to accelerate the education, research, and workforce development of life sciences for the state.

(b) Rhode Island College Cybersecurity Building

$55,000,000

Provides fifty-five million dollars ($55,000,000) to fund the renovation of Whipple Hall and other improvements to support the Institute for Cybersecurity & Emerging Technologies.

Question 2, relating to bonds in the amount of sixty million dollars ($60,000,000) for the construction of a new Rhode Island State Archives and History Center.

Question 3, relating to bonds in the amount of one hundred million dollars ($100,000,000) to increase affordable and middle-income housing production and infrastructure, support community revitalization, and promote home ownership.

Question 4, relating to bonds in the amount of fifty million dollars ($50,000,000) for environmental and recreational purposes, to be allocated as follows:

(a) Port of Davisville Infrastructure at Quonset

$20,000,000

Provides twenty million dollars ($20,000,000) for infrastructure projects that will support the continued growth and modernization at the Port of Davisville. This investment will finance the Port master plan. The work will include new port access roads, laydown area improvements, and security upgrades to support the new Terminal Five Pier. These projects will upgrade World War II-era infrastructure and position Davisville to accommodate offshore wind project cargo and logistics staging while continuing to support the Port's existing businesses.

(b) Climate Resiliency and Public Access Projects

$2,000,000

Provides two million dollars ($2,000,000) for up to seventy-five percent (75%) matching grants to public and non-profit entities for restoring and/or improving resiliency of vulnerable coastal habitats and restoring rivers and stream floodplains. These funds are expected to leverage significant matching funds to support local programs to improve community resiliency and public safety in the face of increased flooding, major storm events, and environmental degradation.

(c) Brownfields Remediation and Economic Development

$5,000,000

Provides five million dollars ($5,000,000) for up to eighty percent (80%) matching grants to public, private, and/or non-profit entities for brownfield remediation projects.

(d) Local Recreation Projects
$5,000,000

Provides five million dollars ($5,000,000) for up to eighty percent (80%) matching grants for municipalities to acquire, develop, or rehabilitate local recreational facilities to meet the growing needs for active outdoor recreational facilities.

(e) Municipal Resiliency

$10,000,000

Provides ten million dollars ($10,000,000) to provide financial assistance to municipalities for restoring and/or improving resiliency of infrastructure, vulnerable coastal habitats, and restoring rivers and stream floodplains. These funds will be prioritized to leverage significant matching funds to support local programs to improve community resiliency and public safety in the face of increased flooding, major storm events, and environmental degradation.

(f) Newport Cliff Walk

$8,000,000

Provides eight million dollars ($8,000,000) for restoring and improving the resiliency of the historic statewide tourism infrastructure of the public access walkway known as the Newport Cliff Walk located in Newport, Rhode Island.

SECTION 7. Sale of bonds and notes. -- Any bonds or notes issued under the authority of this Act shall be sold at not less than the principal amount thereof, in such mode and on such terms and conditions as the General Treasurer, with the approval of the Governor, shall deem to be in the best interests of the State.

Any premiums and accrued interest, net of the cost of bond issuance and underwriter’s discount, which may be received on the sale of the capital development bonds or notes shall become part of the Rhode Island Capital Plan Fund of the State, unless directed by federal law or regulation to be used for some other purpose.

In the event that the amount received from the sale of the capital development bonds or notes exceeds the amount necessary for the purposes stated in Section 6 hereof, the surplus may be used to the extent possible to retire the bonds as the same may become due, to redeem them in accordance with the terms thereof or otherwise to purchase them as the General Treasurer, with the approval of the Governor, shall deem to be in the best interests of the state.

Any bonds or notes issued under the provisions of this Act and coupons on any capital development bonds, if properly executed by the manual or electronic signatures of officers of the State in office on the date of execution, shall be valid and binding according to their tenor, notwithstanding that before the delivery thereof and payment therefor, any or all such officers shall for any reason have ceased to hold office.
SECTION 8. Bonds and notes to be tax exempt and general obligations of the State.

- All bonds and notes issued under the authority of this Act shall be exempt from taxation in the State and shall be general obligations of the State, and the full faith and credit of the State is hereby pledged for the due payment of the principal and interest on each of such bonds and notes as the same shall become due.

SECTION 9. Investment of moneys in fund.

- All moneys in the capital development fund not immediately required for payment pursuant to the provisions of this Act may be invested by the investment commission, as established by Chapter 10 of Title 35, entitled “State Investment Commission,” pursuant to the provisions of such chapter; provided, however, that the securities in which the capital development fund is invested shall remain a part of the capital development fund until exchanged for other securities; and provided further, that the income from investments of the capital development fund shall become a part of the general fund of the State and shall be applied to the payment of debt service charges of the State, unless directed by federal law or regulation to be used for some other purpose, or to the extent necessary, to rebate to the United States treasury any income from investments (including gains from the disposition of investments) of proceeds of bonds or notes to the extent deemed necessary to exempt (in whole or in part) the interest paid on such bonds or notes from federal income taxation.

SECTION 10. Appropriation.

- To the extent the debt service on these bonds is not otherwise provided, a sum sufficient to pay the interest and principal due each year on bonds and notes hereunder is hereby annually appropriated out of any money in the treasury not otherwise appropriated.

SECTION 11. Advances from general fund.

- The General Treasurer is authorized, with the approval of the Director and the Governor, in anticipation of the issue of notes or bonds under the authority of this Act, to advance to the capital development bond fund for the purposes specified in Section 6 hereof, any funds of the State not specifically held for any particular purpose; provided, however, that all advances made to the capital development bond fund shall be returned to the general fund from the capital development bond fund forthwith upon the receipt by the capital development fund of proceeds resulting from the issue of notes or bonds to the extent of such advances.

SECTION 12. Federal assistance and private funds.

- In carrying out this act, the Director, or his or her designee, is authorized on behalf of the State, with the approval of the Governor, to apply for and accept any federal assistance which may become available for the purpose of this Act, whether in the form of loan or grant or otherwise, to accept the provision of any federal legislation therefor, to enter into, act and carry out contracts in connection therewith,
to act as agent for the federal government in connection therewith, or to designate a subordinate so
to act. Where federal assistance is made available, the project shall be carried out in accordance
with applicable federal law, the rules and regulations thereunder and the contract or contracts
providing for federal assistance, notwithstanding any contrary provisions of State law. Subject to
the foregoing, any federal funds received for the purposes of this Act shall be deposited in the
capital development bond fund and expended as a part thereof. The Director or his or her designee
may also utilize any private funds that may be made available for the purposes of this Act.

SECTION 13. Effective Date. -- Sections 1, 2, 3, 11, 12 and this Section 13 of this article
shall take effect upon passage. The remaining sections of this article shall take effect when and if
the State Board of Elections shall certify to the Secretary of State that a majority of the qualified
electors voting on the proposition contained in Section 1 hereof have indicated their approval of all
or any projects thereunder.
ARTICLE 6
RELATING TO TAXES AND FEES

SECTION 1. Chapter 3-6 of the General Laws entitled “Manufacturing and Wholesale Licenses” is hereby amended by adding thereto the following section:

3-6-18. License fee relief.
If the holder of a manufacturer’s license obtains a rectifier’s license or another type of manufacturer’s license for further operations at the same premises, the department will waive the license fee for the additional license.

SECTION 2. Section 5-20.5-11 of the General Laws in Chapter 5-20.5 entitled “Real Estate Brokers and Salespersons” is hereby amended to read as follows:

5-20.5-11. Fees and license renewals.
(a) The following fees shall be charged by the director:
(1) For each application, a fee of ten dollars ($10.00);
(2) For each examination, a fee, the cost of which is limited to the charge as designated by the appropriate testing service’s contract with the department of business regulation;
(3) For each original broker’s license issued, a fee of eighty-five dollars ($85.00) per annum for the term of the license and for each annual renewal of the license, a fee of eighty-five dollars ($85.00) per annum for the term of renewal. The total fees for the term of initial licensure and of renewal must be paid at the time of application for the license;
(4) For each original salesperson’s license issued, a fee of sixty-five dollars ($65.00) per annum for the term of the license and for each renewal of the license, a fee of sixty-five dollars ($65.00) per annum for the term of the license. The total fees for the term of initial licensure and of renewal must be paid at the time of application for the license;
(5) For each change from one broker to another broker by a salesperson, or a broker, a fee of twenty-five dollars ($25.00), to be paid by the salesperson or the broker;
(6) For each broker’s license reinstated after its expiration date, a late fee of one hundred dollars ($100), in addition to the required renewal fee;
(26) For each salesperson’s license reinstated after its expiration date, a late fee of one hundred dollars ($100) in addition to the required renewal fee.
(b) Every licensed real estate broker and salesperson who desires to renew a license for the succeeding year term shall apply for the renewal of the license upon a form furnished by the director and containing information that is required by the director. Any renewal of a license is subject to the same provisions covering issuance, suspension, and revocation of any license originally issued.
At no time shall any license be renewed without examination if the license has expired beyond a period of one year.


As used in this chapter:

(1) “Bidi cigarette” means any product that (i) Contains tobacco that is wrapped in temburni or tender leaf, or that is wrapped in any other material identified by rules of the department of health that is similar in appearance or characteristics to the temburni or tender leaf, and (ii) Does not contain a smoke filtering device.

(2) “Court” means any appropriate district court of the state of Rhode Island.

(3) “Dealer” is synonymous with the term “retail tobacco products dealer.”

(4) “Department of behavioral healthcare, developmental disabilities and hospitals” means the state of Rhode Island behavioral healthcare, developmental disabilities and hospitals department, its employees, agents, or assigns.

(5) “Department of taxation” means the state of Rhode Island taxation division, its employees, agents, or assigns.

(6) “Electronic nicotine-delivery system” means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic little cigars, electronic pipe, or electronic hookah, “heat not burn products,” e-liquids, e-liquid products, or any related device and any cartridge or other component of such device.

(7) “Electronic nicotine-delivery system product” means any combination of electronic nicotine-delivery system and/or e-liquid and/or any derivative thereof, and/or any e-liquid container. Electronic nicotine-delivery system products shall not include hemp-derived consumable cannabidiol (CBD) products as defined in § 2-26-3.

(8) “E-liquid” and “e-liquid products” means any liquid or substance placed in or sold for use in an electronic nicotine-delivery system that generally utilizes a heating element that aerosolizes, vaporizes, or combusts a liquid or other substance containing nicotine or nicotine derivative:

(i) Whether the liquid or substance contains nicotine or a nicotine derivative; or

(ii) Whether sold separately or sold in combination with a personal vaporizer, electronic nicotine-delivery system, or an electronic inhaler.
(9) “License” is synonymous with the term “retail tobacco products dealer license” or “electronic nicotine-delivery system license” or any license issued under chapter 20 of title 44 or chapter 1 of title 23.

(10) “License holder” is synonymous with the term “retail tobacco products dealer” or “electronic nicotine-delivery system license” or any licenses issued under chapter 20 of title 44 or chapter 1 of title 23.

(11) “Little cigars” means and includes any roll, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of whether the tobacco is flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of tobacco wrapped in leaf tobacco or any substance containing tobacco paper or any other material and where such roll has an integrated filter, except where such wrapper is wholly or in greater part made of tobacco and where such roll has an integrated filter and weighs over four (4) pounds per thousand (1,000).

(12) “Person” means any individual person, firm, fiduciary, partnership, trust, association, or corporation licensed as a retail dealer to sell tobacco products within the state.

(13) “Retail tobacco products dealer” means the holder of a license to sell tobacco products at retail and shall include holders of all other licenses issued under chapter 20 of title 44 or chapter 1 of title 23.

(14) “Retail tobacco products dealer license” means a license to sell tobacco products and/or electronic nicotine-delivery system products as defined in section 44-20-1(7) at retail as issued by the department of taxation.

(15) “Spitting tobacco” also means snuff, powdered tobacco, chewing tobacco, dipping tobacco, pouch tobacco, or smokeless tobacco.

(16) “Tobacco product(s)” means any product(s) containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a little cigar as defined in § 44-20.2-1, and any and all products as defined in § 44-20-1, electronic nicotine-delivery system products, or any added substance that may be aerosolized, vaporized, or otherwise delivered by such an electronic nicotine-delivery system device, whether or not that substance contains nicotine.

(i) “Tobacco product(s)” does not include drugs, devices, or combination products intended to treat tobacco or nicotine dependence that are authorized by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act. Nor does it include such authorized drugs, devices, or combination products with such treatment purpose by individuals under age twenty-one (21) if prescribed by a licensed prescriber such as a
physician, nurse practitioner, or physician assistant.

(17) “Underage individual” or “underage individuals” means any individual under the age of twenty-one (21).


(a) Any license holder who violates a requirement of § 11-9-13.6(2) or § 11-9-13.7, display of specific signage, shall be subject to a fine in court of not less than thirty-five dollars ($35.00), nor more than five hundred dollars ($500), per civil violation.

(b) The license holder is responsible for all violations of this section that occur at the location for which the license is issued. Any license holder who or that violates the prohibition of § 11-9-13.8(1) or § 11-9-13.20 shall be subject to civil fines as follows:

(1) A fine of two hundred fifty dollars ($250) for the first violation within any thirty-six-month (36) period;

(2) A fine of five hundred dollars ($500) for the second violation within any thirty-six-month (36) period;

(3) A fine of one thousand dollars ($1,000) and a fourteen-day (14) suspension of the license to sell tobacco products or electronic nicotine-delivery systems for the third violation within any thirty-six-month (36) period;

(4) A fine of one thousand five hundred dollars ($1,500) and a ninety-day (90) suspension of the license to sell tobacco products or electronic nicotine-delivery systems for each violation in excess of three (3).

(c) Any person who or that violates a prohibition of § 11-9-13.8(3), sale of single cigarettes; or § 11-9-13.8(2), regarding factory-wrapped packs as sealed and certified by the manufacturer; shall be subject to a penalty of five hundred dollars ($500) for each violation.

(d) The department of taxation and/or the department of health shall not issue a license to any individual, business, firm, fiduciary, partnership, trust, association, or corporation, the license of which has been revoked or suspended; to any corporation, an officer of which has had his or her license revoked or suspended; or to any individual who is, or has been, an officer of a corporation the license of which has been revoked or suspended so long as such revocations or suspensions are in effect.

(e) The court may suspend the imposition of a license suspension of the license secured from the Rhode Island tax administrator or department of health for a violation of subsections (b)(3) and (b)(4) of this section if the court finds that the license holder has taken measures to prevent the sale of tobacco products, including electronic nicotine-delivery system products, to an underage individual and the license holder can demonstrate to the court that those measures have been taken
and that employees have received training. No person or individual shall sell tobacco products, including electronic nicotine-delivery system products, at retail without first being trained in the legal sale of tobacco products, including electronic nicotine-delivery system products. Training shall teach employees what constitutes a tobacco product, including an electronic nicotine-delivery system product; legal age of sale; acceptable identification; how to refuse a direct sale to an underage individual or secondary sale to an individual twenty-one (21) years or older; and all applicable laws on tobacco sales and distribution. Dealers shall maintain records indicating that the provisions of this section were reviewed with all employees who conduct, or will conduct, tobacco product sales, including electronic nicotine-delivery system product sales. Each employee who sells or will sell tobacco products, including electronic nicotine-delivery system products, shall sign an acknowledgement form attesting that the provisions of this section were reviewed with him or her. Each form shall be maintained by the retailer for as long as the employee is so employed and for no less than one year after termination of employment. The measures to prevent the sale of tobacco products, including electronic nicotine-delivery system products, to underage individuals shall be defined by the department of behavioral healthcare, developmental disabilities and hospitals in rules and regulations.

11-9-13.15. Penalty for operating without a dealer license.

(a) Any individual or business who or that violates this chapter by selling or conveying a tobacco product or electronic nicotine-delivery system product without a retail tobacco products dealer license shall be cited for that violation and shall be required to appear in court for a hearing on the citation.

(b) Any individual or business cited for a violation under this section of this chapter shall:

(1) Either post a two-thousand-five-hundred-dollar ($2,500) bond with the court within ten (10) days of the citation; or

(2) Sign and accept the citation indicating a promise to appear in court.

(c) An individual or business who or that has accepted the citation may:

(1) Pay a ten-thousand-dollar ($10,000) fine, either by mail or in person, within ten (10) days after receiving the citation; or

(2) If that individual or business has posted a bond, forfeit the bond by not appearing at the scheduled hearing. If the individual or business cited pays the ten-thousand-dollar ($10,000) fine or forfeits the bond, that individual or business is deemed to have admitted the cited violation and to have waived the right to a hearing on the issue of commission on the violation.

(d) The court after a hearing on a citation shall make a determination as to whether a violation has been committed. If it is established that the violation did occur, the court shall impose
a ten-thousand-dollar ($10,000) fine, in addition to any court costs or other court fees.


(a) No liquid, whether or not such liquid contains nicotine, that is intended for human consumption and used in an electronic nicotine-delivery system, as defined in § 11-9-13.4, shall be sold unless the liquid is contained in child-resistant packaging.

(b) Any liquid nicotine container that is sold at retail in this state must satisfy the child-resistant effectiveness standards set forth in 16 C.F.R. § 1700.15(b), when tested in accordance with the method described in 16 C.F.R. § 1700.20. All licensees under § 23-1-56 § 44-20-2 shall ensure that any liquid sold by the licensee intended for human consumption and used in an electronic-nicotine delivery system, as defined in § 11-9-13.4, is sold in a liquid nicotine container that meets the requirements described and referenced in this subsection.

(c) For the purposes of this section, “liquid nicotine container” means a bottle or other container of a liquid or other substance where the liquid or substance is sold, marketed, or intended for use in a vapor product. A “liquid nicotine container” does not include a liquid or other substance in a cartridge that is sold, marketed, or intended for use in a vapor product, provided that such cartridge is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

(d) Any licensee or any person required to be licensed under § 23-1-56 § 44-20-2 who or that fails to comply with this section shall be subject to the penalties provided in § 11-9-13.13.

(e) The licensee is responsible for all violations of this section that occur at the location for which the license is issued.

(f) No licensee or person shall be found in violation of this section if the licensee or person relied in good faith on documentation provided by or attributed to the manufacturer of the packaging of the aforementioned liquid that such packaging meets the requirements of this section.

(g) On or after October 1, 2024, any product found to be in violation of this chapter shall be considered contraband and subject to the confiscation provisions outlined in § 44-20-15.

SECTION 4. Section 16-21.2-5 of the General Laws in Chapter 16-21.2 entitled “The Rhode Island Substance Abuse Prevention Act” is hereby repealed:

16-21.2-5. Funding of substance abuse prevention program.

(a) Money to fund the Rhode Island Substance Abuse Prevention Act shall be appropriated from state general revenues and shall be raised by assessing an additional penalty of thirty dollars ($30.00) for all speeding violations as set forth in § 31-43-5.1. The money shall be deposited as general revenues. The department of behavioral healthcare, developmental disabilities and hospitals may utilize up to ten percent (10%) of the sums appropriated for the purpose of administering the substance abuse prevention program.
(b) Grants made under this chapter shall not exceed money available in the substance abuse prevention program.

SECTION 5. Section 16-21.3-3 of the General Laws in Chapter 16-21.3 entitled "The Rhode Island Student Assistance Junior High/Middle School Act" is hereby repealed:

16-21.3-3. Funding of junior high/middle school student assistance program.

(a) Money to fund this program shall be raised by assessing an additional substance abuse prevention assessment of thirty dollars ($30.00) for all moving motor vehicle violations handled by the traffic tribunal including, but not limited to, those violations set forth in § 31-41.1-4, except for speeding. The money shall be deposited in a restricted purpose receipt account separate from all other accounts within the department of behavioral healthcare, developmental disabilities and hospitals. The restricted purpose receipt account shall be known as the junior high/middle school student assistance fund and the traffic tribunal shall transfer money from the junior high/middle school student assistance fund to the department of behavioral healthcare, developmental disabilities and hospitals for the administration of the Rhode Island Student Assistance Junior High/Middle School Act.

(b) The department of behavioral healthcare, developmental disabilities and hospitals may utilize up to ten percent (10%) of the sums collected from the additional penalty for the purpose of administering the program.


23-1-55. Electronic nicotine delivery system distributor, and dealer licenses required — Definitions.

Definitions. Whenever used in §§ 23-1-56 to 23-1-58, unless the context requires otherwise:

(1) "Dealer" means any person, whether located within or outside of this state, who sells or distributes electronic nicotine delivery system products to a consumer in this state.

(2) "Distributor" means any person:

(i) Whether located within or outside of this state, other than a dealer, who sells or distributes electronic nicotine delivery system products within or into this state. Such term shall not include any electronic nicotine delivery system products manufacturer, export warehouse proprietor, or importer with a valid permit, if such person sells or distributes electronic nicotine delivery system products in this state only to licensed distributors or to an export warehouse proprietor or another manufacturer with a valid permit.

(ii) Selling electronic nicotine delivery system products directly to consumers in this state.
by means of at least twenty-five (25) electronic nicotine delivery system product vending machines;

(iii) Engaged in this state in the business of manufacturing electronic nicotine delivery system products, or any person engaged in the business of selling electronic nicotine delivery system products, to dealers, or to other persons, for the purpose of resale only; provided that seventy-five percent (75%) of all electronic nicotine delivery system products sold by that person in this state are sold to dealers or other persons for resale and selling electronic nicotine delivery system products directly to at least forty (40) dealers or other persons for resale; or

(iv) Maintaining one or more regular places of business in this state for that purpose; provided, that seventy-five percent (75%) of the sold electronic nicotine delivery system products are purchased directly from the manufacturer and selling electronic nicotine delivery system products directly to at least forty (40) dealers or other persons for resale;

(3) “Electronic nicotine delivery system” means the products as defined in § 11-0-13.4(6).

23-1-56. License.

(a) Each person engaging in the business of selling electronic nicotine delivery system products in the state, including any distributor or dealer, shall secure a license annually from the department before engaging in that business or continuing to engage in it. A separate application and license is required for each place of business operated by a distributor or dealer. If the applicant for a license does not have a place of business in this state, the license shall be issued for such applicant’s principal place of business, wherever located. A licensee shall notify the department within thirty (30) days in the event that it changes its principal place of business. A separate license is required for each class of business if the applicant is engaged in more than one of the activities required to be licensed by this section. No person shall maintain or operate, or cause to be operated, a vending machine for electronic nicotine delivery systems without procuring a dealer’s license for each machine.

(b) The director shall have authority to set a reasonable fee not to exceed twenty-five dollars ($25.00) for the issuance of the license.

(c) Each issued license shall be prominently displayed on the premises, if any, covered by the license.

(d) The director shall create and maintain a website setting forth the identity of all licensed persons under this section, itemized by type of license possessed, and shall update the site no less frequently than six (6) times per year.

(e) A manufacturer or importer may sell or distribute electronic nicotine delivery systems to a person located or doing business within the state only if such person is a licensed distributor.
An importer may obtain electronic nicotine delivery systems only from a licensed manufacturer. A distributor may sell or distribute electronic nicotine delivery systems to a person located or doing business within this state only if such person is a licensed distributor or dealer. A distributor may obtain electronic nicotine delivery systems only from a licensed manufacturer, importer, or distributor. A dealer may obtain electronic nicotine delivery systems only from a licensed distributor.

(f)(1) No license under this chapter may be granted, maintained, or renewed if the applicant, or any combination of persons owning directly or indirectly any interests in the applicant:

(i) Is delinquent in any tax filings for one month or more; or

(ii) Had a license under this chapter revoked within the past two (2) years.

(2) No person shall apply for a new license, or renewal of a license and no license shall be issued or renewed for any person, unless all outstanding fines, fees, or other charges relating to any license held by that person have been paid.

(3) No license shall be issued relating to a business at any specific location until all prior licenses relating to that location have been officially terminated and all fines, fees, or charges relating to the prior licenses have been paid or otherwise resolved or if the director has found that the person applying for the new license is not acting as an agent for the prior licensee who is subject to any such related fines, fees, or charges that are still due. Evidence of such agency status includes, but is not limited to, a direct familial relationship and/or employment, contractual, or other formal financial or business relationship with the prior licensee.

(4) No person shall apply for a new license pertaining to a specific location in order to evade payment of any fines, fees, or other charges relating to a prior license for that location.

(5) No new license shall be issued for a business at a specific location for which a license has already issued unless there is a bona fide, good-faith change in ownership of the business at that location.

(6) No license or permit shall be issued, renewed or maintained for any person, including the owners of the business being licensed, who has been convicted of violating any criminal law relating to tobacco products and/or electronic nicotine delivery system products, the payment of taxes, or fraud, or has been ordered to pay civil fines of more than twenty-five thousand dollars ($25,000) for violations of any civil law relating to tobacco products and/or electronic nicotine delivery system products, the payment of taxes, or fraud.

231-57. Penalties for unlicensed business.

Any distributor or dealer who sells, offers for sale, or possesses with intent to sell, electronic nicotine delivery system products without a license as provided in § 231-56, shall be
fined in accordance with the provisions of, and the penalties contained in, § 23-1-58.

23-1-58. Penalty for operating without a dealer license.

(a) Any individual or business who violates this chapter by selling or conveying an electronic nicotine delivery system product without a retail license shall be cited for that violation and shall be required to appear in district court for a hearing on the citation.

(b) Any individual or business cited for a violation hereunder shall:

(1) Either post a five hundred dollar ($500) bond with the district court within ten (10) days of the citation; or

(2) Sign and accept the citation indicating a promise to appear in court.

(c) An individual or business who or that has accepted the citation may:

(1) Pay the five hundred dollar ($500) fine, either by mail or in person, within ten (10) days after receiving the citation; or

(2) If that individual or business has posted a bond, forfeit the bond by not appearing at the scheduled hearing. If the individual or business cited pays the five hundred dollar ($500) fine or forfeits the bond, that individual or business is deemed to have admitted the cited violation and to have waived the right to a hearing on the issue of commission on the violation.

(d) The court, after a hearing on a citation, shall make a determination as to whether a violation has been committed. If it is established that the violation did occur, the court shall impose a five hundred dollar ($500) fine in addition to any court costs or fees.

SECTION 7. 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 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).

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

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

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

SECTION 8. Effective January 1, 2025, Section 23-27.3-108.2 of the General Laws in Chapter 23-27.3 entitled “State Building Code; Article 1; Administration and Enforcement” is hereby amended to read as follows:

23-27.3-108.2. State building commissioner’s duties.

(a) This code shall be enforced by the state building commissioner as to any structures or
buildings or parts thereof that are owned or are temporarily or permanently under the jurisdiction of the state or any of its departments, commissions, agencies, or authorities established by an act of the general assembly, and as to any structures or buildings or parts thereof that are built upon any land owned by or under the jurisdiction of the state; provided, however, that for the purposes of this section structures constituting tents and/or membrane frame structures as defined in this state building code and any regulations promulgated hereunder shall be subject to an annual certification process to be established by the state building commissioner in conjunction with the state fire marshal and shall not be subject to recurring permit and fee requirements as otherwise required by this code.

(b) Permit fees for the projects shall be established by the committee. The fees shall be deposited as general revenues.

(c)(1) The local cities and towns shall charge each permit applicant an additional .1 (.001) percent levy of the total construction cost for each permit issued. The levy shall be limited to a maximum of fifty dollars ($50.00) for each of the permits issued for one- and two-family (2) dwellings. This additional levy shall be transmitted monthly to the state building office at the department of business regulation, and shall be used to staff and support the purchase or lease and operation of a web-accessible service and/or system to be utilized by the state and municipalities for uniform, statewide electronic plan review, permit management, and inspection system and other programs described in this chapter. The fee levy shall be deposited as general revenues.

(2) On or before July 1, 2013, the building commissioner shall develop a standard statewide process for electronic plan review, permit management, and inspection. The process shall include, but not be limited to: applications; submission of building plans and plans for developments and plots; plan review; permitting; inspections; inspection scheduling; project tracking; fee calculation and collections; and workflow and report management.

(3) On or before December 1, 2013, the building commissioner, with the assistance of the office of regulatory reform, shall implement the standard statewide process for electronic plan review, permit management, and inspection. In addition, the building commissioner shall develop a technology and implementation plan for a standard web-accessible service or system to be utilized by the state and municipalities for uniform, statewide electronic plan review, permit management, and inspection. The plan shall include, but not be limited to: applications; submission of building plans and plans for developments and plots; plan review; permitting; inspections; inspection scheduling; project tracking; fee calculation and collections; and workflow and report management.
(d) The building commissioner shall, upon request by any state contractor described in § 37-2-38.1, review, and when all conditions for certification have been met, certify to the state controller that the payment conditions contained in § 37-2-38.1 have been met.

(e) The building commissioner shall coordinate the development and implementation of this section with the state fire marshal to assist with the implementation of § 23-28.2-6. On or before January 1, 2022, the building commissioner shall promulgate rules and regulations to implement the provisions of this section and § 23-27.3-115.6.

(f) The building commissioner shall submit, in coordination with the state fire marshal, a report to the governor and general assembly on or before April 1, 2013, and each April 1 thereafter, providing the status of the web-accessible service and/or system implementation and any recommendations for process or system improvement. In every report submitted on or after April, 2024, the building commissioner shall provide the following information:

1. The identity of every municipality in full compliance with the provisions § 23-27.3-115.6
2. The identity of every municipality failing to fully implement and comply with the provisions of § 23-27.3-115.6 and/or the rules and regulations promulgated pursuant to the provisions of this section, and the nature, extent, and basis or reason for the failure or noncompliance; and
3. Recommendations to achieve compliance by all municipalities with the provisions of § 23-27.3-115.6 and the rules and regulations promulgated pursuant to this section.

(g) The building commissioner shall assist with facilitating the goals and objectives set forth in § 28-42-84(a)(9).


(a) No tent exceeding three hundred fifty square feet (350 sq. ft.) in area shall be erected, maintained, operated, or used in any city or town in this state except under a license from the licensing authorities of the city or town; provided, however, that for tent installations on state property or in jurisdictions otherwise subject to the authority of the state fire marshal, structures constituting tents and/or membrane frame structures as defined in the state building code and any regulations promulgated thereunder, shall be subject to an annual certification process to be established by the state building commissioner in conjunction with the state fire marshal pursuant
to § 23-27.3-108.2 and shall not be subject to recurring permit and fee requirements as otherwise
required by the code. The license shall not be issued for a period exceeding thirty (30) days and
shall be revocable for cause. Application shall be made on proper form and, when deemed
necessary by the licensing authorities, shall include plans drawn to scale, showing exits, aisles, and
seating arrangements and details of the structural support of tent, seats, and platforms, etc. No
license shall be issued until the provisions of this chapter have been complied with, and approval
has been obtained from the building department, the police department, the fire department, and,
when tents are to be used for fifty (50) or more persons, from each and every department having
jurisdiction over places of assembly.

(b) For the purposes of this section, the fire marshal shall have no jurisdiction over tents
on the property of one-(1) or two-(2) family private dwellings. Nothing contained in this section
shall prohibit the fire marshal from requiring a license for a tent smaller than three hundred fifty
square feet (350 sq. ft.) where other sections of the fire code deem it necessary, including, but not
limited to, use, occupancy, opening, exposure, an increase in occupancy of a commercial
establishment, and any other similar factors.

(c) The state fire marshal shall provide training to all assistant deputy fire marshals as
defined by § 23-28.2-9 as soon as practicable to ensure the consistent enforcement of the fire safety
code pursuant to § 23-28.2-4.

SECTION 10. Section 31-36-20 of the General Laws in Chapter 31-36 entitled "Motor Fuel
Tax" is hereby amended to read as follows:

31-36-20. Disposition of proceeds. (a) Notwithstanding any other provision of law to
the contrary, all moneys paid into the general treasury under the provisions of this chapter or chapter
37 of this title, and title 46 shall be applied to and held in a separate fund and be deposited in any
depositories that may be selected by the general treasurer to the credit of the fund, which fund shall
be known as the Intermodal Surface Transportation Fund; provided, that in fiscal year 2004 for the
months of July through April six and eighty-five hundredth cents ($0.085) per gallon of the tax
imposed and accruing for the liability under the provisions of § 31-36-7, less refunds and credits,
shall be transferred to the Rhode Island public transit authority as provided under § 39-18-21. For
the months of May and June in fiscal year 2004, the allocation shall be five and five hundredth
cents ($0.0505). Thereafter, until fiscal year 2006, the allocation shall be six and twenty-five
hundredth cents ($0.0625). For fiscal years 2006 through FY 2008, the allocation shall be seven
and twenty-five hundredth cents ($0.0725); provided, that expenditures shall include the costs of
a market survey of non-transit users and a management study of the agency to include the
feasibility of moving the Authority into the Department of Transportation, both to be conducted
under the auspices of the state budget officer. The state budget officer shall hire necessary
consultants to perform the studies, and shall direct payment by the Authority. Both studies shall
be transmitted by the Budget Officer to the 2006 session of the General Assembly, with
comments from the Authority. For fiscal year 2009, the allocation shall be seven and seventy-
five hundredth cents ($0.0775), of which one-half cent ($0.005) shall be derived from the one
cent ($0.01) per gallon environmental protection fee pursuant to § 46-12.9-11. For fiscal years
2010 and thereafter, the allocation shall be nine and seventy-five hundredth cents ($0.0975), of
which of one-half cent ($0.005) shall be derived from the one cent ($0.01) per gallon environmental
protection fee pursuant to § 46-12.9-11. One cent ($0.01) per gallon shall be transferred to the
Elderly/Disabled Transportation Program of the department of human services. For fiscal years
2025 and thereafter, twenty-one percent (21%) of one cent ($0.0021) per gallon shall be transferred
to the Elderly/Disabled Transportation Program of the department of human services, and seventy-
nine percent (79%) of one cent ($0.0079) shall be directly transferred to the Rhode Island public
transit authority for the elderly/disabled transportation program. and -The- remaining cents per
gallon shall be available for general revenue as determined by the following schedule:

(i) For the fiscal year 2000, three and one-fourth cents ($0.0325) shall be available for
general revenue.

(ii) For the fiscal year 2001, one and three-fourths cents ($0.0175) shall be available for
general revenue.

(iii) For the fiscal year 2002, one-fourth cent ($0.0025) shall be available for general
revenue.

(iv) For the fiscal year 2003, two and one-fourth cent ($0.0225) shall be available for
general revenue.

(v) For the months of July through April in fiscal year 2004, one and four-tenths cents
($0.014) shall be available for general revenue. For the months of May through June in fiscal year
2004, three and two-tenths cents ($0.032) shall be available for general revenue, and thereafter,
until fiscal year 2006, two cents ($0.02) shall be available for general revenue. For fiscal year 2006
through fiscal year 2009 one cent ($0.01) shall be available for general revenue.

(2) All deposits and transfers of funds made by the tax administrator under this section,
including those to the Rhode Island public transit authority, the department of human services, the
Rhode Island turnpike and bridge authority, and the general fund, shall be made within twenty-four
(24) hours of receipt or previous deposit of the funds in question.

(3) Commencing in fiscal year 2004, the Director of the Rhode Island Department of
Transportation is authorized to remit, on a monthly or less frequent basis as shall be determined by
the Director of the Rhode Island Department of Transportation, or his or her designee, or at the
election of the Director of the Rhode Island Department of Transportation, with the approval of the
Director of the Department of Administration, to an indenture trustee, administrator, or other third
party fiduciary, in an amount not to exceed two cents ($0.02) per gallon of the gas tax imposed, in
order to satisfy debt service payments on aggregate bonds issued pursuant to a Joint Resolution and
Enactment Approving the Financing of Various Department of Transportation Projects adopted
during the 2003 session of the General Assembly, and approved by the Governor.

(4) Commencing in fiscal year 2015, three and one-half cents ($0.035) shall be transferred
to the Rhode Island Turnpike and Bridge Authority to be used for maintenance, operations, capital
expenditures and debt service on any of its projects as defined in chapter 12 of title 24 in lieu of a
toll on the Sakonnet River Bridge. The Rhode Island turnpike and bridge authority is authorized to
remit to an indenture trustee, administrator, or other third-party fiduciary any or all of the foregoing
transfers in order to satisfy and/or secure its revenue bonds and notes and/or debt service payments
thereon, including, but not limited to, the bonds and notes issued pursuant to the Joint Resolution
set forth in Section 3 of Article 6 of Chapter 23 of the Public Laws of 2010. Notwithstanding any
other provision of said Joint Resolution, the Rhode Island turnpike and bridge authority is expressly
authorized to issue bonds and notes previously authorized under said Joint Resolution for the
purpose of financing all expenses incurred by it for the formerly authorized tolling of the Sakonnet
River Bridge and the termination thereof.

(b) Notwithstanding any other provision of law to the contrary, all other funds in the fund
shall be dedicated to the department of transportation, subject to annual appropriation by the general
assembly. The director of transportation shall submit to the general assembly, budget office and
office of the governor annually an accounting of all amounts deposited in and credited to the fund
together with a budget for proposed expenditures for the succeeding fiscal year in compliance with
§§ 35-3-1 and 35-3-4. On order of the director of transportation, the state controller is authorized
and directed to draw his or her orders upon the general treasurer for the payments of any sum or
portion of the sum that may be required from time to time upon receipt of properly authenticated
vouchers.

(c) At any time the amount of the fund is insufficient to fund the expenditures of the
department of transportation, not to exceed the amount authorized by the general assembly, the
general treasurer is authorized, with the approval of the governor and the director of administration,
in anticipation of the receipts of monies enumerated in this section to advance sums to the fund, for
the purposes specified in this section, any funds of the state not specifically held for any particular
purpose. However, all the advances made to the fund shall be returned to the general fund
immediately upon the receipt by the fund of proceeds resulting from the receipt of monies to the extent of the advances.

SECTION 11. Section 44-1-34 of the General Laws in Chapter 44-1 entitled “State Tax Officials” is hereby amended to read as follows:

44-1-34. Tax administrator to prepare list of delinquent taxpayers — Notice — Public inspection.

(a) Notwithstanding any other provision of law, the tax administrator may, on a quarterly basis,

(1) Prepare a list of the one hundred (100) delinquent taxpayers under chapter 44-30 who owe the largest amount at least $50,000 of state tax and whose taxes have been unpaid for a period in excess of ninety (90) days following the date their tax was due.

(2) Prepare a list of the one hundred (100) delinquent taxpayers collectively under chapters 44-11, 44-12, 44-13, 44-14, 44-15, 44-17, 44-18, and 44-20, who owe the largest amount at least $50,000 of state tax and whose taxes have been unpaid for a period in excess of ninety (90) days following the date their tax was due.

(3) Each list may contain the name and address of each delinquent taxpayer, the type of tax levied, and the amount of the delinquency, including interest and penalty, as of the end of the quarter. No taxpayer shall be included on such list if the tax assessment in question is the subject of an appeal.

(b) The tax administrator shall not list any delinquent taxpayer until such time as he or she gives the delinquent taxpayer thirty (30) days’ notice of intent to publish the taxpayer’s delinquency. Said notice shall be sent to the taxpayer’s last known address by regular and certified mail. If during said thirty (30) day period the taxpayer makes satisfactory arrangement for payment of the delinquent tax, the name of such taxpayer shall not be published as long as the taxpayer does not default on any payment agreement entered into with the division of taxation.

(c) Any such list prepared by the tax division shall be available to the public for inspection by any person and may be published by the tax administrator on the tax division website.

SECTION 12. Effective January 1, 2025, Sections 44-11-2, 44-11-2.3, 44-11-4.1, and 44-11-11 of the General Laws in Chapter 44-11 entitled "Business Corporation Tax" is hereby amended to read as follows:

44-11-2. Imposition of Tax.

(a) Each corporation shall annually pay to the state a tax equal to nine percent (9%) of net income, as defined in § 44-11-11, qualified in § 44-11-12, and apportioned to this state as provided in §§ 44-11-13 — 44-11-15, for the taxable year. For tax years beginning on or after January 1,
2015, each corporation shall annually pay to the state a tax equal to seven percent (7.0%) of net
income, as defined in § 44-11-13 — 44-11-15, for the taxable year.

(b) A corporation shall pay the amount of any tax as computed in accordance with
subsection (a) after deducting from “net income,” as used in this section, fifty percent (50%) of the
excess of capital gains over capital losses realized during the taxable year, if for the taxable year:
(1) The corporation is engaged in buying, selling, dealing in, or holding securities on its
own behalf and not as a broker, underwriter, or distributor;
(2) Its gross receipts derived from these activities during the taxable year amounted to at
least ninety percent (90%) of its total gross receipts derived from all of its activities during the year.
“Gross receipts” means all receipts, whether in the form of money, credits, or other valuable
consideration, received during the taxable year in connection with the conduct of the taxpayer's
activities.

(c) A corporation shall not pay the amount of the tax computed on the basis of its net
income under subsection (a), but shall annually pay to the state a tax equal to ten cents ($.10) for
each one hundred dollars ($100) of gross income for the taxable year or a tax of one hundred dollars
($100), whichever tax shall be the greater, if for the taxable year the corporation is either a "personal
holding company” registered under the federal Investment Company Act of 1940, 15 U.S.C. § 80a-
1 et seq., "regulated investment company,” or a “real estate investment trust” as defined in the
federal income tax law applicable to the taxable year. "Gross income” means gross income as
defined in the federal income tax law applicable to the taxable year, plus:
(1) Any interest not included in the federal gross income; minus
(2) Interest on obligations of the United States or its possessions, and other interest exempt
from taxation by this state; and minus
(3) Fifty percent (50%) of the excess of capital gains over capital losses realized during the
taxable year.

(d) (1) A small business corporation having an election in effect under subchapter S, 26
U.S.C. § 1361 et seq., shall not be subject to the Rhode Island income tax on corporations, except
that the corporation shall be subject to the provisions of subsection (a), to the extent of the income
that is subject to federal tax under subchapter S. Effective for tax years beginning on or after
January 1, 2015, a small business corporation having an election in effect under subchapter S, 26
U.S.C. § 1361 et seq., shall be subject to the minimum tax under § 44-11-2(e).
(2) The shareholders of the corporation who are residents of Rhode Island shall include in
their income their proportionate share of the corporation's federal taxable income.
(3) [Deleted by P.L. 2004, ch. 595, art. 29, § 1.]
(4) [Deleted by P.L. 2004, ch. 595, art. 29, § 1.]

(e) Minimum tax. The tax imposed upon any corporation under this section, including a small business corporation having an election in effect under subchapter S, 26 U.S.C. § 1361 et seq., shall not be less than four hundred fifty dollars ($450). For tax years beginning on or after January 1, 2017, the tax imposed shall not be less than four hundred dollars ($400). For tax years beginning on or after January 1, 2025, the tax imposed shall not be less than three hundred fifty dollars ($350.00).

44-11-2.3. Pass-through entities - Election to pay state income tax at the entity level.

(a) Definitions. As used in this section:

(1) “Election” means the annual election to be made by the pass-through entity by filing the prescribed tax form and remitting the appropriate tax.

(2) “Net income” means the net ordinary income, net rental real estate income, other net rental income, guaranteed payments, and other business income less specially allocated depreciation and deductions allowed pursuant to § 179 of the United States Revenue Code (26 U.S.C. § 179), all of which would be reported on federal tax form schedules C and E. Net income for purposes of this section does not include specially allocated investment income or any other types of deductions.

(3) “Owner” means an individual who is a shareholder of an S Corporation; a partner in a general partnership, a limited partnership, or a limited liability partnership; a member of a limited liability company, a beneficiary of a trust; or a sole proprietor.

(4) “Pass-through entity” means a corporation that for the applicable tax year is treated as an S Corporation under I.R.C. 1362(a) (26 U.S.C. § 1362(a)), or a general partnership, limited partnership, limited liability partnership, trust, limited liability company or unincorporated sole proprietorship that for the applicable tax year is not taxed as a corporation for federal tax purposes under the state’s regulations.

(5) “State tax credit” means the amount of tax paid by the pass-through entity at the entity level that is passed through to an owner on a pro rata basis. For tax years beginning on or after January 1, 2025, “State tax credit” means ninety percent (90%) of the amount of tax paid by the pass-through entity at the entity level that is passed through to an owner on a pro rata basis.

(b) Elections.

(1) For tax years beginning on or after January 1, 2019, a pass-through entity may elect to pay the state tax at the entity level at the rate of five and ninety-nine hundredths percent (5.99%).

(2) If a pass-through entity elects to pay an entity tax under this subsection, the entity shall not have to comply with the provisions of § 44-11-2.2 regarding withholding on non-resident
owners. In that instance, the entity shall not have to comply with the provisions of § 44-11-2.2 regarding withholding on non-resident owners.

(c) Reporting.

(1) The pass-through entity shall report the pro rata share of the state income taxes paid by the entity which sums will be allowed as a state tax credit for an owner on his or her personal income tax return.

(2) The pass-through entity shall also report the pro rata share of the state income taxes paid by the entity as an income (addition) modification to be reported by an owner on his or her personal income tax returns.

(d) State tax credit shall be the amount of tax paid by the pass-through entity, at the entity level, which is passed through to the owners, on a pro rata basis. For tax years beginning on or after January 1, 2025, state tax credit shall be ninety percent (90%) of the amount of tax paid by the pass-through entity, at the entity level, which is passed through to the owners, on a pro rata basis.

(e) A similar type of tax imposed by another state on the owners’ income paid at the state entity level shall be deemed to be allowed as a credit for taxes paid to another jurisdiction in accordance with the provisions of § 44-30-18.

(f) “Combined reporting” as set forth in § 44-11-4.1 shall not apply to reporting under this section.

44-11-4.1. Combined reporting.

(a) For tax years beginning on or after January 1, 2015, each C corporation which is part of an unitary business with one or more other corporations must file a return, in a manner prescribed by the tax administrator, for the combined group containing the combined income, determined under this section, of the combined group.

(b) An affiliated group of C corporations, as defined in section 1504 of the Internal Revenue Code, may elect to be treated as a combined group with respect to the combined reporting requirement imposed by § 44-11-4.1(a) for the taxable year in lieu of an unitary business group. The election shall be upon the condition that all C corporations which at any time during the taxable year have been members of the affiliated group consent to be included in such group. The filing of a consolidated return for the combined group shall be considered as such consent. Such election may not be revoked in less than five (5) years unless approved by the tax administrator.

(c) The use of a combined report does not disregard the separate identities of the taxpayer members of the combined group. Each taxpayer member is responsible for tax based on its taxable income or loss apportioned to this state.
(d) Members of a combined group shall exclude as a member and disregard the income and apportionment factors of any corporation not incorporated in the United States (a “non US corporation”) if the sales factors outside the United States is eighty percent (80%) or more. If a non US corporation is includible as a member in the combined group, to the extent that such non US corporation’s income is subject to the provisions of a federal income tax treaty, such income is not includible in the combined group net income. Such member shall also not include in the combined report any expenses or apportionment factors attributable to income that is subject to the provisions of a federal income tax treaty. For purposes of this chapter, “federal income tax treaty” means a comprehensive income tax treaty between the United States and a foreign jurisdiction, other than a foreign jurisdiction which is defined as a tax haven; provided, however, that if the tax administrator determines that a combined group member non US corporation is organized in a tax haven that has a federal income treaty with the United States, its income subject to a federal income tax treaty, and any expenses or apportionment factors attributable to such income, shall not be included in the combined group net income or combined report if: (i) the transactions conducted between such non US corporation and other members of the combined group are done on an arm’s length basis and not with the principal purpose to avoid the payment of taxes due under this chapter; or (ii) the member establishes that the inclusion of such net income in combined group net income is unreasonable.

(e) Net operating losses. A tracing protocol shall apply to net operating losses created before January 1, 2015. Such net operating losses shall be allowed to offset only the income of the corporation that created the net operating loss; the net operating loss cannot be shared with other members of the combined group. No deduction is allowable for a net operating loss sustained during any taxable year in which a taxpayer was not subject to Rhode Island business corporation tax. For net operating losses created in tax years beginning on or after January 1, 2015 such loss allowed shall be the same as the net operating loss deduction allowed under section 172 of the internal revenue code for the combined group, except that:

1. Any net operating loss included in determining the deduction shall be adjusted to reflect the inclusions and exclusions from entire net income required by § 44-11-11 (a) and § 44-11-11.1;
2. The deduction shall not include any net operating loss sustained during any taxable year in which the member was not subject to the tax imposed by this chapter; and
3. The deduction shall not exceed the deduction for the taxable year allowable under section 172 of the internal revenue code; provided, that the deduction for a taxable year may not be carried back to any other taxable year for Rhode Island purposes but shall only be allowable on a
carry forward basis for the five (5) succeeding taxable years. and

(ii) For any taxable year beginning on or after January 1, 2025, the deduction shall not exceed the deduction for the taxable year allowable under 26 U.S.C. § 172; provided, that the deduction for a taxable year may not be carried back to any other taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the twenty (20) succeeding taxable years.

(f) Tax credits and tax rate reduction.

(1) A tracing protocol shall apply to Rhode Island tax credits earned before tax years beginning on or before January 1, 2015. Such Rhode Island tax credits shall be allowed to offset only the tax liability of the corporation that earned the credits; the Rhode Island tax credits cannot be shared with other members of the combined group. Rhode Island tax credits earned in tax years beginning on or after January 1, 2015, may be applied to other members of the group.

(2) The tax rate reductions authorized under chapter 64.5 of title 42 (Jobs Development Act) and chapter 64.14 of title 42 (I-195 Redevelopment Act of 2011) shall be allowed against the net income of the entire combined group.

(g) The tax administrator shall prescribe and amend, from time to time, rules and regulations as he or she may deem necessary in order that the tax liability of any group of corporations filing as a combined group and each corporation in the combined group, liable to taxation under this chapter, may be determined, computed, assessed, collected, and adjusted in a manner as to clearly reflect the combined income of the combined group and the individual income of each member of the combined group. Such rules and regulations, shall include but are not be limited to, issues such as the inclusion or exclusion of a corporation in the combined group, the characterization and sourcing of each member’s income, and whether certain common activities constitute the conduct of a unitary business.

(h) The tax administrator shall on or before March 15, 2018, based upon the actual tax filings of companies under this act for a two year period, submit a report to the chairperson of the house finance committee and the senate finance committee and the house fiscal advisor and the senate fiscal advisor analyzing the policy and fiscal ramifications of the changes enacted to business corporations tax statutes, as enacted in budget article 12 of the Fiscal Year 2015 appropriations act. The report shall include but not be limited to the impact upon categories of business, size of business and similar information as contained in § 44-11-45 [repealed], which required the original report.


(a)(1) “Net income” means, for any taxable year and for any corporate taxpayer, the taxable
income of the taxpayer for that taxable year under the laws of the United States, plus:

(i) Any interest not included in the taxable income;

(ii) Any specific exemptions;

(iii) The tax imposed by this chapter;

(iv) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount of the loan forgiven exceeds $250,000; and minus:

(v) Interest on obligations of the United States or its possessions, and other interest exempt from taxation by this state; and

(vi) The federal net operating loss deduction;

(vii) For any taxable year beginning on or after January 1, 2025, in the case of a taxpayer that is licensed in accordance with chapters 28.6 and/or 28.11 of title 21, the amount equal to any expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed under 26 U.S.C. § 280E.

(2) All binding federal elections made by or on behalf of the taxpayer applicable either directly or indirectly to the determination of taxable income shall be binding on the taxpayer except where this chapter or its attendant regulations specifically modify or provide otherwise. Rhode Island taxable income shall not include the “gross-up of dividends” required by the federal Internal Revenue Code to be taken into taxable income in connection with the taxpayer’s election of the foreign tax credit.

(b) A net operating loss deduction shall be allowed, which shall be the same as the net operating loss deduction allowed under 26 U.S.C. § 172, except that:

(1) Any net operating loss included in determining the deduction shall be adjusted to reflect the inclusions and exclusions from entire net income required by subsection (a) of this section and § 44-11-11.1;

(2) The deduction shall not include any net operating loss sustained during any taxable year in which the taxpayer was not subject to the tax imposed by this chapter; and


(i) The deduction shall not exceed the deduction for the taxable year allowable under 26 U.S.C. § 172; provided, that the deduction for a taxable year may not be carried back to any other taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the five (5) succeeding taxable years— and
(ii) For any taxable year beginning on or after January 1, 2025, the deduction shall not exceed the deduction for the taxable year allowable under 26 U.S.C. § 172; provided, that the deduction for a taxable year may not be carried back to any other taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the twenty (20) succeeding taxable years.

(c) “Domestic international sales corporations” (referred to as DISCs), for the purposes of this chapter, will be treated as they are under federal income tax law and shall not pay the amount of the tax computed under § 44-11-2(a). Any income to shareholders of DISCs is to be treated in the same manner as it is treated under federal income tax law as it exists on December 31, 1984.

(d) A corporation that qualifies as a “foreign sales corporation” (FSC) under the provisions of subchapter N, 26 U.S.C. § 861 et seq., and that has in effect for the entire taxable year a valid election under federal law to be treated as a FSC, shall not pay the amount of the tax computed under § 44-11-2(a). Any income to shareholders of FSCs is to be treated in the same manner as it is treated under federal income tax law as it exists on January 1, 1985.

(e) For purposes of a corporation’s state tax liability, any deduction to income allowable under 26 U.S.C. § 1400Z-2(c) may be claimed in the case of any investment held by the taxpayer for at least seven years. The division of taxation shall promulgate, in its discretion, rules and regulations relative to the accelerated application of deductions under 26 U.S.C. § 1400Z-2(c).

SECTION 13. Effective January 1, 2025, Section 44-18-30.1 of the General Laws in Chapter 44-18 entitled “Sales and Use Taxes – Liability and Computation” is hereby amended to read as follows:


A fee of twenty-five dollars ($25.00) shall be paid by all organizations applying for a certificate of exemption from the Rhode Island sales and use tax under § 44-18-30(5)(i) shall apply for a certificate of exemption on forms prescribed by the tax administrator. The certificate of exemption shall be valid for four (4) years from the date of issue. All fees collected under this section shall be allocated to the tax administrator for enforcement and collection of all taxes. All certificates issued prior to the effective date of this section shall expire four (4) years from the effective date of this section.

SECTION 14. Effective September 1, 2024, Sections 44-20-12 and 44-20-13 of the General Laws in Chapter 44-20 entitled “Cigarette and Other Tobacco Products Tax” are hereby amended to read as follows:

### 44-20-12. Tax imposed on cigarettes sold.

A tax is imposed on all cigarettes sold or held for sale in the state. The payment of the tax...
to be evidenced by stamps, which may be affixed only by licensed distributors to the packages
containing such cigarettes. Any cigarettes on which the proper amount of tax provided for in this
chapter has been paid, payment being evidenced by the stamp, is not subject to a further tax under
this chapter. The tax is at the rate of two hundred twelve and one half (212.5) two hundred twenty-
five (225) mills for each cigarette.


A tax is imposed at the rate of two hundred twelve and one half (212.5) two hundred
twenty-five (225) mills for each cigarette upon the storage or use within this state of any cigarettes
not stamped in accordance with the provisions of this chapter in the possession of any consumer
within this state.

SECTION 15. Effective September 1, 2024, Chapter 44-20 of the General Laws entitled
"Cigarette and Other Tobacco Products Tax" is hereby amended by adding thereto the following
section:

44-20-12.7. Floor stock tax on cigarettes and stamps.

(a) Each person engaging in the business of selling cigarettes at retail in this state shall pay
a tax or excise to the state for the privilege of engaging in that business during any part of the
calendar year 2024. In calendar year 2024, the tax shall be measured by the number of cigarettes
held by the person in this state at 12:01 a.m. on September 1, 2024, and is computed at the rate of
twelve and one half (12.5) mills for each cigarette on September 1, 2024.

(b) Each distributor licensed to do business in this state pursuant to this chapter shall pay a
tax or excise to the state for the privilege of engaging in that business during any part of the calendar
year 2024. The tax is measured by the number of stamps, whether affixed or to be affixed to
packages of cigarettes, as required by § 44-20-28. In calendar year 2024 the tax is measured by the
number of stamps, whether affixed or to be affixed, held by the distributor at 12:01 a.m. on
September 1, 2024, and is computed at the rate of twelve and one half (12.5) mills per cigarette in
the package to which the stamps are affixed or to be affixed.

(c) Each person subject to the payment of the tax imposed by this section shall, on or before
September 16, 2024, file a return, under oath or certified under the penalties of perjury, with the
tax administrator on forms furnished by him or her, showing the amount of cigarettes and the
number of stamps in that person's possession in this state at 12:01 a.m. on September 1, 2024, as
described in this section above, and the amount of tax due, and shall at the time of filing the return
pay the tax to the tax administrator. Failure to obtain forms shall not be an excuse for the failure
to make a return containing the information required by the tax administrator.

(d) The tax administrator may prescribe rules and regulations, not inconsistent with law,
regarding the assessment and collection of the tax imposed by this section.

SECTION 16. Effective October 1, 2024, the title of Chapter 44-20 of the General Laws entitled "Cigarette and Other Tobacco Products Tax" is hereby amended to read as follows:

CHAPTER 44-20

Cigarette and Other Tobacco Products Tax

CHAPTER 44-20

Cigarette, Other Tobacco Products, and Electronic Nicotine-Delivery System Products


44-20-1. Definitions.

Whenever used in this chapter, unless the context requires otherwise:
(1) “Administrator” means the tax administrator;
(2) “Cigarettes” means and includes any cigarettes suitable for smoking in cigarette form, and each sheet of cigarette rolling paper, including but not limited to, paper made into a hollow cylinder or cone, made with paper or any other material, with or without a filter suitable for use in making cigarettes;
(3) “Dealer” means any person whether located within or outside of this state, who sells or distributes cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products to a consumer in this state;
(4) “Distributor” means any person:
(A) Whether located within or outside of this state, who sells or distributes cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products within or into this state. Such term shall not include any cigarette or other tobacco product manufacturer, export warehouse proprietor, or importer with a valid permit under 26 U.S.C. § 5712, if such person sells or distributes cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products in this state only to licensed distributors, or to an export warehouse proprietor or another manufacturer with a valid permit under 26 U.S.C. § 5712;
(B) Selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products directly to consumers in this state by means of at least twenty-five (25) vending machines;
(C) Engaged in this state in the business of manufacturing cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products or any person engaged in the business.
of selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products to dealers, or to other persons, for the purpose of resale only; provided, that seventy-five percent (75%) of all cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products sold by that person in this state are sold to dealers or other persons for resale and selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products directly to at least forty (40) dealers or other persons for resale; or

(D) Maintaining one or more regular places of business in this state for that purpose; provided, that seventy-five percent (75%) of all cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products sold by that person in this state are sold to dealers or other persons for resale and selling cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products directly to at least forty (40) dealers or other persons for resale;

(5) “E-liquid” and “e-liquid products” mean any liquid or substance placed in or sold for use in an electronic nicotine-delivery system which generally utilizes a heating element that aerosolizes, vaporizes or combusts a liquid or other substance containing nicotine or nicotine derivative:

(a) whether the liquid or substance contains nicotine or a nicotine derivative; or,

(b) whether sold separately or sold in combination with a personal vaporizer, electronic nicotine-delivery system, or an electronic inhaler.

(6) “Electronic nicotine-delivery system” means an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic little cigars, electronic pipe, electronic hookah, “heat not burn products,” e-liquids, e-liquid products, or any related device and any cartridge or other component of such device.

(7) “Electronic nicotine-delivery system products” means any combination of electronic nicotine-delivery system and/or e-liquid and/or any derivative thereof, and/or any e-liquid container. Electronic nicotine-delivery system products shall include hemp-derived consumable CBD products as defined in § 2-26-3.

(58) “Importer” means any person who imports into the United States, either directly or indirectly, a finished cigarette or other tobacco product and/or electronic nicotine-delivery system product for sale or distribution;

(69) “Licensed,” when used with reference to a manufacturer, importer, distributor or dealer, means only those persons who hold a valid and current license issued under § 44-20-2 for the type of business being engaged in. When the term “licensed” is used before a list of entities, such as “licensed manufacturer, importer, wholesale dealer, or retailer dealer,” such term shall be
deemed to apply to each entity in such list;

(710) “Manufacturer” means any person who manufactures, fabricates, assembles, processes, or labels a finished cigarette and/or other tobacco products and/or electronic nicotine-delivery system products;

(811) “Other tobacco products” (OTP) means any cigars (excluding Little Cigars, as defined in § 44-20.2-1, which are subject to cigarette tax), cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed and any other kinds and forms of tobacco suitable for smoking in a pipe or otherwise), chewing tobacco (including Cavendish, twist, plug, scrap and any other kinds and forms of tobacco suitable for chewing), any and all forms of hookah, shisha and “mu’assal” tobacco, snuff, and shall include any other articles or products made of or containing tobacco, in whole or in part, or any tobacco substitute, except cigarettes;

(912) “Person” means any individual, including an employee or agent, firm, fiduciary, partnership, corporation, trust, or association, however formed;

(1013) “Pipe” means an apparatus made of any material used to burn or vaporize products so that the smoke or vapors can be inhaled or ingested by the user;

(1114) “Place of business” means any location where cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products are sold, stored, or kept, including, but not limited to; any storage room, attic, basement, garage or other facility immediately adjacent to the location. It also includes any receptacle, hide, vessel, vehicle, airplane, train, or vending machine;

(1215) “Sale” or “sell” means gifts, exchanges, and barter of cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products. The act of holding, storing, or keeping cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products at a place of business for any purpose shall be presumed to be holding the cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products for sale. Furthermore, any sale of cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products by the servants, employees, or agents of the licensed dealer during business hours at the place of business shall be presumed to be a sale by the licensee;

(1316) “Stamp” means the impression, device, stamp, label, or print manufactured, printed, or made as prescribed by the administrator to be affixed to packages of cigarettes, as evidence of the payment of the tax provided by this chapter or to indicate that the cigarettes are intended for a sale or distribution in this state that is exempt from state tax under the provisions of state law; and also includes impressions made by metering machines authorized to be used under the provisions of this chapter.
44-20-2. Manufacturer, importer, distributor, and dealer licenses required —

Licenses required.

(a) Each manufacturer engaging in the business of selling any cigarette and/or any tobacco products and/or electronic nicotine-delivery system products in this state shall secure a license, unless otherwise prohibited by federal law, from the administrator before engaging in that business, or continuing to engage in it.

(b) Each person engaging in the business of selling cigarette and/or any tobacco products and/or any electronic nicotine-delivery system products in this state, including any manufacturer, importer, distributor or dealer, shall secure a license from the administrator before engaging in that business, or continuing to engage in it. A separate application and license is required for each place of business operated by a distributor, manufacturer, importer, or dealer; provided, that an operator of vending machines for cigarette products is not required to obtain a distributor’s license for each machine. If the applicant for a license does not have a place of business in this state, the license shall be issued for such applicant’s principal place of business, wherever located. A licensee shall notify the administrator within thirty (30) days in the event that it changes its principal place of business. A separate license is required for each class of business if the applicant is engaged in more than one of the activities required to be licensed by this section. No person shall maintain or operate or cause to be operated a vending machine for cigarette products without procuring a dealer’s license for each machine.

(c) Effective October 1, 2024, the administrator shall implement a single license and renewal application that allows for the licensure of retailers/dealers of cigarettes and/or any tobacco products and/or any electronic nicotine-delivery system products and a separate single license and renewal application that allows for the licensure of distributors, manufacturers, and importers of cigarettes and/or any tobacco products and/or any electronic nicotine-delivery system products.

(d) Immediately following the enactment of this chapter, any electronic nicotine-delivery system products distributor or dealer, licensed in good-standing by the department of health pursuant to chapter 1 of title 23, shall be considered licensed for purposes of compliance with this chapter until the renewal date for such license pursuant to chapter 20 of title 44 occurs; thereafter, such distributors and dealers shall be required to comply with the license requirements in this chapter.


Any manufacturer, importer, distributor or dealer who sells, offers for sale, or possesses with intent to sell, cigarettes and/or any other tobacco products and/or any electronic nicotine-delivery system products, without a license as provided in § 44-20-2, shall be guilty of a

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misdemeanor, and shall be fined not more than ten thousand dollars ($10,000) for each offense, or
be imprisoned for a term not to exceed one (1) year, or be punished by both a fine and
imprisonment.


All licenses are issued by the tax administrator upon approval of application, stating, on
forms prescribed by the tax administrator, the information he or she may require for the proper
administration of this chapter. Each application for a manufacturer, importer’s, or distributor’s
license shall be accompanied by a fee of one thousand dollars ($1,000); provided, that for a
distributor who does not affix stamps, the fee shall be one hundred dollars ($100); each application
for a dealer’s license shall be accompanied by an application fee of twenty-five dollars ($25.00).

Each issued license shall be prominently displayed on the premises within this state, if any, covered
by the license. In the instance of an application for a distributor’s license, the administrator shall
require, in addition to other information as may be deemed necessary, the filing of affidavits from
three (3) cigarette manufacturers with national distribution stating that the manufacturer will supply
the distributor if the applicant is granted a license.

44-20-4.1. License availability.

(a) No license under this chapter may be granted, maintained or renewed if the applicant,
or any combination of persons owning directly or indirectly any interests in the applicant:
(1) Owes five hundred dollars ($500) or more in delinquent taxes;
(2) Is delinquent in any tax filings for one month or more;
(3) Had a license under this chapter revoked by the administrator within the past two (2)
years;
(4) Has been convicted of a crime relating to cigarettes and/or other tobacco products;
(5) Is a cigarette manufacturer or importer that is neither: (i) A participating manufacturer
as defined in subsection II (jj) of the “Master Settlement Agreement” as defined in § 23-71-2; nor
(ii) In full compliance with chapter 20.2 of this title and § 23-71-3;
(6) Has imported, or caused to be imported, into the United States any cigarette, and/or
other tobacco product and/or electronic nicotine-delivery system products in violation of 19 U.S.C.
§ 1681a or any other state or federal law; or
(7) Has imported, or caused to be imported into the United States, or manufactured for sale
or distribution in the United States any cigarette that does not fully comply with the Federal
(b)(1) No person shall apply for a new license or permit (as defined in § 44-19-1) or
renewal of a license or permit, and no license or permit shall be issued or renewed for any applicant,
or any combination of persons owning directly or indirectly any interests in the applicant, unless all outstanding fines, fees, or other charges relating to any license or permit held by the applicant, or any combination of persons owning directly or indirectly any interests in the applicant, as well as any other tax obligations of the applicant, or any combination of persons owning directly or indirectly any interests in the applicant have been paid.

(2) No license or permit shall be issued relating to a business until all prior licenses or permits relating to that business or to that location have been officially terminated and all fines, fees, or charges relating to the prior license or permit have been paid or otherwise resolved or the administrator has found that the person applying for the new license or permit is not acting as an agent for the prior licensee or permit holder who is subject to any such related fines, fees or charges that are still due. Evidence of such agency status includes, but is not limited to, a direct familial relationship and/or an employment, contractual, or other formal financial or business relationship with the prior licensee or permit holder.

(3) No person shall apply for a new license or permit pertaining to a specific location in order to evade payment of any fines, fees, or other charges relating to a prior license or permit.

(4) No new license or permit shall be issued for a business at a specific location for which a license or permit already has been issued unless there is a bona fide, good-faith change in ownership of the business at that location.

(5) No license or permit shall be issued, renewed, or maintained for any person, including the owners of the business being licensed or having applied and received a permit, that has been convicted of violating any criminal law relating to tobacco products, the payment of taxes, or fraud or has been ordered to pay civil fines of more than twenty-five thousand dollars ($25,000) dollars for violations of any civil law relating to tobacco products, the payment of taxes, or fraud.

44-20-5.Expiration, Duration, and renewal of manufacturer’s, importer’s, distributor’s and dealer’s licenses—Renewal.

(a) Effective October 1, 2024 to add manufacturer and distributor: Any manufacturer, importer, or distributor license and any license issued by the tax administrator authorizing a dealer to sell cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products or a manufacturer to sell electronic nicotine-delivery system products in this state shall expire at midnight on June 30 next succeeding the date of issuance unless (1) suspended or revoked by the tax administrator, (2) the business with respect to which the license was issued changes ownership, (3) the manufacturer, importer, distributor or dealer ceases to transact the business for which the license was issued, or (4) after a period of time set by the administrator; provided such period of time shall not be longer than three (3) years, in any of which cases the license shall expire and
terminate and the holder shall immediately return the license to the tax administrator.

(b) Every holder of a dealer’s license shall annually, on or before February 1 of each year, renew its license by filing an application for renewal along with a twenty-five dollar ($25.00) renewal fee. The renewal license is valid for the period July 1 of that calendar year through June 30 of the subsequent calendar year.

44-20-8.2. Transactions only with licensed manufacturers, importers, distributors, and dealers.

A manufacturer or importer may sell or distribute cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products to a person located or doing business within this state, only if such person is a licensed importer or distributor. An importer may obtain cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products only from a licensed manufacturer. A distributor may sell or distribute cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products to a person located or doing business within this state, only if such person is a licensed distributor or dealer. A distributor may obtain cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products only from a licensed manufacturer, importer, or distributor. A dealer may obtain cigarettes and/or other tobacco products and/or electronic nicotine-delivery system products only from a licensed distributor.

44-20-13.2. Tax imposed on other tobacco products, smokeless tobacco, cigars, and pipe tobacco products, and electronic nicotine-delivery system products.

(a) A tax is imposed on all other tobacco products, smokeless tobacco, cigars, and pipe tobacco products, and electronic nicotine-delivery system products sold, or held for sale in the state by any person, the payment of the tax to be accomplished according to a mechanism established by the administrator, division of taxation, department of revenue. The tax imposed by this section shall be as follows:

(1) At the rate of eighty percent (80%) of the wholesale cost of other tobacco products, cigars, pipe tobacco products, and smokeless tobacco other than snuff.

(2) Notwithstanding the eighty percent (80%) rate in subsection (a) above, in the case of cigars, the tax shall not exceed fifty cents ($0.50) for each cigar.

(3) At the rate of one dollar ($1.00) per ounce of snuff, and a proportionate tax at the like rate on all fractional parts of an ounce thereof. Such tax shall be computed based on the net weight as listed by the manufacturer; provided, however, that any product listed by the manufacturer as having a net weight of less than 1.2 ounces shall be taxed as if the product has a net weight of 1.2 ounces.

(4) Effective October 1, 2024, at the rate of eighty percent (80%) of the wholesale cost of
electronic nicotine-delivery system products as defined herein.

(i) Existing Inventory Floor Tax: For all electronic nicotine-delivery system products held by licensed electronic nicotine-delivery system products retailers as of October 1, 2024: Each person engaging in the business of selling electronic nicotine-delivery system products at retail in this state shall pay a tax measured by the wholesale cost of electronic nicotine-delivery system products held by the person in this state at 12:01 a.m. on October 1, 2024, and is computed at the rate of eighty percent (80%) of the wholesale cost of electronic nicotine-delivery system products on October 1, 2024. Each person subject to the payment of the tax imposed by this section shall, on or before October 16, 2024, file a return, under oath or certified under the penalties of perjury, with the administrator on forms furnished by him or her, showing wholesale cost of electronic nicotine-delivery system products in that person’s possession in this state at 12:01 a.m. on October 1, 2024, as described in this section, and the amount of tax due, and shall at the time of filing the return pay the tax to the administrator. Failure to obtain forms shall not be an excuse for the failure to make a return containing the information required by the administrator.

(ii) For all electronic nicotine-delivery system products sold by licensed electronic nicotine-delivery system products distributors, manufacturers and/or importers in Rhode Island as of October 1, 2024: any person engaging in the business of distributing at wholesale electronic nicotine-delivery system products in this state shall pay a tax measured by the wholesale cost of electronic nicotine-delivery system products computed at the rate of eighty percent (80%) of the wholesale cost of electronic nicotine-delivery system products.

(iii) Exemptions. The provisions of this chapter shall not apply to any product used for research purposes by a bona fide educational or governmental organization.

(b) Prior to October 1, 2024: Any dealer having in his or her possession any other tobacco products with respect to the storage or use of which a tax is imposed by this section shall, within five (5) days after coming into possession of the other tobacco products in this state, file a return with the tax administrator in a form prescribed by the tax administrator. The return shall be accompanied by a payment of the amount of the tax shown on the form to be due. Records required under this section shall be preserved on the premises described in the relevant license in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the administrator.

Effective October 1, 2024, all other tobacco products, and electronic nicotine delivery system products sold at wholesale in Rhode Island must be sold by a Rhode Island licensed distributor, manufacturer or importer and purchases of other tobacco products and/or electronic nicotine delivery system products from an unlicensed distributor, manufacturer or importer are
prohibited. Any other tobacco products and/or electronic nicotine delivery system products purchased and/or obtained from an unlicensed person shall be subject to the terms of this chapter including but not limited to section 44-20-15 and shall be taxed pursuant to section 44-20-13.2.

(c) The proceeds collected are paid into the general fund.


(a) All cigarettes, and other tobacco products, and/or electronic nicotine-delivery system products that are held for sale or distribution within the borders of this state in violation of the requirements of this chapter or federal law are declared to be contraband goods and may be seized by the tax administrator or his or her agents, or employees, or by any sheriff, or his or her deputy, or any police officer when directed by the tax administrator to do so, without a warrant. All contraband goods seized by the state under this chapter shall be destroyed.

(b) All fixtures, equipment, and all other materials and personal property on the premises of any distributor or dealer who, with the intent to defraud the state, fails to keep or make any record, return, report, or inventory; keeps or makes any false or fraudulent record, return, report, or inventory required by this chapter; refuses to pay any tax imposed by this chapter; or attempts in any manner to evade or defeat the requirements of this chapter shall be forfeited to the state.

44-20-33. Sale of contraband cigarettes, or contraband other tobacco products or contraband electronic nicotine-delivery system products prohibited.

No distributor shall sell, and no other person shall sell, offer for sale, display for sale, or possess with intent to sell any contraband other tobacco products without written record of the payment of tax imposed by this chapter, or contraband electronic nicotine-delivery system products without written record of the payment of tax imposed by this chapter or contraband cigarettes, the packages or boxes of which do not bear stamps evidencing the payment of the tax imposed by this chapter.

44-20-35. Penalties for violations as to unstamped contraband cigarettes, or contraband other tobacco products or contraband electronic nicotine-delivery system products.

(a) Any person who violates any provision of §§ 44-20-33 and 44-20-34 shall be fined or imprisoned, or both fined and imprisoned, as follows:

(1) For a first offense in a twenty-four-month (24) period, fined not more than ten (10) times the retail value of the contraband cigarettes, contraband electronic nicotine-delivery system products, and/or contraband other tobacco products, or be imprisoned not more than one (1) year, or be both fined and imprisoned;
For a second or subsequent offense in a twenty-four-month (24) period, fined not more than twenty-five (25) times the retail value of the contraband cigarettes, contraband electronic nicotine-delivery system products, and/or contraband other tobacco products, or be imprisoned not more than three (3) years, or be both fined and imprisoned.

(b) When determining the amount of a fine sought or imposed under this section, evidence of mitigating factors, including history, severity, and intent shall be considered.

44-20-40. Records — Investigation and inspection of books, premises and stock.

(a) Each manufacturer, importer, distributor and dealer shall maintain copies of invoices or equivalent documentation for, or itemized for, each of its facilities for each transaction (other than a retail transaction with a consumer) involving the sale, purchase, transfer, consignment, or receipt of cigarettes, other tobacco products and electronic nicotine-delivery system products. The invoices or documentation shall show the name and address of the other party and the quantity by brand style of the cigarettes, other tobacco products and electronic nicotine-delivery system products involved in the transaction. All records and invoices required under this section must be safely preserved for three (3) years in a manner to insure permanency and accessibility for inspection by the administrator or his or her authorized agents.

(b) Records required under this section shall be preserved on the premises described in the relevant license in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the administrator. With the administrator’s permission, persons with multiple places of business may retain centralized records, but shall transmit duplicates of the invoices or the equivalent documentation to each place of business within twenty-four (24) hours upon the request of the administrator or his or her designee.

(c) The administrator or his or her authorized agents may examine the books, papers, reports and records of any manufacturer, importer, distributor or dealer in this state for the purpose of determining whether taxes imposed by this chapter have been fully paid, and may investigate the stock of cigarettes, other tobacco products and/or electronic nicotine-delivery system products in or upon any premises for the purpose of determining whether the provisions of this chapter are being obeyed. The administrator in his or her sole discretion may share the records and reports required by such sections with law enforcement officials of the federal government or other states.

44-20-40.1. Inspections.

(a) The administrator or his or her duly authorized agent shall have authority to enter and inspect, without a warrant during normal business hours, and with a warrant during nonbusiness hours, the facilities and records of any manufacturer, importer, distributor, or dealer.

(b) In any case where the administrator or his or her duly authorized agent, or any police
officer of this state, has knowledge or reasonable grounds to believe that any vehicle is transporting
1 cigarettes, or other tobacco products or electronic nicotine-delivery system products in violation of
2 this chapter, the administrator, such agent, or such police officer, is authorized to stop such vehicle
3 and to inspect the same for contraband cigarettes or contraband other tobacco products or
4 contraband electronic nicotine-delivery system products.
5
44-20-43. Violations as to reports and records.
6 Any person who fails to submit the reports required in this chapter or by the tax
7 administrator under this chapter, or who makes any incomplete, false, or fraudulent report, or who
8 refuses to permit the tax administrator or his or her authorized agent to examine any books, records,
9 papers, or stocks of cigarettes or other tobacco products or electronic nicotine-
10 delivery system products as provided in this chapter, or who refuses to supply the tax administrator with any other
11 information which the tax administrator requests for the reasonable and proper enforcement of the
12 provisions of this chapter, shall be guilty of a misdemeanor punishable by imprisonment up to one
13 (1) year, or a fine of not more than five thousand dollars ($5,000), or both, for the first offense, and
14 for each subsequent offense, shall be fined not more than ten thousand dollars ($10,000), or be
15 imprisoned not more than five (5) years, or both.

44-20-45. Importation of cigarettes, and/or other tobacco products, and/or electronic
1 nicotine-delivery system products with intent to evade tax.
2 Any person, firm, corporation, club, or association of persons who or that orders any
3 cigarettes, and/or other tobacco products, and/or electronic nicotine-delivery system products for
4 another; or pools orders for cigarettes, and/or other tobacco products, and/or electronic nicotine-
5 delivery system products from any persons; or conspires with others for pooling orders; or receives
6 in this state any shipment of contraband cigarettes and/or contraband other tobacco products,
7 and/or electronic nicotine-delivery system products on which the tax imposed by this chapter has
8 not been paid, for the purpose and intention of violating the provisions of this chapter or to avoid
9 payment of the tax imposed in this chapter, is guilty of a felony and shall be fined one hundred
10 thousand dollars ($100,000) or five (5) times the retail value of the cigarettes, other tobacco
11 products, and/or electronic nicotine-delivery system products involved, whichever is greater, or
12 imprisoned not more than fifteen (15) years, or both.

44-20-47. Hearings by tax administrator.
13 Any person aggrieved by any action under this chapter of the tax administrator or his or
14 her authorized agent for which a hearing is not elsewhere provided may apply to the tax
15 administrator, in writing, within thirty (30) days of the action for a hearing, stating the reasons why
16 the hearing should be granted and the manner of relief sought. The tax administrator shall notify
the applicant of the time and place fixed for the hearing. After the hearing, the tax administrator may make the order in the premises as may appear to the tax administrator just and lawful and shall furnish a copy of the order to the applicant. The tax administrator may, by notice in writing, at any time, order a hearing on his or her own initiative and require the taxpayer or any other individual whom the tax administrator believes to be in possession of information concerning any manufacture, importation, or sale of cigarettes, other tobacco products, and/or electronic nicotine-delivery system products to appear before the tax administrator or his or her authorized agent with any specific books of account, papers, or other documents, for examination relative to the hearing.

### 44-20-51.1. Civil penalties.

(a) Whoever omits, neglects, or refuses to comply with any duty imposed upon him/her by this chapter, or to do, or cause to be done, any of the things required by this chapter, or does anything prohibited by this chapter, shall, in addition to any other penalty provided in this chapter, be liable as follows:

(1) For a first offense in a twenty-four-month (24) period, a penalty of not more than ten (10) times the retail value of the cigarettes, and/or other tobacco products and/or electronic nicotine-delivery system products involved; and

(2) For a second or subsequent offense in a twenty-four-month (24) period, a penalty of not more than twenty-five (25) times the retail value of the cigarettes, and/or other tobacco products and/or contraband electronic nicotine-delivery system products involved.

(b) Whoever omits, neglects, or refuses to comply with any duty imposed upon him/her by this chapter, or to do, or cause to be done, any of the things required by this chapter, or does anything prohibited by this chapter, fails to pay any tax imposed by this chapter at the time prescribed by law or regulations, shall, in addition to any other penalty provided in this chapter, be liable for a penalty of one thousand dollars ($1,000) or not more than five (5) times the tax due but unpaid, whichever is greater.

(c) When determining the amount of a penalty sought or imposed under this section, evidence of mitigating or aggravating factors, including history, severity, and intent, shall be considered.

### SECTION 18. Effective October 1, 2024, Chapter 44-20 of the General Laws entitled “Cigarette and Other Tobacco Products Tax” is hereby amended by adding thereto the following sections:

#### 44-20-60. Exemption of sales of certain electronic nicotine-delivery system products.

Notwithstanding any provision of the general or public laws to the contrary, the sale of electronic nicotine-delivery system products are exempted from the taxes imposed by this chapter.

(a) For purposes of this section, the following terms shall have the following meanings:

(1) “Characterizing flavor” means a distinguishable taste or aroma, other than the taste or aroma of tobacco, distinguishable by an ordinary consumer, imparted either prior to, or during, consumption of an electronic nicotine-delivery system product or component part thereof, including, but not limited to, tastes or aromas relating to any fruit, mint, menthol, wintergreen, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb, or spice or which impart a cooling or numbing sensation. The determination of whether an electronic nicotine-delivery system product has a characterizing flavor shall not be based solely on the use of additives, flavorings, or particular ingredients, but shall instead consider all aspects of a final product including, but not limited to, taste, flavor and aroma, product labeling, and advertising statements. A flavor shall be presumed to be a characterizing flavor if a dealer, manufacturer, or distributor has made a statement or claim directed to consumers or the public about such flavor, whether expressed or implied, that it has a distinguishable taste or aroma (other than the taste or aroma of tobacco).

(2) “Flavored electronic nicotine-delivery system product” means any electronic nicotine-delivery system product that imparts a characterizing flavor.

(b) The sale, or offer for sale of, or the possession with intent to sell or to offer for sale, flavored electronic nicotine-delivery system products to consumers within the State of Rhode Island is hereby prohibited. Compassion centers and licensed cultivators registered with the State of Rhode Island Department of Business Regulations-Office of Cannabis Regulation under chapter 28.6 of title 21 are exempt from this provision except as to products that contain, are made of, or are derived from tobacco or nicotine, natural or synthetic.


The department of health shall disclose to the tax administrator all information regarding persons and entities who hold, or previously held, a license issued pursuant to § 23-1-56.

SECTION 19. Effective October 1, 2024, Section 44-20-6 of the General Laws in Chapter 44-20 entitled "Cigarette and Other Tobacco Products Tax" is hereby repealed.
administrator. The holder of each license may, annually, before the expiration date of the license
then held by the licensee, renew his or her license for a further period of one year, on application
accompanied by the fee prescribed in § 44-20-4.

SECTION 20. Effective October 1, 2024, Sections 44-20.1-3 of the General Laws in
Chapter 44-20.1 entitled “Delivery Sales of Cigarettes” is hereby amended to read as follows:

44-20.1-3. Age Verification requirements.
(a) No person, including but not limited to online retailers, shall mail, ship, or otherwise
deliver cigarettes, other tobacco products, or electronic nicotine delivery systems in connection
with a delivery sale unless such person prior to the first delivery sale to such consumer:
(1) Obtains from the prospective consumer a certification that includes:
(i) A reliable confirmation that the consumer is at least the legal minimum purchase age;
and
(ii) A statement signed by the prospective consumer in writing that certifies the prospective
consumer’s address and that the consumer is at least eighteen twenty-one (1821) years of age. Such
statement shall also confirm:
(A) That the prospective consumer understands that signing another person’s name to such
certification is illegal;
(B) That the sale of cigarettes to individuals under the legal minimum purchase age is
illegal;
(C) That the purchase of cigarettes by individuals under the legal minimum purchase age
is illegal under the laws of the state; and
(D) That the prospective consumer wants to receive mailings from a tobacco company;
(2) Makes a good faith effort to verify the information contained in the certification
provided by the prospective consumer pursuant to subsection (1) against a commercially available
database, or obtains a photocopy or other image of the valid, government-issued identification
stating the date of birth or age of the individual placing the order;
(3) Provides to the prospective consumer, via e-mail or other means, a notice that meets
the requirements of § 44-20.1-4; and
(4) In the case of an order for cigarettes pursuant to an advertisement on the Internet,
receives payment for the delivery sale from the prospective consumer by a credit or debit card that
has been issued in such consumer’s name or by check.
(b) Persons accepting purchase orders for delivery sales may request that the prospective
consumers provide their e-mail addresses.
(c) The division of taxation, in consultation with the department of health, may promulgate
rules and regulations pertaining to this section.

SECTION 21. Effective January 1, 2025, Section 44-23-1 of the General Laws in Chapter 44-23 entitled "Estate and Transfer Taxes – Enforcement and Collection" is hereby amended to read as follows:

44-23-1. Statements filed by executors, administrators and heirs-at-law.

(a) Every executor, administrator, and heir-at-law, within nine (9) months after the death of the decedent, shall file with the tax administrator a statement under oath showing the full and fair cash value of the estate, the amounts paid out from the estate for claims, expenses, charges, and fees, and the statement shall also provide the names and addresses of all persons entitled to take any share or interest of the estate as legatees or distributees of the estate.

(b) For estates of decedents with a date of death prior to January 1, 2025, a fee of fifty dollars ($50.00) is shall be paid when filing any statement required by this section. All fees received under this section are allocated to the tax administrator for enforcement and collection of taxes.

(c) For estates of decedents with a date of death on or after January 1, 2025, no fee shall be paid when filing any statement required by this section.

SECTION 22. Effective January 1, 2025, Section 44-30-12 of the General Laws in Chapter 44-30 entitled "Personal Income Tax; Part II; Residents" is hereby amended to read as follows:

44-30-12. Rhode Island income of a resident individual.

(a) General. The Rhode Island income of a resident individual means his or her adjusted gross income for federal income tax purposes, with the modifications specified in this section.

(b) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state, or its political subdivisions, other than Rhode Island or its political subdivisions;

(2) Interest or dividend income on obligations or securities of any authority, commission, or instrumentality of the United States, but not of Rhode Island or its political subdivisions, to the extent exempted by the laws of the United States from federal income tax but not from state income taxes;

(3) The modification described in § 44-30-25(g);

(4)(i) The amount defined below of a nonqualified withdrawal made from an account in the tuition savings program pursuant to § 16-57-6.1. For purposes of this section, a nonqualified withdrawal is:

(A) A transfer or rollover to a qualified tuition program under Section 529 of the Internal Revenue Code, 26 U.S.C. § 529, other than to the tuition savings program referred to in § 16-57-
6.1; and

(B) A withdrawal or distribution that is:

(I) Not applied on a timely basis to pay “qualified higher education expenses” as defined in § 16-57-3(12) of the beneficiary of the account from which the withdrawal is made;

(II) Not made for a reason referred to in § 16-57-6.1(e); or

(III) Not made in other circumstances for which an exclusion from tax made applicable by Section 529 of the Internal Revenue Code, 26 U.S.C. § 529, pertains if the transfer, rollover, withdrawal, or distribution is made within two (2) taxable years following the taxable year for which a contributions modification pursuant to subsection (c)(4) of this section is taken based on contributions to any tuition savings program account by the person who is the participant of the account at the time of the contribution, whether or not the person is the participant of the account at the time of the transfer, rollover, withdrawal or distribution;

(ii) In the event of a nonqualified withdrawal under subsection (b)(4)(i)(A) or (b)(4)(i)(B) of this section, there shall be added to the federal adjusted gross income of that person for the taxable year of the withdrawal an amount equal to the lesser of:

(A) The amount equal to the nonqualified withdrawal reduced by the sum of any administrative fee or penalty imposed under the tuition savings program in connection with the nonqualified withdrawal plus the earnings portion thereof, if any, includible in computing the person’s federal adjusted gross income for the taxable year; and

(B) The amount of the person’s contribution modification pursuant to subsection (c)(4) of this section for the person’s taxable year of the withdrawal and the two (2) prior taxable years less the amount of any nonqualified withdrawal for the two (2) prior taxable years included in computing the person’s Rhode Island income by application of this subsection for those years. Any amount added to federal adjusted gross income pursuant to this subdivision shall constitute Rhode Island income for residents, nonresidents and part-year residents;

(5) The modification described in § 44-30-25.1(d)(3)(i);

(6) The amount equal to any unemployment compensation received but not included in federal adjusted gross income;

(7) The amount equal to the deduction allowed for sales tax paid for a purchase of a qualified motor vehicle as defined by the Internal Revenue Code § 164(a)(6); and

(8) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount
of the loan forgiven exceeds $250,000, including an individual’s distributive share of the amount
of a pass-through entity’s loan forgiveness in excess of $250,000.

(c) Modifications reducing federal adjusted gross income. There shall be subtracted from
federal adjusted gross income:

(1) Any interest income on obligations of the United States and its possessions to the extent
includible in gross income for federal income tax purposes, and any interest or dividend income on
obligations, or securities of any authority, commission, or instrumentality of the United States to
the extent includible in gross income for federal income tax purposes but exempt from state income
taxes under the laws of the United States; provided, that the amount to be subtracted shall in any
case be reduced by any interest on indebtedness incurred or continued to purchase or carry
obligations or securities the income of which is exempt from Rhode Island personal income tax, to
the extent the interest has been deducted in determining federal adjusted gross income or taxable
income;

(2) A modification described in § 44-30-25(f) or § 44-30-1.1(c)(1);

(3) The amount of any withdrawal or distribution from the “tuition savings program”
referred to in § 16-57-6.1 that is included in federal adjusted gross income, other than a withdrawal
or distribution or portion of a withdrawal or distribution that is a nonqualified withdrawal;

(4) Contributions made to an account under the tuition savings program, including the
“contributions carryover” pursuant to subsection (c)(4)(iv) of this section, if any, subject to the
following limitations, restrictions and qualifications:

(i) The aggregate subtraction pursuant to this subdivision for any taxable year of the
taxpayer shall not exceed five hundred dollars ($500) or one thousand dollars ($1,000) if a joint
return;

(ii) The following shall not be considered contributions:

(A) Contributions made by any person to an account who is not a participant of the account
at the time the contribution is made;

(B) Transfers or rollovers to an account from any other tuition savings program account or
from any other “qualified tuition program” under section 529 of the Internal Revenue Code, 26
U.S.C. § 529; or

(C) A change of the beneficiary of the account;

(iii) The subtraction pursuant to this subdivision shall not reduce the taxpayer’s federal
adjusted gross income to less than zero (0);

(iv) The contributions carryover to a taxable year for purpose of this subdivision is the
excess, if any, of the total amount of contributions actually made by the taxpayer to the tuition
savings program for all preceding taxable years for which this subsection is effective over the sum of:

(A) The total of the subtractions under this subdivision allowable to the taxpayer for all such preceding taxable years; and

(B) That part of any remaining contribution carryover at the end of the taxable year which exceeds the amount of any nonqualified withdrawals during the year and the prior two (2) taxable years not included in the addition provided for in this subdivision for those years. Any such part shall be disregarded in computing the contributions carryover for any subsequent taxable year;

(v) For any taxable year for which a contributions carryover is applicable, the taxpayer shall include a computation of the carryover with the taxpayer’s Rhode Island personal income tax return for that year, and if for any taxable year on which the carryover is based the taxpayer filed a joint Rhode Island personal income tax return but filed a return on a basis other than jointly for a subsequent taxable year, the computation shall reflect how the carryover is being allocated between the prior joint filers;

(5) The modification described in § 44-30-25.1(d)(1);

(6) Amounts deemed taxable income to the taxpayer due to payment or provision of insurance benefits to a dependent, including a domestic partner pursuant to chapter 12 of title 36 or other coverage plan;

(7) Modification for organ transplantation.

(i) An individual may subtract up to ten thousand dollars ($10,000) from federal adjusted gross income if he or she, while living, donates one or more of his or her human organs to another human being for human organ transplantation, except that for purposes of this subsection, “human organ” means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract modification that is claimed hereunder may be claimed in the taxable year in which the human organ transplantation occurs.

(ii) An individual may claim that subtract modification hereunder only once, and the subtract modification may be claimed for only the following unreimbursed expenses that are incurred by the claimant and related to the claimant’s organ donation:

(A) Travel expenses.

(B) Lodging expenses.

(C) Lost wages.

(iii) The subtract modification hereunder may not be claimed by a part-time resident or a nonresident of this state;

(8) Modification for taxable Social Security income.
(i) For tax years beginning on or after January 1, 2016:

(A) For a person who has attained the age used for calculating full or unreduced Social Security retirement benefits who files a return as an unmarried individual, head of household, or married filing separate whose federal adjusted gross income for the taxable year is less than eighty thousand dollars ($80,000); or

(B) A married individual filing jointly or individual filing qualifying widow(er) who has attained the age used for calculating full or unreduced Social Security retirement benefits whose joint federal adjusted gross income for the taxable year is less than one hundred thousand dollars ($100,000), an amount equal to the Social Security benefits includible in federal adjusted gross income.

(ii) Adjustment for inflation. The dollar amount contained in subsections (c)(8)(i)(A) and (c)(8)(i)(B) of this section shall be increased annually by an amount equal to:

(A) Such dollar amount contained in subsections (c)(8)(i)(A) and (c)(8)(i)(B) of this section adjusted for inflation using a base tax year of 2000, multiplied by;

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

(iii) For the purposes of this section the cost-of-living adjustment for any calendar year is the percentage (if any) by which the consumer price index for the preceding calendar year exceeds the consumer price index for the base year. The consumer price index for any calendar year is the average of the consumer price index as of the close of the twelve-month (12) period ending on August 31, of such calendar year.

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

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

(9) Modification of taxable retirement income from certain pension plans or annuities.

(i) For tax years beginning on or after January 1, 2017, until the tax year beginning January 1, 2022, a modification shall be allowed for up to fifteen thousand dollars ($15,000), and for tax years beginning on or after January 1, 2023, until the tax year beginning January 1, 2024, a modification shall be allowed for up to twenty thousand dollars ($20,000), and for tax years...
beginning on or after January 1, 2025, a modification shall be allowed for up to fifty thousand dollars ($50,000), of taxable pension and/or annuity income that is included in federal adjusted gross income for the taxable year:

(A) For a person who has attained the age used for calculating full or unreduced Social Security retirement benefits who files a return as an unmarried individual, head of household, or married filing separate whose federal adjusted gross income for such taxable year is less than the amount used for the modification contained in subsection (c)(8)(i)(A) of this section an amount not to exceed $15,000 for tax years beginning on or after January 1, 2017, until the tax year beginning January 1, 2022, and an amount not to exceed twenty thousand dollars ($20,000) for tax years beginning on or after January 1, 2023, until the tax year beginning January 1, 2024, and an amount not to exceed fifty thousand dollars ($50,000) for tax years beginning on or after January 1, 2025, of taxable pension and/or annuity income includible in federal adjusted gross income; or

(B) For a married individual filing jointly or individual filing qualifying widow(er) who has attained the age used for calculating full or unreduced Social Security retirement benefits whose joint federal adjusted gross income for such taxable year is less than the amount used for the modification contained in subsection (c)(8)(i)(B) of this section an amount not to exceed $15,000 for tax years beginning on or after January 1, 2017, until the tax year beginning January 1, 2022, and an amount not to exceed twenty thousand dollars ($20,000) for tax years beginning on or after January 1, 2023, until the tax year beginning January 1, 2024, and an amount not to exceed fifty thousand dollars ($50,000) for tax years beginning on or after January 1, 2025, of taxable pension and/or annuity income includible in federal adjusted gross income.

(ii) Adjustment for inflation. The dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B) of this section shall be increased annually for tax years beginning on or after January 1, 2018, by an amount equal to:

(A) Such dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B) of this section adjusted for inflation using a base tax year of 2000, multiplied by;

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

(iii) For the purposes of this section, the cost-of-living adjustment for any calendar year is the percentage (if any) by which the consumer price index for the preceding calendar year exceeds the consumer price index for the base year. The consumer price index for any calendar year is the average of the consumer price index as of the close of the twelve-month (12) period ending on August 31, of such calendar year.

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

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

(vi) For tax years beginning on or after January 1, 2022, the dollar amount contained by
reference in subsection (c)(9)(i)(A) shall be adjusted to equal the dollar amount contained in
subsection (c)(8)(i)(A), as adjusted for inflation, and the dollar amount contained by reference in
subsection (c)(9)(i)(B) shall be adjusted to equal the dollar amount contained in subsection
(c)(8)(i)(B), as adjusted for inflation;

(10) Modification for Rhode Island investment in opportunity zones. For purposes of a
taxpayer’s state tax liability, in the case of any investment in a Rhode Island opportunity zone by
the taxpayer for at least seven (7) years, a modification to income shall be allowed for the
incremental difference between the benefit allowed under 26 U.S.C. § 1400Z-2(b)(2)(B)(iv) and
the federal benefit allowed under 26 U.S.C. § 1400Z-2(c);

(i) For purposes of a taxpayer’s state tax liability, a modification to income shall be allowed
as follows:

(A) For the tax years beginning on January 1, 2023, a taxpayer may subtract from federal
adjusted gross income the taxpayer’s military service pension benefits included in federal adjusted
gross income;

(ii) As used in this subsection, the term “military service” shall have the same meaning as
set forth in 20 C.F.R. § 212.2;

(iii) At no time shall the modification allowed under this subsection alone or in conjunction
with subsection (c)(9) exceed the amount of the military service pension received in the tax year
for which the modification is claimed; and

(12) Any rebate issued to the taxpayer pursuant to § 44-30-103 to the extent included in
gross income for federal tax purposes.; and

(13) For tax years beginning on or after January 1, 2025, in the case of a taxpayer that is
licensed in accordance with chapters 28.6 and/or 28.11 of title 21, the amount equal to any
expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed under
26 U.S.C. § 280E.
(d) Modification for Rhode Island fiduciary adjustment. There shall be added to, or subtracted from, federal adjusted gross income (as the case may be) the taxpayer’s share, as beneficiary of an estate or trust, of the Rhode Island fiduciary adjustment determined under § 44-30-17.

(e) Partners. The amounts of modifications required to be made under this section by a partner, which relate to items of income or deduction of a partnership, shall be determined under § 44-30-15.

SECTION 23. Section 44-34.1-2 of the General Laws in Chapter 44-34.1 entitled “Motor Vehicle and Trailer Excise Tax Elimination Act of 1998” is hereby amended to read as follows:

44-34.1-2. City, town, and fire district reimbursement.

(a) In fiscal years 2024 and thereafter, cities, towns, and fire districts shall receive reimbursements, as set forth in this section, from state general revenues equal to the amount of lost tax revenue due to the phase out of the excise tax. When the tax is phased out, cities, towns, and fire districts shall receive a permanent distribution of sales tax revenue pursuant to § 44-18-18 in an amount equal to any lost revenue resulting from the excise tax elimination.

(b)(1) In fiscal years 2024 and thereafter, cities, towns, and fire districts shall receive the following reimbursement amounts:

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<th>Town</th>
<th>Reimbursement</th>
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<tbody>
<tr>
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<td>Burrillville</td>
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<td>Central Falls</td>
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<td>East Providence</td>
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<tr>
<td>23</td>
<td>Lime Rock Fire District</td>
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<tr>
<td>24</td>
<td>Lincoln Fire District</td>
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<tr>
<td>25</td>
<td>Manville Fire District</td>
</tr>
<tr>
<td>26</td>
<td>Quinnville Fire District</td>
</tr>
</tbody>
</table>

(2) In fiscal year 2024, funds shall be distributed to the cities, towns, and fire districts as follows:

(i) On August 1, 2023, twenty-five percent (25%) of the funds.
(ii) On November 1, 2023, twenty-five percent (25%) of the funds.
(iii) On February 1, 2024, twenty-five percent (25%) of the funds.
(iv) On May 1, 2024, twenty-five percent (25%) of the funds.

The funds shall be distributed to each city, town, and fire district in the same proportion as distributed in fiscal year 2023.
For the city of East Providence, the payment schedule is twenty-five percent (25%) on
November 1, 2023, twenty-five percent (25%) on February 1, 2024, twenty-five percent (25%) on
May 1, 2024, and twenty-five percent (25%) on August 1, 2024.

On any of the payment dates specified in subsections (b)(2)(i) through (b)(2)(iv) or
(b)(3) of this section, the director of revenue is authorized to deduct previously made over-
payments or add supplemental payments as may be required to bring the reimbursements into full
compliance with the requirements of this chapter.

e) When the tax is phased out to August 1, of the following fiscal year the director of
revenue shall calculate to the nearest thousandth of one cent ($0.00001) the number of cents of
sales tax received for the fiscal year ending June 30, of the year following the phase-out equal to
the amount of funds distributed to the cities, towns, and fire districts under this chapter during the
fiscal year following the phase-out and the percent of the total funds distributed in the fiscal year
following the phase-out received by each city, town, and fire district, calculated to the nearest one-
hundredth of one percent (0.01%). The director of the department of revenue shall transmit those
calculations to the governor, the speaker of the house, the president of the senate, the chairperson
of the house finance committee, the chairperson of the senate finance committee, the house fiscal
advisor, and the senate fiscal advisor. The number of cents, applied to the sales taxes received for
the prior fiscal year, shall be the basis for determining the amount of sales tax to be distributed to
the cities, towns, and fire districts under this chapter for the second fiscal year following the phase-
out and each year thereafter. The cities, towns, and fire districts shall receive that amount of sales
tax in the proportions calculated by the director of revenue as that received in the fiscal year
following the phase-out.

(d) In fiscal years 2025 and thereafter, twenty-five percent (25%) of the funds shall be
distributed to the cities, towns, and fire districts on August 1, 2024, and every August 1 thereafter;
twenty-five percent (25%) shall be distributed on November 1, 2024, and every November 1
thereafter; twenty-five percent (25%) shall be distributed on February 1, 2025, and every February
1 thereafter; and twenty-five percent (25%) shall be distributed on May 1, 2025, and every May 1
thereafter.

e) For the city of East Providence, in fiscal years 2025 and thereafter, twenty-five
percent (25%) shall be distributed on November 1, 2024, and every November 1 thereafter, twenty-
five percent (25%) shall be distributed on February 1, 2025, and every February 1 thereafter;
twenty-five percent (25%) shall be distributed on May 1, 2025, and every May 1 thereafter; and
twenty-five percent (25%) of the funds shall be distributed on August 1, 2025, and every August 1
thereafter.
SECTION 24. Effective January 1, 2025, Sections 46-12-39.1, 46-12-40 and 46-12-41 of the General Laws in Chapter 46-12 entitled “Water Pollution” is hereby amended to read as follows:

46-12-39.1. No discharge awareness and education certificate decal - Required.

(a) Definitions. As used in this section and in conjunction with this chapter, the following terms shall be construed as follows:

(1) “Certification agent” means a marina or boatyard which is capable of installing sewage disposal holding tanks and related equipment; a certified marine sewage pump-out facility, including a mobile facility; other established marine businesses, included, but not limited to, marine surveyors and mobile marine repair facilities, that are experienced in the evaluation, repair and/or installation of boat sewage systems; and local harbor masters and assistant harbor masters. “Marine sanitation device” means either a marine sanitation device-type I, a marine sanitation device-type II, or a marine sanitation device-type III with a holding tank and through-hull fitting that would allow sewage to be discharged overboard.

(b) No person shall operate or moor for more than thirty (30) days, a boat in the waters of the state, that has a permanently installed marine toilet unless such boat displays in a prominent position an approved “no discharge certificate decal.” At the time of registration, a boat owner shall be provided with educational material notifying them that, if the recipient boat has a marine sanitation device, the marine sanitation device must be properly secured in a manner that prevents overboard discharges when operating in Rhode Island waters consistent with R.I. Gen. Laws § 46-12-39.

(c) Subsection 46-12-39.1(b) shall not apply to any vessel carrying a valid certificate of inspection issued by the U.S. Coast Guard pursuant to title 46 of the U.S. Code.

(d) Two (2) no discharge certificate decals, differing in color, shall be made available by the department of environmental management for issuance to boats subject to the requirements of this section.

(1) Decals of one color shall signify that the recipient boat has a marine toilet, in proper working order, which is either a marine sanitation device-type I, a marine sanitation device-type II, or a marine sanitation device-type III with a holding tank and through-hull fitting that would allow sewage to be discharged overboard, but the boat owner or operator had taken the steps necessary to prevent the discharge of sewage into the waters of the state.

(2) Decals of the other color shall signify that the recipient boat either has a marine sanitation device-type III with a holding tank and no through hull fitting that would allow sewage to be discharged overboard, or no marine toilet at all.

(e) Certification shall remain in effect for forty-eight (48) months after each certification.
and no additional certification shall be required during that period.

(f) The department of environmental management shall collect and deposit into a separate general revenue account a fee of ten dollars ($10.00) for each certificate to defray the cost of implementation of this section.

(g) Certificate decals may be obtained from any certification agent.

(h) Before a certificate decal may be issued, a certification agent must visually inspect each permanently installed marine toilet on a boat, as well as any associated plumbing or holding tank fixtures, to ascertain whether the boat is in compliance with § 46-12-39. If necessary, the certification agent shall perform a color-dye flush test of each toilet to verify compliance.

(i) For inspections conducted pursuant to this section, certification agents may collect and retain a fee, not to exceed twenty-five dollars ($25.00) for each permanently installed marine toilet aboard each boat. This fee shall be in addition to the minimum ten dollar ($10.00) fee for each decal issued, which certification agents shall collect and forward to the department of environmental management pursuant to subsection (f) above.

### 46-12-40. Penalty for violations.

(a) Every person in violation of § 46-12-39 or owning, operating or causing to be operated, upon the waters of the state, a boat in violation of the provisions of § 46-12-39 or aiding in so doing, shall for the first offense be punished by a fine of not more than five hundred dollars ($500), or be imprisoned for not more than one year in the adult correctional institutions, or both such fine and imprisonment, and for a second and each subsequent offense shall be fined not more than one thousand dollars ($1,000), or be imprisoned for not more than one year in the adult correctional institutions, or both such fine and imprisonment, in the discretion of the court. If a municipality assists in the prosecution of a violation of § 46-12-39 any fine imposed for that violation shall be paid one-half (½) thereof to the general treasurer of the state and one-half (½) thereof to the treasurer of the town or city where the offense occurred.

(b) Every person in violation of § 46-12-39.1, or owning, operating or causing to be operated, upon the waters of the state, a boat in violation of the provisions of § 46-12-39.1, shall be guilty of a civil violation and subject to a fine of up to one hundred dollars ($100). If a municipality assists in the prosecution of a violation of § 46-12-39.1, any fine imposed for that violation shall be paid one-half (½) thereof to the general treasurer of the state and one-half (½) thereof to the treasurer of the town or city where the offense occurred.

(c) Notwithstanding any inconsistent provision of law, the municipal court shall have concurrent jurisdiction with the district court to hear and adjudicate violations under this section.

### 46-12-41. Enforcement.
(a) The department of environmental management, harbormasters, assistant harbormasters, police officers authorized to make arrests, and employees of the department of environmental management authorized to enforce the provisions of chapter 22 of this title shall have the authority to enforce the provisions of § 46-12-39 and § 46-12-39.1. In the exercise of enforcing the provisions of § 46-12-39 they shall have the authority to stop and board any vessel subject to this chapter, regardless of whether the vessel is under way, making way, docked, or moored.

(b) Harbormasters and assistant harbormasters are authorized to make periodic color dye flush tests of boats subject to § 46-12-39.1, and may check such boats moored in their jurisdictions for no discharge certificate decals, as required pursuant to § 46-12-39.1 compliance with § 46-12-39.

(c) Municipalities of the state may deny a mooring permit to any boat not in compliance with § 46-12-39.4 46-12-39.

SECTION 25. All sections shall take effect upon passage, except for Sections 14 and 15 which shall be effective September 1, 2024, and Sections 6, 16, 17, 18, 19, and 20, which shall be effective October 1, 2024, and Sections 8, 9, 12, 13, 21, 22, and 24, which shall be effective on January 1, 2025.
ARTICLE 7

RELATING TO ECONOMIC DEVELOPMENT

SECTION 1. Sections 42-64.16-2 and 42-64.16-3 of the General Laws in Chapter 64.16 entitled “The Innovate Rhode Island Small Business Program” are hereby amended to read as follows:

42-64.16-2. Establishment of matching funds program.

(a) There is established the Rhode Island SBIR/STTR Matching Funds Program to be administered by STAC. In order to foster job creation and economic development in the state, STAC may provide grants to eligible businesses to match funds received by a business as a SBIR or STTR Phase I or II award, and to encourage businesses to apply for further SBIR or STTR awards, and commercialize their technology and research.

(b) Eligibility. In order to be eligible for a grant under this section, a business must satisfy all of the following conditions:

(1) The business must be a for-profit, Rhode Island-based business with fifty (50) or fewer employees. For the purposes of this section, Rhode Island-based business is one that has its principal place of business and at least fifty-one percent (51%) of its employees residing in this state.

(2) The business must have received an SBIR/STTR Phase I award from a participating federal agency in response to a specific federal solicitation. To receive the full Phase I matching grant, the business must also have submitted a final Phase I report, demonstrated that the sponsoring agency has interest in the Phase II proposal, and submitted a Phase II proposal to the agency. To receive the full Phase II matching grant, the business must also have submitted a final Phase II report.

(3) The business must satisfy all federal SBIR/STTR requirements.

(4) The business shall not receive concurrent funding support from other sources that duplicates the purpose of this section.

(5) For a Phase I and II matching grant, the business must certify that at least fifty-one percent (51%) of the research described in the federal SBIR/STTR Phase I, II and any further SBIR/STTR proposals and commercialization will be conducted in this state and that the business will remain a Rhode Island-based business for the duration of the SBIR/STTR Phase I, II any further SBIR/STTR projects and commercialization.

(6) For a Phase I and II matching grant, the business must demonstrate its ability to conduct research in its SBIR/STTR Phase II proposal.

(7) For a Phase III commercialization grant, the business must have completed their Phase
(8) For a Phase III commercialization grant, the business must certify that at least fifty-one percent (51%) of the research described in the Phase III application and any other further SBIR/STTR proposals and commercialization will be conducted in this state and that the business will remain a Rhode Island-based business, as defined by Rhode Island General Law 42-64.16-2(b)(1) for at least five (5) years following award of the Phase III grant.

(c) Phase I and II Matching Grant. STAC may award grants to match the funds received by a business through a SBIR/STTR Phase I or II proposal up to a maximum of one hundred fifty-three hundred thousand dollars ($150,300,000). Seventy-five percent (75%) of the total grant shall be remitted to the business upon receipt of the SBIR/STTR Phase I or II award and application for funds under this section. Twenty-five percent (25%) of the total grant shall be remitted to the business upon submission by the business of the Phase II application to the funding agency and acceptance of the Phase I or II report by the funding agency. A business may receive only one grant under this section per year. A business may receive only one grant under this section with respect to each federal proposal submission. Over its lifetime, a business may receive a maximum of six (6) awards under this section.

(d) Phase III Commercialization Grant. STAC may award grants of up to $500,000 to an eligible business to support commercialization of the results achieved through SBIR/STTR Phase I and Phase II funding. Grants shall be approved in consultation with the Rhode Island Commerce Corporation. Twenty-five percent (25%) of the total grant funding shall be remitted to the business upon award of the Phase III grant and execution of a grant agreement. Sixty-five percent (65%) of the total grant funding shall be remitted to the business upon request for reimbursement for eligible research and development expenses, as defined by STAC, in connection with the project for which the business received the award. Ten percent (10%) of the total grant funding shall be remitted to the business five (5) years following the date of award of the Phase III grant, provided that the business has remained a Rhode Island-based business, as defined by Rhode Island General Law 42-64.16-2(b)(1) for the duration of the grant period.

(e) Application. A business shall apply, under oath, to STAC for a grant under this section on a form prescribed by STAC that includes at least all of the following:

(1) The name of the business, the form of business organization under which it is operated, and the names and addresses of the principals or management of the business.

(2) For a Phase I or II matching grant, an acknowledgement of receipt of the Phase I or II report and Phase II proposal by the relevant federal agency.

(3) For a Phase III commercialization grant, an acknowledgement of the terms of the grant.
and proof of eligibility, as defined in subsection (b) of this section.

(34) Any other information necessary for STAC to evaluate the application.

42-64.16-3. Establishment of bioscience & engineering internship program.

(a) There is hereby established the Innovate Rhode Island Bioscience & Engineering Internship Program to be administered by STAC. In order to promote workforce development and education in the bioscience and engineering fields and enhance the talent pipeline for Rhode Island businesses engaged in the biosciences and engineering, STAC may reimburse eligible bioscience and engineering companies for eligible internship stipends. The reimbursements shall be paid from the Innovate Rhode Island Small Business Account established in this chapter.

(b) Bioscience and engineering definitions.

(1) Bioscience definition. For the purposes of this section, “bioscience” shall mean advanced and applied sciences that expand the understanding of human physiology and have the potential to lead to medical advances or therapeutic applications.

(2) Engineering definition. For the purposes of this section, “engineering” shall mean the creative application of advanced mathematics and natural sciences to design or develop complex structures, machines, processes, or systems.

(c) Business eligibility. In order to be eligible for reimbursement under this section, a business must satisfy all of the following conditions:

(1) The business must be a for-profit, Rhode Island-based business with fifty (50) or fewer employees. For the purposes of this section, a Rhode Island-based business is one that has its principal place of business and at least fifty-one percent (51%) of its employees in this state.

(2) The business must be primarily engaged in a bioscience or engineering field and must demonstrate its ability to conduct research in bioscience or engineering.

(3) The business must host the internship in Rhode Island.

(4) The business must offer interns a hands-on learning experience and at least one mentor directly overseeing the internship.

(5) Any two or more related businesses that are commonly controlled by any person or entity, directly or indirectly, are limited to reimbursement under this section available for one business only.

(d) Intern eligibility. In order to be an eligible intern under this section, a prospective intern must satisfy all of the following requirements:

(1) The prospective intern must be a Rhode Island resident and must attend a college or university located in Rhode Island.

(2) For students enrolled in community college, the student must be enrolled in an
Associate’s Degree or Certificate program or completed one within the past year; for students
enrolled in four-year college or university, the student must have or will have completed at least
sophomore year the semester before the internship, or have graduated within the past year; for
graduate students, the student must be enrolled in a Master’s Degree program or received their
Master’s Degree within the past year.

(3) The intern cannot be the spouse, child, grandchild, sibling, niece, nephew, or spouse of
a child, grandchild, sibling, niece, or nephew of any employee of the business.

(4) The intern cannot participate in more than one internship subsidized under this section
in the same calendar year.

(5) The intern cannot participate in more than two internships subsidized under this section,
over two calendar years, with the same business.

(e) Reimbursement. STAC may reimburse eligible companies for pay rates up to twelve
dollars ($12) per hour the Rhode Island minimum wage, as defined in chapter 12-3 of title 28, for
a total reimbursement of no more than three six thousand five hundred dollars ($3,650.00) per
eligible intern in a bioscience or engineering internship program. Businesses may seek
reimbursement for up to two (2) interns per calendar year. Interns shall be paid directly by the
eligible business. Eligible businesses may seek reimbursement under this section by providing
certification and proof of payment to STAC.

(f) Business application. A business shall apply, under oath, to STAC to qualify for
reimbursement under this section on a form prescribed by STAC that includes at least all of the
following:

(1) The name of the business, the form of business organization under which it is operated,
and the names and addresses of the principals or management of the business.

(2) Certification that the business meets the requirements for eligibility under this section.

(3) A description of the bioscience or engineering internship program that the business
intends to offer.

(4) Any other information necessary for STAC to evaluate the application.

(g) Prospective intern application. A prospective intern shall apply, under oath, to STAC
to qualify for an internship under this section on a form prescribed by STAC that includes at least
all of the following:

(1) The prospective intern’s name, address, college or university, program of study, year
of study at the college or university, and degree of attainment.

(2) Certification that prospective intern meets the requirements for eligibility under this
section.
(3) Proof of Rhode Island residency.

(4) Proof of enrollment in a college or university in Rhode Island or proof of having graduated from a college or university in Rhode Island within the past year.

(5) Resume and cover letter.

(6) Any other information necessary for STAC to evaluate the application.

(h) Application process. STAC may receive applications from businesses and prospective interns throughout the calendar year and make determinations relating to eligibility under this section. STAC may make available to eligible businesses the eligible intern applications. Eligible businesses looking to host interns may review applications, interview candidates, and select and hire interns according to their qualifications and the businesses’ needs.

SECTION 2. Section 42-64.20-10 of the General Laws in Chapter 42-64.20 entitled “Rebuild Rhode Island Tax Credit Act” is hereby amended to read as follows:

42-64.20-10. Sunset.

No credits shall be authorized to be reserved pursuant to this chapter after December 31, 2024. December 31, 2025.

SECTION 3. Section 42-64.21-9 of the General Laws in Chapter 42-64.21 entitled “Rhode Island Tax Increment Financing” is hereby amended to read as follows:

42-64.21-9. Sunset.

The commerce corporation shall enter into no agreement under this chapter after December 31, 2024. December 31, 2025.

SECTION 4. Section 42-64.22-15 of the General Laws in Chapter 42-64.22 entitled “Tax Stabilization Incentive” is hereby amended to read as follows:

42-64.22-15. Sunset.

The commerce corporation shall enter into no agreement under this chapter after December 31, 2024. December 31, 2025.

SECTION 5. Section 42-64.23-8 of the General Laws in Chapter 42-64.23 entitled “First Wave Closing Fund Act” is hereby amended to read as follows:

42-64.23-8. Sunset.

No financing shall be authorized to be reserved pursuant to this chapter after December 31, 2024. December 31, 2025.

SECTION 6. Section 42-64.24-8 of the General Laws in Chapter 42-64.24 entitled “I-195 Redevelopment Project Fund Act” is hereby amended as follows:

42-64.24-8. Sunset.

No funding, credits, or incentives shall be authorized or authorized to be reserved pursuant
SECTION 7. Section 42-64.25-14 of the General Laws in Chapter 42-64.24 entitled “Small Business Assistance Program Act” is hereby amended as follows:

42-64.25-14. Sunset.

No grants, funding, or incentives shall be authorized pursuant to this chapter after December 31, 2024. December 31, 2025.

SECTION 8. Section 42-64.26-12 of the General Laws in Chapter 42-64.26 entitled “Stay Invested in RI Wavemaker Fellowships” is hereby amended to read as follows:

42-64.26-12. Sunset.

No incentives or credits shall be authorized pursuant to this chapter after December 31, 2024. December 31, 2025.

SECTION 9. Section 42-64.27-6 of the General Laws in Chapter 42-64.27 entitled “Main Street Rhode Island Streetscape Improvement Fund” is hereby amended as follows:

42-64.27-6. Sunset.

No credits shall be authorized to be reserved pursuant to this chapter after December 31, 2024. December 31, 2025.

SECTION 10. Sections 42-64.28-2, 42-64.28-3, 42-64.28-4, 42-64.28-5, 42-64.28-6, 42-64.28-7, 42-64.28-9, 42-64.28-10 of the General Laws in Chapter 64.28 entitled “Innovation Initiative” are hereby amended to read as follows:

42-64.28-2. Definitions.

As used in this chapter:

(1) “Commerce corporation” means the Rhode Island commerce corporation established pursuant to § 42-64-1 et seq.

(2) “Employee-owned business” shall mean any entity that is a small business and:

(i) Is, in whole or in part, a workers’ cooperative as defined in § 7-6.2-2(5); or

(ii) Has an employee stock ownership plan, as defined in 26 U.S.C. § 4975(e)(7);

(23) “Manufacturer” shall mean any entity that:

(i) Uses any premises within the state primarily for the purpose of transforming raw materials into a finished product for trade through any or all of the following operations: adapting, altering, finishing, making, processing, refining, metalworking, and ornamenting, but shall not include fabricating processes incidental to warehousing or distribution of raw materials, such as alteration of stock for the convenience of a customer; or

(ii) Is described in codes 31-33 of the North American Industry Classification system, as revised from time to time.
“Match” shall mean a funding match, or in kind services provided by a third party.

“Small business” means a business that is resident in Rhode Island, has its business facility located within the state, and employs five hundred (500) or fewer persons.

“Small business manufacturer” shall mean a business that meets the definitions of terms small business and manufacturer as defined herein.

“Targeted industry” means any advanced, promising or otherwise prioritized industry identified in the economic development vision and policy promulgated pursuant to § 42-64.17-1 or, until such time as any such economic development vision and policy is promulgated, as identified by the commerce corporation.

42-64.28-3. Programs established.

(a) The Rhode Island commerce corporation shall establish a voucher program and an innovation network program as provided under this chapter. The programs are subject to available appropriations and such other funding as may be dedicated to the programs.

(b) There is established an account in the name of the “innovation initiative fund” (the “fund”) under the control of the commerce corporation to fund the programs.

(1) The fund shall consist of:

(i) Money appropriated in the state budget to the fund;

(ii) Money made available to the fund through federal grants, programs, or private contributions;

(iii) Application or other fees paid to the fund to process applications for awards under this chapter; and

(iv) Any other money made available to the fund.

(c) Voucher program. The commerce corporation is authorized to develop and implement an innovation voucher program to provide financing to small businesses to purchase research and development support or other forms of technical assistance and services from Rhode Island institutions of higher education and other providers and to fund research and development by and for small business manufacturers.

(d) Innovation network program. The commerce corporation is authorized to provide innovation grants to organizations, including nonprofit organizations, for-profit organizations, universities, and co-working space operators that offer technical assistance, space on flexible terms, and access to capital to businesses in advanced or targeted industries, or businesses that are evaluating a transition to become employee-owned businesses, regardless of industry. The commerce corporation shall only issue grants under this subsection when those grants are matched by private-sector or nonprofit partners. The commerce corporation shall establish guidelines for
appropriate matching criteria under this section, including necessary matching ratios.

(e) **Invention incentive program.** The commerce corporation is authorized to develop and implement an invention incentive program to provide grants to small businesses and individuals to reduce barriers to filing a patent application. The commerce corporation shall establish guidelines for eligible recipients under this section, including industry, business size, and other criteria.

42-64.28-4. **Eligible uses.**

(a) Vouchers available under this chapter shall be used for the benefit of small businesses to access technical assistance and other services including, but not limited to: research, technological development, product development, commercialization, market development, technology exploration, and improved business practices that implement strategies to grow business and create operational efficiencies.

(b) Vouchers available under this chapter shall be used to provide funding to finance internal research and development by and for small business manufacturers, including, but not limited to: research, technological development, product development, commercialization, market development, technology exploration, and improved business practices that implement strategies to grow business and create operational efficiencies. Subject to appropriation, the commerce corporation shall reserve an amount not to exceed fifty percent (50%) of the voucher program’s annual appropriation to be made available in fiscal year 2018 for vouchers awarded to small business manufacturers under this subsection.

(c) Matching fund awards shall be used for the benefit of small businesses in industries designated from time to time by the corporation, including without limitation: life science and healthcare, food and agriculture, clean technology and energy efficiency, and cyber security to pay for and access technological assistance, to procure space on flexible terms, and to access capital from organizations, including nonprofit organizations, for-profit organizations, universities, and co-working space businesses. Provided, however, that any business that is evaluating a transition to become an employee-owned business, regardless of industry, shall be an eligible beneficiary of a matching fund award.

(d) **Grant awards through the invention incentive program shall be used in the form of reimbursement for allowable expenses incurred, per regulations promulgated by the Commerce Corporation, in connection with the submission of a patent application to the United States Patent and Trademark Office. Reimbursement shall only occur following the submission of a patent application by the eligible recipient. No more than one award per individual shall be allowed.**

42-64.28-5. **Qualification.**

(a) To qualify for a voucher, for an invention incentive grant, or for a matching fund award
under this chapter, a business or individual must make application to the commerce corporation, and upon selection, shall enter into an agreement with the commerce corporation. The commerce corporation shall have no obligation to issue any voucher, make any award, or grant any benefits under this chapter.

42-64.28-6. Voucher amounts and matching fund awards.

(a) Voucher award amounts to a selected applicant shall be determined by the corporation, to be in the minimum amount of five thousand dollars ($5,000) and the maximum amount of fifty thousand dollars ($50,000), subject to appropriations or other available moneys in the fund.

(b) Matching fund awards shall be awarded to organizations in an amount approved by the corporation, subject to appropriations or other available moneys in the fund.

(c) Invention incentive grant amounts shall not exceed five thousand dollars ($5,000) per awardee, subject to appropriations or other available moneys in the fund.

42-64.28-7. Rules and regulations.

The commerce corporation is hereby authorized to promulgate such rules and regulations as are necessary to fulfill the purposes of this chapter, including the criteria by which voucher, invention incentive grant, and matching fund applications will be judged, awards will be approved, and vendors of services will be approved.

42-64.28-9. Reporting requirements.

The commerce corporation shall submit a report annually, no later than sixty (60) days after the end of the fiscal year to the speaker of the house and the president of the senate detailing:

1. the total amount of innovation vouchers, invention incentive grants, and matching funds awarded; (2) the number of innovation vouchers, invention incentive grants, and matching fund awards approved, (3) the amount of each voucher, invention incentive grant, or matching fund award and a description of services purchased; and (4) such other information as the commerce corporation deems necessary.

42-64.28-10. Sunset.

No vouchers, grants, or incentives shall be authorized pursuant to this chapter after December 31, 2025.

SECTION 11. Section 42-64.31-4 of the General Laws in Chapter 42-64.31 entitled “High School, College, and Employer Partnerships” is hereby amended as follows:

42-64.31-4. Sunset.

No grants shall be authorized pursuant to this chapter after December 31, 2025.

SECTION 12. Section 42-64.32-6 of the General Laws in Chapter 42-64.32 entitled “Air
Service Development Fund" is hereby amended as follows:

1. **42-64.32-6. Sunset.**

2. No grants, credits, or incentives shall be authorized or authorized to be reserved pursuant to this chapter after December 31, 2024. December 31, 2025.

3. SECTION 13. Section 44-48.3-14 of the General Laws in Chapter 44-48.3 entitled “Rhode Island New Qualified Jobs Incentive Act of 2015" is hereby amended as follows:

4. **44-48.3-14. Sunset.**

5. No credits shall be authorized to be reserved pursuant to this chapter after December 31, 2024. December 31, 2025.

6. **SECTION 14.** This act shall take effect upon passage.
ARTICLE 8

RELATING TO EDUCATION

SECTION 1. Sections 16-7.2-3 and 16-7.2-6 of the General Laws in Chapter 16-7.2 entitled "The Education Equity and Property Tax Relief Act" are hereby amended to read as follows:


(a) Beginning in the 2012 fiscal year, the following foundation education-aid formula shall take effect. The foundation education aid for each district shall be the sum of the core instruction amount in subdivision (a)(1) and the amount to support high-need students in subdivision (a)(2), which shall be multiplied by the district state-share ratio calculated pursuant to § 16-7.2-4 to determine the foundation aid.

(1) The core-instruction amount shall be an amount equal to a statewide, per-pupil core-instruction amount as established by the department of elementary and secondary education, derived from the average of northeast regional expenditure data for the states of Rhode Island, Massachusetts, Connecticut, and New Hampshire from the National Center for Education Statistics (NCES) that will adequately fund the student instructional needs as described in the basic education program and multiplied by the district average daily membership as defined in § 16-7-22. Expenditure data in the following categories: instruction and support services for students, instruction, general administration, school administration, and other support services from the National Public Education Financial Survey, as published by NCES, and enrollment data from the Common Core of Data, also published by NCES, will be used when determining the core-instruction amount. The core-instruction amount will be updated annually. For the purpose of calculating this formula, school districts’ resident average daily membership shall exclude charter school and state-operated school students. Beginning in FY 2025, the increase in the core-instruction amount shall not exceed the average five-year annual percentage change in the consumer price index.

(2) The amount to support high-need students beyond the core-instruction amount shall be determined by multiplying a student success factor of forty percent (40%) by the core instruction per-pupil amount described in subdivision (a)(1) and applying that amount for each resident child whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines, hereinafter referred to as “poverty status.” By October 1, 2022, as part of its budget submission pursuant to § 35-3-4 relative to state fiscal year 2024 and thereafter, the department of elementary and secondary education shall develop and utilize a poverty measure that in the department’s assessment most accurately serves as a proxy for the poverty status referenced in this subsection and does not rely on the administration of school nutrition programs. The department
shall utilize this measure in calculations pursuant to this subsection related to the application of the student success factor, in calculations pursuant to § 16-7.2-4 related to the calculation of the state share ratio, and in the formulation of estimates pursuant to subsection (b) below. The department may also include any recommendations which seek to mitigate any disruptions associated with the implementation of this new poverty measure or improve the accuracy of its calculation. Beginning with the FY 2024 calculation, students whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines will be determined by participation in the supplemental nutrition assistance program (SNAP). The number of students directly certified through the department of human services shall be multiplied by a factor of 1.6.

(b) The department of elementary and secondary education shall provide an estimate of the foundation education aid cost as part of its budget submission pursuant to § 35-3-4. The estimate shall include the most recent data available as well as an adjustment for average daily membership growth or decline based on the prior year experience.

(c) In addition, the department shall report updated figures based on the average daily membership as of October 1 by December 1.

(d) Local education agencies may set aside a portion of funds received under subsection (a) to expand learning opportunities such as after school and summer programs, full-day kindergarten and/or multiple pathway programs, provided that the basic education program and all other approved programs required in law are funded.

(e) The department of elementary and secondary education shall promulgate such regulations as are necessary to implement fully the purposes of this chapter.

(f)(1) By October 1, 2023, as part of its budget submission pursuant to § 35-3-4 relative to state fiscal year 2025, the department of elementary and secondary education shall evaluate the number of students by district who qualify as multilingual learner (MLL) students and MLL students whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines. The submission shall also include segmentation of these populations by levels as dictated by the WIDA multilingual learner assessment tool used as an objective benchmark for English proficiency. The department shall also prepare and produce expense data sourced from the uniform chart of accounts to recommend funding levels required to support students at the various levels of proficiency as determined by the WIDA assessment tool. Utilizing this information, the department shall recommend a funding solution to meet the needs of multilingual learners; this may include but not be limited to inclusion of MLL needs within the core foundation formula amount through one or multiple weights to distinguish different students of need or through categorical means.
(2) By October 1, 2024, as part of its budget submission pursuant to § 35-3-4 relative to state fiscal year 2026, the department of elementary and secondary education shall develop alternatives to identify students whose family income is at or below one hundred eighty-five percent (185%) of federal poverty guidelines through participation in state-administered programs, including, but not limited to, the supplemental nutrition assistance program (SNAP), and RIteCare and other programs that include the collection of required supporting documentation. The department may also include any recommendations that seek to mitigate any disruptions associated with implementation of this new poverty measure or improve the accuracy of its calculation.

(3) The department shall also report with its annual budget request information regarding local contributions to education aid and compliance with §§ 16-7-23 and 16-7-24. The report shall also compare these local contributions to state foundation education aid by community. The department shall also report compliance to each city or town school committee and city or town council.

16-7.2-6. Categorical programs, state funded expenses.

In addition to the foundation education aid provided pursuant to § 16-7.2-3, the permanent foundation education-aid program shall provide direct state funding for:

(a) Excess costs associated with special education students. Excess costs are defined when an individual special education student’s cost shall be deemed to be “extraordinary.” Extraordinary costs are those educational costs that exceed the state-approved threshold based on an amount above four times the core foundation amount (total of core-instruction amount plus student success amount). The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding appropriated in any fiscal year; and the department of elementary and secondary education shall also collect data on those educational costs that exceed the state-approved threshold based on an amount above two (2), three (3), and five (5) times the core-foundation amount;

(b) Career and technical education costs to help meet initial investment requirements needed to transform existing, or create new, comprehensive, career and technical education programs and career pathways in critical and emerging industries and to help offset the higher-than-average costs associated with facilities, equipment maintenance and repair, and supplies necessary for maintaining the quality of highly specialized programs that are a priority for the state. The department shall develop criteria for the purpose of allocating any and all career and technical education funds as may be determined by the general assembly on an annual basis. The department of elementary and secondary education shall prorate the funds available for distribution among
those eligible school districts if the total approved costs for which school districts are seeking
reimbursement exceed the amount of funding available in any fiscal year;

(c) Programs to increase access to voluntary, free, high-quality pre-kindergarten programs.
The department shall recommend criteria for the purpose of allocating any and all early childhood
program funds as may be determined by the general assembly;

(d) Central Falls, Davies, and the Met Center Stabilization Fund is established to ensure
that appropriate funding is available to support their students. Additional support for Central Falls
is needed due to concerns regarding the city’s capacity to meet the local share of education costs.
This fund requires that education aid calculated pursuant to § 16-7.2-3 and funding for costs outside
the permanent foundation education-aid formula, including, but not limited to, transportation,
facility maintenance, and retiree health benefits shall be shared between the state and the city of
Central Falls. The fund shall be annually reviewed to determine the amount of the state and city
appropriation. The state’s share of this fund may be supported through a reallocation of current
state appropriations to the Central Falls school district. At the end of the transition period defined
in § 16-7.2-7, the municipality will continue its contribution pursuant to § 16-7-24. Additional
support for the Davies and the Met Center is needed due to the costs associated with running a
stand-alone high school offering both academic and career and technical coursework. The
department shall recommend criteria for the purpose of allocating any and all stabilization funds as
may be determined by the general assembly;

(e) Excess costs associated with transporting students to out-of-district non-public schools.
This fund will provide state funding for the costs associated with transporting students to out-of-
district non-public schools, pursuant to chapter 21.1 of this title. The state will assume the costs of
non-public out-of-district transportation for those districts participating in the statewide system.
The department of elementary and secondary education shall prorate the funds available for
distribution among those eligible school districts if the total approved costs for which school
districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

(f) Excess costs associated with transporting students within regional school districts. This
fund will provide direct state funding for the excess costs associated with transporting students
within regional school districts, established pursuant to chapter 3 of this title. This fund requires
that the state and regional school district share equally the student transportation costs net any
federal sources of revenue for these expenditures. The department of elementary and secondary
education shall prorate the funds available for distribution among those eligible school districts if
the total approved costs for which school districts are seeking reimbursement exceed the amount
of funding available in any fiscal year;
(g) Public school districts that are regionalized shall be eligible for a regionalization bonus as set forth below:

(1) As used herein, the term “regionalized” shall be deemed to refer to a regional school district established under the provisions of chapter 3 of this title, including the Chariho Regional School district;

(2) For those districts that are regionalized as of July 1, 2010, the regionalization bonus shall commence in FY 2012. For those districts that regionalize after July 1, 2010, the regionalization bonus shall commence in the first fiscal year following the establishment of a regionalized school district as set forth in chapter 3 of this title, including the Chariho Regional School District;

(3) The regionalization bonus in the first fiscal year shall be two percent (2.0%) of the state’s share of the foundation education aid for the regionalized district as calculated pursuant to §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

(4) The regionalization bonus in the second fiscal year shall be one percent (1.0%) of the state’s share of the foundation education aid for the regionalized district as calculated pursuant to §§ 16-7.2-3 and 16-7.2-4 in that fiscal year;

(5) The regionalization bonus shall cease in the third fiscal year;

(6) The regionalization bonus for the Chariho regional school district shall be applied to the state share of the permanent foundation education aid for the member towns; and

(7) The department of elementary and secondary education shall prorate the funds available for distribution among those eligible regionalized school districts if the total, approved costs for which regionalized school districts are seeking a regionalization bonus exceed the amount of funding appropriated in any fiscal year;

(h) Additional state support for English learners (EL). The amount to support EL students shall be determined by multiplying an EL factor of fifteen percent (15%) twenty-five percent (25%) by the core-instruction per-pupil amount defined in § 16-7.2-3(a)(1) and applying that amount of additional state support to EL students identified using widely adopted, independent standards and assessments identified by the commissioner. All categorical funds distributed pursuant to this subsection must be used to provide high-quality, research-based services to EL students and managed in accordance with requirements set forth by the commissioner of elementary and secondary education. The department of elementary and secondary education shall collect performance reports from districts and approve the use of funds prior to expenditure. The department of elementary and secondary education shall ensure the funds are aligned to activities that are innovative and expansive and not utilized for activities the district is currently funding;
(i) State support for school resource officers. For purposes of this subsection, a school resource officer (SRO) shall be defined as a career law enforcement officer with sworn authority who is deployed by an employing police department or agency in a community-oriented policing assignment to work in collaboration with one or more schools. School resource officers should have completed at least forty (40) hours of specialized training in school policing, administered by an accredited agency, before being assigned. Beginning in FY 2019, for a period of three (3) years, school districts or municipalities that choose to employ school resource officers shall receive direct state support for costs associated with employing such officers at public middle and high schools. Districts or municipalities shall be reimbursed an amount equal to one-half (½) of the cost of salaries and benefits for the qualifying positions. Funding will be provided for school resource officer positions established on or after July 1, 2018, provided that:

1. Each school resource officer shall be assigned to one school:
   (i) Schools with enrollments below one thousand two hundred (1,200) students shall require one school resource officer;
   (ii) Schools with enrollments of one thousand two hundred (1,200) or more students shall require two school resource officers;
2. School resource officers hired in excess of the requirement noted above shall not be eligible for reimbursement; and
3. Schools that eliminate existing school resource officer positions and create new positions under this provision shall not be eligible for reimbursement; and

(j) Categorical programs defined in subsections (a) through (g) shall be funded pursuant to the transition plan in § 16-7.2-7.

SECTION 2. Sections 16-8-10 and 16-8-10.1 of the General Laws in Chapter 16-8 entitled “Federal Aid” are hereby amended to read as follows:

16-8-10. Mandatory school lunch programs.

All public elementary and secondary schools shall be required to make type A federally reimbursable lunches available to students attending those schools through the USDA’s National School Lunch Program (NSLP) in accordance with federal regulation as well as rules and regulations adopted from time to time by the department of elementary and secondary education. To the extent that federal, state, and other funds are available, free and reduced-price type A reimbursable lunches shall be provided to all students from families that meet the current specific criteria established by federal and state regulations to qualify for free or reduced-price meals. The state of Rhode Island shall provide additional funds to public schools in an amount equal to the difference between the federal reimbursement rate for a free lunch and the federal reimbursement
rate received for each student eligible for a reduced-price lunch and receiving lunch. The requirement that reimbursable lunches be provided shall apply to locally managed school lunch programs, and school lunch programs administered directly by the department of elementary and secondary education or by any other public agency whether using school facilities or a commercial catering service. The department of elementary and secondary education is further authorized to expand the school lunch program to the extent that federal, state, and/or local funds are available by the utilization of one or more food preparation centers for delivery to participating schools for the purpose of providing meals to students on a more economical basis than could be provided by a community acting individually.

16-8-10.1. Mandatory school breakfast programs.

(a) All public elementary and secondary schools shall be required to make a federally reimbursable school breakfast program available to students attending these schools through the USDA’s School Breakfast Program (SBP) in accordance with federal regulation as well as The breakfast meal shall meet any rules and regulations that are adopted by the commissioner, from time to time by the department of elementary and secondary education. To the extent that federal, state, and other funds are available, free reimbursable breakfasts shall be provided to all students from families that meet the current specific criteria established by federal and state regulations to qualify for free or reduced-price meals. The state of Rhode Island shall provide additional funds to public schools in an amount equal to the difference between the federal reimbursement rate received for a free breakfast and the federal reimbursement rate received for each student eligible for a reduced-price breakfast and receiving breakfast.

(b) The state of Rhode Island shall provide school districts a per breakfast subsidy for each breakfast served to students. The general assembly shall annually appropriate some sum and distribute it based on each district’s proportion of the number of breakfasts served in the prior school year relative to the statewide total in the same year. This subsidy shall augment the nonprofit school food service account and be used for expenses incurred in providing nutritious breakfast meals to students.

SECTION 3. This article shall take effect upon passage.
ARTICLE 9

RELATING TO HEALTH AND HUMAN SERVICES

SECTION 1. Section 23-17-38.1 of the General Laws in Chapter 23-17 entitled “Licensing of Healthcare 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 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 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, 2022, and payments shall be made by electronic transfer of monies to the general fund. Every hospital shall, on or before June 15, 2022, make a return to the tax administrator containing the correct computation of net patient services revenue for the hospital fiscal year ending September 30, 2020, 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) There is also imposed a hospital licensing fee for state fiscal year 2023 against each hospital in the state. The hospital licensing fee is equal to five and forty-two hundredths percent (5.42%) of the net patient services revenue of every hospital for the hospital’s first fiscal year ending on or after January 1, 2021, 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 June 30, 2023, 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 May 25, 2023, make a return to the tax administrator containing the correct computation of net patient-services revenue for the hospital fiscal year ending September 30, 2021, 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.

There is also imposed a hospital licensing fee described in subsections (c) through (f) for state fiscal years 2024 and 2025 against net patient-services revenue of every non-government owned hospital as defined herein for the hospital’s first fiscal year ending on or after January 1, 2022. The hospital licensing fee shall have three (3) tiers with differing fees based on inpatient and outpatient net patient-services revenue. The executive office of health and human services, in consultation with the tax administrator, shall identify the hospitals in each tier, subject to the definitions in this section, by July 15, 2023, and shall notify each hospital of its tier by August 1, 2023.

Tier 1 is composed of hospitals that do not meet the description of either Tier 2 or Tier 3.

1. The inpatient hospital licensing fee for Tier 1 is equal to thirteen and twelve hundredths percent (13.12%) of the inpatient net patient-services revenue derived from inpatient net patient-services revenue of every Tier 1 hospital.

2. The outpatient hospital licensing fee for Tier 1 is equal to thirteen and thirty hundredths percent (13.30%) of the outpatient net patient-services revenue derived from outpatient net patient-services revenue of every Tier 1 hospital.

Tier 2 is composed of high Medicaid/uninsured cost hospitals and independent hospitals.

1. The inpatient hospital licensing fee for Tier 2 is equal to two and sixty-three hundredths percent (2.63%) of the inpatient net patient-services revenue derived from inpatient net patient-services revenue of every Tier 2 hospital.

2. The outpatient hospital licensing fee for Tier 2 is equal to two and sixty-six hundredths percent (2.66%) of the outpatient net patient-services revenue derived from outpatient net patient-services revenue of every Tier 2 hospital.

Tier 3 is composed of hospitals that are Medicare-designated low-volume hospitals and rehabilitative hospitals.

1. The inpatient hospital licensing fee for Tier 3 is equal to one and thirty-one hundredths percent (1.31%) of the inpatient net patient-services revenue derived from inpatient net patient-services revenue of every Tier 3 hospital.
(2) The outpatient hospital licensing fee for Tier 3 is equal to one and thirty-three hundredths percent (1.33%) of the outpatient net patient-services revenue derived from outpatient net patient-services revenue of every Tier 3 hospital.

There is also imposed a hospital licensing fee for state fiscal years 2024 and 2025 against state-government owned and operated hospitals in the state as defined herein. The hospital licensing fee is equal to five and twenty-five hundredths percent (5.25%) of the net patient-services revenue of every hospital for the hospital’s first fiscal year ending on or after January 1, 2022.

The hospital licensing fee described in subsections (b) through (f) is subject to U.S. Department of Health and Human Services approval of a request to waive the requirement that healthcare-related taxes be imposed uniformly as contained in 42 C.F.R. § 433.68(d).

This hospital 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 before June 30 of each fiscal year, and payments shall be made by electronic transfer of monies to the tax administrator and deposited to the general fund. Every hospital shall, on or before August 1, 2023, make a return to the tax administrator containing the correct computation of inpatient and outpatient net patient-services revenue for the hospital fiscal year ending in 2022, 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.

For purposes of this section the following words and phrases have the following meanings:

(1) “Gross patient-services revenue” means the gross revenue related to patient care services.

(2) “High Medicaid/uninsured cost hospital” means a hospital for which the hospital’s total uncompensated care, as calculated pursuant to § 40-8.3-2(4), divided by the hospital’s total net patient-services revenues, is equal to six percent (6.0%) or greater.

(3) “Hospital” means the actual facilities and buildings in existence in Rhode Island, licensed pursuant to § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless of changes in licensure status pursuant to chapter 17.14 of this title (hospital conversions) and § 23-17-6(b) (change in effective control), that provides short-term acute inpatient and/or outpatient care to persons who require definitive diagnosis and treatment for injury, illness, disabilities, or pregnancy. Notwithstanding the preceding language, the negotiated Medicaid managed care payment rates for a court-approved purchaser that acquires a hospital through receivership, special mastership, or other similar state insolvency proceedings (which court-
approved purchaser is issued a hospital license after January 1, 2013) shall be based upon the newly negotiated rates between the court-approved purchaser and the health plan, and such rates shall be effective as of the date that the court-approved purchaser and the health plan execute the initial agreement containing the newly negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient hospital payments set forth in §§ 40-8-13.4(b) and 40-8-13.4(b)(2), respectively, shall thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1 following the completion of the first full year of the court-approved purchaser’s initial Medicaid managed care contract.

(4) “Independent hospitals” means a hospital not part of a multi-hospital system.

(5) “Inpatient net patient-services revenue” means the charges related to inpatient care services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual allowances.

(6) “Medicare-designated low-volume hospital” means a hospital that qualifies under 42 C.F.R. 412.101(b)(2) for additional Medicare payments to qualifying hospitals for the higher incremental costs associated with a low volume of discharges.

(7) “Net patient-services revenue” means the charges related to patient care services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual allowances.

(8) “Non-government owned hospitals” means a hospital not owned and operated by the state of Rhode Island.

(9) “Outpatient net patient-services revenue” means the charges related to outpatient care services less (i) Charges attributable to charity care; (ii) Bad debt expenses; and (iii) Contractual allowances.

(10) “Rehabilitative hospital” means Rehabilitation Hospital Center licensed by the Rhode Island department of health.

(11) “State-government owned and operated hospitals” means a hospital facility licensed by the Rhode Island department of health, owned and operated by the state of Rhode Island.

(j) The tax administrator in consultation with the executive office of health and human services shall make and promulgate any rules, regulations, and procedures not inconsistent with state law and fiscal procedures that he or she deems necessary for the proper administration of this section and to carry out the provisions, policy, and purposes of this section.

(k) The licensing fee imposed by subsection (a) shall apply to hospitals as defined herein that are duly licensed on July 1, 2022, and shall be in addition to the inspection fee imposed by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.
that are duly licensed on July 1, 2022, and shall be in addition to the inspection fee imposed by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

(f) The licensing fees imposed by subsections (b) through (f) shall apply to hospitals as defined herein that are duly licensed on July 1, 2023, and shall be in addition to the inspection fee imposed by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

SECTION 2. Section 40-8-19 of the General Laws in Chapter 40-8 entitled “Medical Assistance” is hereby amended to read as follows:

40-8-19. Rates of payment to nursing facilities.

(a) Rate reform.

(1) The rates to be paid by the state to nursing facilities licensed pursuant to chapter 17 of title 23, and certified to participate in Title XIX of the Social Security Act for services rendered to Medicaid-eligible residents, shall be reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities in accordance with 42 U.S.C. § 1396a(a)(13). The executive office of health and human services (“executive office”) shall promulgate or modify the principles of reimbursement for nursing facilities in effect as of July 1, 2011, to be consistent with the provisions of this section and Title XIX, 42 U.S.C. § 1396 et seq., of the Social Security Act.

(2) The executive office shall review the current methodology for providing Medicaid payments to nursing facilities, including other long-term-care services providers, and is authorized to modify the principles of reimbursement to replace the current cost-based methodology rates with rates based on a price-based methodology to be paid to all facilities with recognition of the acuity of patients and the relative Medicaid occupancy, and to include the following elements to be developed by the executive office:

(i) A direct-care rate adjusted for resident acuity;

(ii) An indirect-care and other direct-care rate comprised of a base per diem for all facilities;

(iii) Revision of rates as necessary based on increases in direct and indirect costs beginning October 2024 utilizing data from the most recent finalized year of facility cost report. The per diem rate components deferred in subsections (a)(2)(i) and (a)(2)(ii) of this section shall be adjusted accordingly to reflect changes in direct and indirect care costs since the previous rate review;

(iv) Application of a fair-rental value system;

(v) Application of a pass-through system; and

(vi) Adjustment of rates by the change in a recognized national nursing home inflation
index to be applied on October 1 of each year, beginning October 1, 2012. This adjustment will not
occur on October 1, 2013, October 1, 2014, or October 1, 2015, but will occur on April 1, 2015.
The adjustment of rates will also not occur on October 1, 2017, October 1, 2018, October 1, 2019,
and October 2022. Effective July 1, 2018, rates paid to nursing facilities from the rates approved
by the Centers for Medicare and Medicaid Services and in effect on October 1, 2017, both fee-for-
service and managed care, will be increased by one and one-half percent (1.5%) and further
increased by one percent (1%) on October 1, 2018, and further increased by one percent (1%) on
October 1, 2019. Effective October 1, 2022, rates paid to nursing facilities from the rates approved
by the Centers for Medicare and Medicaid Services and in effect on October 1, 2021, both fee-for-
service and managed care, will be increased by three percent (3%). In addition to the annual nursing
home inflation index adjustment, there shall be a base rate staffing adjustment of one-half percent
(0.5%) on October 1, 2021, one percent (1.0%) on October 1, 2022, and one and one-half percent
(1.5%) on October 1, 2023. The inflation index shall be applied without regard for the transition
factors in subsections (b)(1) and (b)(2). For purposes of October 1, 2016, adjustment only, any rate
increase that results from application of the inflation index to subsections (a)(2)(i) and (a)(2)(ii)
shall be dedicated to increase compensation for direct-care workers in the following manner: Not
less than 85% of this aggregate amount shall be expended to fund an increase in wages, benefits,
or related employer costs of direct-care staff of nursing homes. For purposes of this section, direct-
care staff shall include registered nurses (RNs), licensed practical nurses (LPNs), certified nursing
assistants (CNAs), certified medical technicians, housekeeping staff, laundry staff, dietary staff, or
other similar employees providing direct-care services; provided, however, that this definition of
direct-care staff shall not include: (i) RNs and LPNs who are classified as “exempt employees”
under the federal Fair Labor Standards Act (29 U.S.C. § 201 et seq.); or (ii) CNAs, certified medical
technicians, RNs, or LPNs who are contracted, or subcontracted, through a third-party vendor or
staffing agency. By July 31, 2017, nursing facilities shall submit to the secretary, or designee, a
certification that they have complied with the provisions of this subsection (a)(2)(vi) with respect
to the inflation index applied on October 1, 2016. Any facility that does not comply with the terms
of such certification shall be subjected to a clawback, paid by the nursing facility to the state, in the
amount of increased reimbursement subject to this provision that was not expended in compliance
with that certification.

(3) Commencing on October 1, 2021, eighty percent (80%) of any rate increase that results
from application of the inflation index to subsections (a)(2)(i) and (a)(2)(ii) of this section shall be
dedicated to increase compensation for all eligible direct-care workers in the following manner on
October 1, of each year.
For purposes of this subsection, compensation increases shall include base salary or hourly wage increases, benefits, other compensation, and associated payroll tax increases for eligible direct-care workers. This application of the inflation index shall apply for Medicaid reimbursement in nursing facilities for both managed care and fee-for-service. For purposes of this subsection, direct-care staff shall include registered nurses (RNs), licensed practical nurses (LPNs), certified nursing assistants (CNAs), certified medication technicians, licensed physical therapists, licensed occupational therapists, licensed speech-language pathologists, mental health workers who are also certified nurse assistants, physical therapist assistants, housekeeping staff, laundry staff, dietary staff or other similar employees providing direct-care services; provided, however that this definition of direct-care staff shall not include:

(A) RNs and LPNs who are classified as “exempt employees” under the federal Fair Labor Standards Act (29 U.S.C. § 201 et seq.); or

(B) CNAs, certified medication technicians, RNs or LPNs who are contracted or subcontracted through a third-party vendor or staffing agency.

(4)(i) By July 31, 2021, and July 31 of each year thereafter, nursing facilities shall submit to the secretary or designee a certification that they have complied with the provisions of subsection (a)(3) of this section with respect to the inflation index applied on October 1. The executive office of health and human services (EOHHS) shall create the certification form nursing facilities must complete with information on how each individual eligible employee’s compensation increased, including information regarding hourly wages prior to the increase and after the compensation increase, hours paid after the compensation increase, and associated increased payroll taxes. A collective bargaining agreement can be used in lieu of the certification form for represented employees. All data reported on the compliance form is subject to review and audit by EOHHS. The audits may include field or desk audits, and facilities may be required to provide additional supporting documents including, but not limited to, payroll records.

(ii) Any facility that does not comply with the terms of certification shall be subjected to a clawback and twenty-five percent (25%) penalty of the unspent or impermissibly spent funds, paid by the nursing facility to the state, in the amount of increased reimbursement subject to this provision that was not expended in compliance with that certification.

(iii) In any calendar year where no inflationary index is applied, eighty percent (80%) of the base rate staffing adjustment in that calendar year pursuant to subsection (a)(2)(vi) of this section shall be dedicated to increase compensation for all eligible direct-care workers in the manner referenced in subsections (a)(3)(i), (a)(3)(i)(A), and (a)(3)(i)(B) of this section.

(b) Transition to full implementation of rate reform. For no less than four (4) years after
the initial application of the price-based methodology described in subsection (a)(2) to payment
rates, the executive office of health and human services shall implement a transition plan to
moderate the impact of the rate reform on individual nursing facilities. The transition shall include
the following components:

(1) No nursing facility shall receive reimbursement for direct-care costs that is less than
the rate of reimbursement for direct-care costs received under the methodology in effect at the time
of passage of this act; for the year beginning October 1, 2017, the reimbursement for direct-care
costs under this provision will be phased out in twenty-five-percent (25%) increments each year
until October 1, 2021, when the reimbursement will no longer be in effect; and

(2) No facility shall lose or gain more than five dollars ($5.00) in its total, per diem rate the
first year of the transition. An adjustment to the per diem loss or gain may be phased out by twenty-
five percent (25%) each year; except, however, for the years beginning October 1, 2015, there shall
be no adjustment to the per diem gain or loss, but the phase out shall resume thereafter; and

(3) The transition plan and/or period may be modified upon full implementation of facility
per diem rate increases for quality of care-related measures. Said modifications shall be submitted
in a report to the general assembly at least six (6) months prior to implementation.

(4) Notwithstanding any law to the contrary, for the twelve-month (12) period beginning
July 1, 2015, Medicaid payment rates for nursing facilities established pursuant to this section shall
not exceed ninety-eight percent (98%) of the rates in effect on April 1, 2015. Consistent with the
other provisions of this chapter, nothing in this provision shall require the executive office to restore
the rates to those in effect on April 1, 2015, at the end of this twelve-month (12) period.

SECTION 3. Sections 40-8.3-2 and 40-8.3-3 of the General Laws in Chapter 40-8.3 entitled
“Uncompensated Care” are hereby amended to read as follows:

40-8.3-2. Definitions.

As used in this chapter:

(1) “Base year” means, for the purpose of calculating a disproportionate share payment for
any fiscal year ending after September 30, 2022 2023, the period from October 1, 2020 2021,
through September 30, 2024 2022, and for any fiscal year ending after September 30, 2023 2024,
the period from October 1, 2021 2022, through September 30, 2022 2023.

(2) “Medicaid inpatient utilization rate for a hospital” means a fraction (expressed as a
percentage), the numerator of which is the hospital’s number of inpatient days during the base year
attributable to patients who were eligible for medical assistance during the base year and the
denominator of which is the total number of the hospital’s inpatient days in the base year.

(3) “Participating hospital” means any nongovernment and nonpsychiatric hospital that:
(i) Was licensed as a hospital in accordance with chapter 17 of title 23 during the base year and shall mean the actual facilities and buildings in existence in Rhode Island, licensed pursuant to § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital conversions) and § 23-17-6(b) (change in effective control), that provides short-term, acute inpatient and/or outpatient care to persons who require definitive diagnosis and treatment for injury, illness, disabilities, or pregnancy. Notwithstanding the preceding language, the negotiated Medicaid managed care payment rates for a court-approved purchaser that acquires a hospital through receivership, special mastership, or other similar state insolvency proceedings (which court-approved purchaser is issued a hospital license after January 1, 2013), shall be based upon the newly negotiated rates between the court-approved purchaser and the health plan, and the rates shall be effective as of the date that the court-approved purchaser and the health plan execute the initial agreement containing the newly negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient hospital payments set forth in §§ 40-8-13.4(b)(1)(ii)(C) and 40-8-13.4(b)(2), respectively, shall thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1 following the completion of the first full year of the court-approved purchaser’s initial Medicaid managed care contract;

(ii) Achieved a medical assistance inpatient utilization rate of at least one percent (1%) during the base year; and

(iii) Continues to be licensed as a hospital in accordance with chapter 17 of title 23 during the payment year.

(4) “Uncompensated-care costs” means, as to any hospital, the sum of: (i) The cost incurred by the hospital during the base year for inpatient or outpatient services attributable to charity care (free care and bad debts) for which the patient has no health insurance or other third-party coverage less payments, if any, received directly from such patients; and (ii) The cost incurred by the hospital during the base year for inpatient or outpatient services attributable to Medicaid beneficiaries less any Medicaid reimbursement received therefor; multiplied by the uncompensated-care index; and the sum of (4)(i) and 4(ii) shall be offset by the estimated hospital’s commercial equivalent rates state directed payment for the current SPY in which the disproportionate share hospital (DSH) payment is made. The sum of (4)(i), (4)(ii), and (4)(iii) shall be multiplied by the uncompensated care index.

(5) “Uncompensated-care index” means the annual percentage increase for hospitals established pursuant to § 27-19-14 [repealed] for each year after the base year, up to and including the payment year; provided, however, that the uncompensated-care index for the payment year
ending September 30, 2007, shall be deemed to be five and thirty-eight hundredths percent (5.38%), and that the uncompensated-care index for the payment year ending September 30, 2008, shall be deemed to be five and forty-seven hundredths percent (5.47%), and that the uncompensated-care index for the payment year ending September 30, 2009, shall be deemed to be five and thirty-eight hundredths percent (5.38%), and that the uncompensated-care index for the payment years ending September 30, 2010, September 30, 2011, September 30, 2012, September 30, 2013, September 30, 2014, September 30, 2015, September 30, 2016, September 30, 2017, September 30, 2018, September 30, 2019, September 30, 2020, September 30, 2021, September 30, 2022, September 30, 2023, and September 30, 2024, and September 30, 2025, shall be deemed to be five and thirty-eight hundredths percent (5.38%).

40-8.3.3. Implementation

(a) For federal fiscal year 2022, commencing on October 1, 2021, and ending September 30, 2022, the executive office of health and human services shall submit to the Secretary of the United States Department of Health and Human Services a state plan amendment to the Rhode Island Medicaid DSH Plan to provide:

(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of $145.1 million, shall be allocated by the executive office of health and human services to the Pool D component of the DSH Plan; and

(2) That the Pool D allotment shall be distributed among the participating hospitals in direct proportion to the individual participating hospital’s uncompensated-care costs for the base year, inflated by the uncompensated care index to the total uncompensated-care costs for the base year inflated by the uncompensated care index for all participating hospitals. The disproportionate share payments shall be made on or before June 30, 2022, and are expressly conditioned upon approval on or before July 5, 2022, by the Secretary of the United States Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2022 for the disproportionate share payments.

(b) (a) For federal fiscal year 2023, commencing on October 1, 2022, and ending September 30, 2023, the executive office of health and human services shall submit to the Secretary of the United States Department of Health and Human Services a state plan amendment to the Rhode Island Medicaid DSH Plan to provide:

(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of $159.0 million, shall be allocated by the executive office of health and human services to the Pool D component of the DSH Plan; and
(2) That the Pool D allotment shall be distributed among the participating hospitals in direct proportion to the individual participating hospital’s uncompensated-care costs for the base year, inflated by the uncompensated-care index to the total uncompensated-care costs for the base year inflated by the uncompensated-care index for all participating hospitals. The disproportionate share payments shall be made on or before June 15, 2023, and are expressly conditioned upon approval on or before June 23, 2023, by the Secretary of the United States Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2023 for the disproportionate share payments.

(b) For federal fiscal year 2024, commencing on October 1, 2023, and ending September 30, 2024, the executive office of health and human services shall submit to the Secretary of the United States Department of Health and Human Services a state plan amendment to the Rhode Island Medicaid DSH Plan to provide:

(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of $14.87 million, shall be allocated by the executive office of health and human services to the Pool D component of the DSH Plan; and

(2) That the Pool D allotment shall be distributed among the participating hospitals in direct proportion to the individual participating hospital’s uncompensated-care costs for the base year, inflated by the uncompensated-care index to the total uncompensated-care costs for the base year inflated by the uncompensated-care index for all participating hospitals. The disproportionate share payments shall be made on or before June 15, 2024, and are expressly conditioned upon approval on or before June 23, 2024, by the Secretary of the United States Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2024 for the disproportionate share payments.

(c) For federal fiscal year 2025, commencing on October 1, 2024, and ending September 30, 2025, the executive office of health and human services shall submit to the Secretary of the United States Department of Health and Human Services a state plan amendment to the Rhode Island Medicaid DSH Plan to provide:

(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of $14.7 million, shall be allocated by the executive office of health and human services to the Pool D component of the DSH Plan; and

(2) That the Pool D allotment shall be distributed among the participating hospitals in direct proportion to the individual participating hospital’s uncompensated-care costs for the base year.
inflated by the uncompensated-care index to the total uncompensated-care costs for the base year
inflated by the uncompensated-care index of all participating hospitals. The disproportionate share
payments shall be made on or before June 30, 2025, and are expressly conditioned upon approval
on or before June 23, 2025, by the Secretary of the United States Department of Health and Human
Services, or his or her authorized representative, of all Medicaid state plan amendments necessary
to secure for the state the benefit of federal financial participating in federal fiscal year 2025 for
the disproportionate share payments.

(d) No provision is made pursuant to this chapter for disproportionate-share hospital
payments to participating hospitals for uncompensated-care costs related to graduate medical
education programs.

(e) The executive office of health and human services is directed, on at least a monthly
basis, to collect patient-level uninsured information, including, but not limited to, demographics,
services rendered, and reason for uninsured status from all hospitals licensed in Rhode Island.

SECTION 4. Section 40.1-8.5-8 of the General Laws in Chapter 40.1-8.5 entitled
“Community Mental Health Services” is hereby amended to read as follows:

40.1-8.5-8. Certified community behavioral health clinics.

(a) The executive office of health and human services is authorized and directed to submit
to the Secretary of the United States Department of Health and Human Services a state plan
amendment for the purposes of establishing Certified Community Behavioral Health Clinics in
accordance with Section 223 of the federal Protecting Access to Medicare Act of 2014.

(b) The executive office of health and human services shall amend its Title XIX State plan
pursuant to Title XIX [42 U.S.C. § 1396 et seq.] and Title XXI [42 U.S.C § 1397 et seq.] of the
Social Security Act as necessary to cover all required services for persons with mental health and
substance use disorders at a certified community behavioral health clinic through a monthly
bundled payment methodology that is specific to each organization’s anticipated costs and inclusive
of all required services within Section 223 of the federal Protecting Access to Medicare Act of
2014. Such certified community behavioral health clinics shall adhere to the federal model,
including payment structures and rates. Any change in Federal requirements and/or guidance may
result in and necessitate the executive office of health and human services delaying the
implementation of such certified clinics.

(c) A certified community behavioral health clinic means any licensed behavioral health
organization that meets the federal certification criteria of Section 223 of the Protecting Access to
Medicare Act of 2014. The department of behavioral healthcare, developmental disabilities and
hospitals shall define additional criteria to certify the clinics including, but not limited to the
provision of, these services:

1. (1) Outpatient mental health and substance use services;
2. (2) Twenty-four (24) hour mobile crisis response and hotline services;
3. (3) Screening, assessment, and diagnosis, including risk assessments;
4. (4) Person-centered treatment planning;
5. (5) Primary care screening and monitoring of key indicators of health risks;
6. (6) Targeted case management;
7. (7) Psychiatric rehabilitation services;
8. (8) Peer support and family supports;
9. (9) Medication-assisted treatment;
10. (10) Assertive community treatment; and
11. (11) Community-based mental health care for military service members and veterans.

(d) Subject to the approval from the United States Department of Health and Human Services’ Centers for Medicare and Medicaid Services, the certified community behavioral health clinic model pursuant to this chapter shall be established by February 1, 2024 and include any enhanced Medicaid match for required services or populations served.

(e) By August 1, 2022, the executive office of health and human services will issue the appropriate purchasing process and vehicle for organizations that want to participate in the Certified Community Behavioral Health Clinic model program.

(f) The organizations will submit a detailed cost report developed by the department of behavioral healthcare, developmental disabilities and hospitals with approval from the executive office of health and human services, that includes the cost for the organization to provide the required services.

(g) The department of behavioral healthcare, developmental disabilities and hospitals, in coordination with the executive office of health and human services, will prepare an analysis of proposals, determine how many behavioral health clinics can be certified in FY 2024 and the costs for each one. Funding for the Certified Behavioral Health Clinics will be included in the FY 2024 budget recommended by the Governor.

(h) The executive office of health and human services shall apply for the federal Certified Community Behavioral Health Clinics Demonstration Program if another round of funding becomes available.


WHEREAS, the General Assembly enacted Chapter 12.4 of Title 42 entitled “The Rhode Island Medicaid Reform Act of 2008”; and
WHEREAS, a legislative enactment is required pursuant to Rhode Island General Laws section 42-12.4-1, et seq.; and

WHEREAS, Rhode Island General Laws section 42-7.2-5(3)(i) provides that the secretary of the executive office of health and human Services is responsible for the review and coordination of any Medicaid section 1115 demonstration waiver requests and renewals as well as any initiatives and proposals requiring amendments to the Medicaid state plan or category II or III changes as described in the demonstration, “with potential to affect the scope, amount, or duration of publicly-funded health care services, provider payments or reimbursements, or access to or the availability of benefits and services provided by Rhode Island general and public laws”; and

WHEREAS, in pursuit of a more cost-effective consumer choice system of care that is fiscally sound and sustainable, the secretary requests legislative approval of the following proposals to amend the demonstration; and

WHEREAS, implementation of adjustments may require amendments to the Rhode Island’s Medicaid state plan and/or section 1115 waiver under the terms and conditions of the demonstration. Further, adoption of new or amended rules, regulations and procedures may also be required:

(a) Nursing Facility Payment Technical Correction. The executive office of health and human services will clarify that the “other direct care” component of the nursing facility per diem may be revised as necessary based on increases from the most recently finalized year of the cost report used in the State’s rate review.

(b) DSH Uncompensated Care Calculation. The executive office of health and human services proposes to seek approval from the federal centers for Medicare and Medicaid services to evaluate the impact of the recently enacted hospital directed payments for payments as a percentage of commercial equivalent rates in the calculation of base year uncompensated care used for disproportionate share hospital payments.

(c) Provider Reimbursement Rates. The secretary of the executive office of health and human services is authorized to pursue and implement any waiver amendments, state plan amendments, and/or changes to the applicable department’s rules, regulations, and procedures required to implement updates to Medicaid provider reimbursement rates consisting of rate increases equal to one third (1/3) of the increases recommended in the Social and Human Service Programs Review Final Report produced by the office of the health insurance commissioner pursuant to Rhode Island General Laws section 42-14.5-3(t)(2)(x) and including any revisions to these recommendations noted by the executive office of health and human services in its SFY 25 budget submission. except that one hundred (100) percent of the recommended rate increases for
Early Intervention shall be implemented in SFY 25, rather than one third of the increases. This shall further include the recommendation that these rate updates shall be effective on October 1, 2024.

(d) Federal Financing Opportunities. The executive office of health and human services proposes that it shall review Medicaid requirements and opportunities under the U.S. Patient Protection and Affordable Care Act of 2010 (PPACA) and various other recently enacted federal laws and pursue any changes in the Rhode Island Medicaid program that promote, increase and enhance service quality, access and cost-effectiveness that may require a Medicaid state plan amendment or amendment under the terms and conditions of Rhode Island’s section 1115 waiver, its successor, or any extension thereof. Any such actions by the executive office of health and human services shall not have an adverse impact on beneficiaries or cause there to be an increase in expenditures beyond the amount appropriated for state fiscal year 2025.

Now, therefore, be it:

RESOLVED, that the General Assembly hereby approves the proposals stated above in the recitals; and be it further;

RESOLVED, that the secretary of the executive office of health and human services is authorized to pursue and implement any waiver amendments, state plan amendments, and/or changes to the applicable department’s rules, regulations and procedures approved herein and as authorized by Rhode Island General Laws section 42-12.4; and be it further;

RESOLVED, that this Joint Resolution shall take effect on July 1, 2024.

SECTION 6. This article shall take effect upon passage, except for Section 6 which shall take effect as of July 1, 2024.
ARTICLE 10

RELATING TO LEASES

SECTION 1. This article consists of a Joint Resolution that is submitted pursuant to Rhode Island General Laws § 37-6-2(d) authorizing various lease agreements for office space and operating space.

SECTION 2. Department of Corrections (249 Roosevelt Avenue, Pawtucket).

WHEREAS, the Department of Corrections currently occupies approximately 4,700 square feet at 249 Roosevelt Avenue in the City of Pawtucket;

WHEREAS, the Department of Corrections currently has a current lease agreement, in full force and effect, with PUI O, Inc., for approximately 4,700 square feet of office space located at 249 Roosevelt Avenue, in the City of Pawtucket;

WHEREAS, the Department of Corrections wishes to renew this lease for an additional five-year term;

WHEREAS, the State of Rhode Island, acting by and through the Department of Corrections attests to the fact that there are no clauses in the lease agreement with PUI O, Inc., that would interfere with the Department of Corrections lease agreement or use of the facility;

WHEREAS, the leased premises provide a critical location for the offices of the Department of Corrections from which the Department can fulfill its mission;

WHEREAS, the annual base rent in the agreement in the current fiscal year, ending June 30, 2024 is $99,734.04;

WHEREAS, the anticipated annual base rent of the agreement in each of the five (5) years of the renewal term will not exceed $106,716.00;

WHEREAS, the payment of the annual base rent will be made from funds available to the Department of Corrections 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 Corrections and PUI O, Inc., for leased space located at 249 Roosevelt Avenue, Pawtucket; now therefore be it

RESOLVED, that this General Assembly of the State of Rhode Island hereby approves the lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed $533,580.00;

RESOLVED, that this Joint Resolution shall take effect upon passage by the General Assembly;

RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly
certified copies of this resolution to the Governor, the Director of the Department of Corrections, the Director of Administration, the State Budget Officer, and the Chair of the State Properties Committee.

SECTION 3. This article shall take effect upon passage.
ARTICLE 11
RELATING TO EFFECTIVE DATE

SECTION 1. This act shall take effect as of July 1, 2024, except as otherwise provided herein.

SECTION 2. This article shall take effect upon passage.