

2021 -- H 6122 SUBSTITUTE A AS AMENDED

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LC002437/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL
YEAR ENDING JUNE 30, 2022

Introduced By: Representative Marvin L. Abney

Date Introduced: March 11, 2021

Referred To: House Finance

(Governor)

It is enacted by the General Assembly as follows:

- 1 ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2022
- 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 MAKING REVISED APPROPRIATIONS IN SUPPORT OF
- 6 FY 2021
- 7 ARTICLE 6 RELATING TO TAXES AND REVENUE
- 8 ARTICLE 7 RELATING TO THE ENVIRONMENT
- 9 ARTICLE 8 RELATING TO PUBLIC UTILITIES AND CARRIERS
- 10 ARTICLE 9 RELATING TO ECONOMIC DEVELOPMENT
- 11 ARTICLE 10 RELATING TO EDUCATION
- 12 ARTICLE 11 RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND
- 13 OPERATING SPACE
- 14 ARTICLE 12 RELATING TO MEDICAL ASSISTANCE
- 15 ARTICLE 13 RELATING TO HUMAN SERVICES
- 16 ARTICLE 14 RELATING TO HOUSING
- 17 ARTICLE 15 RELATING TO EFFECTIVE DATE

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ARTICLE 1 AS AMENDED

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2022

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, 2022. 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	2,569,679
Federal Funds	261,031,499
Total – Central Management	263,601,178

Legal Services

General Revenues	2,262,149
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Accounts and Control

General Revenues	4,103,385
Restricted Receipts – OPEB Board Administration	137,697
Restricted Receipts – Grants Management Administration	9,096,567
Total – Accounts and Control	13,337,649

Office of Management and Budget

General Revenues	8,285,227
Federal Funds	224,755
Restricted Receipts	300,000
Other Funds	1,117,615
Total – Office of Management and Budget	9,927,597

Purchasing

General Revenues	3,275,536
Restricted Receipts	298,059
Other Funds	497,386

1	Total – Purchasing	4,070,981
2	<i>Human Resources</i>	
3	General Revenues	1,099,549
4	<i>Personnel Appeal Board</i>	
5	General Revenues	120,050
6	<i>Information Technology</i>	
7	General Revenues	721,340
8	Restricted Receipts	9,625,165
9	Provided that of the total available in the Information Technology Investment Fund as of July	
10	1, 2021, \$50.0 million shall be made available for the implementation and development of the	
11	Enterprise Resource Planning Information Technology Improvements project. Provided further	
12	that \$17.0 million shall be made available for a new child welfare system to replace the current	
13	Rhode Island Children’s Information System.	
14	Total – Information Technology	10,346,505
15	<i>Library and Information Services</i>	
16	General Revenues	1,640,558
17	Federal Funds	3,796,916
18	Restricted Receipts	6,990
19	Total – Library and Information Services	5,444,464
20	<i>Planning</i>	
21	General Revenues	663,930
22	Federal Funds	22,700
23	Other Funds	
24	Air Quality Modeling	24,000
25	Federal Highway – PL Systems Planning	3,483,469
26	State Transportation Planning Match	485,673
27	FTA – Metro Planning Grant	1,241,337
28	Total – Planning	5,921,109
29	<i>General</i>	
30	General Revenues	
31	Miscellaneous Grants/Payments	130,000
32	Provided that this amount be allocated to City Year for the Whole School Whole Child	
33	Program, which provides individualized support to at-risk students.	
34	Torts – Courts/Awards	650,000

1	Resource Sharing and State Library Aid	9,562,072
2	Library Construction Aid	2,102,866
3	Restricted Receipts	700,000
4	Other Funds	
5	Rhode Island Capital Plan Funds	
6	Security Measures State Buildings	500,000
7	Energy Efficiency Improvements	1,250,000
8	Cranston Street Armory	325,000
9	State House Renovations	1,478,000
10	Zambarano Utilities & Infrastructure	1,350,000
11	Replacement of Fueling Tanks	800,000
12	Environmental Compliance	400,000
13	Big River Management Area	250,000
14	Shepard Building	1,500,000
15	Pastore Center Water Tanks & Pipes	100,000
16	RI Convention Center Authority	2,000,000
17	Pastore Center Power Plant Rehabilitation	734,000
18	Accessibility – Facility Renovations	1,000,000
19	DoIT Enterprise Operations Center	800,000
20	BHDDH MH & Community Facilities – Asset Protection	300,000
21	BHDDH DD & Community Homes – Fire Code	325,000
22	BHDDH DD Regional Facilities – Asset Protection	450,000
23	BHDDH Substance Abuse Asset Protection	375,000
24	BHDDH Group Homes	750,000
25	Statewide Facility Master Plan	116,467
26	Cannon Building	800,000
27	Old State House	100,000
28	State Office Building	100,000
29	State Office Reorganization & Relocation	500,000
30	William Powers Building	1,800,000
31	Pastore Center Utilities Upgrade	175,000
32	Pastore Center Non-Medical Buildings Asset Protection	3,170,000
33	Washington County Government Center	500,000
34	Chapin Health Laboratory	500,000

1	Medical Examiner New Facility	4,500,000
2	560 Jefferson Blvd Asset Protection	150,000
3	Arrigan Center	197,500
4	Dunkin Donuts Center	2,300,000
5	Pastore Center Building Demolition	1,000,000
6	Veterans Auditorium	285,000
7	Pastore Center Medical Buildings Asset Protection	750,000
8	Total – General	44,775,905
9	<i>Debt Service Payments</i>	
10	General Revenues	145,424,890
11	Out of the general revenue appropriations for debt service, the General Treasurer is	
12	authorized to make payments for the I-195 Redevelopment District Commission loan up to the	
13	maximum debt service due in accordance with the loan agreement.	
14	Other Funds	
15	Transportation Debt Service	39,205,402
16	Investment Receipts – Bond Funds	100,000
17	Total - Debt Service Payments	184,730,292
18	<i>Energy Resources</i>	
19	Federal Funds	761,478
20	Restricted Receipts	8,791,172
21	Total – Energy Resources	9,552,650
22	<i>Rhode Island Health Benefits Exchange</i>	
23	General Revenues	2,820,336
24	Federal Funds	5,239,671
25	Restricted Receipts	16,842,483
26	Total – Rhode Island Health Benefits Exchange	24,902,490
27	<i>Office of Diversity, Equity & Opportunity</i>	
28	General Revenues	1,245,968
29	Other Funds	112,623
30	Total – Office of Diversity, Equity & Opportunity	1,358,591
31	<i>Capital Asset Management and Maintenance</i>	
32	General Revenues	9,354,998
33	Federal Funds	4,363,888
34	Total – Capital Asset Management and Maintenance	13,718,886

1	Grand Total – Administration	595,170,045
2	Business Regulation	
3	Central Management	
4	General Revenues	3,232,684
5	<i>Banking Regulation</i>	
6	General Revenues	1,620,824
7	Restricted Receipts	75,000
8	Total – Banking Regulation	1,695,824
9	<i>Securities Regulation</i>	
10	General Revenues	817,118
11	Restricted Receipts	15,000
12	Total – Securities Regulation	832,118
13	<i>Insurance Regulation</i>	
14	General Revenues	4,152,139
15	Restricted Receipts	2,033,882
16	Total – Insurance Regulation	6,186,021
17	<i>Office of the Health Insurance Commissioner</i>	
18	General Revenues	1,659,713
19	Federal Funds	120,000
20	Restricted Receipts	496,092
21	Total – Office of the Health Insurance Commissioner	2,275,805
22	<i>Board of Accountancy</i>	
23	General Revenues	5,883
24	<i>Commercial Licensing and Gaming and Athletics Licensing</i>	
25	General Revenues	1,053,287
26	Restricted Receipts	890,069
27	Total – Commercial Licensing and Gaming and Athletics Licensing	1,943,356
28	<i>Building, Design and Fire Professionals</i>	
29	General Revenues	6,697,958
30	Federal Funds	186,000
31	Restricted Receipts	1,844,025
32	Other Funds	
33	Quonset Development Corporation	67,928
34	Total – Building, Design and Fire Professionals	8,795,911

1	<i>Office of Cannabis Regulation</i>	
2	Restricted Receipts	1,165,441
3	Grand Total – Business Regulation	26,133,043
4	Executive Office of Commerce	
5	<i>Central Management</i>	
6	General Revenues	2,202,211
7	Federal Funds	7,311,225
8	Total – Central Management	9,513,436
9	<i>Housing and Community Development</i>	
10	General Revenues	26,046,591
11	Federal Funds	16,066,986
12	Restricted Receipts	7,698,884
13	Total – Housing and Community Development	49,812,461
14	Quasi–Public Appropriations	
15	General Revenues	
16	Rhode Island Commerce Corporation	7,659,565
17	Airport Impact Aid	1,010,036
18	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be	
19	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the	
20	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)	
21	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2021	
22	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,	
23	T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation	
24	shall make an impact payment to the towns or cities in which the airport is located based on this	
25	calculation. Each community upon which any part of the above airports is located shall receive at	
26	least \$25,000.	
27	STAC Research Alliance	900,000
28	Innovative Matching Grants/Internships	1,000,000
29	I-195 Redevelopment District Commission	761,000
30	Polaris Manufacturing Grant	350,000
31	East Providence Waterfront Commission	50,000
32	Urban Ventures	140,000
33	Chafee Center at Bryant	476,200
34	Quonset Development Corporation	1,200,000

1	Municipal Infrastructure Grant Program	1,000,000
2	Other Funds	
3	Rhode Island Capital Plan Funds	
4	Quonset Point Infrastructure	6,000,000
5	I-195 Redevelopment District Commission	578,000
6	Total – Quasi–Public Appropriations	21,124,801
7	<i>Economic Development Initiatives Fund</i>	
8	General Revenues	
9	Innovation Initiative	1,000,000
10	Rebuild RI Tax Credit Fund	52,500,000
11	Small Business Promotion	300,000
12	Small Business Assistance	650,000
13	Federal Funds	
14	State Small Business Credit Initiative	56,234,176
15	Total – Economic Development Initiatives Fund	110,684,176
16	<i>Commerce Programs</i>	
17	General Revenues	
18	Wavemaker Fellowship	1,600,000
19	Grand Total – Executive Office of Commerce	192,734,874
20	Labor and Training	
21	<i>Central Management</i>	
22	General Revenues	712,826
23	Restricted Receipts	126,519
24	Total – Central Management	839,345
25	<i>Workforce Development Services</i>	
26	General Revenues	904,898
27	Federal Funds	18,817,837
28	Other Funds	82,525
29	Total – Workforce Development Services	19,805,260
30	<i>Workforce Regulation and Safety</i>	
31	General Revenues	3,489,965
32	<i>Income Support</i>	
33	General Revenues	3,801,667
34	Federal Funds	407,411,048

1	Restricted Receipts	2,770,811
2	Other Funds	
3	Temporary Disability Insurance Fund	205,490,965
4	Employment Security Fund	284,125,000
5	Total – Income Support	903,599,491
6	<i>Injured Workers Services</i>	
7	Restricted Receipts	11,172,336
8	<i>Labor Relations Board</i>	
9	General Revenues	407,364
10	<i>Governor’s Workforce Board</i>	
11	General Revenues	6,050,000
12	Provided that \$600,000 of these funds shall be used for enhanced training for direct care and	
13	support services staff to improve resident quality of care and address the changing health care needs	
14	of nursing facility residents due to higher acuity and increased cognitive impairments pursuant to	
15	Rhode Island General Laws, Section 23-17.5-36.	
16	Federal Funds	9,536,150
17	Restricted Receipts	13,849,054
18	Total – Governor’s Workforce Board	29,435,204
19	Grand Total – Labor and Training	968,748,965
20	Department of Revenue	
21	<i>Director of Revenue</i>	
22	General Revenues	1,792,985
23	<i>Office of Revenue Analysis</i>	
24	General Revenues	889,151
25	<i>Lottery Division</i>	
26	Other Funds	434,215,853
27	<i>Municipal Finance</i>	
28	General Revenues	1,718,168
29	Federal Funds	131,957,594
30	Total – Municipal Finance	133,675,762
31	<i>Taxation</i>	
32	General Revenues	32,673,073
33	Restricted Receipts	2,221,812
34	Other Funds	

1	Motor Fuel Tax Evasion	155,000
2	Total – Taxation	35,049,885
3	<i>Registry of Motor Vehicles</i>	
4	General Revenues	30,331,973
5	Federal Funds	462,404
6	Restricted Receipts	1,692,587
7	Total – Registry of Motor Vehicles	32,486,964
8	<i>State Aid</i>	
9	General Revenues	
10	Distressed Communities Relief Fund	12,384,458
11	Payment in Lieu of Tax Exempt Properties	46,089,504
12	Motor Vehicle Excise Tax Payments	139,656,362
13	Property Revaluation Program	1,503,677
14	Restricted Receipts	995,120
15	Total – State Aid	200,629,121
16	<i>Collections</i>	
17	General Revenues	828,769
18	Grand Total – Revenue	839,568,490
19	Legislature	
20	General Revenues	44,844,662
21	Restricted Receipts	1,782,425
22	Grand Total – Legislature	46,627,087
23	Lieutenant Governor	
24	General Revenues	1,199,161
25	Secretary of State	
26	<i>Administration</i>	
27	General Revenues	3,633,858
28	<i>Corporations</i>	
29	General Revenues	2,539,285
30	<i>State Archives</i>	
31	General Revenues	243,954
32	Restricted Receipts	447,148
33	Total – State Archives	691,102
34	<i>Elections and Civics</i>	

1	General Revenues	2,067,371
2	Federal Funds	1,810,000
3	Total – Elections and Civics	3,877,371
4	<i>State Library</i>	
5	General Revenues	768,685
6	Provided that \$125,000 be allocated to support the Rhode Island Historical Society	
7	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the	
8	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.	
9	<i>Office of Public Information</i>	
10	General Revenues	521,918
11	Receipted Receipts	25,000
12	Total – Office of Public Information	546,918
13	Grand Total – Secretary of State	12,057,219
14	General Treasurer	
15	<i>Treasury</i>	
16	General Revenues	2,582,131
17	Federal Funds	308,416
18	Other Funds	
19	Temporary Disability Insurance Fund	263,421
20	Tuition Savings Program – Administration	382,476
21	Total –Treasury	3,536,444
22	<i>State Retirement System</i>	
23	Restricted Receipts	
24	Admin Expenses – State Retirement System	11,427,273
25	Retirement – Treasury Investment Operations	1,871,467
26	Defined Contribution – Administration	300,234
27	Total – State Retirement System	13,598,974
28	<i>Unclaimed Property</i>	
29	Restricted Receipts	28,902,766
30	<i>Crime Victim Compensation Program</i>	
31	General Revenues	646,179
32	Federal Funds	422,493
33	Restricted Receipts	713,007
34	Total – Crime Victim Compensation Program	1,781,679

1	Grand Total – General Treasurer	47,819,863
2	Board of Elections	
3	General Revenues	2,671,768
4	Rhode Island Ethics Commission	
5	General Revenues	1,867,351
6	Office of Governor	
7	General Revenues	
8	General Revenues	6,553,626
9	Contingency Fund	150,000
10	Grand Total – Office of Governor	6,703,626
11	Commission for Human Rights	
12	General Revenues	1,486,581
13	Federal Funds	422,418
14	Grand Total – Commission for Human Rights	1,908,999
15	Public Utilities Commission	
16	Federal Funds	540,253
17	Restricted Receipts	11,926,093
18	Grand Total – Public Utilities Commission	12,466,346
19	Office of Health and Human Services	
20	<i>Central Management</i>	
21	General Revenues	44,961,144
22	Federal Funds	121,027,873
23	Restricted Receipts	22,897,651
24	Total – Central Management	188,886,668
25	<i>Medical Assistance</i>	
26	General Revenues	
27	Managed Care	344,346,294
28	Hospitals	94,772,895
29	Of the general revenue funding, \$2.0 million shall be provided for Graduate Medical	
30	Education programs of which \$1.0 million is for hospitals designated as a Level I Trauma Center	
31	and \$1.0 million is for hospitals providing Neonatal Intensive Care Unit level of care.	
32	Nursing Facilities	147,255,515
33	Home and Community Based Services	43,405,421
34	Other Services	128,944,587

1	Pharmacy	69,142,220
2	Rhody Health	188,362,579
3	Other Programs	39,000,000
4	Federal Funds	
5	Managed Care	509,180,803
6	Hospitals	120,363,721
7	Nursing Facilities	201,490,261
8	Home and Community Based Services	59,310,041
9	Other Services	751,902,189
10	Pharmacy	57,780
11	Rhody Health	255,260,108
12	Other Programs	36,288,580
13	Restricted Receipts	17,792,796
14	Total – Medical Assistance	3,006,875,790
15	Grand Total – Office of Health and Human Services	3,195,762,458
16	Children, Youth, and Families	
17	<i>Central Management</i>	
18	General Revenues	14,120,765
19	The director of the department of children, youth and families shall provide to the speaker of the	
20	house and president of the senate at least every sixty (60) days beginning September 1, 2021, a	
21	report on its progress implementing the accreditation plan filed in accordance with Rhode Island	
22	General Law, Section 42-72-5.3 and any projected changes needed to effectuate that plan. The	
23	report shall, at minimum, provide data regarding recruitment and retention efforts including	
24	attaining and maintaining a diverse workforce, documentation of newly filled and vacated	
25	positions, and progress towards reducing worker caseloads.	
26	Federal Funds	4,914,204
27	Total – Central Management	19,034,969
28	<i>Children's Behavioral Health Services</i>	
29	General Revenues	7,579,739
30	Federal Funds	6,718,331
31	Total – Children's Behavioral Health Services	14,298,070
32	<i>Juvenile Correctional Services</i>	
33	General Revenues	21,401,081
34	Federal Funds	274,541

1	Other Funds	
2	Rhode Island Capital Plan Funds	
3	Training School Asset Protection	250,000
4	Total – Juvenile Correctional Services	21,925,622
5	<i>Child Welfare</i>	
6	General Revenues	149,983,357
7	Federal Funds	69,549,337
8	Restricted Receipts	1,487,111
9	Total – Child Welfare	221,019,805
10	<i>Higher Education Incentive Grants</i>	
11	General Revenues	200,000
12	Grand Total – Children, Youth, and Families	276,478,466
13	Health	
14	<i>Central Management</i>	
15	General Revenues	3,232,283
16	Federal Funds	4,631,858
17	Restricted Receipts	27,871,484
18	Provided that the disbursement of any indirect cost recoveries on federal grants budgeted	
19	in this line item that are derived from grants authorized under The Coronavirus Preparedness and	
20	Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus	
21	Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-	
22	136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and	
23	the Consolidated Appropriations Act, 2021 (P.L. 116-260), are hereby subject to the review and	
24	prior approval of the Director of Management and Budget. No obligation or expenditure of these	
25	funds shall take place without such approval.	
26	Total – Central Management	35,735,625
27	<i>Community Health and Equity</i>	
28	General Revenues	1,325,578
29	Federal Funds	72,626,719
30	Restricted Receipts	39,122,956
31	Total – Community Health and Equity	113,075,253
32	<i>Environmental Health</i>	
33	General Revenues	5,744,839
34	Federal Funds	7,382,886

1	Restricted Receipts	738,436
2	Total – Environmental Health	13,866,161
3	<i>Health Laboratories and Medical Examiner</i>	
4	General Revenues	10,149,765
5	Federal Funds	2,398,469
6	Other Funds	
7	Rhode Island Capital Plan Funds	
8	Health Laboratories & Medical Examiner Equipment	600,000
9	Total – Health Laboratories and Medical Examiner	13,148,234
10	<i>Customer Services</i>	
11	General Revenues	7,729,808
12	Federal Funds	5,158,613
13	Restricted Receipts	2,094,387
14	Total – Customer Services	14,982,808
15	<i>Policy, Information and Communications</i>	
16	General Revenues	908,676
17	Federal Funds	2,934,574
18	Restricted Receipts	1,103,113
19	Total – Policy, Information and Communications	4,946,363
20	<i>Preparedness, Response, Infectious Disease & Emergency Services</i>	
21	General Revenues	1,939,241
22	Federal Funds	31,159,763
23	Total – Preparedness, Response, Infectious Disease & Emergency Services	33,099,004
24	<i>COVID-19</i>	
25	Federal Funds	241,991,855
26	Grand Total - Health	470,845,303
27	Human Services	
28	Central Management	
29	General Revenues	5,119,898
30	Of this amount, \$300,000 is to support the Domestic Violence Prevention Fund to provide	
31	direct services through the Coalition Against Domestic Violence, \$250,000 to support Project	
32	Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$217,000 is for outreach and	
33	supportive services through Day One, \$350,000 is for food collection and distribution through the	
34	Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads	

1	Rhode Island, \$600,000 for the Community Action Fund and \$200,000 is for the Institute for the	
2	Study and Practice of Nonviolence’s Reduction Strategy.	
3	Federal Funds	7,961,909
4	Restricted Receipts	150,000
5	Total – Central Management	13,231,807
6	<i>Child Support Enforcement</i>	
7	General Revenues	2,933,192
8	Federal Funds	8,889,388
9	Restricted Receipts	4,100,000
10	Total – Child Support Enforcement	15,922,580
11	<i>Individual and Family Support</i>	
12	General Revenues	39,411,638
13	Federal Funds	204,300,917
14	Restricted Receipts	255,255
15	Other Funds	
16	Rhode Island Capital Plan Funds	
17	Blind Vending Facilities	165,000
18	Total – Individual and Family Support	244,132,810
19	<i>Office of Veterans Services</i>	
20	General Revenues	28,573,995
21	Of this amount, \$200,000 is to provide support services through Veterans’ organizations.	
22	Federal Funds	11,296,289
23	Restricted Receipts	1,571,061
24	Other Funds	
25	Rhode Island Capital Plan Funds	
26	Veterans Home Asset Protection	350,000
27	Veterans Cemetery Crypt Installation/Expansion	380,000
28	Total – Office of Veterans Services	42,171,345
29	<i>Health Care Eligibility</i>	
30	General Revenues	8,265,046
31	Federal Funds	13,473,195
32	Total – Health Care Eligibility	21,738,241
33	<i>Supplemental Security Income Program</i>	
34	General Revenues	17,950,819

1	<i>Rhode Island Works</i>	
2	General Revenues	8,659,085
3	Federal Funds	86,375,347
4	Total – Rhode Island Works	95,034,432
5	<i>Other Programs</i>	
6	General Revenues	851,704
7	Of this appropriation, \$90,000 shall be used for hardship contingency payments.	
8	Federal Funds	254,157,901
9	Restricted Receipts	8,000
10	Total – Other Programs	255,017,605
11	<i>Office of Healthy Aging</i>	
12	General Revenues	12,130,918
13	Of this amount, \$325,000 is to provide elder services, including respite, through the	
14	Diocese of Providence, \$40,000 for ombudsman services provided by the Alliance for Long Term	
15	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 for security for	
16	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, \$800,000	
17	for Senior Services Support and \$580,000 for elderly nutrition, of which \$530,000 is for Meals on	
18	Wheels.	
19	Federal Funds	20,607,297
20	Restricted Receipts	106,161
21	Other Funds	
22	Intermodal Surface Transportation Fund	4,269,970
23	Total – Office of Healthy Aging	37,114,346
24	Grand Total – Human Services	742,313,985
25	Behavioral Healthcare, Developmental Disabilities, and Hospitals	
26	<i>Central Management</i>	
27	General Revenues	5,000,299
28	Federal Funds	1,352,665
29	Total – Central Management	6,352,964
30	<i>Hospital and Community System Support</i>	
31	General Revenues	3,433,367
32	Federal Funds	9,899
33	Restricted Receipts	300,000
34	Total – Hospital and Community System Support	3,743,266

1	<i>Services for the Developmentally Disabled</i>	
2	General Revenues	145,293,304
3	Of this general revenue funding, \$16,780,500 shall be expended on certain community-	
4	based department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)	
5	developmental disability private provider and self-directed consumer direct care service worker	
6	raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff	
7	and residential or other community-based setting must first receive the approval of BHDDH. A	
8	total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance	
9	with most recent consent decree initiatives of which all unexpended or unencumbered balances, at	
10	the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately	
11	available for the same purposes.	
12	Federal Funds	189,882,388
13	Of this federal funding, \$22,964,880 shall be expended on certain community-based	
14	department of behavioral healthcare, developmental disabilities and hospitals (BHDDH)	
15	developmental disability private provider and self-directed consumer direct care service worker	
16	raises and associated payroll cost as authorized by BHDDH. Any increases for direct support staff	
17	and residential or other community-based setting must first receive the approval of BHDDH. A	
18	total of \$1,000,000 shall be expended on state infrastructure to implement and manage compliance	
19	with most recent consent decree initiatives of which all unexpended or unencumbered balances, at	
20	the end of the fiscal year, shall be reappropriated to the ensuing fiscal year and made immediately	
21	available for the same purposes.	
22	Restricted Receipts	1,410,300
23	Other Funds	
24	Rhode Island Capital Plan Funds	
25	DD Residential Development	100,000
26	Total – Services for the Developmentally Disabled	336,685,992
27	<i>Behavioral Healthcare Services</i>	
28	General Revenues	2,245,753
29	Federal Funds	53,811,306
30	Restricted Receipts	2,476,600
31	Total – Behavioral Healthcare Services	58,533,659
32	<i>Hospital and Community Rehabilitative Services</i>	
33	General Revenues	115,970,100
34	Federal Funds	2,003,522

1	Restricted Receipts	9,750
2	Other Funds	
3	Rhode Island Capital Plan Funds	
4	Hospital Equipment	300,000
5	Total - Hospital and Community Rehabilitative Services	118,283,372
6	Grand Total – Behavioral Healthcare, Developmental Disabilities, and	
7	Hospitals	523,599,253
8	Office of the Child Advocate	
9	General Revenues	1,036,219
10	Federal Funds	207,307
11	Grand Total – Office of the Child Advocate	1,243,526
12	Commission on the Deaf and Hard of Hearing	
13	General Revenues	655,862
14	Restricted Receipts	162,802
15	Grand Total – Comm. On Deaf and Hard-of-Hearing	818,664
16	Governor’s Commission on Disabilities	
17	General Revenues	
18	General Revenues	582,860
19	Livable Home Modification Grant Program	507,850
20	Provided that this will be used for home modification and accessibility enhancements to	
21	construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.	
22	This will be in consultation with the Executive Office of Health and Human Services.	
23	Federal Funds	380,316
24	Restricted Receipts	59,455
25	Total – Governor’s Commission on Disabilities	1,530,481
26	Office of the Mental Health Advocate	
27	General Revenues	680,190
28	Elementary and Secondary Education	
29	<i>Administration of the Comprehensive Education Strategy</i>	
30	General Revenues	24,339,679
31	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children’s	
32	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to	
33	support child opportunity zones through agreements with the Department of Elementary and	
34	Secondary Education to strengthen education, health and social services for students and their	

1	families as a strategy to accelerate student achievement.	
2	Federal Funds	324,772,666
3	Provided that \$684,000 from the Department’s administrative share of Individuals with	
4	Disabilities Education Act funds be allocated to the Paul V. Sherlock Center on Disabilities to	
5	support the Rhode Island Vision Education and Services Program.	
6	Restricted Receipts	
7	Restricted Receipts	1,766,808
8	HRIC Adult Education Grants	3,500,000
9	Total – Admin. of the Comprehensive Ed. Strategy	354,379,153
10	<i>Davies Career and Technical School</i>	
11	General Revenues	14,437,904
12	Federal Funds	4,546,489
13	Restricted Receipts	4,819,592
14	Other Funds	
15	Rhode Island Capital Plan Funds	
16	Davies School HVAC	900,000
17	Davies School Asset Protection	665,000
18	Davies School Healthcare Classroom Renovations	500,000
19	Total – Davies Career and Technical School	25,868,985
20	<i>RI School for the Deaf</i>	
21	General Revenues	7,402,627
22	Federal Funds	581,126
23	Restricted Receipts	469,779
24	Other Funds	
25	School for the Deaf Transformation Grants	59,000
26	Rhode Island Capital Plan Funds	
27	School for the Deaf Asset Protection	250,000
28	Total – RI School for the Deaf	8,762,532
29	<i>Metropolitan Career and Technical School</i>	
30	General Revenues	9,342,007
31	Federal Funds	4,667,210
32	Other Funds	
33	Rhode Island Capital Plan Funds	
34	MET School Asset Protection	250,000

1	Total – Metropolitan Career and Technical School	14,259,217
2	<i>Education Aid</i>	
3	General Revenues	1,023,707,116
4	Provided that the criteria for the allocation of early childhood funds shall prioritize	
5	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one	
6	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities	
7	with higher concentrations of low performing schools.	
8	Federal Funds	508,943,494
9	Restricted Receipts	36,146,758
10	Other Funds	
11	Permanent School Fund	300,000
12	Total – Education Aid	1,569,097,368
13	<i>Central Falls School District</i>	
14	General Revenues	47,702,746
15	Federal Funds	22,041,316
16	Total – Central Falls School District	69,744,062
17	<i>School Construction Aid</i>	
18	General Revenues	
19	School Housing Aid	79,409,186
20	School Building Authority Capital Fund	590,814
21	Total – School Construction Aid	80,000,000
22	<i>Teachers' Retirement</i>	
23	General Revenues	123,916,166
24	Grand Total – Elementary and Secondary Education	2,246,027,483
25	Public Higher Education	
26	<i>Office of Postsecondary Commissioner</i>	
27	General Revenues	26,979,920
28	Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to	
29	the Rhode Island General Law, Section 16-70-5 and that \$75,000 shall be allocated to Best Buddies	
30	Rhode Island to support its programs for children with developmental and intellectual disabilities.	
31	It is also provided that \$7,680,838 shall be allocated to the Rhode Island Promise Scholarship	
32	program, \$9,595,000 shall be allocated to the Last Dollar Scholarship program, and \$147,000 shall	
33	be used to support Rhode Island’s membership in the New England Board of Higher Education.	
34	Federal Funds	

1	Federal Funds	6,780,470
2	Guaranty Agency Administration	400,000
3	Restricted Receipts	3,485,642
4	Other Funds	
5	Tuition Savings Program – Dual Enrollment	2,300,000
6	Nursing Education Center – Operating	2,589,674
7	Rhode Island Capital Plan Funds	
8	Higher Education Centers	3,932,500
9	Provided that the state fund no more than 50.0 percent of the total project cost.	
10	Total – Office of Postsecondary Commissioner	46,468,206
11	<i>University of Rhode Island</i>	
12	General Revenues	
13	General Revenues	84,177,615
14	Provided that in order to leverage federal funding and support economic development,	
15	\$700,000 shall be allocated to the Small Business Development Center and that \$50,000 shall be	
16	allocated to Special Olympics Rhode Island to support its mission of providing athletic	
17	opportunities for individuals with intellectual and developmental disabilities.	
18	Debt Service	29,837,239
19	RI State Forensics Laboratory	1,317,901
20	Federal Funds	31,102,250
21	Other Funds	
22	University and College Funds	685,449,813
23	Debt – Dining Services	979,827
24	Debt – Education and General	4,833,788
25	Debt – Health Services	119,246
26	Debt – Housing Loan Funds	12,771,303
27	Debt – Memorial Union	322,507
28	Debt – Ryan Center	2,734,158
29	Debt – Parking Authority	1,311,087
30	Debt – Restricted Energy Conservation	530,994
31	Debt – URI Energy Conservation	2,039,606
32	Rhode Island Capital Plan Funds	
33	Asset Protection	9,900,000
34	Total – University of Rhode Island	867,427,334

1 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
2 unencumbered balances as of June 30, 2022 relating to the University of Rhode Island are hereby
3 reappropriated to fiscal year 2023.

4 *Rhode Island College*

5	General Revenues	
6	General Revenues	58,108,155
7	Debt Service	6,024,998
8	Federal Funds	34,573,206
9	Other Funds	
10	University and College Funds	113,860,455
11	Debt – Education and General	881,355
12	Debt – Housing	366,667
13	Debt – Student Center and Dining	155,000
14	Debt – Student Union	208,800
15	Debt – G.O. Debt Service	1,642,434
16	Debt – Energy Conservation	674,475
17	Rhode Island Capital Plan Funds	
18	Asset Protection	4,733,000
19	Infrastructure Modernization	4,550,000
20	Total – Rhode Island College	225,778,545

21 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
22 unencumbered balances as of June 30, 2022 relating to Rhode Island College are hereby
23 reappropriated to fiscal year 2023.

24 *Community College of Rhode Island*

25	General Revenues	
26	General Revenues	52,427,080
27	Debt Service	1,095,685
28	Federal Funds	67,577,643
29	Restricted Receipts	660,191
30	Other Funds	
31	University and College Funds	99,556,679
32	Rhode Island Capital Plan Funds	
33	Asset Protection	3,037,615
34	Knight Campus Renewal	3,000,000

1	Knight Campus Lab Renovation	887,902
2	Data, Cabling, and Power Infrastructure	1,500,000
3	Flanagan Campus Renovation and Modernization	2,000,000
4	Total – Community College of RI	231,742,795

5 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
6 unencumbered balances as of June 30, 2022 relating to the Community College of Rhode Island
7 are hereby reappropriated to fiscal year 2023.

8	Grand Total – Public Higher Education	1,371,416,880
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9 **RI State Council on the Arts**

10 General Revenues

11	Operating Support	883,651
12	Grants	1,165,000

13 Provided that \$375,000 be provided to support the operational costs of WaterFire
14 Providence art installations.

15	Federal Funds	2,677,642
16	Restricted Receipts	40,000

17 Other Funds

18	Art for Public Facilities	495,000
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19	Grand Total – RI State Council on the Arts	5,261,293
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20 **RI Atomic Energy Commission**

21	General Revenues	1,076,170
22	Federal Funds	477,000
23	Restricted Receipts	25,036
24	Other Funds	

25	URI Sponsored Research	331,367
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26	Rhode Island Capital Plan Funds	
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27	RINSC Asset Protection	50,000
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28	Grand Total – RI Atomic Energy Commission	1,959,573
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29 **RI Historical Preservation and Heritage Commission**

30	General Revenues	1,390,704
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31 Provided that \$30,000 support the operational costs of the Fort Adams Trust’s restoration
32 activities.

33	Federal Funds	697,162
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34	Restricted Receipts	424,100
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1	Other Funds	
2	RIDOT Project Review	150,379
3	Grand Total – RI Historical Preservation and Heritage Comm.	2,662,345
4	Attorney General	
5	<i>Criminal</i>	
6	General Revenues	17,949,759
7	Federal Funds	3,206,560
8	Restricted Receipts	204,734
9	Total – Criminal	21,361,053
10	<i>Civil</i>	
11	General Revenues	5,897,317
12	Restricted Receipts	1,172,929
13	Total – Civil	7,070,246
14	<i>Bureau of Criminal Identification</i>	
15	General Revenues	1,836,927
16	Federal Funds	238,000
17	Restricted Receipts	1,005,774
18	Total – Bureau of Criminal Identification	3,080,701
19	<i>General</i>	
20	General Revenues	4,136,361
21	Other Funds	
22	Rhode Island Capital Plan Funds	
23	Building Renovations and Repairs	150,000
24	Total – General	4,286,361
25	Grand Total – Attorney General	35,798,361
26	Corrections	
27	<i>Central Management</i>	
28	General Revenues	15,823,807
29	<i>Parole Board</i>	
30	General Revenues	1,402,115
31	Federal Funds	77,534
32	Total – Parole Board	1,479,649
33	<i>Custody and Security</i>	
34	General Revenues	138,679,834

1	Federal Funds	1,044,858
2	Total – Custody and Security	139,724,692
3	<i>Institutional Support</i>	
4	General Revenues	24,292,177
5	Other Funds	
6	Rhode Island Capital Plan Funds	
7	Asset Protection	5,125,000
8	Total – Institutional Support	29,417,177
9	<i>Institutional Based Rehab./Population Management</i>	
10	General Revenues	11,727,119
11	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender	
12	discharge planning.	
13	Federal Funds	832,927
14	Restricted Receipts	49,600
15	Total – Institutional Based Rehab/Population Mgt.	12,609,646
16	<i>Healthcare Services</i>	
17	General Revenues	25,847,217
18	Of this general revenue funding, \$750,000 shall be expended to expand access to	
19	behavioral healthcare for individuals with severe and persistent mental illnesses incarcerated at the	
20	Adult Correctional Institutions. Funds shall be dedicated to planning for and, as practicable,	
21	creation of a Transitional Care Unit to provide robust behavioral healthcare to individuals in this	
22	population whose needs do not rise to the level of requiring care at the existing Residential	
23	Treatment Unit at the High Security facility but who nonetheless would require or benefit from a	
24	level of care beyond that which is delivered to the general population. All disbursements from this	
25	fund must occur in pursuit of collaborative development by the Department of Corrections, the	
26	Office of the Governor, and the Office of Management and Budget of a final approved long-term	
27	strategy for meeting the needs of the severely and persistently mentally ill population, or in	
28	furtherance of the needs and goals identified in the final approved long-term strategy, potentially	
29	including but not limited to creation of a Transitional Care Unit and expansion of programming.	
30	All unexpended or unencumbered balances of this fund, at the end of any fiscal year, shall be	
31	reappropriated to the ensuing fiscal year and made immediately available for the same purposes.	
32	Federal Funds	54,000
33	Restricted Receipts	2,274,537
34	Total – Healthcare Services	28,175,754

1	<i>Community Corrections</i>	
2	General Revenues	18,577,675
3	Federal Funds	97,867
4	Restricted Receipts	14,883
5	Total – Community Corrections	18,690,425
6	Grand Total – Corrections	245,921,150
7	Judiciary	
8	<i>Supreme Court</i>	
9	General Revenues	
10	General Revenues	29,988,350
11	Provided however, that no more than \$1,435,110 in combined total shall be offset to the	
12	Public Defender’s Office, the Attorney General’s Office, the Department of Corrections, the	
13	Department of Children, Youth, and Families, and the Department of Public Safety for square-	
14	footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to	
15	the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy	
16	project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to	
17	Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.	
18	Defense of Indigents	5,075,432
19	Federal Funds	138,354
20	Restricted Receipts	3,861,095
21	Other Funds	
22	Rhode Island Capital Plan Funds	
23	Garrahy Courtroom Restoration	250,000
24	Murray Courtroom Restoration	700,000
25	Judicial Complexes – HVAC	1,000,000
26	Judicial Complexes Asset Protection	1,500,000
27	Judicial Complexes Fan Coil Unit Replacements	750,000
28	Licht Judicial Complex Restoration	750,000
29	Total - Supreme Court	44,013,231
30	<i>Judicial Tenure and Discipline</i>	
31	General Revenues	155,863
32	<i>Superior Court</i>	
33	General Revenues	25,022,380
34	Federal Funds	111,553

1	Restricted Receipts	407,207
2	Total – Superior Court	25,541,140
3	<i>Family Court</i>	
4	General Revenues	23,507,538
5	Federal Funds	3,106,857
6	Total – Family Court	26,614,395
7	<i>District Court</i>	
8	General Revenues	14,443,083
9	Federal Funds	571,495
10	Restricted Receipts	60,000
11	Total - District Court	15,074,578
12	<i>Traffic Tribunal</i>	
13	General Revenues	9,716,034
14	<i>Workers' Compensation Court</i>	
15	Restricted Receipts	9,310,113
16	Grand Total – Judiciary	130,425,354
17	Military Staff	
18	General Revenues	2,723,714
19	Federal Funds	36,614,294
20	Restricted Receipts	
21	RI Military Family Relief Fund	55,000
22	Other Funds	
23	Rhode Island Capital Plan Funds	
24	Aviation Readiness Center	535,263
25	AMC Roof Replacement	366,500
26	Asset Protection	930,000
27	Grand Total – Military Staff	41,224,771
28	Public Safety	
29	<i>Central Management</i>	
30	General Revenues	15,917,162

31 Provided that \$15,000,000 shall be allocated as the state contribution for the Statewide Body-
32 worn Camera Program, subject to all program and reporting rules, regulations, policies, and
33 guidelines prescribed in the Rhode Island General Laws. No money appropriated shall be
34 distributed for Rhode Island police department body-worn camera expenses prior to the

1 promulgation of rules and regulations. Notwithstanding the provisions of section 35-3-15 of the
 2 general laws, all unexpended or unencumbered balances as of June 30, 2022 from this appropriation
 3 are hereby reappropriated to fiscal year 2023.

4	Federal Funds	10,902,596
5	Restricted Receipts	189,556
6	Total – Central Management	27,009,314
7	<i>E-911 Emergency Telephone System</i>	
8	Restricted Receipts	7,469,769
9	<i>Security Services</i>	
10	General Revenues	27,319,253
11	<i>Municipal Police Training Academy</i>	
12	General Revenues	262,575
13	Federal Funds	451,295
14	Total – Municipal Police Training Academy	713,870
15	<i>State Police</i>	
16	General Revenues	77,105,322
17	Federal Funds	6,110,439
18	Restricted Receipts	856,000
19	Other Funds	
20	Airport Corporation Assistance	150,000
21	Road Construction Reimbursement	2,500,000
22	Weight and Measurement Reimbursement	400,000
23	Rhode Island Capital Plan Funds	
24	DPS Asset Protection	791,000
25	Portsmouth Barracks	350,000
26	Southern Barracks	2,100,000
27	Training Academy Upgrades	750,000
28	Statewide Communications System Network	237,370
29	Total–State Police	91,350,131
30	Grand Total – Public Safety	153,862,337
31	Office of Public Defender	
32	General Revenues	13,431,599
33	Federal Funds	75,665
34	Grand Total – Office of Public Defender	13,507,264

1	Emergency Management Agency	
2	General Revenues	2,710,290
3	Federal Funds	17,552,433
4	Restricted Receipts	527,563
5	Other Funds	
6	Rhode Island Capital Plan Funds	
7	RI Statewide Communications Network	1,494,400
8	Emergency Management Building	250,000
9	Grand Total – Emergency Management Agency	22,534,686
10	Environmental Management	
11	Office of the Director	
12	General Revenues	7,551,252
13	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts.	
14	Restricted Receipts	4,189,798
15	Total – Office of the Director	11,741,050
16	<i>Natural Resources</i>	
17	General Revenues	25,272,202
18	Federal Funds	21,635,240
19	Restricted Receipts	5,454,434
20	Other Funds	
21	DOT Recreational Projects	762,000
22	Blackstone Bike Path Design	1,000,000
23	Transportation MOU	10,286
24	Rhode Island Capital Plan Funds	
25	Blackstone Valley Park Improvement	500,000
26	Dam Repair	90,000
27	Fort Adams Rehabilitation	300,000
28	Galilee Pier Upgrades	5,420,000
29	Newport Pier Upgrades	150,000
30	Recreation Facility Asset Protection	750,000
31	Recreational Facilities Improvement	3,200,000
32	Total – Natural Resources	64,544,162
33	<i>Environmental Protection</i>	
34	General Revenues	13,360,386

1	Federal Funds	10,753,650
2	Restricted Receipts	7,457,559
3	Other Funds	
4	Transportation MOU	63,565
5	Total – Environmental Protection	31,635,160
6	Grand Total – Environmental Management	107,920,372
7	Coastal Resources Management Council	
8	General Revenues	2,809,533
9	Federal Funds	1,850,628
10	Restricted Receipts	250,000
11	Other Funds	
12	Rhode Island Capital Plan Funds	
13	Narragansett Bay SAMP	75,115
14	RI Coastal Storm Risk Study	475,000
15	Grand Total – Coastal Resources Mgmt. Council	5,460,276
16	Transportation	
17	<i>Central Management</i>	
18	Federal Funds	16,066,910
19	Other Funds	
20	Gasoline Tax	8,917,792
21	Total – Central Management	24,984,702
22	<i>Management and Budget</i>	
23	Other Funds	
24	Gasoline Tax	5,380,580
25	<i>Infrastructure Engineering</i>	
26	Federal Funds	416,941,030
27	Restricted Receipts	2,589,202
28	Other Funds	
29	Gasoline Tax	70,347,728
30	Toll Revenue	35,089,593
31	Land Sale Revenue	5,979,719
32	Rhode Island Capital Plan Funds	
33	Highway Improvement Program	63,451,346
34	Bike Path Facilities Maintenance	400,000

1	RIPTA - Land and Buildings	1,330,000
2	RIPTA - Warwick Bus Hub	260,000
3	RIPTA – URI Mobility Hub	600,000
4	Total - Infrastructure Engineering	596,988,618
5	<i>Infrastructure Maintenance</i>	
6	Federal Funds	18,038,585
7	Other Funds	
8	Gasoline Tax	29,781,566
9	Non-Land Surplus Property	50,000
10	Rhode Island Highway Maintenance Account	87,157,485
11	Rhode Island Capital Plan Funds	
12	Maintenance Capital Equipment Replacement	1,499,462
13	Maintenance Facilities Improvements	900,000
14	Welcome Center	150,000
15	Salt Storage Facilities	2,500,000
16	Train Station Maintenance and Repairs	450,000
17	Total – Infrastructure Maintenance	140,527,098
18	Grand Total – Transportation	767,880,998
19	Statewide Totals	
20	General Revenues	4,550,811,637
21	Federal Funds	5,862,690,503
22	Restricted Receipts	372,695,155
23	Other Funds	2,334,615,011
24	Statewide Grand Total	13,120,812,306

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

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

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

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

19 Account	Expenditure Limit
20 State Assessed Fringe Benefit Internal Service Fund	37,626,944
21 Administration Central Utilities Internal Service Fund	27,345,573
22 State Central Mail Internal Service Fund	6,736,424
23 State Telecommunications Internal Service Fund	3,100,546
24 State Automotive Fleet Internal Service Fund	12,664,678
25 Surplus Property Internal Service Fund	3,000
26 Health Insurance Internal Service Fund	272,604,683
27 Other Post-Employment Benefits Fund	63,858,483
28 Capitol Police Internal Service Fund	1,731,553
29 Corrections Central Distribution Center Internal Service Fund	7,410,210
30 Correctional Industries Internal Service Fund	8,590,417
31 Secretary of State Record Center Internal Service Fund	1,060,059
32 Human Resources Internal Service Fund	13,962,865
33 DCAMM Facilities Internal Service Fund	43,562,371
34 Information Technology Internal Service Fund	48,951,700

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

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

11 SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby
12 appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds
13 required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund
14 and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2022.

15 SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated
16 pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed
17 for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2022.

18 SECTION 9. Appropriation of Lottery Division Funds -- There is hereby appropriated to
19 the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of
20 paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2022.

21 SECTION 10. Appropriation of CollegeBoundSaver Funds -- There is hereby appropriated
22 to the Office of the General Treasurer designated funds received under the CollegeBoundSaver
23 program for transfer to the Division of Higher Education Assistance within the Office of the
24 Postsecondary Commissioner to support student financial aid for the fiscal year ending June 30,
25 2022.

26 SECTION 11. Departments and agencies listed below may not exceed the number of full-
27 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do
28 not include limited period positions or, seasonal or intermittent positions whose scheduled period
29 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not
30 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor
31 do they include individuals engaged in training, the completion of which is a prerequisite of
32 employment. Provided, however, that the Governor or designee, Speaker of the House of
33 Representatives or designee, and the President of the Senate or designee may authorize an
34 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a

1 detailed written recommendation to the Governor, the Speaker of the House, and the President of
 2 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the
 3 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor
 4 and the Senate Fiscal Advisor.

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

8 FY 2022 FTE POSITION AUTHORIZATION

9 Departments and Agencies	Full-Time Equivalent
10 Administration	650.7
11 Provided that no more than 421.5 of the total authorization would be limited to positions	
12 that support internal service fund programs.	
13 Business Regulation	162.0
14 Executive Office of Commerce	16.0
15 Labor and Training	462.7
16 Revenue	570.5
17 Legislature	298.5
18 Office of the Lieutenant Governor	8.0
19 Office of the Secretary of State	59.0
20 Office of the General Treasurer	89.0
21 Board of Elections	13.0
22 Rhode Island Ethics Commission	12.0
23 Office of the Governor	45.0
24 Commission for Human Rights	14.0
25 Public Utilities Commission	54.0
26 Office of Health and Human Services	190.0
27 Children, Youth, and Families	702.5
28 Health	530.6
29 Human Services	753.0
30 Office of Veterans Services	263.1
31 Office of Healthy Aging	31.0
32 Behavioral Healthcare, Developmental Disabilities, and Hospitals	1,190.4
33 Office of the Child Advocate	10.0
34 Commission on the Deaf and Hard of Hearing	4.0

1	Governor’s Commission on Disabilities	4.0
2	Office of the Mental Health Advocate	4.0
3	Elementary and Secondary Education	143.1
4	School for the Deaf	60.0
5	Davies Career and Technical School	123.0
6	Office of Postsecondary Commissioner	33.0
7	Provided that 1.0 of the total authorization would be available only for positions that are	
8	supported by third-party funds, 10.0 would be available only for positions at the State’s Higher	
9	Education Centers located in Woonsocket and Westerly, and 10.0 would be available only for	
10	positions at the Nursing Education Center.	
11	University of Rhode Island	2,555.0
12	Provided that 357.8 of the total authorization would be available only for positions that are	
13	supported by third-party funds.	
14	Rhode Island College	949.2
15	Provided that 76.0 of the total authorization would be available only for positions that are	
16	supported by third-party funds.	
17	Community College of Rhode Island	849.1
18	Provided that 89.0 of the total authorization would be available only for positions that are	
19	supported by third-party funds.	
20	Rhode Island State Council on the Arts	9.6
21	RI Atomic Energy Commission	8.6
22	Historical Preservation and Heritage Commission	15.6
23	Office of the Attorney General	247.1
24	Corrections	1,424.0
25	Judicial	726.3
26	Military Staff	92.0
27	Emergency Management Agency	33.0
28	Public Safety	622.6
29	Office of the Public Defender	99.0
30	Environmental Management	401.0
31	Coastal Resources Management Council	30.0
32	Transportation	755.0
33	Total	15,313.2
34	No agency or department may employ contracted employee services where contract	

1 employees would work under state employee supervisors without determination of need by the
 2 Director of Administration acting upon positive recommendations by the Budget Officer and the
 3 Personnel Administrator and 15 days after a public hearing.

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

8 SECTION 12. The amounts reflected in this Article include the appropriation of Rhode
 9 Island Capital Plan funds for fiscal year 2022 and supersede appropriations provided for FY 2022
 10 within Section 12 of Article 1 of Chapter 080 of the P.L. of 2020.

11 The following amounts are hereby appropriated out of any money in the State’s Rhode
 12 Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending
 13 June 30, 2023, June 30, 2024, June 30, 2025, and June 30, 2026. These amounts supersede
 14 appropriations provided within Section 12 of Article 1 of Chapter 080 of the P.L. of 2020.

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

	FY Ending	FY Ending	FY Ending	FY Ending
<u>Project</u>	<u>06/30/2023</u>	<u>06/30/2024</u>	<u>06/30/2025</u>	<u>06/30/2026</u>
21 DOA – 560 Jefferson Boulevard	150,000	150,000	1,550,000	1,050,000
22 DOA – Accessibility	1,000,000	1,000,000	1,000,000	1,000,000
23 DOA – Arrigan Center	825,000	125,000	50,000	200,000
24 DOA – Cannon Building	1,350,000	3,725,000	4,125,000	4,025,000
25 DOA – Convention Center				
26 Authority	4,250,000	5,250,000	3,500,000	3,500,000
27 DOA – Cranston Street Armory	750,000	2,250,000	3,250,000	100,000
28 DOA – Zambarano Utilities &				
29 Infrastructure	1,300,000	500,000	0	0
30 DOA – DoIT Enterprise				
31 Operations Center	2,300,000	2,050,000	1,150,000	1,050,000
32 DOA – Dunkin Donuts Center	2,300,000	2,300,000	2,775,000	2,775,000
33 DOA – Energy Efficiency	1,250,000	1,000,000	1,000,000	1,000,000
34 DOA – Statewide Facilities				

1	Master Plan	200,000	500,000	250,000	0
2	DOA – Pastore Building				
3	Demolition	1,000,000	1,000,000	0	0
4	DOA – Pastore Center				
5	Non-Medical Buildings				
6	Asset Protection	6,250,000	5,500,000	4,500,000	4,000,000
7	DOA – Shepard Building	1,500,000	1,500,000	1,500,000	1,600,000
8	DOA – State House Renovations	2,100,000	2,450,000	1,200,000	1,200,000
9	DOA – State Office				
10	Reorganization & Relocation	250,000	250,000	0	0
11	DOA – Veterans Auditorium	765,000	100,000	75,000	100,000
12	DOA – Washington County				
13	Gov. Center	650,000	650,000	650,000	350,000
14	DOA – William Powers Building	2,500,000	2,500,000	3,000,000	2,500,000
15	EOC – I-195 Commission	650,000	0	0	0
16	DOH – Laboratory Equipment	400,000	400,000	400,000	400,000
17	DHS – Veterans Cemetery – Crypt				
18	Installation/Expansion	200,000	1,000,000	250,000	0
19	ELSEC – Davies School HVAC	900,000	373,500	0	0
20	ELSEC – Davies School				
21	Healthcare Classroom				
22	Renovations	4,500,000	0	0	0
23	URI – Asset Protection	11,350,000	11,494,395	9,276,000	9,554,280
24	RIC – Asset Protection	5,518,000	5,431,657	4,538,000	4,674,140
25	RIC – Infrastructure				
26	Modernization	4,900,000	4,900,000	4,500,000	4,635,000
27	CCRI – Asset Protection	3,246,000	2,653,124	2,719,452	2,719,452
28	CCRI – Data, Cabling and				
29	Power Infrastructure	3,300,000	3,700,000	4,650,000	0
30	CCRI – Flanagan Campus				
31	Renewal	2,000,000	6,000,000	2,500,000	0
32	CCRI – Knight Campus Renewal	1,390,000	0	0	0
33	DOC – Asset Protection	5,125,000	4,100,000	4,100,000	4,100,000
34	Military Staff – Aviation Readiness	535,263	126,166	574,183	1,092,311

1	EMA – RI Statewide				
2	Communications Network	1,494,400	1,494,400	1,494,400	0
3	DPS – Portsmouth Barracks	1,650,000	0	0	0
4	DPS – Southern Barracks	13,000,000	13,000,000	0	0
5	DPS – Training Academy Asset				
6	Protection	225,000	180,000	150,000	505,000
7	DPS – RISCOON Microwave				
8	Replacement	187,370	187,370	187,370	187,370
9	DEM – Dam Repair	1,800,000	2,250,000	2,360,000	2,000,000
10	DEM – Recreational Facilities				
11	Improvements	3,700,000	2,560,000	2,400,000	1,930,000
12	DEM – Galilee Piers/Bulkhead	2,000,000	2,000,000	2,000,000	2,000,000
13	DOT – Highway Improvement				
14	Program	52,700,000	27,200,000	27,200,000	27,200,000
15	DOT – Bike Path Facilities				
16	Maintenance	400,000	400,000	400,000	400,000
17	DOT – Salt Storage Facilities				
18	Improvement	1,000,000	1,000,000	0	0
19	DOT – Maintenance –				
20	Capital Equipment Replacement	1,500,000	1,800,000	1,800,000	1,800,000
21	DOT – RIPTA –				
22	Land and Building Enhancements	500,000	500,000	500,000	500,000
23	DOT – RIPTA – URI Mobility	250,000	0	0	0

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

30 SECTION 14. For the Fiscal Year ending June 30, 2022, the Rhode Island Housing and
31 Mortgage Finance Corporation shall provide from its resources such sums as appropriate in support
32 of the Neighborhood Opportunities Program. The Corporation shall provide a report detailing the
33 amount of funding provided to this program, as well as information on the number of units of
34 housing provided as a result to the Director of Administration, the Chair of the Housing Resources

1 Commission, the Chair of the House Finance Committee, the Chair of the Senate Finance
2 Committee and the State Budget Officer.

3 SECTION 15. *Appropriation of Economic Activity Taxes in accordance with the city of*
4 *Pawtucket downtown redevelopment statute* -- There is hereby appropriated for the fiscal year
5 ending June 30, 2022, all State Economic Activity Taxes to be collected pursuant to § 45-33.4-4 of
6 the Rhode Island General Laws, as amended (including, but not limited to, the amount of tax
7 revenues certified by the Commerce Corporation in accordance with § 45-33.4-1(13) of the Rhode
8 Island General Laws), for the purposes of paying debt service on bonds, funding debt service
9 reserves, paying costs of infrastructure improvements in and around the ballpark district, arts
10 district, and the growth center district, funding future debt service on bonds, and funding a
11 redevelopment revolving fund established in accordance with § 45-33-1 of the Rhode Island
12 General Laws.

13 SECTION 16. The appropriations from federal funds contained in Section 1 shall not be
14 construed to mean any federal funds or assistance appropriated, authorized, allocated or
15 apportioned to the State of Rhode Island from the State Fiscal Recovery Fund, and the Coronavirus
16 Capital Projects Fund enacted pursuant to the American Rescue Plan Act of 2021, P.L. 117-2.

17 SECTION 17. This article shall take effect as of July 1, 2021, except as otherwise provided
18 herein.

ARTICLE 2 AS AMENDED

RELATING TO STATE FUNDS

SECTION 1. Chapter 16-1 of the General Laws entitled "State Department of Elementary and Secondary Education [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto the following section:

16-1-15. Restricted receipts.

There is hereby created a restricted receipt account with the department of elementary and secondary education for the purpose of receiving and expending monies from any other sources, public or private, limited to gifts, grants, and donations. The department shall deposit any revenues from such sources into the restricted receipt account to be used for the same educational purposes that its state appropriation is used, unless otherwise limited by any agreement to use such funds.

SECTION 2. Sections 21-28.10-8 and 21-28.10-10 of the General Laws in Chapter 21-28.10 entitled "Opioid Stewardship Act" are hereby amended to read as follows:

21-28.10-8. Departmental annual reporting.

By January of each calendar year, the department of behavioral healthcare, developmental disabilities and hospitals (BHDDH), the executive office of health and human services (EOHHS), the department of children, youth and families (DCYF), the Rhode Island department of education (RIDE), the Rhode Island office of veterans' services, the department of corrections (DOC), ~~and~~ the department of labor and training (DLT), and any other department or agency receiving opioid stewardship funds shall report annually to the governor, the speaker of the house, and the senate president which programs in their respective departments were funded using monies from the opioid stewardship fund and the total amount of funds spent on each program.

21-28.10-10. Creation of opioid stewardship fund.

(a) There is hereby established, in the custody of the department, a restricted-receipt account to be known as the "opioid stewardship fund."

(b) Monies in the opioid stewardship fund shall be kept separate and shall not be commingled with any other monies in the custody of the department.

(c) The opioid stewardship fund shall consist of monies appropriated for the purpose of such account, monies transferred to such account pursuant to law, contributions consisting of promises or grants of any money or property of any kind or value, or any other thing of value,

1 including grants or other financial assistance from any agency of government and monies required
2 by the provisions of this chapter or any other law to be paid into or credited to this account.

3 (d) Monies of the opioid stewardship fund shall be available to provide opioid treatment,
4 recovery, prevention, education services, and other related programs, subject to appropriation by
5 the general assembly.

6 (e) The budget officer is hereby authorized to create restricted receipt accounts entitled
7 "opioid stewardship fund allocation" in any department or agency of state government wherein
8 monies from the opioid stewardship fund are appropriated by the general assembly for the
9 programmatic purposes set forth in subsection (d) of this section.

10 SECTION 3. Section 35-1.1-5 of the General Laws in Chapter 35-1.1 entitled, "Office of
11 Management and Budget" is hereby amended to read as follows:

12 **35-1.1-5. Federal grants management.**

13 (a) The controller shall be responsible for managing federal grant applications; providing
14 administrative assistance to agencies regarding reporting requirements; providing technical
15 assistance; and approving agreements with federal agencies pursuant to § 35-1-1. The controller
16 shall:

17 (1) Establish state goals and objectives for maximizing the utilization of federal aid
18 programs;

19 (2) Ensure that the state establishes and maintains statewide federally mandated grants
20 management processes and procedures as mandated by the federal Office of Management and
21 Budget;

22 (3) Promulgate procedures and guidelines for all state departments, agencies, advisory
23 councils, instrumentalities of the state, and public higher education institutions covering
24 applications for federal grants;

25 (4) Require, upon request, any state department, agency, advisory council, instrumentality
26 of the state, or public higher education institution receiving a grant of money from the federal
27 government to submit a report to the controller of expenditures and program measures for the fiscal
28 period in question;

29 (5) Ensure state departments and agencies adhere to the requirements of § 42-41-5
30 regarding legislative appropriation authority and delegation thereof;

31 (6) Manage and oversee the disbursements of federal funds in accordance with § 35-6-42;

32 (7) Prepare the statewide cost allocation plan and serve as the monitoring agency to ensure
33 that state departments and agencies are working within the guidelines contained in the plan; and

34 (8) Provide technical assistance to agencies to ensure resolution and closure of all single

1 state audit findings and recommendations made by the auditor general related to federal funding.

2 (b) The division of accounts and control shall serve as the state clearinghouse for purposes
3 of coordinating federal grants, aid, and assistance applied for and/or received by any state
4 department, agency, advisory council, or instrumentality of the state. Any state department, agency,
5 advisory council, or instrumentality of the state applying for federal funds, aids, loans, or grants
6 shall file a summary notification of the intended application with the controller.

7 (1) When as a condition to receiving federal funds, the state is required to match the federal
8 funds, a statement shall be filed with the notice of intent or summary of the application stating:

9 (i) The amount and source of state funds needed for matching purposes;

10 (ii) The length of time the matching funds shall be required;

11 (iii) The growth of the program;

12 (iv) How the program will be evaluated;

13 (v) What action will be necessary should the federal funds be canceled, curtailed, or
14 restricted; and

15 (vi) Any other financial and program management data required by the office or by law.

16 (2) Except as otherwise required, any application submitted by an executive agency for
17 federal funds, aids, loans, or grants which will require state matching or replacement funds at the
18 time of application or at any time in the future, must be approved by the director of the office of
19 management and budget, or his or her designated agents, prior to its filing with the appropriate
20 federal agency. Any application submitted by an executive agency for federal funds, aids, loans, or
21 grants which will require state matching or replacement funds at the time of application or at any
22 time in the future, when funds have not been appropriated for that express purpose, must be
23 approved by the general assembly in accordance with § 42-41-5. When the general assembly is not
24 in session, the application shall be reported to and reviewed by the director pursuant to rules and
25 regulations promulgated by the director.

26 (3) When any federal funds, aids, loans, or grants are received by any state department,
27 agency, advisory council, or instrumentality of the state, a report of the amount of funds received
28 shall be filed with the office; and this report shall specify the amount of funds that would reimburse
29 an agency for indirect costs, as provided for under federal requirements.

30 (4) The controller may refuse to issue approval for the disbursement of any state or federal
31 funds from the state treasury as the result of any application that is not approved as provided by
32 this section, or in regard to which the statement or reports required by this section were not filed.

33 (5) The controller shall be responsible for the orderly administration of this section and for
34 issuing the appropriate guidelines and regulations from each source of funds used.

1 (c) There is hereby created in the general fund and housed within the budget of the
2 department of administration a restricted receipt account entitled "Grants Management
3 Administration." This account shall be used to fund centralized services relating to managing
4 federal grant applications; providing administrative assistance to agencies regarding reporting
5 requirements; providing technical assistance; approving agreements with federal agencies pursuant
6 to § 35-1-1; and, may include costs associated with the development, implementation, and ongoing
7 operation of a grants management information technology system. Every state department and
8 agency, as defined in R.I. General Laws § 35-1-4, which receives federal assistance funds,
9 excluding awards made directly to Rhode Island College, the Community College of Rhode Island,
10 and the University of Rhode Island, shall set aside an amount of the funds received equal to a
11 percentage as determined annually by the state controller multiplied by federal funds received. The
12 state controller shall determine this rate annually in proportion with budgeted expenditures for uses
13 consistent with the purpose of this subsection within the department of administration. For federal
14 awards in response to the COVID-19 pandemic and subsequent stimulus awards, there is hereby
15 authorized an additional assessment which shall be deposited into the restricted receipt account
16 established by this subsection and shall be equal to a uniform percentage of the amount of stimulus
17 and other awards received, excluding Medicaid and all awards made directly to Rhode Island
18 College, the Community College of Rhode Island, and the University of Rhode Island, associated
19 with the COVID-19 pandemic and subsequent stimulus acts. The state controller shall calculate the
20 rate of this additional assessment, not to exceed one percent (1%) of the total awards received
21 during a fiscal year, in proportion with budgeted expenditures necessary to finance the planning,
22 oversight, compliance, and reporting functions within the department of administration related to
23 federal awards issued in response to the pandemic and subsequent stimulus awards in addition to
24 the costs of planning, development, and implementation of a grants management information
25 technology system. For the additional assessment related to federal awards issued in response to
26 the pandemic and subsequent stimulus awards no funds shall be deposited into the restricted receipt
27 account after December 31, 2026. All funds set aside and designated to be used for grants
28 management shall be deposited into the restricted receipt account established in this subsection.

29 Prior to any deposits being made into the restricted receipt account established by this
30 subsection and thereafter prior to the commencement of each fiscal year, the state controller shall
31 provide a report to the director of administration and the chairpersons of the house and senate
32 finance committees that includes the rate and calculation thereof for the following fiscal year.

33 SECTION 4. Section 35-3-20 of the General Laws in Chapter 35-3 entitled "State Budget"
34 is hereby amended to read as follows:

1 **35-3-20. State budget reserve and cash stabilization account.**

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

6 (b) In carrying out the provisions of § 35-3-20.1, the state controller shall, based on that
7 fiscal years estimate, transfer the amounts needed to fund cash requirements during the fiscal year;
8 the transfer shall be adjusted at the end of the fiscal year in order to conform to the requirements of
9 § 35-3-20.1. To the extent that funds so transferred are not needed by the Rhode Island Capital Plan
10 fund the funds may be loaned back to the general fund.

11 (c) For the fiscal year ending June 30, 2009, whenever the aggregate of the monies and
12 securities held for the credit of the state budget reserve and cash stabilization account exceeds three
13 and four tenths of one percent (3.4%) of total fiscal year resources, consisting of the aggregate of
14 (1) actual revenues from taxes and other departmental general revenue sources; and (2) the general
15 revenue balance available for appropriations at the beginning of the fiscal year; the excess shall be
16 transferred to the Rhode Island Capital Plan fund, to be used solely for capital projects. Provided
17 further, the applicable percentage shall increase by four-tenths of one percent (.4%) for the
18 succeeding four (4) fiscal years as follows:

19 Fiscal year ending June 30, 2010	3.8%
20 Fiscal year ending June 30, 2011	4.2%
21 Fiscal year ending June 30, 2012	4.6%
22 Fiscal years ending June 30, 2013, and thereafter	5.0%

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

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

34 (f) Whenever a transfer has been made pursuant to subsection (d), the amount of the transfer

1 shall be transferred to the Rhode Island Capital Plan fund from funds payable into the general
2 revenue fund pursuant to § 35-3-20.1 in the fiscal year following the fiscal year in which the transfer
3 was made, except that in fiscal year 2010 there shall be no repayment of the amount transferred,
4 and the repayment shall be made in fiscal year 2011, ~~and except that in fiscal year 2021,~~
5 ~~\$90,000,000 of the repayment amount shall be transferred and the remainder of the repayment shall~~
6 ~~be made in fiscal year 2022.~~

7 SECTION 5. Sections 35-4-22.1, 35-4-22.2 and 34-4-27 of the General Laws in Chapter
8 35-4 entitled "State Funds" are hereby amended to read as follows:

9 **35-4-22.1. Legislative appropriation authority.**

10 (a) No agency shall establish new programs, or expand existing programs, including any
11 program involving nonstate monies, beyond the scope of those already established, recognized, and
12 appropriated for by the general assembly until the program and the availability of money is
13 submitted by the agency to the budget officer for recommendation to the general assembly.

14 (b) No state agency may make expenditures of any restricted or special revenue funds,
15 whether these monies are received prior to expenditure or as reimbursement, unless these
16 expenditures are made pursuant to specific appropriations of the general assembly.

17 (c) To the extent permitted by federal law, any federal funds or assistance appropriated,
18 authorized, allocated or apportioned to the state of Rhode Island shall be subject to appropriation
19 by the general assembly except where otherwise provided in this chapter or chapter 41 of title 42.

20 **35-4-22.2. Use of restricted or special revenue funds.**

21 (a) Any restricted or special revenue funds which are received by a state agency which is
22 not otherwise appropriated to that state agency by the annual appropriation acts of the regular
23 session of the general assembly are hereby appropriated for that state agency for the purpose set
24 forth, except that no expenditure shall be made from and no obligation shall be incurred against
25 any restricted receipts or special revenue fund which has not been previously appropriated or
26 reappropriated or approved by the governor, the speaker of the house, and the president of the
27 senate, until that authorization has been transmitted to the state agency to make expenditure
28 therefrom.

29 (b) State agencies desiring the governor's approval to expend or obligate receipts not
30 appropriated or reappropriated by the general assembly in the annual appropriation act or
31 supplemental appropriation act shall forward a request to the state budget officer, who shall forward
32 a copy to the speaker of the house and the president of the senate.

33 (c) Notwithstanding any law to the contrary, the budget officer is hereby authorized to
34 create restricted receipt accounts within the budget of any state agency to account for the receipt

1 [and expenditure of a multistate settlement administered by the office of the attorney general.](#)
2 [Expenditures from these accounts shall remain subject to the provisions of §§ 35-4-22, 35-4-22.1,](#)
3 [35-4-22.2 and 35-4-27.](#)

4 [\(d\) Upon the directive of the controller, with the consent of the auditor general, the budget](#)
5 [officer is hereby authorized to convert any escrow liability accounts that were established before](#)
6 [July 1, 2021 to a restricted receipt account.](#)

7 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

- 16 Executive Office of Health and Human Services
- 17 Organ Transplant Fund
- 18 HIV Care Grant Drug Rebates
- 19 Health System Transformation Project
- 20 Department of Human Services
- 21 Veterans' home – Restricted account
- 22 Veterans' home – Resident benefits
- 23 Pharmaceutical Rebates Account
- 24 Demand Side Management Grants
- 25 Veteran's Cemetery Memorial Fund
- 26 Donations – New Veterans' Home Construction
- 27 Department of Health
- 28 Pandemic medications and equipment account
- 29 Miscellaneous Donations/Grants from Non-Profits
- 30 State Loan Repayment Match
- 31 Healthcare Information Technology
- 32 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
- 33 Eleanor Slater non-Medicaid third-party payor account
- 34 Hospital Medicare Part D Receipts

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

1 [Grants Management Administration](#)
2 Executive Office of Commerce
3 Housing Resources Commission Restricted Account
4 [Housing Production Fund](#)
5 Department of Revenue
6 DMV Modernization Project
7 Jobs Tax Credit Redemption Fund
8 Legislature
9 Audit of federal assisted programs
10 Department of Children, Youth and Families
11 Children's Trust Accounts – SSI
12 Military Staff
13 RI Military Family Relief Fund
14 RI National Guard Counterdrug Program
15 Treasury
16 Admin. Expenses – State Retirement System
17 Retirement – Treasury Investment Options
18 Defined Contribution – Administration - RR
19 Violent Crimes Compensation – Refunds
20 Treasury Research Fellowship
21 Business Regulation
22 Banking Division Reimbursement Account
23 Office of the Health Insurance Commissioner Reimbursement Account
24 Securities Division Reimbursement Account
25 Commercial Licensing and Racing and Athletics Division Reimbursement Account
26 Insurance Division Reimbursement Account
27 Historic Preservation Tax Credit Account
28 Judiciary
29 Arbitration Fund Restricted Receipt Account
30 Third-Party Grants
31 RI Judiciary Technology Surcharge Account
32 Department of Elementary and Secondary Education
33 Statewide Student Transportation Services Account
34 School for the Deaf Fee-for-Service Account

- 1 School for the Deaf – School Breakfast and Lunch Program
- 2 Davies Career and Technical School Local Education Aid Account
- 3 Davies – National School Breakfast & Lunch Program
- 4 School Construction Services
- 5 Office of the Postsecondary Commissioner
- 6 Higher Education and Industry Center
- 7 Department of Labor and Training
- 8 Job Development Fund

- 9 [Rhode Island Council on the Arts](#)
- 10 [Governors' Portrait Donation Fund](#)

11 SECTION 6. Section 39-18.1-5 of the General Laws in Chapter 39-18.1 entitled
 12 "Transportation Investment and Debt Reduction Act of 2011" is hereby amended to read as follows:

13 **39-18.1-5. Allocation of funds.**

14 (a) The monies in the highway maintenance fund to be directed to the department of
 15 transportation pursuant to § 39-18.1-4(b)(1) – (b)(3) shall be allocated through the transportation
 16 improvement program process to provide the state match for federal transportation funds, in place
 17 of borrowing, as approved by the state planning council. The expenditure of moneys in the highway
 18 maintenance fund shall only be authorized for projects that appear in the state's transportation
 19 improvement program.

20 (b) Provided, however, that beginning with fiscal year 2015 and annually thereafter, the
 21 department of transportation will allocate necessary funding to programs that are designed to
 22 eliminate structural deficiencies of the state's bridge, road, and maintenance systems and
 23 infrastructure.

24 (c) Provided, further, that beginning July 1, 2015, five percent (5%) of available proceeds
 25 in the Rhode Island highway maintenance account shall be allocated annually to the Rhode Island
 26 public transit authority for operating expenditures.

27 (d) Provided, further, that from July 1, 2017, and annually thereafter, in addition to the
 28 amount above, the Rhode Island public transit authority shall receive an amount of not less than
 29 five million dollars (\$5,000,000) each fiscal year, [except for the period July 1, 2019 through June](#)
 30 [30, 2022 during which such amount or a portion thereof may come from federal coronavirus relief](#)
 31 [funds.](#)

32 (e) Provided, further, that the Rhode Island public transit authority shall convene a
 33 coordinating council consisting of those state agencies responsible for meeting the needs of low-
 34 income seniors and persons with disabilities, along with those stakeholders that the authority deems

1 appropriate and are necessary to inform, develop, and implement the federally required coordinated
2 public transit human services transportation plan.

3 The council shall develop, as part of the state's federally required plan, recommendations
4 for the appropriate and sustainable funding of the free-fare program for low-income seniors and
5 persons with disabilities, while maximizing the use of federal funds available to support the
6 transportation needs of this population.

7 The council shall report these recommendations to the governor, the speaker of the house
8 of representatives, and the president of the senate no later than November 1, 2018.

9 SECTION 7. Chapter 40.1-1 of the General Laws entitled "Department of Behavioral
10 Healthcare, Developmental Disabilities and Hospitals" is hereby amended by adding thereto the
11 following section:

12 **40.1-1-21. Restricted receipts.**

13 There is hereby created a restricted receipt within the department of behavioral healthcare,
14 developmental disability and hospitals for the purposes of receiving and expending monies from
15 any other sources, public or private, limited to gifts, grants and donations. The department shall
16 deposit any revenues into the restricted receipt account to be used for the same purposes that its
17 state appropriation is used, unless otherwise limited by agreement of such funds.

18 SECTION 8. Section 42-13.1-16 of the General Laws in Chapter 42-13.1 entitled "The
19 Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund" is hereby amended to
20 read as follows:

21 **42-13.1-16. Reporting.**

22 The department shall submit to the office of management and budget, the house fiscal
23 advisor, and the senate fiscal advisor, a report on the progress of implementation of this chapter
24 within thirty (30) days of the close of each of the fiscal quarters of each year. The reports shall also
25 be posted on the department's website. The reports shall include, at a minimum:

26 (1) Construction and design contracts of five hundred thousand dollars (\$500,000) or
27 greater planned to be advertised in the upcoming federal fiscal year, their value, and expected award
28 date;

29 (2) Construction and design contracts of five hundred thousand dollars (\$500,000) or
30 greater awarded in the prior federal fiscal year, date of award, value, and expected substantial
31 completion date;

32 (3) Expected final cost of:

33 (i) Any construction contracts of five hundred thousand dollars (\$500,000) or greater that
34 reached substantial completion in the prior federal fiscal year; and

1 (ii) Any design contracts of five hundred thousand dollars (\$500,000) or greater completed
2 in the prior federal fiscal year; and

3 (4) Total number of workers employed through the contract and the number of the workers
4 in that total with a Rhode Island address.

5 (5) This report shall also include a current list of all federal, discretionary and any other
6 grants that the department has applied for and the status of that application and identify any changes
7 from the prior report. For any grants that require a state match, the department shall identify if the
8 source for the state's match is available under currently authorized funding.

9 SECTION 9. Section 42-75-13 of the General Laws in Chapter 42-75 entitled "Council on
10 the Arts" is hereby amended to read as follows:

11 **42-75-13. Appropriation.**

12 (a) During the fiscal year ending June 30, 2008, the state lottery division within the
13 department of revenue shall conduct, pursuant to chapter 61 of title 42, an instant game to be known
14 as the "Arts Lottery Game." The net revenue from the first three (3) months of the running of the
15 "Arts Lottery Game" shall be deposited in a restricted-revenue account to be used by the Rhode
16 Island Council on the Arts for the support and improvement of the arts in this state. The provisions
17 of this section shall prevail over any inconsistent provisions of chapter 61 of title 42.

18 (b) The Rhode Island Council on the Arts shall deposit any funds received from ~~the Rhode~~
19 ~~Island Foundation~~ an entity exempt from tax under § 501(c)(3) of the Internal Revenue Code in a
20 restricted-receipt account to be used for the support and improvement of the arts in this state. All
21 such funds deposited shall be exempt from the indirect cost-recovery provisions of § 35-24-27.

22 (c) Notwithstanding any law to the contrary, there is hereby created in the general fund of
23 the state and housed within the budget of the Rhode Island Council on the Arts a restricted receipt
24 account entitled "Governors' Portrait Donation Fund." This account shall be used to record all
25 receipts and expenditures of donations made for the purpose of supplementing the state
26 appropriation for the purchase of a governor's portrait as set forth in R.I. Gen. Laws 37-8-9, and for
27 other related expenses as deemed appropriate by the Rhode Island Council on the Arts.

28 SECTION 10. This article shall take effect upon passage.

ARTICLE 3 AS AMENDED

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. *Transferring certain revenue collection functions of the Department of Revenue, Division of Taxation, to the Department of Labor and Training.*

In any General or Special Law of the State of Rhode Island, and specifically in Title 28, Chapters 39, 40, 42 and 43 of the General Laws of Rhode Island, 1956, as amended, reference to the collection of temporary disability insurance, employment security taxes or job development fund by the division of taxation within the department of administration, now within the department of revenue, shall be construed to refer to the department of labor and training. Any reference to the tax administrator within the department of administration, now within the department of revenue, with reference to the collection of temporary disability insurance, employment security taxes or job development fund revenues shall be construed to refer to the director of the department of labor and training. Any revenue collection duties conferred upon the division of taxation or the tax administrator by said Title 28, Chapters 39, 40, 42 and 43 shall be construed to refer to the department of labor and training or the director of the department of labor and training.

The law revision director of the joint committee on legislative services is authorized and empowered to make appropriate changes in said Title 28, Chapters 39, 40, 42 and 43 and any other section of the laws to carry out the intent of this act.

SECTION 2. Section 27-4.6-3 of the General Laws in Chapter 27-4.6 entitled "Risk-Based Capital (RBC) for Insurers Act" is hereby amended to read as follows:

27-4.6-3. Company action level event.

(a) "Company action level event" means any of the following events:

(1) The filing of an RBC report by an insurer that indicates that:

(i) The insurer's total adjusted capital is greater than or equal to its regulatory action level RBC but less than its company action level RBC;

(ii) If a life and/or health insurer, the insurer has total adjusted capital that is greater than or equal to its company action level RBC but less than the product of its authorized control level RBC and ~~2.5~~ 3.0 and has a negative trend; or

(iii) If a property and casualty insurer, the insurer has total adjusted capital which is greater than or equal to its company action level RBC but less than the product of its authorized control

1 level RBC and 3.0 and triggers the trend test determined in accordance with the trend test
2 calculation included in the property and casualty RBC instructions.

3 (2) The notification by the commissioner to the insurer of an adjusted RBC report that
4 indicates an event in subdivision (a)(1), provided the insurer does not challenge the adjusted RBC
5 report under § 27-4.6-7; or

6 (3) If, pursuant to § 27-4.6-7, an insurer challenges an adjusted RBC report that indicates
7 the event in subdivision (a)(1), the notification by the commissioner to the insurer that the
8 commissioner has, after a hearing, rejected the insurer's challenge.

9 (b) In the event of a company action level event, the insurer shall prepare and submit to the
10 commissioner an RBC plan which shall:

11 (1) Identify the conditions that contribute to the company action level event;

12 (2) Contain proposals of corrective actions that the insurer intends to take and would be
13 expected to result in the elimination of the company action level event;

14 (3) Provide projections of the insurer's financial results in the current year and at least the
15 four (4) succeeding years, both in the absence of proposed corrective actions and giving effect to
16 the proposed corrective actions, including projections of statutory operating income, net income,
17 capital and/or surplus. (The projections for both new and renewal business might include separate
18 projections for each major line of business and separately identify each significant income, expense
19 and benefit component);

20 (4) Identify the key assumptions impacting the insurer's projections and the sensitivity of
21 the projections to the assumptions; and

22 (5) Identify the quality of, and problems associated with, the insurer's business, including,
23 but not limited to, its assets, anticipated business growth and associated surplus strain,
24 extraordinary exposure to risk, mix of business and use of reinsurance, if any, in each case.

25 (c) The RBC plan shall be submitted:

26 (1) Within forty-five (45) days of the company action level event; or

27 (2) If the insurer challenges an adjusted RBC report pursuant to § 27-4.6-7, within forty-
28 five (45) days after notification to the insurer that the commissioner has, after a hearing, rejected
29 the insurer's challenge.

30 (d) Within sixty (60) days after the submission by an insurer of an RBC plan to the
31 commissioner, the commissioner shall notify the insurer whether the RBC plan shall be
32 implemented or is, in the judgment of the commissioner, unsatisfactory. If the commissioner
33 determines that the RBC plan is unsatisfactory, the notification to the insurer shall set forth the
34 reasons for the determination, and may set forth proposed revisions which will render the RBC plan

1 satisfactory in the judgment of the commissioner. Upon notification from the commissioner, the
2 insurer shall prepare a revised RBC plan, which may incorporate by reference any revisions
3 proposed by the commissioner, and shall submit the revised RBC plan to the commissioner:

4 (1) Within forty-five (45) days after the notification from the commissioner; or

5 (2) If the insurer challenges the notification from the commissioner under § 27-4.6-7,
6 within forty-five (45) days after a notification to the insurer that the commissioner has, after a
7 hearing, rejected the insurer's challenge.

8 (e) In the event of a notification by the commissioner to an insurer that the insurer's RBC
9 plan or revised RBC plan is unsatisfactory, the commissioner may at the commissioner's discretion,
10 subject to the insurer's right to a hearing under § 27-4.6-7, specify in the notification that the
11 notification constitutes a regulatory action level event.

12 (f) Every domestic insurer that files an RBC plan or revised RBC plan with the
13 commissioner shall file a copy of the RBC plan or revised RBC plan with the insurance
14 commissioner in any state in which the insurer is authorized to do business if:

15 (1) That state has an RBC provision substantially similar to § 27-4.6-8(a); and

16 (2) The insurance commissioner of that state has notified the insurer of its request for the
17 filing in writing, in which case the insurer shall file a copy of the RBC plan or revised RBC plan
18 in that state no later than the later of:

19 (i) Fifteen (15) days after the receipt of notice to file a copy of its RBC plan or revised
20 RBC plan with the state; or

21 (ii) The date on which the RBC plan or revised RBC plan is filed under subsections (c) and
22 (d) of this section.

23 SECTION 3. Section 30-15-9 of the General Laws in Chapter 30-15 entitled "Emergency
24 Management" is hereby amended to read as follows:

25 **30-15-9. Governor's responsibilities relating to disaster emergencies.**

26 (a) The governor shall be responsible for meeting the dangers to the state and people
27 presented by disasters.

28 (b) A state of emergency shall be declared by executive order or proclamation of the
29 governor if he or she finds a disaster has occurred or that this occurrence, or the threat thereof, is
30 imminent. The state of disaster emergency shall continue until the governor finds that the threat or
31 danger has passed or the disaster has been dealt with to the extent that emergency conditions no
32 longer exist and terminates the state of disaster emergency by executive order or proclamation, but
33 no state of disaster emergency may continue for longer than thirty (30) days unless renewed by the
34 governor. The general assembly, by concurrent resolution, may terminate a state of disaster

1 emergency at any time. Thereupon, the governor shall issue an executive order or proclamation
2 ending the state of disaster emergency and what actions are being taken to control the emergency
3 and what action the public should take to protect themselves. All executive orders or proclamations
4 issued under this subsection shall indicate the nature of the disaster, the area or areas threatened,
5 and the conditions that have brought it about or that make possible termination of the state of
6 disaster emergency. An executive order or proclamation shall be disseminated promptly by means
7 calculated to bring its contents to the attention of the general public and, unless the circumstances
8 attendant upon the disaster prevent or impede, promptly filed with the agency, the secretary of state,
9 and the city and town clerks in the area to which it applies.

10 (c) An executive order or proclamation of a state of disaster emergency, shall activate the
11 state and local disaster emergency plans applicable to the political subdivision or area in question
12 and shall be authority for the deployment and use of any forces to which the plan or plans apply
13 and for the use or distribution of any supplies, equipment, and materials and facilities assembled,
14 stockpiled, or arranged to be made available pursuant to this chapter or any other provision of law
15 relating to disaster emergencies.

16 (d) During the continuance of any state of disaster emergency the governor is commander-
17 in-chief of the organized and unorganized militia and of all other forces available for emergency
18 duty. To the greatest extent practicable, the governor shall delegate or assign command authority
19 by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein
20 restricts the governor's authority to do so by orders issued at the time of the disaster emergency.

21 (e) In addition to any other powers conferred upon the governor by law, the governor may
22 exercise the following powers, [subject to the provisions of subsection \(g\) of this section](#), limited in
23 scope and duration as is reasonably necessary for emergency response:

24 (1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct
25 of state business, or the orders, rules, or regulations of any state agency, if strict compliance with
26 the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay
27 necessary action in coping with the emergency, provided that the suspension of any statute, order,
28 rule or regulation will be limited in duration and scope to the emergency action requiring said
29 suspension;

30 (2) Utilize all available resources of the state government as reasonably necessary to cope
31 with the disaster emergency and of each political subdivision of the state;

32 (3) Transfer the direction, personnel, or functions of state departments and agencies or units
33 thereof for the purpose of performing or facilitating emergency services;

34 (4) Subject to any applicable requirements for compensation under § 30-15-11,

1 commandeer or utilize any private property if the governor finds this necessary to cope with the
2 disaster emergency;

3 (5) Direct and compel the evacuation of all or part of the population from any stricken or
4 threatened area within the state if the governor deems this action necessary for the preservation of
5 life or other disaster mitigation, response, or recovery;

6 (6) Prescribe routes, modes of transportation, and destinations in connection with
7 evacuation;

8 (7) Control ingress and egress to and from a high risk area, the movement of persons within
9 the area, and the occupancy of premises therein;

10 (8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms,
11 explosives, and combustibles;

12 (9) Make provision for the availability and use of temporary emergency shelter;

13 (10) Make and promulgate such rules and regulations as the governor may deem advisable
14 for the assigning, detailing, and making available for duty and use in any city or town of this state
15 any of the personnel, apparatus, or equipment of any police or fire department of any other city or
16 town, or of any volunteer fire company, or of any fire district, and that personnel shall have the
17 same powers, duties, rights, privileges, and immunities as if performing their duties in the city or
18 town in which they normally would be employed, but the personnel shall obey the orders of the
19 police and fire authorities of the city or town to which assigned, detailed, or made available. When
20 assigned, detailed, or made available as aforesaid, the city or town in which the police or firemen
21 shall perform outside duties shall provide them with subsistence or pay them a reasonable
22 allowance therefor, and shall also be liable for any damage to the apparatus or equipment incurred
23 while being so used; provided, however, that a city or town shall be reimbursed by the state out of
24 the general fund of the state for all expenses incurred under the foregoing provisions of this
25 subsection;

26 (11) Designate as a special emergency health and sanitation area, any area within the state
27 that has been seriously damaged by disaster, or in which the existence of any military, naval, or air
28 establishment of the United States of America or of any industrial establishment constructed or
29 enlarged for purposes of national defense, has caused an increase in the population of that area to
30 such an extent as to produce unusual problems of health and sanitation. It is the duty of state health
31 authorities and the local code enforcement officials to make and enforce rules and regulations
32 designed to prevent the introduction of any contagious or infectious disease and to safeguard the
33 public health within the area. The governor may promulgate and enforce additional rules and
34 regulations for the protection of the public health within areas as may be necessary;

1 (12) Whenever, in the governor's opinion, due to a disaster there is liable to be a serious
2 shortage in the supply of food, fuel, clothing, antitoxins, serums, immunizing agents, or any other
3 pharmaceutical agents or medical supplies, or any other necessity of life or defense, and the federal
4 authorities are not adequately dealing with the situation, promulgate such rules and regulations as
5 he or she, from time to time, deems necessary to regulate the sale, purchase, or distribution of those
6 necessities and to prohibit and prevent the wasting, secreting, hiding, or hoarding of, or profiteering
7 from, those necessities; additionally, during a declared time of state or national emergency, no
8 person, firm, or corporation shall increase the price of any item it sells or offers for sale at retail
9 immediately prior to the proclamation of emergency or during the proclaimed state of emergency.
10 Nothing in this section shall prohibit the fluctuation in the price of items sold at retail that occurs
11 during the normal course of business. Any person, firm, or corporation who or that violates any
12 provision of this subsection shall be fined not more than one hundred dollars (\$100);

13 (13) Do all other things necessary to effectively cope with disasters in the state not
14 inconsistent with other provisions of law;

15 (14) Adopt and enforce measures to provide for the safe disposal of infectious waste as
16 may be reasonable and necessary for emergency response due to a state disaster emergency. Such
17 measures may include, but are not limited to, the collection, storage, handling, destruction,
18 treatment, transportation, and disposal of infectious waste;

19 (15) Adopt and enforce measures to provide for the safe disposal of corpses as may be
20 reasonable and necessary for emergency response due to a state disaster emergency. Such measures
21 may include, but are not limited to, the embalming, burial, cremation, interment, disinterment,
22 transportation, and disposal of corpses; and

23 (16) Compel a person to submit to a physical examination and/or testing as necessary to
24 diagnose or treat the person. The medical examination and/or testing may be performed by any
25 qualified person authorized by the department of health and must not be reasonably likely to result
26 in serious harm to the affected individual. The medical examination and/or testing shall be
27 performed immediately upon the order of the department of health without resort to judicial or
28 quasi-judicial authority. If the department of health is uncertain whether a person who refuses to
29 undergo medical examination and/or testing may have been exposed to an infectious disease or
30 otherwise poses a danger to public health, the department of health may subject the individual to
31 isolation or quarantine pursuant to § 23-8-4.

32 [\(f\) Nothing contained herein shall be construed to limit or restrict the power of the general](#)
33 [assembly to appropriate any federal funds received by the state of Rhode Island pursuant to § 35-](#)
34 [4-22.1.](#)

1 (g) Powers conferred upon the governor pursuant to the provisions of subsection (e) of this
2 section for disaster emergency response shall not exceed a period of one hundred eighty (180) days
3 from the date of the emergency order or proclamation of a state of disaster emergency, unless and
4 until the general assembly extends the one hundred eighty (180) day period by concurrent
5 resolution.

6 (h) Nothing contained in subsection (g) of this section shall be construed to apply to the
7 following executive orders issued by the governor which shall remain in effect and may be extended
8 by further executive order up to, but not beyond, September 1, 2021:

9 (1) 20-06;

10 (2) 20-19;

11 (3) 20-37;

12 (4) 20-46 as amended by 21-60;

13 (5) 20-72;

14 (6) 21-26;

15 (7) 21-67; and

16 (8) 21-68, limited to paragraph 8.

17 SECTION 4. Section 31-3-33 of the General Laws in Chapter 31-3 entitled "Registration
18 of Vehicles" is hereby amended to read as follows:

19 **31-3-33. Renewal of registration.**

20 (a) Application for renewal of a vehicle registration shall be made by the owner on a proper
21 application form and by payment of the registration fee for the vehicle as provided by law.

22 (b) The division of motor vehicles may receive applications for renewal of registration, and
23 may grant the renewal and issue new registration cards and plates at any time prior to expiration of
24 registration.

25 (c) Upon renewal, owners will be issued a renewal sticker for each registration plate that
26 shall be placed at the bottom, right-hand corner of the plate. Owners shall be issued a new, fully
27 reflective plate beginning ~~June 1, 2020~~ July 1, 2022, at the time of initial registration or at the
28 renewal of an existing registration and reissuance will be conducted no less than every ten (10)
29 years.

30 (d) No later than August 15, 2019, and every fifteenth day of the month through August
31 15, 2020, the division of motor vehicles shall submit a report outlining the previous month's activity
32 and progress towards the implementation of the license plate reissuance to the chairpersons of the
33 house finance and senate finance committee, the house fiscal advisor, and the senate fiscal advisor.
34 The report shall include, but not be limited to, information on the status of project plans, obstacles

1 to implementation, and actions taken toward implementation.

2 SECTION 5. Section 31-10.3-20 of the General Laws in Chapter 31-10.3 entitled “Rhode
3 Island Uniform Commercial Driver's License Act” is hereby amended to read as follows:

4 **31-10.3-20. Fees.**

5 The fees charged for commercial licenses, endorsements, classifications, restrictions, and
6 required examinations shall be as follows:

7 (1) For every commercial operator's first license, thirty dollars (\$30.00);

8 (2) For every renewal of a commercial license, fifty dollars (\$50.00);

9 (3) For every duplicate commercial license, ten dollars (\$10.00);

10 (4) For every duplicate commercial learner's permit, ten dollars (\$10.00);

11 (5) For any change of:

12 (i) Classification(s), ten dollars (\$10.00);

13 (ii) Endorsement(s), ten dollars (\$10.00);

14 (iii) Restriction(s), ten dollars (\$10.00);

15 (6) For every written and/or oral examination, ten dollars (\$10.00);

16 (7) ~~The Rhode Island board of education shall establish fees that are deemed necessary for~~
17 ~~the Community College of Rhode Island~~ For the division of motor vehicles to administer the skill
18 test, ~~not to exceed~~ one hundred dollars (\$100);

19 (8) For every commercial learner's permit, sixty dollars (\$60.00).

20 (9) [Deleted by P.L. 2019, ch. 49, § 1 and P.L. 2019, ch. 75, § 1].

21 SECTION 6. Sections 35-17-1 and 35-17-3 of the General Laws in Chapter 35-17 entitled
22 “Medical Assistance and Public Assistance Caseload Estimating Conference” are hereby amended
23 to read as follows:

24 **35-17-1. Purpose and membership.**

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

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

33 (c) The chairpersonship of each regularly scheduled C.E.C. will rotate among the state
34 budget officer, the house fiscal advisor, and the senate fiscal advisor, hereinafter referred to as

1 principals. The schedule shall be arranged so that no chairperson shall preside over two (2)
2 successive regularly scheduled conferences on the same subject.

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

5 (e) The department of human services shall provide monthly data to the members of the
6 caseload estimating conference by the fifteenth day of the following month. Monthly data shall
7 include, but is not limited to, actual caseloads and expenditures for the following case assistance
8 programs: Rhode Island Works, SSI state program, general public assistance, and child care. For
9 individuals eligible to receive the payment under § 40-6-27(a)(1)(vi), the report shall include the
10 number of individuals enrolled in a managed care plan receiving long-term care services and
11 supports and the number receiving fee-for-service benefits. The executive office of health and
12 human services shall report relevant caseload information and expenditures for the following
13 medical assistance categories: hospitals, long-term care, managed care, pharmacy, and other
14 medical services. In the category of managed care, caseload information and expenditures for the
15 following populations shall be separately identified and reported: children with disabilities,
16 children in foster care, and children receiving adoption assistance and RIte Share enrollees under §
17 40-8.4-12(j). The information shall include the number of Medicaid recipients whose estate may
18 be subject to a recovery and the anticipated amount to be collected from those subject to recovery,
19 the total recoveries collected each month and number of estates attached to the collections and each
20 month, the number of open cases and the number of cases that have been open longer than three
21 months.

22 (f) Beginning July 1, 2021, behavioral healthcare, developmental disabilities and hospitals
23 shall provide monthly data to the members of the caseload estimating conference by the fifteenth
24 day of the following month. Monthly data shall include, but is not limited to, actual caseloads and
25 expenditures for the private community developmental disabilities services program. Information
26 shall include, but not be limited to the number of cases and expenditures from the beginning of the
27 fiscal year at the beginning of the prior month; cases added and denied during the prior month;
28 expenditures made; and the number of cases and expenditures at the end of the month. The
29 information concerning cases added and denied shall include summary information and profiles of
30 the service-demand request for eligible adults meeting the state statutory definition for services
31 from the division of developmental disabilities as determined by the division, including age,
32 Medicaid eligibility and agency selection placement with a list of the services provided, and the
33 reasons for the determinations of ineligibility for those cases denied. The department shall also
34 provide, monthly, the number of individuals in a shared-living arrangement and how many may

1 have returned to a 24-hour residential placement in that month. The department shall also report,
2 monthly, any and all information for the consent decree that has been submitted to the federal court
3 as well as the number of unduplicated individuals employed; the place of employment; and the
4 number of hours working. The department shall also provide the amount of funding allocated to
5 individuals above the assigned resource levels; the number of individuals and the assigned resource
6 level; and the reasons for the approved additional resources. The department will also collect and
7 forward to the house fiscal advisor, the senate fiscal advisor, and the state budget officer, by
8 November 1 of each year, the annual cost reports for each community-based provider for the prior
9 fiscal year. The department shall also provide the amount of patient liability to be collected and the
10 amount collected as well as the number of individuals who have a financial obligation. The
11 department will also provide a list of community-based providers awarded an advanced payment
12 for residential and community-based day programs; the address for each property; and the value of
13 the advancement. If the property is sold, the department must report the final sale, including the
14 purchaser, the value of the sale, and the name of the agency that operated the facility. If residential
15 property, the department must provide the number of individuals residing in the home at the time
16 of sale and identify the type of residential placement that the individual(s) will be moving to. The
17 department must report if the property will continue to be licensed as a residential facility. The
18 department will also report any newly licensed twenty-four hour (24) group home; the provider
19 operating the facility; and the number of individuals residing in the facility. Prior to December 1,
20 2017, the department will provide the authorizations for community-based and day programs,
21 including the unique number of individuals eligible to receive the services and at the end of each
22 month the unique number of individuals who participated in the programs and claims processed.

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

27 **35-17-3. Additional meetings.**

28 (a) Any time during a fiscal year that any principal feels that the recommendations of the
29 caseload estimating conference are no longer valid, then that principal, with the appropriate notice,
30 may convene a caseload estimating conference. The principal requesting the additional conference
31 shall be the chairperson for that conference.

32 (b) If at any time during a fiscal year any participant feels that the recommendations of the
33 caseload estimating conference are no longer valid with the respect to their caseload sources then
34 that participant has a duty to and shall notify each of the principals. The ~~director of the department~~

1 ~~of human services~~ [secretary of the executive office of health and human services](#) shall review the
2 concerns of each participant and determine whether the problems are sufficient to request an
3 additional conference.

4 SECTION 7. Section 36-4-16.4 of the General Laws in Chapter 36-4 entitled "Merit
5 System" is hereby amended to read as follows:

6 **36-4-16.4. Salaries of directors.**

7 (a) In the month of March of each year, the department of administration shall conduct a
8 public hearing to determine salaries to be paid to directors of all state executive departments for the
9 following year, at which hearing all persons shall have the opportunity to provide testimony, orally
10 and in writing. In determining these salaries, the department of administration will take into
11 consideration the duties and responsibilities of the aforementioned officers, as well as such related
12 factors as salaries paid executive positions in other states and levels of government, and in
13 comparable positions anywhere that require similar skills, experience, or training. Consideration
14 shall also be given to the amounts of salary adjustments made for other state employees during the
15 period that pay for directors was set last.

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

20 (c) In no event will the department of administration lower the salaries of existing directors
21 during their term of office.

22 (d) Upon determination by the department of administration, the proposed salaries of
23 directors will be referred to the general assembly by the last day in April of that year to go into
24 effect thirty (30) days hence, unless rejected by formal action of the house and the senate acting
25 concurrently within that time.

26 (e) Notwithstanding the provisions of this section, for 2015 only, the time period for the
27 department of administration to conduct the public hearing shall be extended to July and the
28 proposed salaries shall be referred to the general assembly by August 30. The salaries may take
29 effect before next year, but all other provisions of this section shall apply.

30 (f) Notwithstanding the provisions of this section or any law to the contrary, for 2017 only,
31 the salaries of the director of the department of transportation, the secretary of health and human
32 services, and the director of administration shall be determined by the governor.

33 [\(g\) Notwithstanding the provisions of this section or any law to the contrary, for 2021 only,](#)
34 [the salary of the director of the department of children, youth and families shall be determined by](#)

1 [the governor.](#)

2 SECTION 8. Section 40.1-22-39 of the General Laws in Chapter 40.1-22 entitled
3 “Developmental Disabilities” is hereby is hereby repealed.

4 **40.1-22-39. Monthly reports to the general assembly.**

5 ~~On or before the fifteenth (15th) day of each month, the department shall provide a~~
6 ~~monthly report of monthly caseload and expenditure data, pertaining to eligible, developmentally~~
7 ~~disabled adults, to the chairperson of the house finance committee; the chairperson of the senate~~
8 ~~finance committee; the house fiscal advisor; the senate fiscal advisor; and the state budget officer.~~
9 ~~The monthly report shall be in such form, and in such number of copies, and with such explanation~~
10 ~~as the house and senate fiscal advisors may require. It shall include, but is not limited to, the number~~
11 ~~of cases and expenditures from the beginning of the fiscal year at the beginning of the prior month;~~
12 ~~cases added and denied during the prior month; expenditures made; and the number of cases and~~
13 ~~expenditures at the end of the month. The information concerning cases added and denied shall~~
14 ~~include summary information and profiles of the service demand request for eligible adults meeting~~
15 ~~the state statutory definition for services from the division of developmental disabilities as~~
16 ~~determined by the division, including age, Medicaid eligibility and agency selection placement with~~
17 ~~a list of the services provided, and the reasons for the determinations of ineligibility for those cases~~
18 ~~denied.~~

19 ~~The department shall also provide, monthly, the number of individuals in a shared living~~
20 ~~arrangement and how many may have returned to a 24 hour residential placement in that month.~~
21 ~~The department shall also report, monthly, any and all information for the consent decree that has~~
22 ~~been submitted to the federal court as well as the number of unduplicated individuals employed;~~
23 ~~the place of employment; and the number of hours working.~~

24 ~~The department shall also provide the amount of funding allocated to individuals above the~~
25 ~~assigned resource levels; the number of individuals and the assigned resource level; and the reasons~~
26 ~~for the approved additional resources. The department will also collect and forward to the house~~
27 ~~fiscal advisor, the senate fiscal advisor, and the state budget officer, by November 1 of each year,~~
28 ~~the annual cost reports for each community based provider for the prior fiscal year.~~

29 ~~The department shall also provide the amount of patient liability to be collected and the~~
30 ~~amount collected as well as the number of individuals who have a financial obligation.~~

31 ~~The department will also provide a list of community based providers awarded an~~
32 ~~advanced payment for residential and community based day programs; the address for each~~
33 ~~property; and the value of the advancement. If the property is sold, the department must report the~~
34 ~~final sale, including the purchaser, the value of the sale, and the name of the agency that operated~~

1 ~~the facility. If residential property, the department must provide the number of individuals residing~~
2 ~~in the home at the time of sale and identify the type of residential placement that the individual(s)~~
3 ~~will be moving to. The department must report if the property will continue to be licensed as a~~
4 ~~residential facility. The department will also report any newly licensed twenty four hour (24) group~~
5 ~~home; the provider operating the facility; and the number of individuals residing in the facility.~~

6 ~~Prior to December 1, 2017, the department will provide the authorizations for community-~~
7 ~~based and day programs, including the unique number of individuals eligible to receive the services~~
8 ~~and at the end of each month the unique number of individuals who participated in the programs~~
9 ~~and claims processed.~~

10 SECTION 9. Section 42-6-3 of the General Laws in Chapter 42-6 entitled "Departments
11 of State Government" is hereby amended to read as follows:

12 **42-6-3. Appointment of directors.**

13 (a) At the January session following his or her election to office, the governor shall appoint
14 a director of administration, a director of revenue, a director of public safety, a director of human
15 services, a director of behavioral healthcare, developmental disabilities and hospitals, a director of
16 transportation, a director of business regulation, a director of labor and training, a director of
17 environmental management, a director for children, youth and families, and a director of
18 corrections. The governor shall, in all cases of appointment of a director while the senate is in
19 session, notify the senate of his or her appointment and the senate shall, within sixty (60) legislative
20 days after receipt of the notice, act upon the appointment. If the senate shall, within sixty (60)
21 legislative days, vote to disapprove the appointment, it shall so notify the governor, who shall
22 forthwith appoint and notify the senate of the appointment of a different person as director and so
23 on in like manner until the senate shall fail to so vote disapproval of the governor's appointment. If
24 the senate shall fail, for sixty (60) legislative days next after notice, to act upon any appointment of
25 which it has been notified by the governor, the person so appointed shall be the director. The
26 governor may withdraw any appointment of which he or she has given notice to the senate, at any
27 time within sixty (60) legislative days thereafter and before action has been taken thereon by the
28 senate.

29 (b) Except as expressly provided in § 42-6-9, and except that the governor may enter into
30 a contract of employment for a director of the department of children, youth and families for a
31 period of time up to three (3) years, no director of any department shall be appointed or employed
32 pursuant to any contract of employment for a period of time greater than the remainder of the
33 governor's current term of office. Any contract entered into in violation of this section after July 1,
34 1994, is hereby declared null and void.

1 SECTION 10. Section 42-9-19 of the General Laws in Chapter 42-9 entitled "Department
2 of Attorney General" is hereby amended to read as follows:

3 **42-9-19. Acceptance of settlements -- Attorney General settlement restricted account.**

4 (a) The attorney general is hereby authorized and empowered to accept in the name of the
5 state any settlement resulting from a multi-state initiative. The attorney general is additionally
6 authorized and empowered to recover attorney's fees and costs that shall be considered settlement
7 proceeds for purposes of this chapter.

8 (b) The settlement proceeds shall be transferred to the general treasurer for deposit in the
9 general fund. The general treasurer shall transfer ~~ten percent (10%) of such~~ proceeds, up to ~~sixty-~~
10 ~~five thousand dollars (\$65,000)~~ seven hundred and fifty thousand dollars (\$750,000) in any fiscal
11 year, to the "attorney general multi-state initiative restricted-receipt account." Any balance in
12 excess of seven hundred and fifty thousand dollars (\$750,000) remaining in the account at the end
13 of the fiscal year shall be transferred back to the state general fund. The restricted-receipt account
14 shall be used to pay for staff, operational, and litigation costs associated with multi-state initiatives.

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

18 SECTION 11. Section 42-11-2 of the General Laws in Chapter 42-11 entitled "Department
19 of Administration" is hereby amended to read as follows:

20 **42-11-2. Powers and duties of department.**

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

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

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

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

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

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

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

34 (7) To regulate the requisitioning and storage of purchased items, the disposal of surplus

1 and salvage, and the transfer to or between state departments and agencies of needed supplies,
2 equipment, and materials;

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

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

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

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

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

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

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

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

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

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

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

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

32 (20) To devise, formulate, promulgate, supervise, and control a comprehensive and
33 coordinated statewide information system designed to improve the data base used in the
34 management of public resources, to consult and advise with other state departments and agencies

1 and municipalities to assure appropriate and full participation in this system, and to encourage the
2 participation of the various municipalities of this state in this system by providing technical or other
3 appropriate assistance toward establishing, within those municipalities, compatible information
4 systems in order to obtain the maximum effectiveness in the management of public resources;

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

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

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

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

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

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

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

20 (26) To provide all necessary civil service tests for child protective investigators and social
21 workers at least twice each year and to maintain an adequate hiring list for these positions at all
22 times.

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

25 (i) Name of lessor;

26 (ii) Description of the lease (purpose, physical characteristics, and location);

27 (iii) Cost of the lease;

28 (iv) Amount paid to date;

29 (v) Date initiated;

30 (vi) Date covered by the lease.

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

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

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

- 1 (iii) Location of each building or leased space;
- 2 (iv) Ratio and listing of buildings owned by the state versus leased;
- 3 (v) Total occupancy costs which shall include capital expenses, provided a proxy should
- 4 be provided to compare properties that are owned versus leased by showing capital expenses on
- 5 owned properties as a per square foot cost at industry depreciation rates;
- 6 (vi) Expiration dates of leases;
- 7 (vii) Number of workstations per building or leased space;
- 8 (viii) Total square feet divided by number of workstations;
- 9 (ix) Total number of vacant workstations;
- 10 (x) Percentage of vacant workstations versus total workstations available;
- 11 (xi) Date when an action is required by the state to renew or terminate a lease;
- 12 (xii) Strategic plan for leases commencing or expiring by June 30, 2016;
- 13 (xiii) Map of all state buildings which provides: cost per square foot to maintain, total
- 14 number of square feet, total operating cost, date each lease expires, number of persons per building
- 15 and total number of vacant seats per building; and
- 16 (xiv) Industry benchmark report which shall include total operating cost by full-time
- 17 equivalent employee, total operating cost by square foot and total square feet divided by full-time
- 18 equivalent employee.

19 (28) To prepare a report to the chairs of the House and Senate finance committees by

20 December 15, 2021, and each year thereafter of all current property owned by the state or leased

21 by any state agency or quasi-state agency to include the following information:

- 22 (i) Total square feet for each building or leased space;
- 23 (ii) Total square feet for each building and space utilized as office space currently;
- 24 (iii) Location of each building or leased space;
- 25 (iv) Ratio and listing of buildings owned by the state versus leased;
- 26 (v) Total occupancy costs which shall include capital expenses, provided a proxy should
- 27 be provided to compare properties that are owned versus leased by showing capital expenses on
- 28 owned properties as a per square foot cost at industry depreciation rates;
- 29 (vi) Expiration dates of leases;
- 30 (vii) Number of workstations per building or leased space;
- 31 (viii) Total square feet divided by number of workstations;
- 32 (ix) Total number of vacant workstations;
- 33 (x) Percentage of vacant workstations versus total workstations available;
- 34 (xi) Date when an action is required by the state to renew or terminate a lease;

1 (xii) Strategic plan for leases commencing or expiring by June 30, 2022, and each
2 subsequent year thereafter;

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

6 (xiv) Industry benchmark report which shall include total operating cost by full-time
7 equivalent employee, total operating cost by square foot and total square feet divided by full-time
8 equivalent employee.

9 ~~(28)~~(29) To provide by December 31, 1995, the availability of automatic direct deposit to
10 any recipient of a state benefit payment, provided that the agency responsible for making that
11 payment generates one thousand (1,000) or more such payments each month.

12 ~~(29)~~(30) To encourage municipalities, school districts, and quasi-public agencies to
13 achieve cost savings in health insurance, purchasing, or energy usage by participating in state
14 contracts, or by entering into collaborative agreements with other municipalities, districts, or
15 agencies. To assist in determining whether the benefit levels including employee cost sharing and
16 unit costs of such benefits and costs are excessive relative to other municipalities, districts, or quasi-
17 public agencies as compared with state benefit levels and costs.

18 ~~(30)~~(31) To administer a health benefit exchange in accordance with chapter 157 of title
19 42.

20 SECTION 12. Section 42-142-8 of the General Laws in Chapter 42-14 entitled
21 “Department of Revenue” is hereby amended to read as follows:

22 **42-142-8. Collection unit.**

23 (a) The director of the department of revenue is authorized to establish within the
24 department of revenue a collection unit for the purpose of assisting state agencies in the collection
25 of debts owed to the state. The director of the department of revenue may enter into an agreement
26 with any state agency(ies) to collect any delinquent debt owed to the state.

27 (b) The director of the department of revenue shall initially implement a pilot program to
28 assist the agency(ies) with the collection of delinquent debts owed to the state.

29 (c) The agency(ies) participating in the pilot program shall refer to the collection unit
30 within the department of revenue, debts owed by delinquent debtors where the nature and amount
31 of the debt owed has been determined and reconciled by the agency and the debt is: (i) The subject
32 of a written settlement agreement and/or written waiver agreement and the delinquent debtor has
33 failed to timely make payments under the agreement and/or waiver and is therefore in violation of
34 the terms of the agreement and/or waiver; (ii) The subject of a final administrative order or decision

1 and the debtor has not timely appealed the order or decision; (iii) The subject of final order,
2 judgment, or decision of a court of competent jurisdiction and the debtor has not timely appealed
3 the order, judgment, or decision. The collection unit shall not accept a referral of any delinquent
4 debt unless it satisfies subsection (c)(i), (ii) or (iii) of this section.

5 (d) Any agency(ies) entering into an agreement with the department of revenue to allow
6 the collection unit of the department to collect a delinquent debt owed to the state shall indemnify
7 the department of revenue against injuries, actions, liabilities, or proceedings arising from the
8 collection, or attempted collection, by the collection unit of the debt owed to the state.

9 (e) Before referring a delinquent debt to the collection unit, the agency(ies) must notify the
10 debtor of its intention to submit the debt to the collection unit for collection and of the debtor's right
11 to appeal that decision not less than thirty (30) days before the debt is submitted to the collection
12 unit.

13 (f) At such time as the agency(ies) refers a delinquent debt to the collection unit, the agency
14 shall: (i) Represent in writing to the collection unit that it has complied with all applicable state and
15 federal laws and regulations relating to the collection of the debt, including, but not limited to, the
16 requirement to provide the debtor with the notice of referral to the collection unit under subsection
17 (e) of this section; and (ii) Provide the collection unit personnel with all relevant supporting
18 documentation including, but not limited to, notices, invoices, ledgers, correspondence,
19 agreements, waivers, decisions, orders, and judgments necessary for the collection unit to attempt
20 to collect the delinquent debt.

21 (g) The referring agency(ies) shall assist the collection unit by providing any and all
22 information, expertise, and resources deemed necessary by the collection unit to collect the
23 delinquent debts referred to the collection unit.

24 (h) Upon receipt of a referral of a delinquent debt from an agency(ies), the amount of the
25 delinquent debt shall accrue interest at the annual rate of interest established by law for the referring
26 agency or at an annual rate of 13%, whichever percentage rate is greater.

27 (i) Upon receipt of a referral of a delinquent debt from the agency(ies), the collection unit
28 shall provide the delinquent debtor with a "Notice of Referral" advising the debtor that:

29 (1) The delinquent debt has been referred to the collection unit for collection; and

30 (2) The collection unit will initiate, in its names, any action that is available under state law
31 for the collection of the delinquent debt, including, but not limited to, referring the debt to a third
32 party to initiate said action.

33 (j) Upon receipt of a referral of a delinquent debt from an agency(ies), the director of the
34 department of revenue shall have the authority to institute, in its name, any action(s) that are

1 available under state law for collection of the delinquent debt and interest, penalties, and/or fees
2 thereon and to, with or without suit, settle the delinquent debt.

3 (k) In exercising its authority under this section, the collection unit shall comply with all
4 state and federal laws and regulations related to the collection of debts.

5 (l) Upon the receipt of payment from a delinquent debtor, whether a full or partial payment,
6 the collection unit shall disburse/deposit the proceeds of the payment in the following order:

7 (1) To the appropriate federal account to reimburse the federal government funds owed to
8 them by the state from funds recovered; and

9 (2) The balance of the amount collected to the referring agency.

10 (m) Notwithstanding the above, the establishment of a collection unit within the department
11 of revenue shall be contingent upon an annual appropriation by the general assembly of amounts
12 necessary and sufficient to cover the costs and expenses to establish, maintain, and operate the
13 collection unit including, but not limited to, computer hardware and software, maintenance of the
14 computer system to manage the system, and personnel to perform work within the collection unit.

15 (n) In addition to the implementation of any pilot program, the collection unit shall comply
16 with the provisions of this section in the collection of all delinquent debts under this section.

17 (o) The department of revenue is authorized to promulgate rules and regulations as it deems
18 appropriate with respect to the collection unit.

19 (p) By September 1, 2020, and each year thereafter, the department of revenue shall
20 specifically assess the performance, effectiveness, and revenue impact of the collections associated
21 with this section, including, but not limited to, the total amounts referred and collected by each
22 referring agency during the previous state fiscal year to the governor, the speaker of the house of
23 representatives, the president of the senate, the chairpersons of the house and senate finance
24 committees, and the house and senate fiscal advisors. The report shall include the net revenue
25 impact to the state of the collection unit.

26 (q) No operations of a collection unit pursuant to this chapter shall be authorized after June
27 30, ~~2021~~ 2023.

28 SECTION 13. Section 5 shall take effect on January 1, 2022. The remaining shall take
29 effect upon passage.

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ARTICLE 4

RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

SECTION 1. This article shall serve as joint resolution required pursuant to Rhode Island General Law § 35-18-1, *et seq.* and propose legislation related thereto.

SECTION 2. Section 2, Article 6 of Chapter 88 of the 2019 Public Laws is hereby amended to read as follows:

Section 2. University of Rhode Island – Memorial Union – Auxiliary Enterprise

WHEREAS, The University of Rhode Island Board of Trustees and the University have a long-standing commitment to the overall development of their students; and

WHEREAS, The University believes that the Memorial Union celebrates life at URI and acts as the nexus for campus community, student engagement, and leadership. It is an intersection connecting the academic core of campus and the campus's socially active residential community. The student union at the University is an integral part of the educational ecosystem that shapes the student experience; and

WHEREAS, The University of Rhode Island Board of Trustees and the University of Rhode Island are proposing a project which involves the renovation and expansion of the Memorial Union to meet the ongoing and growing needs of their students; and

WHEREAS, The University engaged a qualified architectural firm, which has completed an advanced planning study for this renovation; and

WHEREAS, The Rhode Island Public Corporation Debt Management Act requires the General Assembly to provide its consent to the issuance or incurring by the State of Rhode Island and other public agencies of certain obligations including financing guarantees or other agreements; and

WHEREAS, The design and construction associated with this work of an Auxiliary Enterprise building will be financed through the Rhode Island Health and Educational Building Corporation (RIHEBC) revenue bonds, with an expected term of thirty (30) years; and

WHEREAS, The total project costs associated with completion of the project through the proposed financing method is ~~fifty-one million five hundred thousand dollars (\$51,500,000)~~ fifty-seven million six hundred thousand dollars (\$57,600,000), including cost of issuance. Debt service payments would be supported by revenues derived from student fees and retail lease payments

1 associated with the respective Auxiliary Enterprises of the University of Rhode Island occupying
2 said facility. Total debt service on the bonds is not expected to exceed ~~one hundred twelve million~~
3 ~~three hundred thousand dollars (\$112,300,000)~~ one hundred twenty-five million six hundred
4 thousand dollars (\$125,600,000) in the aggregate based on an average interest rate of six (6%)
5 percent; now, therefore be it

6 RESOLVED, That this General Assembly hereby approves financing in an amount not to
7 exceed ~~fifty-one million five hundred thousand dollars (\$51,500,000)~~ fifty-seven million six
8 hundred thousand dollars (\$57,600,000) for the Memorial Union project for the auxiliary enterprise
9 building on the University of Rhode Island campus; and be it further

10 RESOLVED, That this Joint Resolution shall take effect upon passage.

11 SECTION 3. Section 4, Article 6 of Chapter 88 of the 2019 Public Laws is hereby amended
12 to read as follows:

13 Section 4. University of Rhode Island – Combined Health & Counseling Center – Auxiliary
14 Enterprise

15 WHEREAS, The University of Rhode Island Board of Trustees and the University have a
16 long-standing commitment to the health and wellness of their students; and

17 WHEREAS, The University has a desire to create a one-stop center to address the physical,
18 emotional, and mental health of its students; and

19 WHEREAS, The University of Rhode Island Board of Trustees and the University of
20 Rhode Island are proposing a project which involves the construction of a new Combined Health
21 & Counseling Center to meet the ongoing and growing health needs of their students; and

22 WHEREAS, The University engaged a qualified architectural firm, which has completed
23 an advanced planning study for this new building; and

24 WHEREAS, The Rhode Island Public Corporation Debt Management Act requires the
25 General Assembly to provide its consent to the issuance or incurring by the State of Rhode Island
26 and other public agencies of certain obligations including financing guarantees or other agreements;
27 and

28 WHEREAS, The design and construction associated with this work of an Auxiliary
29 Enterprise building will be financed through the Rhode Island Health and Educational Building
30 Corporation (RIHEBC) revenue bonds, with an expected term of thirty (30) years; and

31 WHEREAS, The total project costs associated with completion of the project through the
32 proposed financing method is ~~twenty-six nine hundred thousand dollars (\$26,900,000)~~ twenty-nine
33 million dollars (\$29,000,000), including cost of issuance. Debt service payments would be
34 supported by revenues derived from student fees associated with the respective Auxiliary

1 Enterprises of the University of Rhode Island occupying said facility. Total debt service on the
2 bonds is not expected to exceed ~~fifty-eight million seven hundred thousand dollars (\$58,700,000)~~
3 sixty-three million three hundred thousand dollars (\$63,300,000) in the aggregate based on an
4 average interest rate of six (6%) percent; now, therefore be it

5 RESOLVED, That this General Assembly hereby approves financing in an amount not to
6 exceed ~~twenty-six million nine hundred thousand dollars (\$26,900,000)~~ twenty-nine million dollars
7 (\$29,000,000) for the Combined Health & Counseling Center project for the auxiliary enterprise
8 building on the University of Rhode Island campus; and be it further

9 RESOLVED, That, this Joint Resolution shall take effect upon passage.

10 SECTION 4. This article shall take effect upon passage.

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ARTICLE 5 AS AMENDED

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2021

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, 2021. 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.

	FY 2021	FY 2021	FY 2021
	Enacted	Change	FINAL
Administration			
<i>Central Management</i>			
General Revenues	2,067,998	(80,997)	1,987,001
Federal Funds – COVID Relief	0	213,553,820	213,553,820
Federal Funds – Higher Education			
COVID Relief	0	23,000,000	23,000,000
Total – Central Management	2,067,998	236,472,823	238,540,821
<i>Legal Services</i>			
General Revenues	1,978,549	406,564	2,385,113
Federal Funds	0	958,068	958,068
Total – Legal Services	1,978,549	1,364,632	3,343,181
<i>Accounts and Control</i>			
General Revenues	4,795,477	14,447	4,809,924
Federal Funds	347,447	(291,927)	55,520
Restricted Receipts –			
OPEB Board Administration	140,188	147	140,335
Total – Accounts and Control	5,283,112	(277,333)	5,005,779
<i>Office of Management and Budget</i>			

1	General Revenues	7,479,409	(49,559)	7,429,850
2	Federal Funds	726,930	193,980	920,910
3	Restricted Receipts	300,000	0	300,000
4	Other Funds	1,037,546	3,603	1,041,149
5	Total – Office of Management and Budget	9,543,885	148,024	9,691,909
6	<i>Purchasing</i>			
7	General Revenues	3,591,871	85,339	3,677,210
8	Federal Funds	0	41,998	41,998
9	Restricted Receipts	462,694	(462,694)	0
10	Other Funds	472,160	1,556	473,716
11	Total – Purchasing	4,526,725	(333,801)	4,192,924
12	<i>Human Resources</i>			
13	General Revenues	389,142	0	389,142
14	<i>Personnel Appeal Board</i>			
15	General Revenues	125,298	205	125,503
16	<i>Information Technology</i>			
17	General Revenues	1,297,418	820	1,298,238
18	Federal Funds	114,000	6,212,758	6,326,758
19	Restricted Receipts	9,549,630	2,863,834	12,413,464
20	Total – Information Technology	10,961,048	9,077,412	20,038,460
21	<i>Library and Information Services</i>			
22	General Revenues	1,605,551	3,258	1,608,809
23	Federal Funds	1,368,914	8,671	1,377,585
24	Restricted Receipts	1,404	0	1,404
25	Total – Library and Information Services	2,975,869	11,929	2,987,798
26	<i>Planning</i>			
27	General Revenues	1,114,044	2,327	1,116,371
28	Federal Funds	15,448	103,597	119,045
29	Other Funds			
30	Air Quality Modeling	24,000	0	24,000
31	Federal Highway – PL Systems Planning	4,431,153	5,755	4,436,908
32	State Transportation Planning Match	473,224	1,645	474,869
33	FTA – Metro Planning Grant	1,234,666	1,368	1,236,034
34	Total – Planning	7,292,535	114,692	7,407,227

1	<i>General</i>			
2	General Revenues			
3	Miscellaneous Grants/Payments	130,000	0	130,000
4	Provided that this amount be allocated to City Year for the Whole School Whole Child			
5	Program, which provides individualized support to at-risk students.			
6	Torts – Courts/Awards	400,000	500,000	900,000
7	Resource Sharing and State Library Aid	9,562,072	0	9,562,072
8	Library Construction Aid	2,702,866	0	2,702,866
9	Transfer to RICAP Fund	0	120,000,000	120,000,000
10	Federal Funds	0	87,363,916	87,363,916
11	Restricted Receipts	700,000	300,000	1,000,000
12	Other Funds			
13	Rhode Island Capital Plan Funds			
14	Security Measures State Buildings	588,719	0	588,719
15	Energy Efficiency Improvements	194,329	0	194,329
16	Cranston Street Armory	37,396	0	37,396
17	State House Renovations	1,510,696	0	1,510,696
18	Zambarano Utilities & Infrastructure	250,000	0	250,000
19	Replacement of Fueling Tanks	300,000	0	300,000
20	Environmental Compliance	182,280	0	182,280
21	Big River Management Area	100,000	0	100,000
22	Shepard Building	500,000	0	500,000
23	Pastore Center Water Tanks & Pipes	100,000	7,681	107,681
24	RI Convention Center Authority	1,000,000	0	1,000,000
25	Pastore Center Power Plant Rehabilitation	932,503	0	932,503
26	Accessibility – Facility Renovations	1,057,621	0	1,057,621
27	DoIT Enterprise Operations Center	736,171	(186,171)	550,000
28	BHDDH MH & Community Facilities –			
29	Asset Protection	200,000	0	200,000
30	BHDDH DD & Community Homes –			
31	Fire Code	1,619,702	0	1,619,702
32	BHDDH DD Regional Facilities –			
33	Asset Protection	300,000	0	300,000
34	BHDDH Substance Abuse			

1	Asset Protection	250,000	0	250,000
2	BHDDH Group Homes	500,000	0	500,000
3	Statewide Facility Master Plan	165,138	0	165,138
4	Cannon Building	500,000	(170,000)	330,000
5	Old State House	1,519,815	0	1,519,815
6	State Office Building	100,000	0	100,000
7	State Office Reorganization & Relocation	1,952,765	0	1,952,765
8	William Powers Building	760,587	0	760,587
9	Pastore Center Utilities Upgrade	436,760	0	436,760
10	Pastore Center Non-Medical Buildings			
11	Asset Protection	2,314,240	0	2,314,240
12	Washington County Government Center	427,467	(100,000)	327,467
13	Chapin Health Laboratory	550,000	0	550,000
14	Medical Examiner New Facility	500,000	0	500,000
15	Total – General	33,081,127	207,715,426	240,796,553
16	<i>Debt Service Payments</i>			
17	General Revenues	156,032,478	(242,000)	155,790,478
18	Out of the general revenue appropriations for debt service, the General Treasurer is			
19	authorized to make payments for the I-195 Redevelopment District Commission loan up to the			
20	maximum debt service due in accordance with the loan agreement.			
21	<i>Other Funds</i>			
22	Transportation Debt Service	37,878,336	0	37,878,336
23	Investment Receipts – Bond Funds	100,000	0	100,000
24	Total - Debt Service Payments	194,010,814	(242,000)	193,768,814
25	<i>Energy Resources</i>			
26	Federal Funds	979,019	27,686	1,006,705
27	Restricted Receipts	7,504,706	5,414,071	12,918,777
28	Total – Energy Resources	8,483,725	5,441,757	13,925,482
29	<i>Rhode Island Health Benefits Exchange</i>			
30	General Revenues	1,369,654	(69,509)	1,300,145
31	Federal Funds	0	362,962	362,962
32	Restricted Receipts	20,175,138	(8,293,455)	11,881,683
33	Total – Rhode Island Health Benefits			
34	Exchange	21,544,792	(8,000,002)	13,544,790

1	<i>Office of Diversity, Equity & Opportunity</i>			
2	General Revenues	1,335,476	(245,929)	1,089,547
3	Other Funds	112,354	419	112,773
4	Total – Office of Diversity, Equity & Opportunity	1,447,830	(245,510)	1,202,320
5	<i>Capital Asset Management and Maintenance</i>			
6	General Revenues	10,870,867	2,013,277	12,884,144
7	Federal Funds	0	45,221,362	45,221,362
8	Total – Capital Asset Management			
9	and Maintenance	10,870,867	47,234,639	58,105,506
10	<i>Statewide</i>			
11	General Revenues			
12	General Revenues	16,165,000	(16,165,000)	0
13	Provided that this amount is for expenses in support of the state’s COVID-19 response after			
14	December 30, 2020.			
15	Transfer to RICAP	90,000,000	(90,000,000)	0
16	LIUNA Settlement Liability	0	4,688,688	4,688,688
17	Federal Funds – COVID Relief	202,300,000	(202,300,000)	0
18	Total – Statewide	308,465,000	(303,776,312)	4,688,688
19	Grand Total – Administration	623,048,316	194,706,581	817,754,897
20	Business Regulation			
21	<i>Central Management</i>			
22	General Revenues	4,536,139	(1,812,901)	2,723,238
23	Federal Funds	891,638	(539,874)	351,764
24	Total – Central Management	5,427,777	(2,352,775)	3,075,002
25	<i>Banking Regulation</i>			
26	General Revenues	1,573,138	(14,759)	1,558,379
27	Restricted Receipts	75,000	(10,000)	65,000
28	Total – Banking Regulation	1,648,138	(24,759)	1,623,379
29	<i>Securities Regulation</i>			
30	General Revenues	691,321	(56,111)	635,210
31	Federal Funds	206,735	(195,432)	11,303
32	Restricted Receipts	15,000	(15,000)	0
33	Total – Securities Regulation	913,056	(266,543)	646,513
34	<i>Insurance Regulation</i>			

1	General Revenues	3,650,200	(53,572)	3,596,628
2	Federal Funds	222,500	(12,805)	209,695
3	Restricted Receipts	2,009,654	(385,300)	1,624,354
4	Total – Insurance Regulation	5,882,354	(451,677)	5,430,677
5	<i>Office of the Health Insurance Commissioner</i>			
6	General Revenues	1,710,887	(31,203)	1,679,684
7	Federal Funds	132,983	175,044	308,027
8	Restricted Receipts	491,623	(8,266)	483,357
9	Total – Office of the Health Insurance			
10	Commissioner	2,335,493	135,575	2,471,068
11	<i>Board of Accountancy</i>			
12	General Revenues	5,883	0	5,883
13	<i>Commercial Licensing and Gaming and Athletics Licensing</i>			
14	General Revenues	1,008,450	(52,823)	955,627
15	Federal Funds	0	135,256	135,256
16	Restricted Receipts	942,967	(141,647)	801,320
17	Total – Commercial Licensing and Gaming			
18	and Athletics Licensing	1,951,417	(59,214)	1,892,203
19	<i>Building, Design and Fire Professionals</i>			
20	General Revenues	4,293,409	(386,347)	3,907,062
21	Federal Funds	1,788,608	1,212,940	3,001,548
22	Restricted Receipts	2,021,893	(295,159)	1,726,734
23	Other Funds			
24	Quonset Development Corporation	73,013	266	73,279
25	Total – Building, Design and Fire Professionals	8,176,923	531,700	8,708,623
26	<i>Office of Cannabis Regulation</i>			
27	Restricted Receipts	1,413,888	(417,008)	996,880
28	Grand Total – Business Regulation	27,754,929	(2,904,701)	24,850,228
29	Executive Office of Commerce			
30	<i>Central Management</i>			
31	General Revenues	1,695,037	(15,864)	1,679,173
32	Federal Funds	262,882	1,842,930	2,105,812
33	Total – Central Management	1,957,919	1,827,066	3,784,985
34	<i>Housing and Community Development</i>			

1	General Revenues	1,380,228	(478,873)	901,355
2	Federal Funds	28,389,425	7,515,565	35,904,990
3	Restricted Receipts	4,741,765	160	4,741,925
4	Total – Housing and Community Development	34,511,418	7,036,852	41,548,270
5	<i>Quasi–Public Appropriations</i>			
6	General Revenues			
7	Rhode Island Commerce Corporation	7,431,022	0	7,431,022
8	Airport Impact Aid	1,010,036	0	1,010,036
9	Sixty percent (60%) of the first \$1,000,000 appropriated for airport impact aid shall be			
10	distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the			
11	total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%)			
12	of the first \$1,000,000 shall be distributed based on the share of landings during calendar year 2020			
13	at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport,			
14	T.F. Green Airport and Westerly Airport, respectively. The Rhode Island Commerce Corporation			
15	shall make an impact payment to the towns or cities in which the airport is located based on this			
16	calculation. Each community upon which any part of the above airports is located shall receive at			
17	least \$25,000.			
18	STAC Research Alliance	900,000	0	900,000
19	Innovative Matching Grants/Internships	1,000,000	0	1,000,000
20	I-195 Redevelopment District Commission	761,000	0	761,000
21	Polaris Manufacturing Grant	350,000	0	350,000
22	East Providence Waterfront Commission	50,000	0	50,000
23	Urban Ventures	140,000	0	140,000
24	Chafee Center at Bryant	476,200	0	476,200
25	Other Funds			
26	Rhode Island Capital Plan Funds			
27	I-195 Redevelopment District Commission	510,000	0	510,000
28	Quonset Piers	0	20,274	20,274
29	Total – Quasi–Public Appropriations	12,628,258	20,274	12,648,532
30	<i>Economic Development Initiatives Fund</i>			
31	General Revenues			
32	Innovation Initiative	1,000,000	0	1,000,000
33	Rebuild RI Tax Credit Fund	22,500,000	15,000,000	37,500,000
34	Competitive Cluster Grants	100,000	0	100,000

1	Small Business Promotion	300,000	0	300,000
2	Federal Funds	141,300,000	(107,300,000)	34,000,000
3	Total – Economic Development Initiatives			
4	Fund	165,200,000	(92,300,000)	72,900,000
5	<i>Commerce Programs</i>			
6	General Revenues			
7	Wavemaker Fellowship	1,200,000	0	1,200,000
8	Grand Total – Executive Office of Commerce	215,497,595	(83,415,808)	132,081,787
9	Labor and Training			
10	<i>Central Management</i>			
11	General Revenues	676,044	230	676,274
12	Restricted Receipts	196,424	503	196,927
13	Total – Central Management	872,468	733	873,201
14	<i>Workforce Development Services</i>			
15	General Revenues	704,517	0	704,517
16	Federal Funds	26,230,098	2,060,814	28,290,912
17	Other Funds	39,780	51,121	90,901
18	Total – Workforce Development Services	26,974,395	2,111,935	29,086,330
19	<i>Workforce Regulation and Safety</i>			
20	General Revenues	3,103,811	9,164	3,112,975
21	<i>Income Support</i>			
22	General Revenues	3,811,689	589	3,812,278
23	Federal Funds	973,404,843	1,255,994,304	2,229,399,147
24	Restricted Receipts	1,593,110	148,948	1,742,058
25	Other Funds			
26	Temporary Disability Insurance Fund	212,141,303	31,257	212,172,560
27	Employment Security Fund	415,075,000	8,100,000	423,175,000
28	Total – Income Support	1,606,025,945	1,264,275,098	2,870,301,043
29	<i>Injured Workers Services</i>			
30	Restricted Receipts	11,960,047	18,113	11,978,160
31	<i>Labor Relations Board</i>			
32	General Revenues	374,938	777	375,715
33	<i>Governor’s Workforce Board</i>			
34	General Revenues	5,450,000	0	5,450,000

1	Federal Funds – COVID Relief	45,000,000	(18,261,052)	26,738,948
2	Restricted Receipts	12,585,898	225,831	12,811,729
3	Total – Governor’s Workforce Board	63,035,898	(18,035,221)	45,000,677
4	Grand Total – Labor and Training	1,712,347,502	1,248,380,599	2,960,728,101
5	Department of Revenue			
6	<i>Director of Revenue</i>			
7	General Revenues	1,945,426	3,722	1,949,148
8	Federal Funds	0	46,725,000	46,725,000
9	Total – Director of Revenue	1,945,426	46,728,722	48,674,148
10	<i>Office of Revenue Analysis</i>			
11	General Revenues	884,638	(70,197)	814,441
12	<i>Lottery Division</i>			
13	Federal Funds	0	56,000	56,000
14	Other Funds	434,567,292	43,092	434,610,384
15	Total – Lottery Division	434,567,292	99,092	434,666,384
16	<i>Municipal Finance</i>			
17	General Revenues	2,125,828	(170,463)	1,955,365
18	<i>Taxation</i>			
19	General Revenues	31,562,909	(1,014,642)	30,548,267
20	Federal Funds	1,495,230	4,919	1,500,149
21	Restricted Receipts	1,164,098	559,875	1,723,973
22	Other Funds			
23	Motor Fuel Tax Evasion	155,000	0	155,000
24	Temporary Disability Insurance Fund	1,103,794	3,623	1,107,417
25	Total – Taxation	35,481,031	(446,225)	35,034,806
26	<i>Registry of Motor Vehicles</i>			
27	General Revenues	29,288,918	811,132	30,100,050
28	Federal Funds	85,174	763,254	848,428
29	Restricted Receipts	3,400,411	(1,707,824)	1,692,587
30	Total – Registry of Motor Vehicles	32,774,503	(133,438)	32,641,065
31	<i>State Aid</i>			
32	General Revenues			
33	Distressed Communities Relief Fund	2,580,095	0	2,580,095
34	Payment in Lieu of Tax Exempt			

1	Properties	19,203,960	0	19,203,960
2	Motor Vehicle Excise Tax Payments	37,728,006	0	37,728,006
3	Property Revaluation Program	1,118,610	(115,502)	1,003,108

4 Provided that notwithstanding any other provision of law, the appropriations for Distressed
5 Communities Relief Fund, Payment in Lieu of Tax Exempt Properties, and Motor Vehicle Excise
6 Tax Payments shall not exceed the amounts set forth above and shall be allocated to municipalities
7 in the amounts already distributed as of the date of budget enactment, except for fire districts and
8 the Town of Exeter which shall receive an allocation pursuant to chapter 44-34.1.

9 Federal Funds – Municipal COVID

10	Relief Fund	136,528,120	0	136,528,120
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11 Provided that \$11,250,000 of this funding shall be distributed among cities and towns in
12 proportion with allocations calculated pursuant to Rhode Island General law, Section 45-13-12;
13 and further provided that \$31,500,000 of this funding shall be distributed among cities and towns
14 in proportion with allocations calculated pursuant to Rhode Island General law, Section 45-13-5.1;
15 and further provided that \$86,028,120 of this funding shall be distributed among cities and towns,
16 with the exception of the Town of Exeter, in proportion with allocations calculated pursuant to
17 Rhode Island General Law, Sections 44-34-11 and 44-34.1-1; and further provided that \$7,750,000
18 of this funding shall be distributed to cities and towns in proportion with the population of each
19 according to the latest available federal census data; and further provided that the director of the
20 department of revenue shall distribute no less than \$35,000,000 to cities and towns within ten days
21 of the enactment of this legislation, and may distribute the remainder of the funds provided under
22 this section in one or more installments; and further provided that cities and towns shall comply
23 with all federal laws, regulations, and terms and conditions applicable to the receipt of federal funds
24 under this section, along with any other terms and conditions that the director of the department of
25 revenue may require; and further provided that the director of the department of revenue may
26 require cities and towns to submit, at such times as the director may require, all appropriate, and
27 necessary documentation to document that the use of funds provided under this section complies
28 with all applicable federal laws and regulations governing the use of funds under Section 5001 of
29 the Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136; and further provided if the
30 federal government recoups funds from the state based on a city or town’s use of the funds provided
31 hereunder in a manner not in compliance with Section 5001 of the Coronavirus Aid, Relief, and
32 Economic Security Act, P.L. 116-136, the director of the department of revenue may recover any
33 such recouped amount from such city or town through an assessment or a reduction from any
34 periodic local aid distributions to such city or town made under titles 44 or 45 of the general laws.

1	Restricted Receipts	995,120	0	995,120
2	Total – State Aid	198,153,911	(115,502)	198,038,409
3	<i>Collections</i>			
4	General Revenues	790,223	(150,587)	639,636
5	Grand Total – Revenue	706,722,852	45,741,402	752,464,254
6	Legislature			
7	General Revenues	44,283,435	125,210	44,408,645
8	Federal Funds	0	762,422	762,422
9	Restricted Receipts	1,839,182	5,797	1,844,979
10	Grand Total – Legislature	46,122,617	893,429	47,016,046
11	Lieutenant Governor			
12	General Revenues	1,145,231	(136,313)	1,008,918
13	Secretary of State			
14	<i>Administration</i>			
15	General Revenues	4,013,532	10,516	4,024,048
16	<i>Corporations</i>			
17	General Revenues	2,470,702	6,543	2,477,245
18	<i>State Archives</i>			
19	General Revenues	185,503	0	185,503
20	Restricted Receipts	517,410	1,213	518,623
21	Total – State Archives	702,913	1,213	704,126
22	<i>Elections and Civics</i>			
23	General Revenues	4,416,794	1,654	4,418,448
24	Federal Funds	2,266,929	1,420,845	3,687,774
25	Restricted Receipts	0	632,189	632,189
26	Total – Elections and Civics	6,683,723	2,054,688	8,738,411
27	<i>State Library</i>			
28	General Revenues	716,227	1,771	717,998
29	Provided that \$125,000 be allocated to support the Rhode Island Historical Society			
30	pursuant to Rhode Island General Law, Section 29-2-1 and \$18,000 be allocated to support the			
31	Newport Historical Society, pursuant to Rhode Island General Law, Section 29-2-2.			
32	<i>Office of Public Information</i>			
33	General Revenues	486,575	985	487,560
34	Received Receipts	25,000	0	25,000

1	Total – Office of Public Information	511,575	985	512,560
2	Grand Total – Secretary of State	15,098,672	2,075,716	17,174,388
3	General Treasurer			
4	<i>Treasury</i>			
5	General Revenues	2,589,787	6,541	2,596,328
6	Federal Funds	320,096	1,034	321,130
7	Other Funds			
8	Temporary Disability Insurance Fund	281,131	794	281,925
9	Tuition Savings Program – Administration	359,293	100,874	460,167
10	Total –Treasury	3,550,307	109,243	3,659,550
11	<i>State Retirement System</i>			
12	Restricted Receipts			
13	Admin Expenses –			
14	State Retirement System	10,937,624	17,087	10,954,711
15	Retirement –			
16	Treasury Investment Operations	1,910,622	6,276	1,916,898
17	Defined Contribution – Administration	204,427	623	205,050
18	Total – State Retirement System	13,052,673	23,986	13,076,659
19	<i>Unclaimed Property</i>			
20	Restricted Receipts	25,763,925	5,404,750	31,168,675
21	<i>Crime Victim Compensation Program</i>			
22	General Revenues	396,407	436,091	832,498
23	Provided that all unexpended or unencumbered balances as of June 30, 2021 are hereby			
24	reappropriated to fiscal year 2022.			
25	Federal Funds	690,946	0	690,946
26	Restricted Receipts	1,062,984	(459,536)	603,448
27	Total – Crime Victim Compensation Program	2,150,337	(23,445)	2,126,892
28	Grand Total – General Treasurer	44,517,242	5,514,534	50,031,776
29	Board of Elections			
30	General Revenues	3,972,921	(494,984)	3,477,937
31	Rhode Island Ethics Commission			
32	General Revenues	1,900,201	5,741	1,905,942
33	Office of Governor			
34	General Revenues			

1	General Revenues	6,309,015	21,470	6,330,485
2	Contingency Fund	150,000	0	150,000
3	Grand Total – Office of Governor	6,459,015	21,470	6,480,485
4	Commission for Human Rights			
5	General Revenues	1,348,206	3,975	1,352,181
6	Federal Funds	521,166	1,189	522,355
7	Grand Total – Commission for Human Rights	1,869,372	5,164	1,874,536
8	Public Utilities Commission			
9	Federal Funds	175,174	69,992	245,166
10	Restricted Receipts	11,573,219	24,262	11,597,481
11	Grand Total – Public Utilities Commission	11,748,393	94,254	11,842,647
12	Office of Health and Human Services			
13	<i>Central Management</i>			
14	General Revenues	34,993,486	796,888	35,790,374
15	Federal Funds	130,188,039	34,237,796	164,425,835
16	Restricted Receipts	16,244,858	172,400	16,417,258
17	Total – Central Management	181,426,383	35,207,084	216,633,467
18	<i>Medical Assistance</i>			
19	General Revenues			
20	Managed Care	311,503,420	(8,134,921)	303,368,499
21	Hospitals	88,768,531	(1,335,634)	87,432,897
22	<u>Hospitals</u>	<u>88,768,531</u>	<u>(10,621,284)</u>	<u>78,147,247</u>
23	Nursing Facilities	150,808,350	(19,801,110)	131,007,240
24	Home and Community Based Services	35,313,250	277,850	35,591,100
25	Other Services	113,184,882	(264,010)	112,920,872
26	Pharmacy	65,644,661	(7,584,651)	58,060,010
27	Rhody Health	174,728,606	(7,403,456)	167,325,150
28	Federal Funds			
29	Managed Care	483,696,580	15,734,921	499,431,501
30	Hospitals	109,469,985	(401,847)	109,068,138
31	<u>Hospitals</u>	<u>109,469,985</u>	<u>8,883,803</u>	<u>118,353,788</u>
32	Nursing Facilities	212,191,650	(15,598,890)	196,592,760
33	Home and Community Based Services	49,686,750	3,722,150	53,408,900
34	Other Services	656,124,478	21,139,650	677,264,128

1	Pharmacy	(712,710)	652,700	(60,010)
2	Rhody Health	243,471,394	5,403,456	248,874,850
3	Other Programs	85,122,580	(18,426,615)	66,695,965
4	Restricted Receipts	23,215,000	0	23,215,000
5	Total – Medical Assistance	2,802,217,407	(32,040,407)	2,770,197,000
6	<u>Total – Medical Assistance</u>	<u>2,802,217,407</u>	<u>(32,020,407)</u>	<u>2,770,197,000</u>
7	Grand Total – Office of Health and Human			
8	Services	2,983,643,790	3,186,677	2,986,830,467
9	Children, Youth, and Families			
10	<i>Central Management</i>			
11	General Revenues	9,096,210	256,292	9,352,502
12	Federal Funds	3,712,151	8,769	3,720,920
13	Total – Central Management	12,808,361	265,061	13,073,422
14	<i>Children's Behavioral Health Services</i>			
15	General Revenues	5,958,010	(45,243)	5,912,767
16	Federal Funds	6,343,659	91,389	6,435,048
17	Total – Children's Behavioral Health Services	12,301,669	46,146	12,347,815
18	<i>Juvenile Correctional Services</i>			
19	General Revenues	18,395,931	(1,433,851)	16,962,080
20	Federal Funds	2,810,243	1,320,563	4,130,806
21	Restricted Receipts	22,384	0	22,384
22	Other Funds			
23	Rhode Island Capital Plan Funds			
24	Training School Asset Protection	470,614	0	470,614
25	Training School Generators	717,000	0	717,000
26	Total – Juvenile Correctional Services	22,416,172	(113,288)	22,302,884
27	<i>Child Welfare</i>			
28	General Revenues	137,210,160	(364,335)	136,845,825
29	Federal Funds	67,728,308	2,922,737	70,651,045
30	Restricted Receipts	2,057,253	400,448	2,457,701
31	Total – Child Welfare	206,995,721	2,958,850	209,954,571
32	<i>Higher Education Incentive Grants</i>			
33	General Revenues	200,000	0	200,000
34	Grand Total – Children, Youth, and Families	254,721,923	3,156,769	257,878,692

1	Health			
2	<i>Central Management</i>			
3	General Revenues	3,177,680	1,970	3,179,650
4	Federal Funds	4,883,956	306,708	5,190,664
5	Restricted Receipts	7,536,135	11,346,802	18,882,937
6	<u>Provided that the disbursement of any indirect cost recoveries on federal grants budgeted</u>			
7	<u>in this line item that are derived from grants authorized under The Coronavirus Preparedness and</u>			
8	<u>Response Supplemental Appropriations Act (P.L. 116-123); The Families First Coronavirus</u>			
9	<u>Response Act (P.L. 116-127); The Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-</u>			
10	<u>136); The Paycheck Protection Program and Health Care Enhancement Act (P.L. 116-139); and</u>			
11	<u>the Consolidated Appropriations Act, 2021 (P.L. 116-260), are hereby subject to the review and</u>			
12	<u>prior approval of the Director of Management and Budget. No obligation or expenditure of these</u>			
13	<u>funds shall take place without such approval.</u>			
14	Total – Central Management	15,597,771	11,655,480	27,253,251
15	<i>Community Health and Equity</i>			
16	General Revenues	527,012	1,516	528,528
17	Federal Funds	68,079,218	3,473,860	71,553,078
18	Restricted Receipts	37,524,771	209,787	37,734,558
19	Total – Community Health and Equity	106,131,001	3,685,163	109,816,164
20	<i>Environmental Health</i>			
21	General Revenues	2,649,946	17,306	2,667,252
22	Federal Funds	10,506,420	(129,711)	10,376,709
23	Restricted Receipts	427,916	501,390	929,306
24	Total – Environmental Health	13,584,282	388,985	13,973,267
25	<i>Health Laboratories and Medical Examiner</i>			
26	General Revenues	8,329,909	26,853	8,356,762
27	Federal Funds	8,032,796	(1,764,226)	6,268,570
28	Other Funds			
29	Rhode Island Capital Plan Funds			
30	Health Laboratories & Medical			
31	Examiner Equipment	200,000	0	200,000
32	Total – Health Laboratories and Medical			
33	Examiner	16,562,705	(1,737,373)	14,825,332
34	<i>Customer Services</i>			

1	General Revenues	6,416,479	22,388	6,438,867
2	Federal Funds	6,858,070	557,248	7,415,318
3	Restricted Receipts	1,218,379	2,143,763	3,362,142
4	Total – Customer Services	14,492,928	2,723,399	17,216,327
5	<i>Policy, Information and Communications</i>			
6	General Revenues	839,975	2,801	842,776
7	Federal Funds	3,059,870	749,961	3,809,831
8	Restricted Receipts	1,106,599	739	1,107,338
9	Total – Policy, Information and Communications	5,006,444	753,501	5,759,945
10	<i>Preparedness, Response, Infectious Disease & Emergency Services</i>			
11	General Revenues	88,313,083	(86,744,946)	1,568,137
12	Provided that of this amount, \$86,750,000 is for expenses in support of the state’s COVID-			
13	19 response after December 30, 2020.			
14	Federal Funds			
15	Federal Funds	13,216,199	27,338,982	40,555,181
16	Federal Funds – COVID Relief	305,725,000	(300,422,489)	5,302,511
17	Total – Preparedness, Response, Infectious			
18	Disease & Emergency Services	407,254,282	(359,828,453)	47,425,829
19	COVID-19			
20	General Revenue	0	9,173,137	9,173,137
21	Federal Funds	0	396,833,172	396,833,172
22	Total – COVID-19	0	406,006,309	406,006,309
23	Grand Total - Health	578,629,413	63,647,011	642,276,424
24	Human Services			
25	<i>Central Management</i>			
26	General Revenues	4,619,609	2,532	4,622,141
27	Of this amount, \$300,000 is to support the Domestic Violence Prevention Fund to provide			
28	direct services through the Coalition Against Domestic Violence, \$250,000 to support Project			
29	Reach activities provided by the RI Alliance of Boys and Girls Clubs, \$217,000 is for outreach and			
30	supportive services through Day One, \$175,000 is for food collection and distribution through the			
31	Rhode Island Community Food Bank, \$500,000 for services provided to the homeless at Crossroads			
32	Rhode Island, \$600,000 for the Community Action Fund and \$200,000 is for the Institute for the			
33	Study and Practice of Nonviolence’s Reduction Strategy.			
34	Federal Funds	9,616,363	(390,015)	9,226,348

1	Restricted Receipts	0	500,000	500,000
2	Total – Central Management	14,235,972	112,517	14,348,489
3	<i>Child Support Enforcement</i>			
4	General Revenues	3,102,821	6,834	3,109,655
5	Federal Funds	7,779,604	12,492	7,792,096
6	Restricted Receipts	3,476,000	624,000	4,100,000
7	Total – Child Support Enforcement	14,358,425	643,326	15,001,751
8	<i>Individual and Family Support</i>			
9	General Revenues	33,076,543	1,510,890	34,587,433
10	Federal Funds	126,131,313	31,758,168	157,889,481
11	Restricted Receipts	591,905	0	591,905
12	Other Funds			
13	Rhode Island Capital Plan Funds			
14	Blind Vending Facilities	68,382	96,618	165,000
15	Total – Individual and Family Support	159,868,143	33,365,676	193,233,819
16	<i>Office of Veterans Services</i>			
17	General Revenues	18,039,632	(2,322,096)	15,717,536
18	Of this amount, \$200,000 is to provide support services through Veterans’ organizations.			
19	Federal Funds	24,768,085	2,846,519	27,614,604
20	Restricted Receipts	1,286,672	0	1,286,672
21	Total – Office of Veterans Services	44,094,389	524,423	44,618,812
22	<i>Health Care Eligibility</i>			
23	General Revenues	7,780,604	(1,669,993)	6,110,611
24	Federal Funds	12,002,058	(1,386,953)	10,615,105
25	Total – Health Care Eligibility	19,782,662	(3,056,946)	16,725,716
26	<i>Supplemental Security Income Program</i>			
27	General Revenues	18,558,000	(73,384)	18,484,616
28	<i>Rhode Island Works</i>			
29	General Revenues	8,981,094	(613,163)	8,367,931
30	Federal Funds	75,811,692	(12,921,055)	62,890,637
31	Total – Rhode Island Works	84,792,786	(13,534,218)	71,258,568
32	<i>Other Programs</i>			
33	General Revenues	908,960	(88,016)	820,944
34	Of this appropriation, \$90,000 shall be used for hardship contingency payments.			

1	Federal Funds	296,172,324	(14,000,000)	282,172,324
2	Restricted Receipts	0	8,000	8,000
3	Total – Other Programs	297,081,284	(14,080,016)	283,001,268
4	<i>Office of Healthy Aging</i>			
5	General Revenues	10,707,745	(888,050)	9,819,695
6	Of this amount, \$325,000 is to provide elder services, including respite, through the			
7	Diocese of Providence, \$40,000 for ombudsman services provided by the Alliance for Long Term			
8	Care in accordance with Rhode Island General Laws, Chapter 42-66.7, \$85,000 for security for			
9	housing for the elderly in accordance with Rhode Island General Law, Section 42-66.1-3, \$800,000			
10	for Senior Services Support and \$580,000 for elderly nutrition, of which \$530,000 is for Meals on			
11	Wheels.			
12	Federal Funds	18,810,127	(1,614,448)	17,195,679
13	Restricted Receipts	177,582	442	178,024
14	Other Funds			
15	Intermodal Surface Transportation Fund	4,428,478	(426,769)	4,001,709
16	Total – Office of Healthy Aging	34,123,932	(2,928,825)	31,195,107
17	Grand Total – Human Services	686,895,593	972,553	687,868,146
18	Behavioral Healthcare, Developmental Disabilities, and Hospitals			
19	<i>Central Management</i>			
20	General Revenues	3,971,436	12,907	3,984,343
21	Federal Funds	1,604,685	53,552	1,658,237
22	Total – Central Management	5,576,121	66,459	5,642,580
23	<i>Hospital and Community System Support</i>			
24	General Revenues	2,840,854	9,246	2,850,100
25	Federal Funds	298,644	534	299,178
26	Restricted Receipts	299,584	(299,584)	0
27	Total – Hospital and Community System Support	3,439,082	(289,804)	3,149,278
28	<i>Services for the Developmentally Disabled</i>			
29	General Revenues	124,786,530	(4,038,354)	120,748,176
30	Federal Funds	177,721,767	4,514,927	182,236,694
31	Restricted Receipts	1,410,300	0	1,410,300
32	Other Funds			
33	Rhode Island Capital Plan Funds			
34	DD Residential Development	100,000	0	100,000

1	Total – Services for the Developmentally			
2	Disabled	304,018,597	476,573	304,495,170
3	<i>Behavioral Healthcare Services</i>			
4	General Revenues	2,537,473	6,830	2,544,303
5	Federal Funds	38,592,858	11,133,726	49,726,584
6	Restricted Receipts	1,997,281	165,000	2,162,281
7	Total – Behavioral Healthcare Services	43,127,612	11,305,556	54,433,168
8	<i>Hospital and Community Rehabilitative Services</i>			
9	General Revenues	114,719,440	13,132,638	127,852,078
10	Federal Funds	14,900,823	(7,809,635)	7,091,188
11	Restricted Receipts	0	9,750	9,750
12	Other Funds			
13	Rhode Island Capital Plan Funds			
14	Hospital Equipment	300,000	0	300,000
15	Total - Hospital and Community Rehabilitative			
16	Services	129,920,263	5,332,753	135,253,016
17	Grand Total – Behavioral Healthcare,			
18	Developmental Disabilities, and Hospitals	486,081,675	16,891,537	502,973,212
19	Office of the Child Advocate			
20	General Revenues	1,005,223	3,091	1,008,314
21	Federal Funds	228,165	746	228,911
22	Grand Total – Office of the Child Advocate	1,233,388	3,837	1,237,225
23	Commission on the Deaf and Hard of Hearing			
24	General Revenues	507,816	61,647	569,463
25	Restricted Receipts	142,454	43	142,497
26	Grand Total – Comm. On Deaf and Hard-of-Hearing	650,270	61,690	711,960
27	Governor’s Commission on Disabilities			
28	General Revenues			
29	General Revenues	543,713	1,430	545,143
30	Livable Home Modification Grant Program	528,295	40	528,335
31	Provided that this will be used for home modification and accessibility enhancements to			
32	construct, retrofit, and/or renovate residences to allow individuals to remain in community settings.			
33	This will be in consultation with the Executive Office of Health and Human Services.			
34	Federal Funds	400,000	0	400,000

1	Restricted Receipts	111,163	8	111,171
2	Total – Governor’s Commission on Disabilities	1,583,171	1,478	1,584,649
3	Office of the Mental Health Advocate			
4	General Revenues	630,982	1,950	632,932
5	Elementary and Secondary Education			
6	<i>Administration of the Comprehensive Education Strategy</i>			
7	General Revenues	21,621,645	(138,354)	21,483,291
8	Provided that \$90,000 be allocated to support the hospital school at Hasbro Children’s			
9	Hospital pursuant to Rhode Island General Law, Section 16-7-20 and that \$395,000 be allocated to			
10	support child opportunity zones through agreements with the Department of Elementary and			
11	Secondary Education to strengthen education, health and social services for students and their			
12	families as a strategy to accelerate student achievement.			
13	Federal Funds	289,817,342	4,517,609	294,334,951
14	Restricted Receipts			
15	Restricted Receipts	2,646,610	622,735	3,269,345
16	HRIC Adult Education Grants	3,500,000	0	3,500,000
17	Total – Admin. of the Comprehensive Ed.			
18	Strategy	317,585,597	5,001,990	322,587,587
19	<i>Davies Career and Technical School</i>			
20	General Revenues	13,726,982	0	13,726,982
21	Federal Funds	1,030,667	252,974	1,283,641
22	Restricted Receipts	4,809,260	0	4,809,260
23	Other Funds			
24	P-Tech	0	100,000	100,000
25	Rhode Island Capital Plan Funds			
26	Davies School HVAC	500,000	(373,500)	126,500
27	Davies School Asset Protection	150,000	0	150,000
28	Davies School Healthcare Classroom			
29	Renovations	500,000	(500,000)	0
30	Total – Davies Career and Technical School	20,716,909	(520,526)	20,196,383
31	<i>RI School for the Deaf</i>			
32	General Revenues	6,718,335	119,259	6,837,594
33	Federal Funds	545,023	0	545,023
34	Restricted Receipts	474,337	0	474,337

1	Other Funds			
2	School for the Deaf Transformation Grants	59,000	0	59,000
3	Rhode Island Capital Plan Funds			
4	School for the Deaf Asset Protection	250,000	(175,000)	75,000
5	Total – RI School for the Deaf	8,046,695	(55,741)	7,990,954
6	<i>Metropolitan Career and Technical School</i>			
7	General Revenues	9,342,007	0	9,342,007
8	Federal Funds	379,184	0	379,184
9	Other Funds			
10	Rhode Island Capital Plan Funds			
11	MET School Asset Protection	250,000	0	250,000
12	Total – Metropolitan Career and Technical School	9,971,191	0	9,971,191
13	<i>Education Aid</i>			
14	General Revenues	987,621,657	(63,685)	987,557,972
15	Provided that the criteria for the allocation of early childhood funds shall prioritize			
16	prekindergarten seats and classrooms for four-year-olds whose family income is at or below one			
17	hundred eighty-five percent (185%) of federal poverty guidelines and who reside in communities			
18	with higher concentrations of low performing schools.			
19	Federal Funds	44,115,018	0	44,115,018
20	Restricted Receipts	31,449,533	2,882,385	34,331,918
21	Other Funds			
22	Permanent School Fund	300,000	0	300,000
23	Total – Education Aid	1,063,486,208	2,818,700	1,066,304,908
24	<i>Central Falls School District</i>			
25	General Revenues	45,109,045	0	45,109,045
26	Federal Funds	1,888,744	0	1,888,744
27	Total – Central Falls School District	46,997,789	0	46,997,789
28	<i>School Construction Aid</i>			
29	General Revenues			
30	School Housing Aid	79,130,193	0	79,130,193
31	School Building Authority Capital Fund	869,807	0	869,807
32	Total – School Construction Aid	80,000,000	0	80,000,000
33	<i>Teachers' Retirement</i>			
34	General Revenues	118,375,402	0	118,375,402

1 Grand Total – Elementary and Secondary
 2 Education 1,665,179,791 7,244,423 1,672,424,214

3 **Public Higher Education**

4 *Office of Postsecondary Commissioner*

5 General Revenues 16,793,746 (76,946) 16,716,800

6 Provided that \$355,000 shall be allocated to the Rhode Island College Crusade pursuant to
 7 the Rhode Island General Law, Section 16-70-5 and that \$75,000 shall be allocated to Best Buddies
 8 Rhode Island to support its programs for children with developmental and intellectual disabilities.

9 It is also provided that ~~\$7,233,864~~ \$7,100,000 shall be allocated to the Rhode Island Promise
 10 Scholarship program and \$147,000 shall be used to support Rhode Island’s membership in the New
 11 England Board of Higher Education.

12 Federal Funds

13 Federal Funds 3,953,488 9,719,428 13,672,916

14 Guaranty Agency Administration 400,000 831 400,831

15 Provided that an amount equivalent to not more than ten (10) percent of the guaranty
 16 agency operating fund appropriated for direct scholarship and grants in fiscal year 2021 shall be
 17 appropriated for guaranty agency administration in fiscal year 2021. This limitation
 18 notwithstanding, final appropriations for fiscal year 2021 for guaranty agency administration may
 19 also include any residual monies collected during fiscal year 2021 that relate to guaranty agency
 20 operations, in excess of the foregoing limitation. For fiscal year 2021 only, the foregoing limitation
 21 may be exceeded by an amount necessary to finance the planned mid-year increase in required
 22 contributions to the state assessed fringe benefit internal service fund.

23 Guaranty Agency Operating Fund –

24 Scholarships & Grants 4,000,000 0 4,000,000

25 Restricted Receipts 2,307,236 3,568 2,310,804

26 Other Funds

27 Tuition Savings Program – Dual Enrollment 2,300,000 0 2,300,000

28 Tuition Savings Program –

29 Scholarships and Grants 5,595,000 0 5,595,000

30 Nursing Education Center – Operating 3,154,580 3,362 3,157,942

31 Rhode Island Capital Plan Funds

32 Asset Protection 341,000 0 341,000

33 Higher Education Centers 2,000,000 (2,000,000) 0

34 Provided that the state fund no more than 50.0 percent of the total project cost.

1	Total – Office of Postsecondary Commissioner	40,845,050	7,650,243	48,495,293
2	<i>University of Rhode Island</i>			
3	General Revenues			
4	General Revenues	76,843,790	0	76,843,790
5	Provided that in order to leverage federal funding and support economic development,			
6	\$350,000 shall be allocated to the Small Business Development Center and that \$50,000 shall be			
7	allocated to Special Olympics Rhode Island to support its mission of providing athletic			
8	opportunities for individuals with intellectual and developmental disabilities.			
9	Debt Service	31,380,282	0	31,380,282
10	RI State Forensics Laboratory	1,309,006	0	1,309,006
11	Federal Funds			
12	Federal Funds – COVID Relief	14,000,000	(14,000,000)	0
13	<u>Federal Funds -- HEERF-II</u>	<u>0</u>	<u>17,440,405</u>	<u>17,440,405</u>
14	Other Funds			
15	University and College Funds	706,291,345	0	706,291,345
16	Debt – Dining Services	983,687	0	983,687
17	Debt – Education and General	4,894,005	0	4,894,005
18	Debt – Health Services	787,110	0	787,110
19	Debt – Housing Loan Funds	12,765,579	0	12,765,579
20	Debt – Memorial Union	320,156	0	320,156
21	Debt – Ryan Center	2,359,093	0	2,359,093
22	Debt – Alton Jones Services	103,097	0	103,097
23	Debt – Parking Authority	1,090,069	0	1,090,069
24	Debt – Restricted Energy Conservation	789,816	0	789,816
25	Debt – URI Energy Conservation	3,317,597	0	3,317,597
26	Rhode Island Capital Plan Funds			
27	Asset Protection	2,455,280	0	2,455,280
28	Fine Arts Center	2,008,672	0	2,008,672
29	Total – University of Rhode Island	861,698,584	(14,000,000)	847,698,584
30	<u>Total – University of Rhode Island</u>	<u>861,698,584</u>	<u>3,440,405</u>	<u>865,138,989</u>

31 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
32 unencumbered balances as of June 30, 2021 relating to the University of Rhode Island are hereby
33 reappropriated to fiscal year 2022.

34 *Rhode Island College*

1	General Revenues			
2	General Revenues	52,172,385	0	52,172,385
3	Debt Service	5,706,171	0	5,706,171
4	Federal Funds – COVID Relief	4,000,000	(4,000,000)	0
5	Other Funds			
6	University and College Funds	131,892,892	0	131,892,892
7	Debt – Education and General	877,841	0	877,841
8	Debt – Housing	366,667	0	366,667
9	Debt – Student Center and Dining	154,297	0	154,297
10	Debt – Student Union	208,800	0	208,800
11	Debt – G.O. Debt Service	1,644,301	0	1,644,301
12	Debt – Energy Conservation	655,575	0	655,575
13	Rhode Island Capital Plan Funds			
14	Asset Protection	4,213,120	0	4,213,120
15	Infrastructure Modernization	959,015	0	959,015
16	Total – Rhode Island College	202,851,064	(4,000,000)	198,851,064

17 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or
18 unencumbered balances as of June 30, 2021 relating to Rhode Island College are hereby
19 reappropriated to fiscal year 2022.

20 *Community College of Rhode Island*

21	General Revenues			
22	General Revenues	52,258,866	0	52,258,866
23	Debt Service	1,486,945	0	1,486,945
24	Federal Funds – COVID Relief	5,000,000	(5,000,000)	0
25	Restricted Receipts	655,700	0	655,700
26	Other Funds			
27	University and College Funds	104,977,414	0	104,977,414
28	CCRI Debt Service – Energy Conservation	804,063	0	804,063
29	Rhode Island Capital Plan Funds			
30	Asset Protection	737,857	364,000	1,101,857
31	Knight Campus Renewal	1,555,817	(890,000)	665,817
32	Knight Campus Lab Renovation	1,599,080	0	1,599,080
33	Data, Cabling, and Power Infrastructure	303,000	0	303,000
34	Total – Community College of RI	169,378,742	(5,526,000)	163,852,742

1 Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended
 2 or unencumbered balances as of June 30, 2021 relating to the Community College of Rhode Island
 3 are hereby reappropriated to fiscal year 2022.

4 ~~Grand Total – Public Higher Education 1,274,773,440 (15,875,757) 1,258,897,683~~
 5 Grand Total – Public Higher Education 1,274,773,440 1,564,648 1,276,338,088

6 **RI State Council on the Arts**

7 General Revenues
 8 Operating Support 837,026 2,632 839,658
 9 Grants 1,165,000 0 1,165,000

10 Provided that \$375,000 be provided to support the operational costs of WaterFire
 11 Providence art installations.

12 Federal Funds 828,776 1,130,534 1,959,310
 13 Restricted Receipts 15,000 (10,000) 5,000
 14 Other Funds
 15 Art for Public Facilities 602,750 (340,000) 262,750
 16 Grand Total – RI State Council on the Arts 3,448,552 783,166 4,231,718

17 **RI Atomic Energy Commission**

18 General Revenues 1,059,645 3,479 1,063,124
 19 Federal Funds 7,936 469,064 477,000
 20 Restricted Receipts 99,000 0 99,000
 21 Other Funds
 22 URI Sponsored Research 299,276 754 300,030
 23 Rhode Island Capital Plan Funds
 24 RINSC Asset Protection 50,000 0 50,000
 25 Grand Total – RI Atomic Energy Commission 1,515,857 473,297 1,989,154

26 **RI Historical Preservation and Heritage Commission**

27 General Revenues 1,562,984 (148,747) 1,414,237

28 Provided that \$30,000 support the operational costs of the Fort Adams Trust’s restoration
 29 activities.

30 Federal Funds 544,043 15,172 559,215
 31 Restricted Receipts 422,100 0 422,100
 32 Other Funds
 33 RIDOT Project Review 146,624 367 146,991
 34 Grand Total – RI Historical Preservation and

1	Heritage Commission	2,675,751	(133,208)	2,542,543
2	Attorney General			
3	<i>Criminal</i>			
4	General Revenues	17,629,585	(30,325)	17,599,260
5	Federal Funds	2,890,200	126,126	3,016,326
6	Restricted Receipts	365,305	316	365,621
7	Total – Criminal	20,885,090	96,117	20,981,207
8	<i>Civil</i>			
9	General Revenues	6,031,523	(72,259)	5,959,264
10	Restricted Receipts	780,991	108,738	889,729
11	Total – Civil	6,812,514	36,479	6,848,993
12	<i>Bureau of Criminal Identification</i>			
13	General Revenues	1,814,266	5,854	1,820,120
14	Federal Funds	0	99,740	99,740
15	Restricted Receipts	0	1,196,276	1,196,276
16	Total – Bureau of Criminal Identification	1,814,266	1,301,870	3,116,136
17	<i>General</i>			
18	General Revenues	4,106,493	13,703	4,120,196
19	Other Funds			
20	Rhode Island Capital Plan Funds			
21	Building Renovations and Repairs	177,791	(100,000)	77,791
22	Total – General	4,284,284	(86,297)	4,197,987
23	Grand Total – Attorney General	33,796,154	1,348,169	35,144,323
24	Corrections			
25	<i>Central Management</i>			
26	General Revenues	16,482,004	23,890	16,505,894
27	Federal Funds	434,871	860,425	1,295,296
28	Restricted Receipts	50,000	0	50,000
29	Total – Central Management	16,966,875	884,315	17,851,190
30	<i>Parole Board</i>			
31	General Revenues	1,434,820	4,446	1,439,266
32	Federal Funds	74,536	100,000	174,536
33	Total – Parole Board	1,509,356	104,446	1,613,802
34	<i>Custody and Security</i>			

1	General Revenues	74,341,951	(52,112,691)	22,229,260
2	Federal Funds	72,326,003	47,073,974	119,399,977
3	Total – Custody and Security	146,667,954	(5,038,717)	141,629,237
4	<i>Institutional Support</i>			
5	General Revenues	20,623,117	(20,670)	20,602,447
6	Federal Funds	1,365,355	1,509,885	2,875,240
7	Other Funds			
8	Rhode Island Capital Plan Funds			
9	Asset Protection	3,126,642	0	3,126,642
10	Correctional Facilities – Renovations	6,765,166	0	6,765,166
11	Total – Institutional Support	31,880,280	1,489,215	33,369,495
12	<i>Institutional Based Rehab./Population Management</i>			
13	General Revenues	12,482,524	26,855	12,509,379
14	Provided that \$1,050,000 be allocated to Crossroads Rhode Island for sex offender			
15	discharge planning.			
16	Federal Funds	826,469	1,171,088	1,997,557
17	Restricted Receipts	48,600	15,000	63,600
18	Total – Institutional Based Rehab/Population Mgt.	13,357,593	1,212,943	14,570,536
19	<i>Healthcare Services</i>			
20	General Revenues	20,527,893	(367,476)	20,160,417
21	Federal Funds	4,962,511	1,823,202	6,785,713
22	Restricted Receipts	846,628	0	846,628
23	Total – Healthcare Services	26,337,032	1,455,726	27,792,758
24	<i>Community Corrections</i>			
25	General Revenues	17,354,335	51,824	17,406,159
26	Federal Funds	651,467	(553,019)	98,448
27	Restricted Receipts	14,854	82	14,936
28	Total – Community Corrections	18,020,656	(501,113)	17,519,543
29	Grand Total – Corrections	254,739,746	(393,185)	254,346,561
30	Judiciary			
31	<i>Supreme Court</i>			
32	General Revenues			
33	General Revenues	29,004,598	67,565	29,072,163
34	Provided however, that no more than \$1,451,527 in combined total shall be offset to the			

1 Public Defender’s Office, the Attorney General’s Office, the Department of Corrections, the
 2 Department of Children, Youth, and Families, and the Department of Public Safety for square-
 3 footage occupancy costs in public courthouses and further provided that \$230,000 be allocated to
 4 the Rhode Island Coalition Against Domestic Violence for the domestic abuse court advocacy
 5 project pursuant to Rhode Island General Law, Section 12-29-7 and that \$90,000 be allocated to
 6 Rhode Island Legal Services, Inc. to provide housing and eviction defense to indigent individuals.

7	Defense of Indigents	5,079,035	(941,786)	4,137,249
8	Federal Funds	117,123	85,959	203,082
9	Restricted Receipts	3,603,601	961,194	4,564,795
10	Other Funds			
11	Rhode Island Capital Plan Funds			
12	Judicial Complexes - HVAC	1,000,000	0	1,000,000
13	Judicial Complexes Asset Protection	521,648	0	521,648
14	Licht Judicial Complex Restoration	761,721	0	761,721
15	Noel Shelled Courtroom Building Out	40,366	(40,366)	0
16	Total - Supreme Court	40,128,092	132,566	40,260,658
17	<i>Judicial Tenure and Discipline</i>			
18	General Revenues	154,779	452	155,231
19	<i>Superior Court</i>			
20	General Revenues	23,332,817	(167,005)	23,165,812
21	Federal Funds	104,076	26,239	130,315
22	Restricted Receipts	325,000	0	325,000
23	Total – Superior Court	23,761,893	(140,766)	23,621,127
24	<i>Family Court</i>			
25	General Revenues	22,805,368	30,746	22,836,114
26	Federal Funds	3,235,689	209,333	3,445,022
27	Total – Family Court	26,041,057	240,079	26,281,136
28	<i>District Court</i>			
29	General Revenues	14,140,491	26,271	14,166,762
30	Federal Funds	0	140,875	140,875
31	Restricted Receipts	60,000	0	60,000
32	Total - District Court	14,200,491	167,146	14,367,637
33	<i>Traffic Tribunal</i>			
34	General Revenues	8,966,306	11,913	8,978,219

1	<i>Workers' Compensation Court</i>			
2	Restricted Receipts	8,874,787	26,644	8,901,431
3	Grand Total – Judiciary	122,127,405	438,034	122,565,439
4	Military Staff			
5	General Revenues	3,275,354	(84,196)	3,191,158
6	Federal Funds	40,291,970	(5,395,442)	34,896,528
7	Restricted Receipts			
8	RI Military Family Relief Fund	55,000	0	55,000
9	Other Funds			
10	Rhode Island Capital Plan Funds			
11	Asset Protection	752,330	0	752,330
12	Bristol Readiness Center	192,000	0	192,000
13	Joint Force Headquarters Building	1,595,566	0	1,595,566
14	Grand Total – Military Staff	46,162,220	(5,479,638)	40,682,582
15	Public Safety			
16	<i>Central Management</i>			
17	General Revenues	892,435	2,899	895,334
18	Federal Funds	10,104,768	1,593,666	11,698,434
19	Restricted Receipts	79,963	239	80,202
20	Total – Central Management	11,077,166	1,596,804	12,673,970
21	<i>E-911 Emergency Telephone System</i>			
22	Federal Funds	2,763,814	(411,997)	2,351,817
23	Restricted Receipts	4,799,266	4,781	4,804,047
24	Total – E-911 Emergency Telephone System	7,563,080	(407,216)	7,155,864
25	<i>Security Services</i>			
26	General Revenues	15,340,704	(7,683,022)	7,657,682
27	Federal Funds	11,011,316	7,915,976	18,927,292
28	Total – Security Services	26,352,020	232,954	26,584,974
29	<i>Municipal Police Training Academy</i>			
30	General Revenues	310,456	780	311,236
31	Federal Funds	506,487	(88,404)	418,083
32	Total – Municipal Police Training Academy	816,943	(87,624)	729,319
33	<i>State Police</i>			
34	General Revenues	50,887,042	(14,225,662)	36,661,380

1	Federal Funds	32,185,028	12,007,220	44,192,248
2	Restricted Receipts	791,000	0	791,000
3	Other Funds			
4	Airport Corporation Assistance	149,570	0	149,570
5	Road Construction Reimbursement	1,755,588	1,217,475	2,973,063
6	Weight and Measurement Reimbursement	400,000	0	400,000
7	Rhode Island Capital Plan Funds			
8	DPS Asset Protection	752,449	0	752,449
9	Training Academy Upgrades	535,160	0	535,160
10	Headquarters Roof Replacement	588,120	0	588,120
11	Facilities Master Plan	37,566	0	37,566
12	Total–State Police	88,081,523	(1,000,967)	87,080,556
13	Grand Total – Public Safety	133,890,732	333,951	134,224,683
14	Office of Public Defender			
15	General Revenues	12,680,653	(101,352)	12,579,301
16	Federal Funds	75,665	110,850	186,515
17	Grand Total – Office of Public Defender	12,756,318	9,498	12,765,816
18	Emergency Management Agency			
19	General Revenues	2,713,353	(298,278)	2,415,075
20	<u>General Revenues</u>	<u>2,713,353</u>	<u>1,722</u>	<u>2,715,075</u>
21				
22	Federal Funds	40,506,062	14,815,427	55,321,489
23	Restricted Receipts	553,132	1,058	554,190
24	Other Funds			
25	Rhode Island Capital Plan Funds			
26	RI Statewide Communications Network	1,494,414	0	1,494,414
27	Grand Total – Emergency Management Agency	45,266,961	14,518,207	59,785,168
28	<u>Grand Total – Emergency Management Agency</u>	<u>45,266,961</u>	<u>14,818,207</u>	<u>60,085,168</u>
29	Environmental Management			
30	<i>Office of the Director</i>			
31	General Revenues	7,197,864	8,837	7,206,701
32	Of this general revenue amount, \$50,000 is appropriated to the Conservation Districts.			
33	Federal Funds	1,496	654,716	656,212
34	Restricted Receipts	3,914,384	10,296	3,924,680

1	Total – Office of the Director	11,113,744	673,849	11,787,593
2	<i>Natural Resources</i>			
3	General Revenues	22,708,134	(208,735)	22,499,399
4	Federal Funds	25,364,409	638,561	26,002,970
5	Restricted Receipts	4,605,884	1,232,236	5,838,120
6	Other Funds			
7	DOT Recreational Projects	762,000	0	762,000
8	Blackstone Bikepath Design	1,000,000	0	1,000,000
9	Transportation MOU	10,286	0	10,286
10	Rhode Island Capital Plan Funds			
11	Fort Adams Rehabilitation	553,618	0	553,618
12	Recreational Facilities Improvements	1,004,217	300,000	1,304,217
13	Recreation Facility Asset Protection	250,000	0	250,000
14	Galilee Piers Upgrade	9,344,239	(4,000,000)	5,344,239
15	Newport Pier Upgrades	300,000	(150,000)	150,000
16	Blackstone Park Improvements	1,094,191	(500,000)	594,191
17	State Building Demolition	54,942	0	54,942
18	Total – Natural Resources	67,051,920	(2,687,938)	64,363,982
19	<i>Environmental Protection</i>			
20	General Revenues	12,863,971	41,881	12,905,852
21	Federal Funds	10,145,096	(248,277)	9,896,819
22	Restricted Receipts	8,038,936	280,159	8,319,095
23	Other Funds			
24	Transportation MOU	72,499	202	72,701
25	Total – Environmental Protection	31,120,502	73,965	31,194,467
26	Grand Total – Environmental Management	109,286,166	(1,940,124)	107,346,042
27	Coastal Resources Management Council			
28	General Revenues	2,580,300	(111,668)	2,468,632
29	Federal Funds	2,283,202	4,197	2,287,399
30	Restricted Receipts	250,000	0	250,000
31	Other Funds			
32	Rhode Island Capital Plan Funds			
33	Green Hill Pond	2,159	0	2,159
34	Narragansett Bay SAMP	89,151	0	89,151

1	Grand Total – Coastal Resources Mgmt. Council	5,204,812	(107,471)	5,097,341
2	Transportation			
3	<i>Central Management</i>			
4	Federal Funds	10,062,731	2,660,424	12,723,155
5	Other Funds			
6	Gasoline Tax	7,524,138	1,915,889	9,440,027
7	Total – Central Management	17,586,869	4,576,313	22,163,182
8	<i>Management and Budget</i>			
9	Other Funds			
10	Gasoline Tax	4,774,747	264,014	5,038,761
11	<i>Infrastructure Engineering</i>			
12	Federal Funds	329,329,472	25,033,104	354,362,576
13	Restricted Receipts	2,711,328	(125,639)	2,585,689
14	Other Funds			
15	Gasoline Tax	65,894,036	7,502,121	73,396,157
16	Toll Revenue	46,946,000	(5,331,000)	41,615,000
17	Land Sale Revenue	3,280,000	7,531,732	10,811,732
18	Rhode Island Capital Plan Funds			
19	Bike Path Facilities Maintenance	38,406	0	38,406
20	RIPTA - Land and Buildings	661,363	530	661,893
21	RIPTA – Providence Transit Connector	40,215	0	40,215
22	RIPTA – Pawtucket Bus Hub & Transit			
23	Connector	713,180	0	713,180
24	RIPTA - Warwick Bus Hub	120,000	(120,000)	0
25	Total - Infrastructure Engineering	449,734,000	34,490,848	484,224,848
26	<i>Infrastructure Maintenance</i>			
27	Federal Funds	0	37,045,730	37,045,730
28	Other Funds			
29	Gasoline Tax	17,177,978	(1,025,915)	16,152,063
30	Non-Land Surplus Property	50,000	0	50,000
31	Rhode Island Highway Maintenance			
32	Account	116,659,663	1,831,050	118,490,713
33	Rhode Island Capital Plan Funds			
34	Maintenance Facilities Improvements	468,746	0	468,746

1	Welcome Center	176,208	0	176,208
2	Salt Storage Facilities	386,860	0	386,860
3	Train Station Maintenance and Repairs	327,932	0	327,932
4	Total – Infrastructure Maintenance	135,247,387	37,850,865	173,098,252
5	Grand Total – Transportation	607,343,003	77,182,040	684,525,043
6	Statewide Totals			
7	General Revenues	4,153,269,709	(161,634,847)	3,991,634,862
8	<u>General Revenues</u>	<u>4,153,269,709</u>	<u>(170,620,497)</u>	<u>3,982,649,212</u>
9	Federal Funds	5,812,927,486	1,698,953,268	7,511,880,754
10	<u>Federal Funds</u>	<u>5,812,927,486</u>	<u>1,725,679,323</u>	<u>7,538,606,809</u>
11	Restricted Receipts	322,268,722	26,420,846	348,689,568
12	Other Funds	2,441,976,054	13,072,721	2,455,048,775
13	Statewide Grand Total	12,730,441,971	1,576,811,988	14,307,253,959
14	<u>Statewide Grand Total</u>	<u>12,730,441,971</u>	<u>1,594,552,393</u>	<u>14,324,994,364</u>

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

17 SECTION 3. The general assembly authorizes the state controller to establish the internal
18 service accounts shown below, and no other, to finance and account for the operations of state
19 agencies that provide services to other agencies, institutions and other governmental units on a cost
20 reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in
21 a businesslike manner, promote efficient use of services by making agencies pay the full costs
22 associated with providing the services, and allocate the costs of central administrative services
23 across all fund types, so that federal and other non-general fund programs share in the costs of
24 general government support. The controller is authorized to reimburse these accounts for the cost
25 of work or services performed for any other department or agency subject to the following
26 expenditure limitations:

	Account	Expenditure Limit		
	FY 2021	FY 2021	FY 2021	
	Enacted	Change	FINAL	
30	State Assessed Fringe Benefit			
31	Internal Service Fund	37,505,032	10,817,245	48,322,277
32	Administration Central Utilities			
33	Internal Service Fund	27,426,989	566	27,427,555
34	State Central Mail Internal Service Fund	6,583,197	3,319	6,586,516

1	State Telecommunications			
2	Internal Service Fund	3,552,053	3,221	3,555,274
3	State Automotive Fleet			
4	Internal Service Fund	12,743,810	2,612	12,746,422
5	Surplus Property Internal Service Fund	3,000	0	3,000
6	Health Insurance Internal Service Fund	273,639,595	7,482	273,647,077
7	State Fleet Revolving Loan Fund	264,339	(482)	263,857
8	Other Post-Employment Benefits Fund	63,858,483	0	63,858,483
9	Capitol Police Internal Service Fund	1,429,798	0	1,429,798
10	Corrections Central Distribution Center			
11	Internal Service Fund	6,868,331	3,256	6,871,587
12	Correctional Industries Internal Service Fund	8,231,177	6,226	8,237,403
13	Secretary of State Record Center			
14	Internal Service Fund	1,086,670	1,820	1,088,490
15	Human Resources Internal Service Fund	14,237,328	41,286	14,278,614
16	DCAMM Facilities Internal Service Fund	42,849,110	41,752	42,890,862
17	Information Technology			
18	Internal Service Fund	49,488,621	(4,834,346)	44,654,275

19 SECTION 4. Departments and agencies listed below may not exceed the number of full-
20 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do
21 not include limited period positions or, seasonal or intermittent positions whose scheduled period
22 of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not
23 exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor
24 do they include individuals engaged in training, the completion of which is a prerequisite of
25 employment. Provided, however, that the Governor or designee, Speaker of the House of
26 Representatives or designee, and the President of the Senate or designee may authorize an
27 adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a
28 detailed written recommendation to the Governor, the Speaker of the House, and the President of
29 the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the
30 chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor
31 and the Senate Fiscal Advisor.

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

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FY 2021 FTE POSITION AUTHORIZATION

Departments and Agencies	Full-Time Equivalent
Administration	647.7
Provided that no more than 417.0 of the total authorization would be limited to positions that support internal service fund programs.	
Business Regulation	161.0
Executive Office of Commerce	14.0
Labor and Training	425.7
Revenue	602.5
Legislature	298.5
Office of the Lieutenant Governor	8.0
Office of the Secretary of State	59.0
Office of the General Treasurer	89.0
Board of Elections	13.0
Rhode Island Ethics Commission	12.0
Office of the Governor	45.0
Commission for Human Rights	14.5
Public Utilities Commission	52.0
Office of Health and Human Services	192.0
Children, Youth, and Families	617.5
Health	513.6
Human Services	755.0
Office of Veterans Services	252.1
Office of Healthy Aging	31.0
Behavioral Healthcare, Developmental Disabilities, and Hospitals	1,188.4
Office of the Child Advocate	10.0
Commission on the Deaf and Hard of Hearing	4.0
Governor's Commission on Disabilities	4.0
Office of the Mental Health Advocate	4.0
Elementary and Secondary Education	139.1
School for the Deaf	60.0
Davies Career and Technical School	126.0
Office of Postsecondary Commissioner	31.0
Provided that 1.0 of the total authorization would be available only for positions that are supported	

1	by third-party funds, 8.0 would be available only for positions at the State’s Higher Education	
2	Centers located in Woonsocket and Westerly, and 10.0 would be available only for positions at the	
3	Nursing Education Center.	
4	University of Rhode Island	2,555.0
5	Provided that 357.8 of the total authorization would be available only for positions that are	
6	supported by third-party funds.	
7	Rhode Island College	949.2
8	Provided that 76.0 of the total authorization would be available only for positions that are supported	
9	by third-party funds.	
10	Community College of Rhode Island	849.1
11	Provided that 89.0 of the total authorization would be available only for positions that are supported	
12	by third-party funds.	
13	Rhode Island State Council on the Arts	8.6
14	RI Atomic Energy Commission	8.6
15	Historical Preservation and Heritage Commission	15.6
16	Office of the Attorney General	239.1
17	Corrections	1,411.0
18	Judicial	726.3
19	Military Staff	92.0
20	Emergency Management Agency	32.0
21	Public Safety	593.6
22	Office of the Public Defender	96.0
23	Environmental Management	394.0
24	Coastal Resources Management Council	30.0
25	Transportation	755.0
26	Total	15,124.7

27 SECTION 5. Notwithstanding any general laws to the contrary, the State Controller shall
28 transfer \$67,000,000 to the Information Technology Investment Fund by June 30, 2021.

29 SECTION 6. Notwithstanding any general laws to the contrary, the State Controller shall
30 transfer \$20,000,000 to the Historic Tax Credit Fund by June 30, 2021.

31 SECTION 7. This article shall take effect upon passage.

ARTICLE 6 AS AMENDED

RELATING TO TAXES AND REVENUE

SECTION 1. Sections 5-65-5, 5-65-8 and 5-65-9 of the General Laws in Chapter 5-65 entitled "Contractors' Registration and Licensing Board" are hereby amended to read as follows:

5-65-5. Registered application.

(a) A person who wishes to register as a contractor shall submit an application upon a form prescribed by the board. The application shall include:

(1) Workers' compensation insurance account number, or company name if a number has not yet been obtained, if applicable;

(2) Unemployment insurance account number, if applicable;

(3) State withholding tax account number, if applicable;

(4) Federal employer identification number, if applicable, or if self-employed and participating in a retirement plan;

(5)(i) The individual(s) name and business address and residential address of:

(A) Each partner or venturer, if the applicant is a partnership or joint venture;

(B) The owner, if the applicant is an individual proprietorship;

(C) The corporation officers and a copy of corporate papers filed with the Rhode Island secretary of state's office, if the applicant is a corporation;

(ii) Post office boxes are not acceptable as the only address;

(6) A statement as to whether or not the applicant has previously applied for registration, or is or was an officer, partner, or venturer of an applicant who previously applied for registration and if so, the name of the corporation, partnership, or venture;

(7) Valid insurance certificate for the type of work being performed.

(b) A person may be prohibited from registering or renewing a registration as a contractor under the provisions of this chapter or his or her registration may be revoked or suspended if he or she has any unsatisfied or outstanding judgments from arbitration, bankruptcy, courts, or administrative agency against him or her relating to his or her work as a contractor, and provided, further, that a statement shall be provided to the board attesting to the information herein.

(c) Failure to provide or falsified information on an application, or any document required by this chapter, is punishable by a fine not to exceed ten thousand dollars (\$10,000) and/or

1 revocation of the registration.

2 (d) An applicant must be at least eighteen (18) years of age.

3 (e) Satisfactory proof shall be provided to the board evidencing the completion of ~~five (5)~~
4 two and one-half (2.5) hours of continuing education units that will be required to be maintained
5 by residential contractors as a condition of registration as determined by the board pursuant to
6 established regulations.

7 (f) A certification in a form issued by the board shall be completed upon registration or
8 license or renewal to ensure contractors are aware of certain provisions of this law and shall be
9 signed by the registrant before a registration can be issued or renewed.

10 **5-65-8. Term of registration – Renewal – Registration identification card.**

11 (a) A certificate of registration shall be valid for ~~two one (2) (1)~~ years from the date of
12 issuance unless the registration is revoked or suspended as described in § 5-65-10. It may be
13 renewed by the same procedure provided for an original registration upon application and
14 furnishing of any additional supplemental information that the board may require by rule.

15 (b) The board shall issue a pocket-card certificate of registration to a contractor registered
16 under this chapter including a picture of the registrant as prescribed by the board in the rules and
17 regulations. The Rhode Island department of administration, division of motor vehicles, shall, upon
18 the board's request, provide electronic copies of the digital photos of any registrant under this
19 chapter on record to be incorporated into the contractors' registration data bank to match the drivers'
20 licenses or IDs provided by registrants or applicants unless the applicant provides written
21 notification to the board to the contrary.

22 (c) The board may vary the dates of registration renewal by giving to the registrant written
23 notice of the renewal date assigned and by making appropriate adjustments in the renewal fee.

24 (d) The presentation of the registration or license identification card shall be mandatory at
25 the time of permit application.

26 (e) If a registrant files in bankruptcy court, the board must be notified in writing by the
27 registrant and kept informed of the status of the case until dismissed, discharged, or resolved in
28 court.

29 **5-65-9. Registration fee.**

30 (a) Each applicant shall pay to the board:

31 (1) For original registration or renewal of registration, a fee of ~~two hundred dollars (\$200)~~
32 one hundred and fifty dollars (\$150).

33 (2) A fee for all changes in the registration, as prescribed by the board, other than those
34 due to clerical errors.

1 (b) All fees and fines collected by the board shall be deposited as general revenues to
2 support the activities set forth in this chapter until June 30, 2008. Beginning July 1, 2008, all fees
3 and fines collected by the board shall be deposited into a restricted-receipt account for the exclusive
4 use of supporting programs established by this chapter.

5 (c) On or before January 15, 2018, and annually thereafter, the board shall file a report with
6 the speaker of the house and the president of the senate, with copies to the chairpersons of the house
7 and senate finance committees, detailing:

8 (1) The total number of fines issued, broken down by category, including the number of
9 fines issued for a first violation and the number of fines issued for a subsequent violation;

10 (2) The total dollar amount of fines levied;

11 (3) The total amount of fees, fines, and penalties collected and deposited for the most
12 recently completed fiscal year; and

13 (4) The account balance as of the date of the report.

14 (d) Each year, the department of business regulation shall prepare a proposed budget to
15 support the programs approved by the board. The proposed budget shall be submitted to the board
16 for its review. A final budget request shall be submitted to the legislature as part of the department
17 of business regulation's annual request.

18 (e) New or renewal registrations may be filed online or with a third-party approved by the
19 board, with the additional cost incurred to be borne by the registrant.

20 SECTION 2. Section 73-4 of Chapter 5 of the General Laws entitled "Roofing Contractors"
21 is hereby amended to read as follows:

22 **5-73-4. Registration fee.**

23 All roofing contractors shall submit a payment in the amount of four hundred dollars
24 (\$400), which shall support the licensing program, representing a license fee along with the
25 application referenced in § 5-73-3, and be required to comply with the provisions of chapter 65 of
26 this title and those provisions shall be interpreted to include commercial roofers as defined in this
27 chapter. Beginning July 1, 2008, all fines and fees collected pursuant to this chapter shall be
28 deposited into a restricted-receipt account for the exclusive use of supporting programs established
29 by the board. [The license shall expire every two \(2\) years on the anniversary date of the license's](#)
30 [issuance and may be renewed upon payment of a two hundred dollar \(\\$200\) fee.](#)

31 SECTION 3. Section 7-11-206 of the General Laws in Chapter 7-11 entitled "Rhode Island
32 Uniform Securities Act" is hereby amended to read as follows:

33 **7-11-206. Licensing and notice fees; and filing requirements for federal covered**
34 **advisers.**

1 (a) A federal covered adviser or an applicant for licensing shall pay an annual fee as
2 follows:

3 (1) Broker-dealer three hundred dollars (\$300) and for each branch office one hundred
4 dollars (\$100);

5 (2) Sales representative ~~seventy five dollars (\$75.00)~~ one hundred dollars (\$100.00);

6 (3) Investment adviser three hundred dollars (\$300);

7 (4) Investment adviser representative sixty dollars (\$60.00); and

8 (5) Federal covered adviser three hundred dollars (\$300).

9 (b) Except with respect to federal covered advisers whose only clients are those described
10 in § 7-11-204(1)(i), a federal covered adviser shall file any documents filed with the U.S. Securities
11 and Exchange Commission with the director, that the director requires by rule or order, together
12 with any notice fee and consent to service of process that the director requires by rule or order. The
13 notice filings under this subsection expire annually on December 31, unless renewed.

14 (c) A notice filing under this section is effective from receipt until the end of the calendar
15 year. A notice filing may be renewed by filing any documents that have been filed with the U.S.
16 Securities and Exchange Commission as required by the director along with a renewal fee of three
17 hundred dollars (\$300).

18 (d) A federal covered adviser may terminate a notice filing upon providing the director
19 notice of the termination, which is effective upon receipt by the director.

20 (e) Notwithstanding the provisions of this section, until October 11, 1999, the director may
21 require the registration as an investment adviser of any federal covered adviser who has failed to
22 promptly pay the fees required by this section after written notification from the director of the
23 nonpayment or underpayment of the fees. A federal covered adviser is considered to have promptly
24 paid the fees if they are remitted to the director within fifteen (15) days following the federal
25 covered adviser's receipt of written notice from the director.

26 (f) For purposes of this section, "branch office" means any location where one or more
27 associated persons of a broker-dealer regularly conducts the business of effecting any transactions
28 in, or inducing or attempting to induce the purchase or sale of any security, or is held out as such,
29 excluding:

30 (1) Any location that is established solely for customer service and/or back office type
31 functions where no sales activities are conducted and that is not held out to the public as a branch
32 office;

33 (2) Any location that is the associated person's primary residence; provided that:

34 (i) Only one associated person, or multiple associated persons who reside at that location

1 and are members of the same immediate family, conduct business at the location;

2 (ii) The location is not held out to the public as an office and the associated person does
3 not meet with customers at the location;

4 (iii) Neither customer funds nor securities are handled at that location;

5 (iv) The associated person is assigned to a designated branch office, and such designated
6 branch office is reflected on all business cards, stationery, advertisements and other
7 communications to the public by such associated person;

8 (v) The associated person's correspondence and communications with the public are
9 subject to the firm's supervision in accordance with Rule 3010 of the Financial Industry Regulatory
10 Authority;

11 (vi) Electronic communications are made through the broker-dealer's electronic system;

12 (vii) All orders are entered through the designated branch office or an electronic system
13 established by the broker-dealer that is reviewable at the branch office;

14 (viii) Written supervisory procedures pertaining to supervision of sales activities conducted
15 at the residence are maintained by the broker-dealer; and

16 (ix) A list of the residence locations is maintained by the broker-dealer;

17 (3) Any location, other than a primary residence, that is used for securities business for less
18 than thirty (30) business days in any one calendar year, provided the broker-dealer complies with
19 the provisions of subsections (f)(2)(i) through (ix) above;

20 (4) Any office of convenience, where associated person(s) occasionally and exclusively by
21 appointment meet with customers, which is not held out to the public as an office;

22 (5) Any location that is used primarily to engage in non-securities activities and from which
23 the associated person(s) effects no more than twenty-five (25) securities transactions in any one
24 calendar year; provided that any advertisement or sales literature identifying such location also sets
25 forth the address and telephone number of the location from which the associated person(s)
26 conducting business at the non-branch locations are directly supervised;

27 (6) The floor of a registered national securities exchange where a broker-dealer conducts a
28 direct access business with public customers;

29 (7) A temporary location established in response to the implementation of a business
30 continuity plan.

31 (g) Notwithstanding the exclusions in subsection (f), any location that is responsible for
32 supervising the activities of persons associated with the broker-dealer at one or more non-branch
33 locations of the broker-dealer is considered to be a branch office.

34 (h) The term "business day" as used in subsection (f) shall not include any partial business

1 day provided that the associated person spends at least four (4) hours on such business day at his
2 or her designated branch office during the hours that such office is normally open for business.

3 (i) Where such office of convenience is located on bank premises, signage necessary to
4 comply with applicable federal and state laws, rules and regulations and applicable rules and
5 regulations of the New York Stock Exchange, other self-regulatory organizations, and securities
6 and banking regulators may be displayed and shall not be deemed "holding out" for purposes of
7 subsection (f)(4).

8 (j) If an application is denied or withdrawn or the license is revoked, suspended, or
9 withdrawn, the director is not required to refund the fee paid.

10 (k) The director may issue a stop order suspending the activities of a federal covered
11 adviser in this state if the director reasonably believes there has been a violation of the provisions
12 of this section.

13 SECTION 4. Section 23-17-38.1 of the General Laws in Chapter 23-17 entitled "Licensing
14 of Health Care Facilities" is hereby amended to read as follows:

15 **23-17-38.1. Hospitals – Licensing fee.**

16 ~~(a) There is also imposed a hospital licensing fee at the rate of six percent (6%) upon the~~
17 ~~net patient services revenue of every hospital for the hospital's first fiscal year ending on or after~~
18 ~~January 1, 2017, except that the license fee for all hospitals located in Washington County, Rhode~~
19 ~~Island shall be discounted by thirty seven percent (37%). The discount for Washington County~~
20 ~~hospitals is subject to approval by the Secretary of the U.S. Department of Health and Human~~
21 ~~Services of a state plan amendment submitted by the executive office of health and human services~~
22 ~~for the purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This~~
23 ~~licensing fee shall be administered and collected by the tax administrator, division of taxation~~
24 ~~within the department of revenue, and all the administration, collection, and other provisions of~~
25 ~~chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator~~
26 ~~on or before July 10, 2019, and payments shall be made by electronic transfer of monies to the~~
27 ~~general treasurer and deposited to the general fund. Every hospital shall, on or before June 14,~~
28 ~~2019, make a return to the tax administrator containing the correct computation of net patient~~
29 ~~services revenue for the hospital fiscal year ending September 30, 2017, and the licensing fee due~~
30 ~~upon that amount. All returns shall be signed by the hospital's authorized representative, subject to~~
31 ~~the pains and penalties of perjury.~~

32 (b) (a) There is also imposed a hospital licensing fee at the rate of six percent (6%) upon
33 the net patient-services revenue of every hospital for the hospital's first fiscal year ending on or
34 after January 1, 2018, except that the license fee for all hospitals located in Washington County,

1 Rhode Island shall be discounted by thirty-seven percent (37%). The discount for Washington
2 County hospitals is subject to approval by the Secretary of the U.S. Department of Health and
3 Human Services of a state plan amendment submitted by the executive office of health and human
4 services for the purpose of pursuing a waiver of the uniformity requirement for the hospital license
5 fee. This licensing fee shall be administered and collected by the tax administrator, division of
6 taxation within the department of revenue, and all the administration, collection, and other
7 provisions of Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax
8 administrator on or before July 13, 2020, and payments shall be made by electronic transfer of
9 monies to the general treasurer and deposited to the general fund. Every hospital shall, on or before
10 June 15, 2020, make a return to the tax administrator containing the correct computation of net
11 patient- services revenue for the hospital fiscal year ending September 30, 2018, and the licensing
12 fee due upon that amount. All returns shall be signed by the hospital's authorized representative,
13 subject to the pains and penalties of perjury.

14 ~~(e)~~ (b) There is also imposed a hospital licensing fee for state fiscal year 2021 against each
15 hospital in the state. The hospital licensing fee is equal to five percent (5.0%) of the net patient-
16 services revenue of every hospital for the hospital's first fiscal year ending on or after January 1,
17 ~~2018~~ 2019, except that the license fee for all hospitals located in Washington County, Rhode Island
18 shall be discounted by thirty-seven percent (37%). The discount for Washington County hospitals
19 is subject to approval by the Secretary of the U.S. Department of Health and Human Services of a
20 state plan amendment submitted by the executive office of health and human services for the
21 purpose of pursuing a waiver of the uniformity requirement for the hospital license fee. This
22 licensing fee shall be administered and collected by the tax administrator, division of taxation
23 within the department of revenue, and all the administration, collection, and other provisions of
24 Chapter 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator
25 on or before July 13, 2021, and payments shall be made by electronic transfer of monies to the
26 general treasurer and deposited to the general fund. Every hospital shall, on or before June 15,
27 2020, make a return to the tax administrator containing the correct computation of net patient-
28 services revenue for the hospital fiscal year ending September 30, ~~2018~~ 2019, and the licensing fee
29 due upon that amount. All returns shall be signed by the hospital's authorized representative, subject
30 to the pains and penalties of perjury.

31 ~~(e)~~ (c) There is also imposed a hospital licensing fee for state fiscal year 2022 against each
32 hospital in the state. The hospital licensing fee is equal to five and seven hundred twenty-five
33 thousandths percent (5.725%) of the net patient-services revenue of every hospital for the hospital's
34 first fiscal year ending on or after January 1, 2020, except that the license fee for all hospitals

1 located in Washington County, Rhode Island shall be discounted by thirty-seven percent (37%).
2 The discount for Washington County hospitals is subject to approval by the Secretary of the U.S.
3 Department of Health and Human Services of a state plan amendment submitted by the executive
4 office of health and human services for the purpose of pursuing a waiver of the uniformity
5 requirement for the hospital license fee. This licensing fee shall be administered and collected by
6 the tax administrator, division of taxation within the department of revenue, and all the
7 administration, collection, and other provisions of Chapter 51 of title 44 shall apply. Every hospital
8 shall pay the licensing fee to the tax administrator on or before July 13, 2022, and payments shall
9 be made by electronic transfer of monies to the general treasurer and deposited to the general fund.
10 Every hospital shall, on or before June 15, 2022, make a return to the tax administrator containing
11 the correct computation of net patient-services revenue for the hospital fiscal year ending
12 September 30, 2020, and the licensing fee due upon that amount. All returns shall be signed by the
13 hospital's authorized representative, subject to the pains and penalties of perjury.

14 (d) For purposes of this section the following words and phrases have the following
15 meanings:

16 (1) "Hospital" means the actual facilities and buildings in existence in Rhode Island,
17 licensed pursuant to § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on
18 that license, regardless of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital
19 conversions) and § 23-17-6(b) (change in effective control), that provides short-term acute inpatient
20 and/or outpatient care to persons who require definitive diagnosis and treatment for injury, illness,
21 disabilities, or pregnancy. Notwithstanding the preceding language, the negotiated Medicaid
22 managed care payment rates for a court-approved purchaser that acquires a hospital through
23 receivership, special mastership, or other similar state insolvency proceedings (which court-
24 approved purchaser is issued a hospital license after January 1, 2013) shall be based upon the newly
25 negotiated rates between the court-approved purchaser and the health plan, and such rates shall be
26 effective as of the date that the court-approved purchaser and the health plan execute the initial
27 agreement containing the newly negotiated rate. The rate-setting methodology for inpatient hospital
28 payments and outpatient hospital payments set forth in §§ 40-8-13.4(b) and 40-8-13.4(b)(2),
29 respectively, shall thereafter apply to negotiated increases for each annual twelve-month (12)
30 period as of July 1 following the completion of the first full year of the court-approved purchaser's
31 initial Medicaid managed care contract.

32 (2) "Gross patient-services revenue" means the gross revenue related to patient care
33 services.

34 (3) "Net patient-services revenue" means the charges related to patient care services less

1 (i) charges attributable to charity care; (ii) bad debt expenses; and (iii) contractual allowances.

2 (e) The tax administrator shall make and promulgate any rules, regulations, and procedures
3 not inconsistent with state law and fiscal procedures that he or she deems necessary for the proper
4 administration of this section and to carry out the provisions, policy, and purposes of this section.

5 (f) The licensing fee imposed by subsection (b) shall apply to hospitals as defined herein
6 that are duly licensed on July 1, ~~2019~~ 2020, and shall be in addition to the inspection fee imposed
7 by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

8 (g) The licensing fee imposed by subsection (c) shall apply to hospitals as defined herein
9 that are duly licensed on July 1, ~~2020~~ 2021, and shall be in addition to the inspection fee imposed
10 by § 23-17-38 and to any licensing fees previously imposed in accordance with this section.

11 SECTION 5. Section 42-17.1-9.1 of the General Laws in Chapter 42-17.1 entitled "User
12 fees at state beaches, parks, and recreation areas" is hereby amended to read as follows:

13 **42-17.1-9.1. User fees at state beaches, parks, and recreation areas.**

14 (a) The department of environmental management in pursuance of its administrative duties
15 and responsibilities may charge a user fee for any state beach, or recreational area under its
16 jurisdiction, and fees for the use of its services or facilities.

17 (b) The fee may be on a daily or annual basis, or both, and may be based on vehicle parking
18 or other appropriate means. The fees may recognize the contribution of Rhode Island taxpayers to
19 support the facilities in relation to other users of the state's facilities. The fee structure may
20 acknowledge the need to provide for all people, regardless of circumstances.

21 (c) An additional fee for camping and other special uses may be charged where appropriate.
22 Rates so charged should be comparable to equivalent commercial facilities.

23 (d) All such fees shall be established after a public hearing.

24 (e) All daily fees from beach parking, which shall also include fees charged and collected
25 at Ninigret conservation area and Charlestown breachway, shall be shared with the municipality in
26 which the facility is located on the basis of seventy-three percent (73%) retained by the state and
27 twenty-seven percent (27%) remitted to the municipality; provided, further, from July 1, 2016, until
28 October 1, 2021, the beach fees charged and collected under this subsection shall be equal to those
29 in effect on June 30, 2011.

30 (1) Notwithstanding subsection (e), effective July 1, 2021, the fees charged and collected
31 for facilities located in the town of Westerly may exceed those in effect on June 30, 2011, in an
32 amount to be reasonably determined by the department of environmental management.

33 (f) Fifty percent (50%) of all user and concession fees received by the state shall be
34 deposited as general revenues. For the year beginning July 1, 1979, the proportion of user and

1 concession fees to be received by the state shall be sixty-five percent (65%); for the year beginning
2 July 1, 1980, eighty-five percent (85%); and for the year beginning July 1, 1981, and all years
3 thereafter, one hundred percent (100%). The general revenue monies appropriated are hereby
4 specifically dedicated to meeting the costs of development, renovation of, and acquisition of state-
5 owned recreation areas and for regular maintenance, repair and operation of state owned recreation
6 areas. Purchases of vehicles and equipment and repairs to facilities shall not exceed four hundred
7 thousand dollars (\$400,000) annually. Notwithstanding the provisions of § 37-1-1 or any other
8 provision of the general laws, the director of the department of environmental management is
9 hereby authorized to accept any grant, devise, bequest, donation, gift, or assignment of money,
10 bonds, or other valuable securities for deposit in the same manner as provided above for user and
11 concession fees retained by the state.

12 (g) No fee shall be charged to any school or other nonprofit organization provided that a
13 representative of the school or other organization gives written notice of the date and time of their
14 arrival to the facility.

15 SECTION 6. Sections 44-19-1 and 44-19-2 of the General Laws in Chapter 44-19 entitled
16 “Sales and Use Taxes – Enforcement and Collection” are hereby amended to read as follows:

17 **44-19-1. Annual permit required – Retail business subject to sales tax – Promotion of**
18 **shows – Revocation of show permit.**

19 (a)(1) Every person desiring to engage in or conduct within this state a business of making
20 sales at retail, or engage in a business of renting living quarters in any hotel, rooming house, or
21 tourist camp, the gross receipts from which sales or rental charges are required to be included in
22 the measure of the tax imposed under chapter 18 of this title, shall file with the tax administrator
23 an application for a permit for each place of business. The application shall be in a form, include
24 information, and bear any signatures that the tax administrator may require. ~~At the time of making~~
25 ~~an application, the applicant shall pay to the tax administrator a permit fee of ten dollars (\$10.00)~~
26 ~~for each permit.~~ There shall be no fee for this permit. Every permit issued under this chapter expires
27 ~~on June 30 of each year at the times prescribed by the tax administrator.~~

28 (2) Every permit holder shall annually, ~~on or before February 1~~ on forms prescribed and at
29 the times prescribed by the tax administrator ~~of each year~~, renew its permit by filing an application
30 ~~for renewal along with a ten dollars (\$10.00) renewal fee.~~ The renewal permit is valid for the period
31 July 1 of that calendar year through June 30 of the subsequent calendar year unless otherwise
32 canceled, suspended or revoked. All fees received under this section are allocated to the tax
33 administrator for enforcement and collection of all taxes.

34 (b)(1) Every promoter of a show shall, at least ten (10) days prior to the opening of each

1 show, file with the tax administrator a notice stating the location and dates of the show, in a form
2 prescribed by the tax administrator.

3 (2) The tax administrator shall, within five (5) days after the receipt of that notice, issue to
4 the promoter, without charge, a permit to operate the show, unless the provisions of subdivision (5)
5 of this subsection have been applied to the promoter. No promoter may operate a show without
6 obtaining the permit. The permit shall be prominently displayed at the main entrance of the show.

7 (3) Any promoter who is a retailer shall comply with all of the provisions of this chapter
8 and chapter 18 relating to retailers, in addition to all of the provisions of this chapter relating to
9 promoters.

10 (4) A promoter may not permit any person to display or sell tangible personal property,
11 services, or food and drink at a show unless that person is registered under subsection (a) of this
12 section and displays his or her permit in accordance with the provisions of subsection (a) of this
13 section.

14 (5) Any promoter who permits any person to display or sell tangible personal property,
15 services, or food and drink at a show who is not registered, or does not display a permit, or fails to
16 keep a record or file a monthly report of the name, address and permit number of every person
17 whom the promoter permitted to sell or display tangible personal property, services, or food and
18 drink at a show, is subject to revocation of all existing permits issued pursuant to this section to
19 operate a show, and to the denial of a permit to operate any show for a period of not more than two
20 (2) years, in addition to the provisions of § 44-19-31.

21 **44-19-2. Issuance of permit – Assignment prohibited – Display – Fee for renewal after**
22 **suspension or revocation.**

23 Upon receipt of the required application and permit fee, the tax administrator shall issue to
24 the applicant a separate permit for each place of business within the state. If the applicant, at the
25 time of making the application, owes any tax, penalty, or interest imposed under ~~chapters 18 and~~
26 ~~19 of~~ this title, then before a permit is issued the applicant shall pay the amount owed. A permit is
27 not assignable and is valid only for the person in whose name it is issued and for the transaction of
28 business at the place designated in the permit. The permit shall at all times be conspicuously
29 displayed at the place for which issued. ~~A retailer whose permit has been previously suspended or~~
30 ~~revoked shall pay to the tax administrator a fee of ten dollars (\$10.00) for the renewal or issuance~~
31 ~~of a permit.~~

32 SECTION 7. Sections 46-23-7.1, 46-23-7.3 and 46-23-7.4 of the General Laws in Chapter
33 46-23 of entitled “Coastal Resources Management Council” are hereby amended to read as follows:

34 **46-23-7.1. Administrative penalties.**

1 Any person who violates, or refuses or fails to obey, any notice or order issued pursuant to
2 § 46-23-7(a); or any assent, order, or decision of the council, may be assessed an administrative
3 penalty by the chairperson or executive director in accordance with the following:

4 (1) The chairperson or executive director is authorized to assess an administrative penalty
5 of not more than ~~two thousand five hundred dollars (\$2,500)~~ ten thousand dollars (\$10,000) for
6 each violation of this section, and is authorized to assess additional penalties of not more than ~~five~~
7 ~~hundred dollars (\$500)~~ one thousand (\$1,000) for each day during which this violation continues
8 after receipt of a cease and desist order from the council pursuant to § 46-23-7(a), but in no event
9 shall the penalties in ~~an~~ aggregate ~~equal or~~ exceed ~~ten thousand dollars (\$10,000)~~ fifty thousand
10 dollars (\$50,000). Prior to the assessment of a penalty under this subdivision, the property owner
11 or person committing the violation shall be notified by certified mail or personal service that a
12 penalty is being assessed. The notice shall include a reference to the section of the law, rule,
13 regulation, assent, order, or permit condition violated; a concise statement of the facts alleged to
14 constitute the violation; a statement of the amount of the administrative penalty assessed; and a
15 statement of the party's right to an administrative hearing.

16 (2) The party shall have twenty-one (21) days from receipt of the notice within which to
17 deliver to the council a written request for a hearing. This request shall specify in detail the
18 statements contested by the party. The executive director shall designate a person to act as hearing
19 officer. If no hearing is requested, then after the expiration of the twenty-one (21) day period, the
20 council shall issue a final order assessing the penalty specified in the notice. The penalty is due
21 when the final order is issued. If the party shall request a hearing, any additional daily penalty shall
22 not commence to accrue until the council issues a final order.

23 (3) If a violation is found to have occurred, the council may issue a final order assessing
24 not more than the amount of the penalty specified in the notice. The penalty is due when the final
25 order is issued.

26 (4) The party may within thirty (30) days appeal the final order, of fine assessed by the
27 council to the superior court which shall hear the assessment of the fine de novo.

28 **46-23-7.3. Criminal penalties.**

29 Any person who knowingly violates any provision of this chapter, the coastal resources
30 management program, or any rule, regulation, assent, or order shall be guilty of a misdemeanor,
31 and, upon conviction thereof shall be fined not more than ~~five hundred dollars (\$500)~~ one thousand
32 dollars (\$1,000) or by imprisonment of not more than three (3) months or both; and each day the
33 violation is continued or repeated shall be deemed a separate offense.

34 **46-23-7.4. Penalty for blocking or posting of rights-of-way.**

1 Any person who shall post or block any tidal water, public right-of-way, as designated by
2 the council, shall be punished by a fine not exceeding ~~five hundred dollars (\$500)~~ one thousand
3 dollars (\$1,000) or by imprisonment for not more than three (3) months or both; and each day the
4 posting or blocking continues or is repeated shall be deemed a separate offense. The chairperson
5 of the council, through council's legal counsel or the attorney general, may apply to any court of
6 competent jurisdiction for an injunction to prevent the unlawful posting or blocking of any tidal
7 water, public right-of-way.

8 SECTION 8. Section 42-61.2-5 of the General Laws in Chapter 42-61.2 entitled "Video-
9 Lottery Games, Table Games and Sports Wagering" is hereby amended to read as follows:

10 **42-61.2-5. Allocation of sports-wagering and online sports-wagering revenue.**

11 (a) Notwithstanding the provisions of § 42-61-15, the division of lottery is authorized to
12 enter into an agreement to allocate sports-wagering revenue derived from sports wagering and
13 online sports wagering at the hosting facilities between the state, the state's authorized sports-
14 wagering vendor, and the host facilities. The allocation of sports-wagering revenue and online
15 sports-wagering revenue shall be:

16 (1) To the state, fifty-one percent (51%) of sports-wagering revenue and online sports-
17 wagering revenue;

18 (2) To the state's authorized sports-wagering vendor, thirty-two percent (32%) of sports-
19 wagering revenue and online sports-wagering revenue; and

20 (3) To the host facilities, seventeen percent (17%) of sports-wagering revenue and online
21 sports-wagering revenue.

22 (b) Sports-wagering revenue and online sports-wagering revenue allocated to the state shall
23 be deposited into the state lottery fund for administrative purposes and then the balance remaining
24 into the general fund.

25 (c) The town of Lincoln shall be paid an annual flat fee of ~~one hundred thousand dollars~~
26 ~~(\$100,000)~~ two hundred thousand dollars (\$200,000) and the town of Tiverton shall be paid an
27 annual flat fee of ~~one hundred thousand dollars (\$100,000)~~ two hundred thousand dollars
28 (\$200,000) in compensation for serving as the host communities for sports wagering.

29 SECTION 9. Section 42-61.2-7 of the General Laws in Chapter 42-61.2 entitled "Video-
30 Lottery Games, Table Games and Sports Wagering" is hereby amended to read as follows:

31 **42-61.2-7. Division of revenue.**

32 (a) Notwithstanding the provisions of Section 42-61-15, the allocation of net terminal
33 income derived from video lottery games is as follows:

34 (1) For deposit in the general fund and to the Division fund for administrative purposes:

1 Net, terminal income not otherwise disbursed in accordance with subdivisions (a)(2) -- (a)(6)
2 inclusive, or otherwise disbursed in accordance with subsections (g)(2) and (h)(2);

3 (i) Except for the fiscal year ending June 30, 2008, nineteen one hundredths of one percent
4 (0.19%), up to a maximum of twenty million dollars (\$20,000,000), shall be equally allocated to
5 the distressed communities (as defined in Section 45-13-12) provided that no eligible community
6 shall receive more than twenty-five percent (25%) of that community's currently enacted municipal
7 budget as its share under this specific subsection. Distributions made under this specific subsection
8 are supplemental to all other distributions made under any portion of General Laws Section 45-13-
9 12. For the fiscal year ending June 30, 2008, distributions by community shall be identical to the
10 distributions made in the fiscal year ending June 30, 2007, and shall be made from general
11 appropriations. For the fiscal year ending June 30, 2009, the total state distribution shall be the
12 same total amount distributed in the fiscal year ending June 30, 2008, and shall be made from
13 general appropriations. For the fiscal year ending June 30, 2010, the total state distribution shall be
14 the same total amount distributed in the fiscal year ending June 30, 2009, and shall be made from
15 general appropriations, provided, however, that seven hundred eighty-four thousand four hundred
16 fifty-eight dollars (\$784,458) of the total appropriation shall be distributed equally to each
17 qualifying distressed community. For each of the fiscal years ending June 30, 2011, June 30, 2012,
18 and June 30, 2013, seven hundred eighty-four thousand four hundred fifty-eight dollars (\$784,458)
19 of the total appropriation shall be distributed equally to each qualifying distressed community.

20 (ii) Five one hundredths of one percent (0.05%), up to a maximum of five million dollars
21 (\$5,000,000), shall be appropriated to property tax relief to fully fund the provisions of Section 44-
22 33-2.1 [repealed]. The maximum credit defined in subdivision 44-33-9(2) shall increase to the
23 maximum amount to the nearest five dollar (\$5.00) increment within the allocation until a
24 maximum credit of five hundred dollars (\$500) is obtained. In no event shall the exemption in any
25 fiscal year be less than the prior fiscal year.

26 (iii) One and twenty-two one hundredths of one percent (1.22%) to fund Section 44-34.1-
27 1, entitled "Motor Vehicle and Trailer Excise Tax Elimination Act of 1998", to the maximum
28 amount to the nearest two hundred fifty dollar (\$250) increment within the allocation. In no event
29 shall the exemption in any fiscal year be less than the prior fiscal year.

30 (iv) Except for the fiscal year ending June 30, 2008, ten one hundredths of one percent
31 (0.10%), to a maximum of ten million dollars (\$10,000,000), for supplemental distribution to
32 communities not included in subsection (a)(1)(i) distributed proportionately on the basis of general
33 revenue sharing distributed for that fiscal year. For the fiscal year ending June 30, 2008,
34 distributions by community shall be identical to the distributions made in the fiscal year ending

1 June 30, 2007, and shall be made from general appropriations. For the fiscal year ending June 30,
2 2009, no funding shall be disbursed. For the fiscal year ending June 30, 2010, and thereafter,
3 funding shall be determined by appropriation.

4 (2) To the licensed, video lottery retailer:

5 (a)(i) Prior to the effective date of the Newport Grand Master Contract, Newport Grand
6 twenty-six percent (26%), minus three hundred eighty-four thousand nine hundred ninety-six
7 dollars (\$384,996);

8 (ii) On and after the effective date of the Newport Grand Master Contract, to the licensed,
9 video lottery retailer who is a party to the Newport Grand Master Contract, all sums due and payable
10 under said Master Contract, minus three hundred eighty-four thousand nine hundred ninety-six
11 dollars (\$384,996).

12 (iii) Effective July 1, 2013, the rate of net terminal income payable to the licensed, video
13 lottery retailer who is a party to the Newport Grand Master Contract shall increase by two and one
14 quarter percent (2.25%) points. The increase herein shall sunset and expire on June 30, 2015, and
15 the rate in effect as of June 30, 2013, shall be reinstated.

16 (iv)(A) Effective July 1, 2015, the rate of net terminal income payable to the licensed video
17 lottery retailer who is a party to the Newport Grand Master Contract shall increase over the rate in
18 effect as of June 30, 2013, by one and nine-tenths (1.9) percentage points. (i.e., $x\%$ plus 1.9
19 percentage points equals $(x + 1.9)\%$, where " $x\%$ " is the current rate of net terminal income payable
20 to the licensed, video lottery retailer who is a party to the Newport Grand Master Contract). The
21 dollar amount of additional net terminal income paid to the licensed video lottery retailer who is a
22 party to the Newport Grand Master Contract with respect to any Newport Grand Marketing Year
23 as a result of such increase in rate shall be referred to as "Additional Newport Grand Marketing
24 NTI."

25 (B) The excess, if any, of marketing expenditures incurred by the licensed, video lottery
26 retailer who is a party to the Newport Grand Master Contract with respect to a Newport Grand
27 Marketing Year over one million four hundred thousand dollars (\$1,400,000) shall be referred to
28 as the "Newport Grand Marketing Incremental Spend." Beginning with the Newport Grand
29 Marketing Year that starts on July 1, 2015, after the end of each Newport Grand Marketing Year,
30 the licensed, video lottery retailer who is a party to the Newport Grand Master Contract shall pay
31 to the Division the amount, if any, by which the Additional Newport Grand Marketing NTI for such
32 Newport Grand Marketing Year exceeds the Newport Grand Marketing Incremental Spend for such
33 Newport Grand Marketing Year; provided however, that such video lottery retailer's liability to the
34 Division hereunder with respect to any Newport Grand Marketing Year shall never exceed the

1 Additional Newport Grand Marketing NTI paid to such video lottery retailer with respect to such
2 Newport Grand Marketing Year.

3 The increase in subsection 2(a)(iv) shall sunset and expire upon the commencement of the
4 operation of casino gaming at Twin River-Tiverton's facility located in the town of Tiverton, and
5 the rate in effect as of June 30, 2013, shall be reinstated.

6 (b)(i) Prior to the effective date of the UTGR master contract, to the present, licensed, video
7 lottery retailer at Lincoln Park, which is not a party to the UTGR master contract, twenty-eight and
8 eighty-five one hundredths percent (28.85%), minus seven hundred sixty-seven thousand six
9 hundred eighty-seven dollars (\$767,687);

10 (ii) On and after the effective date of the UTGR master contract, to the licensed, video
11 lottery retailer that is a party to the UTGR master contract, all sums due and payable under said
12 master contract minus seven hundred sixty-seven thousand six hundred eighty-seven dollars
13 (\$767,687).

14 (3) Except for the period commencing on January 1, 2023 and expiring on June 30, 2043,

15 (i) To the technology providers that are not a party to the GTECH Master Contract as set forth and
16 referenced in P.L. 2003, ch. 32, seven percent (7%) of the net terminal income of the provider's
17 terminals; in addition thereto, technology providers that provide premium or licensed proprietary
18 content or those games that have unique characteristics, such as 3D graphics; unique math/game
19 play features; or merchandising elements to video lottery terminals may receive incremental
20 compensation, either in the form of a daily fee or as an increased percentage, if all of the following
21 criteria are met:

22 (A) A licensed, video lottery retailer has requested the placement of premium or licensed
23 proprietary content at its licensed, video lottery facility;

24 (B) The division of lottery has determined in its sole discretion that the request is likely to
25 increase net terminal income or is otherwise important to preserve or enhance the competitiveness
26 of the licensed, video lottery retailer;

27 (C) After approval of the request by the division of lottery, the total number of premium or
28 licensed, proprietary-content video lottery terminals does not exceed ten percent (10%) of the total
29 number of video lottery terminals authorized at the respective licensed, video lottery retailer; and

30 (D) All incremental costs are shared between the division and the respective licensed, video
31 lottery retailer based upon their proportionate allocation of net terminal income. The division of
32 lottery is hereby authorized to amend agreements with the licensed, video lottery retailers, or the
33 technology providers, as applicable, to effect the intent herein.

34 (ii) To contractors that are a party to the master contract as set forth and referenced in P.L.

1 2003, ch. 32, all sums due and payable under said master contract; and

2 (iii) Notwithstanding paragraphs (i) and (ii), there shall be subtracted proportionately from
3 the payments to technology providers the sum of six hundred twenty-eight thousand seven hundred
4 thirty-seven dollars (\$628,737) which shall be distributed pursuant to Section 42-61.2-7(b)(3)(iii).

5 With respect to the period commencing on January 1, 2023 and expiring on June 30, 2043,

6 (i) To the exclusive technology provider, all sums due and payable under the VLT
7 Agreement;

8 (ii) Notwithstanding paragraph (i), there shall be subtracted from the payments to the
9 exclusive technology provider the sum of six hundred twenty-eight thousand seven hundred thirty-
10 seven dollars (\$628,737) which shall be distributed pursuant to Section 42-61.2-7(b)(3)(iii); and

11 (iii) To IGT, all sums due and payable under the Video Lottery Agreement.

12 (4)(A) Until video lottery games are no longer operated at the Newport Grand gaming
13 facility located in Newport, to the city of Newport one and one hundredth percent (1.01%) of net
14 terminal income of authorized Video Lottery Terminals at Newport Grand, except that effective
15 November 9, 2009, until June 30, 2013, the allocation shall be one and two tenths percent (1.2%)
16 of net terminal income of authorized Video Lottery Terminals at Newport Grand for each week the
17 facility operates video lottery games on a twenty-four-hour (24) basis for all eligible hours
18 authorized; and

19 (B) Upon commencement of the operation of video lottery games at the Tiverton gaming
20 facility, to the town of Tiverton one and forty-five hundredths percent (1.45%) of net terminal
21 income of authorized Video Lottery Terminals at the Tiverton gaming facility, subject to subsection
22 (g)(2); and

23 (C) To the town of Lincoln, one and twenty-six hundredths percent (1.26%) of net terminal
24 income of authorized Video Lottery Terminals at the Lincoln gaming facility except that:

25 (i) Effective November 9, 2009, until June 30, 2013, the allocation shall be one and forty-
26 five hundredths percent (1.45%) of net terminal income of authorized Video Lottery Terminals at
27 the Lincoln gaming facility for each week video lottery games are offered on a twenty-four-hour
28 (24) basis for all eligible hours authorized; and

29 (ii) Effective July 1, 2013, provided that the referendum measure authorized by P.L. 2011,
30 ch. 151, article 25 as amended, section 4, is approved statewide and in the Town of Lincoln, the
31 allocation shall be one and forty-five hundredths percent (1.45%) of net terminal income of
32 authorized Video Lottery Terminals at the Lincoln gaming facility, subject to subsection (h)(2);
33 and

34 (5) To the Narragansett Indian Tribe, seventeen hundredths of one percent (0.17%) of net

1 terminal income of authorized Video Lottery Terminals at the Lincoln gaming facility , up to a
2 maximum of ten million dollars (\$10,000,000) per year, that shall be paid to the Narragansett Indian
3 Tribe for the account of a Tribal Development Fund to be used for the purpose of encouraging and
4 promoting: home ownership and improvement; elderly housing; adult vocational training; health
5 and social services; childcare; natural resource protection; and economic development consistent
6 with state law. Provided, however, such distribution shall terminate upon the opening of any
7 gaming facility in which the Narragansett Indians are entitled to any payments or other incentives;
8 and provided, further, any monies distributed hereunder shall not be used for, or spent on,
9 previously contracted debts; and

10 (6) Unclaimed prizes and credits shall remit to the general fund of the state; and

11 (7) Payments into the state's general fund specified in subsections (a)(1) and (a)(6) shall be
12 made on an estimated monthly basis. Payment shall be made on the tenth day following the close
13 of the month except for the last month when payment shall be on the last business day.

14 (b) Notwithstanding the above, the amounts payable by the Division to UTGR related to
15 the marketing program described in the UTGR master contract (as such may be amended from time
16 to time) shall be paid on a frequency agreed by the Division, but no less frequently than annually.

17 (c) Notwithstanding anything in this chapter 61.2 of this title to the contrary, the director
18 is authorized to fund the marketing program as described in the UTGR master contract.

19 (d) Notwithstanding the above, the amounts payable by the Division to the licensed, video
20 lottery retailer who is a party to the Newport Grand Master Contract related to the marketing
21 program described in the Newport Grand Master Contract (as such may be amended from time to
22 time) shall be paid on a frequency agreed by the Division, but no less frequently than annually.

23 (e) Notwithstanding anything in this chapter 61.2 of this title to the contrary, the director
24 is authorized to fund the marketing program as described in the Newport Grand Master Contract.

25 (f) Notwithstanding the provisions of Section 42-61-15, but subject to Section 42-61.2-
26 7(h), the allocation of net table-game revenue derived from table games at the Lincoln gaming
27 facility is as follows:

28 (1) For deposit into the state lottery fund for administrative purposes and then the balance
29 remaining into the general fund:

30 (i) Sixteen percent (16%) of net table-game revenue, except as provided in Section 42-
31 61.2-7(f)(1)(ii);

32 (ii) An additional two percent (2%) of net table-game revenue generated at the Lincoln
33 gaming facility shall be allocated starting from the commencement of table games activities by
34 such table-game retailer and ending, with respect to such table-game retailer, on the first date that

1 such table-game retailer's net terminal income for a full state fiscal year is less than such table-
2 game retailer's net terminal income for the prior state fiscal year, at which point this additional
3 allocation to the state shall no longer apply to such table-game retailer.

4 (2) To UTGR, net table-game revenue not otherwise disbursed pursuant to subsection
5 (f)(1); provided, however, on the first date that such table-game retailer's net terminal income for a
6 full state fiscal year is less than such table-game retailer's net terminal income for the prior state
7 fiscal year, as set forth in subsection (f)(1)(ii), one percent (1%) of this net table-game revenue
8 shall be allocated to the town of Lincoln for four (4), consecutive state fiscal years.

9 (g) Notwithstanding the provisions of Section 42-61-15, the allocation of net table-game
10 revenue derived from table games at the Tiverton gaming facility is as follows:

11 (1) Subject to subsection (g)(2) of this section, one percent (1%) of net table-game revenue
12 shall be allocated to the town of Tiverton;

13 (2) Fifteen and one-half percent (15.5%) of net table-game revenue shall be allocated to
14 the state first for deposit into the state lottery fund for administrative purposes and then the balance
15 remaining into the general fund; provided however, that beginning with the first state fiscal year
16 that the Tiverton gaming facility offers patrons video lottery games and table games ~~for all of such~~
17 ~~state fiscal year~~, for that initial state fiscal year and each subsequent state fiscal year that such
18 Tiverton gaming facility offers patrons video lottery games and table games for all of such state
19 fiscal year, if the town of Tiverton has not received an aggregate of three million dollars
20 (\$3,000,000) in the state fiscal year from net table-game revenues and net terminal income,
21 combined, generated by the Tiverton gaming facility ("Tiverton Minimum"), then the state shall
22 make up such shortfall to the town of Tiverton out of the state's percentage of net table-game
23 revenue set forth in this subsection (g)(2) and net terminal income set forth in subsections (a)(1)
24 and (a)(6), so long as that there has not been a closure of the Tiverton gaming facility for more than
25 thirty (30) consecutive days during such state fiscal year, and, if there has been such a closure, then
26 the Tiverton Minimum, if applicable, shall be prorated per day of such closure and any closure(s)
27 thereafter for that state fiscal year; notwithstanding the foregoing, with respect to fiscal year 2021,
28 because of the closure of the Tiverton gaming facility due to the COVID-19 pandemic, the town of
29 Tiverton shall receive no less than a total of three million dollars (\$3,000,000) as an aggregate
30 payment for net, table-game revenues, net terminal income, and the shortfall from the state,
31 combined; provided further however, if in any state fiscal year either video lottery games or table
32 games are no longer offered ~~at~~ in the Tiverton gaming facility, then the state shall not be obligated
33 to make up the shortfall referenced in this subsection (g)(2); and

34 (3) Net, table-game revenue not otherwise disbursed pursuant to subsections (g)(1) and

1 (g)(2) of this section shall be allocated to Twin River-Tiverton.

2 (h) Notwithstanding the foregoing Section 42-61.2-7(f) and superseding that section
3 effective upon the first date that the Tiverton gaming facility offers patrons video lottery games and
4 table games, the allocation of net table-game revenue derived from table games at the Lincoln
5 gaming facility shall be as follows:

6 (1) Subject to subsection (h)(2), one percent (1%) of net table-game revenue shall be
7 allocated to the town of Lincoln;

8 (2) Fifteen and one-half percent (15.5%) of net table-game revenue shall be allocated to
9 the state first for deposit into the state lottery fund for administrative purposes and then the balance
10 remaining into the general fund; provided however, that beginning with the first state fiscal year
11 that the Tiverton gaming facility offers patrons video lottery games and table games for all of such
12 state fiscal year, for that state fiscal year and each subsequent state fiscal year that the Tiverton
13 gaming facility offers patrons video lottery games and table games for all of such state fiscal year,
14 if the town of Lincoln has not received an aggregate of three million dollars (\$3,000,000) in the
15 state fiscal year from net table-game revenues and net terminal income, combined, generated by
16 the Lincoln gaming facility ("[Lincoln Minimum](#)"), then the state shall make up such shortfall to the
17 town of Lincoln out of the state's percentage of net table-game revenue set forth in this subsection
18 (h)(2) and net terminal income set forth in subsections (a)(1) and (a)(6), so long as that there has
19 not been a closure of the Tiverton gaming facility for more than thirty (30) consecutive days during
20 such state fiscal year, and, if there has been such a closure, then the Lincoln Minimum, if applicable,
21 shall be prorated per day of such closure and any closure(s) thereafter for that state fiscal year;
22 provided further however, if in any state fiscal year either video lottery games or table games are
23 no longer offered at the Tiverton gaming facility, then the state shall not be obligated to make up
24 the shortfall referenced in this subsection (h)(2); and

25 (3) Net, table-game revenue not otherwise disbursed pursuant to subsections (h)(1) and
26 (h)(2) shall be allocated to UTGR.

27 SECTION 10. Section 44-1-7 of the General Laws in Chapter 44-1 entitled "State Tax
28 Officials" is hereby amended to read as follows:

29 **44-1-7. Interest on delinquent payments.**

30 (a) Whenever the full amount of any state tax or any portion or deficiency, as finally
31 determined by the tax administrator, has not been paid on the date when it is due and payable,
32 whether the time has been extended or not, there shall be added as part of the tax or portion or
33 deficiency interest at the rate as determined in accordance with subsection (b) of this section,
34 notwithstanding any general or specific statute to the contrary.

1 (b) Each January 1 the tax administrator shall compute the rate of interest to be in effect
2 for that calendar year by adding two percent (2%) to the prime rate, which was in effect on October
3 1 of the preceding year. In no event shall the rate of interest exceed twenty-one percent (21%) per
4 annum nor be less than eighteen percent (18%) per annum.

5 (c) "Prime rate" as used in subsection (b) of this section means the predominant prime rate
6 quoted by commercial banks to large businesses as determined by the board of governors of the
7 Federal Reserve System.

8 (d) Notwithstanding any provisions of the general laws to the contrary, the tax
9 administrator shall waive interest and penalty on the taxable portion of each Paycheck Protection
10 Program loan taxed pursuant to § 44-11-11(a)(1)(iv), § 44-14-11, and § 44-30-12(b)(8) of the
11 general laws and forgiven during tax year 2020 provided that the tax on that portion is paid in full
12 on or before March 31, 2022. The tax administrator shall make available suitable forms with
13 instructions for making tax payments on the taxable portion of such forgiven Paycheck Protection
14 Program loans.

15 SECTION 11. Section 44-11-11 of the General Laws in Chapter 44-11 entitled "Net
16 income' defined" is hereby amended to read as follows:

17 **44-11-11. "Net income" defined.**

18 (a)(1) "Net income" means, for any taxable year and for any corporate taxpayer, the taxable
19 income of the taxpayer for that taxable year under the laws of the United States, plus:

20 (i) Any interest not included in the taxable income;

21 (ii) Any specific exemptions;

22 (iii) The tax imposed by this chapter; ~~and minus:~~

23 (iv) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck
24 Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus
25 Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or
26 any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount
27 of the loan forgiven exceeds \$250,000; and minus:

28 ~~(iv)~~(v) Interest on obligations of the United States or its possessions, and other interest
29 exempt from taxation by this state; and

30 ~~(v)~~(vi) The federal net operating loss deduction.

31 (2) All binding federal elections made by or on behalf of the taxpayer applicable either
32 directly or indirectly to the determination of taxable income shall be binding on the taxpayer except
33 where this chapter or its attendant regulations specifically modify or provide otherwise. Rhode
34 Island taxable income shall not include the "gross-up of dividends" required by the federal Internal

1 Revenue Code to be taken into taxable income in connection with the taxpayer's election of the
2 foreign tax credit.

3 (b) A net operating loss deduction shall be allowed, which shall be the same as the net
4 operating loss deduction allowed under 26 U.S.C. § 172, except that:

5 (1) Any net operating loss included in determining the deduction shall be adjusted to reflect
6 the inclusions and exclusions from entire net income required by subsection (a) of this section and
7 § 44-11-11.1;

8 (2) The deduction shall not include any net operating loss sustained during any taxable year
9 in which the taxpayer was not subject to the tax imposed by this chapter; and

10 (3) The deduction shall not exceed the deduction for the taxable year allowable under 26
11 U.S.C. § 172; provided, that the deduction for a taxable year may not be carried back to any other
12 taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the
13 five (5) succeeding taxable years.

14 (c) "Domestic international sales corporations" (referred to as DISCs), for the purposes of
15 this chapter, will be treated as they are under federal income tax law and shall not pay the amount
16 of the tax computed under § 44-11-2(a). Any income to shareholders of DISCs is to be treated in
17 the same manner as it is treated under federal income tax law as it exists on December 31, 1984.

18 (d) A corporation that qualifies as a "foreign sales corporation" (FSC) under the provisions
19 of subchapter N, 26 U.S.C. § 861 et seq., and that has in effect for the entire taxable year a valid
20 election under federal law to be treated as a FSC, shall not pay the amount of the tax computed
21 under § 44-11-2(a). Any income to shareholders of FSCs is to be treated in the same manner as it
22 is treated under federal income tax law as it exists on January 1, 1985.

23 (e) For purposes of a corporation's state tax liability, any deduction to income allowable
24 under 26 U.S.C. § 1400Z-2(c) may be claimed in the case of any investment held by the taxpayer
25 for at least seven years. The division of taxation shall promulgate, in its discretion, rules and
26 regulations relative to the accelerated application of deductions under 26 U.S.C. § 1400Z-2(c).

27 SECTION 12. Section 44-14-11 of the General Laws in Chapter 44-14 entitled "'Gross
28 income' defined" is hereby amended to read as follows:

29 **44-14-11. "Gross income" defined.**

30 "Gross income" includes all gains, profits, and income of the taxpayer from whatever
31 sources derived during the income period; provided, that gains from the sale or other disposition of
32 any property other than securities shall not be included in gross income, and losses from the sale
33 or other disposition of any property other than securities shall not be deducted from gross income.

34 [For taxable year beginning on or after January 1, 2020, gross income includes the amount of any](#)

1 [Paycheck Protection Program loan forgiven for federal income tax purposes as authorized by the](#)
2 [Coronavirus Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act,](#)
3 [2021 and/or any other subsequent federal stimulus relief packages enacted by law, to the extent that](#)
4 [the amount of loan forgiven exceeds \\$250,000.](#)

5 SECTION 13. Section 44-30-12 of the General Laws in Chapter 44-30 entitled "Rhode
6 Island income of a resident individual" is hereby amended to read as follows:

7 **44-30-12. Rhode Island income of a resident individual.**

8 (a) *General.* The Rhode Island income of a resident individual means his or her adjusted
9 gross income for federal income tax purposes, with the modifications specified in this section.

10 (b) *Modifications increasing federal adjusted gross income.* There shall be added to federal
11 adjusted gross income:

12 (1) Interest income on obligations of any state, or its political subdivisions, other than
13 Rhode Island or its political subdivisions;

14 (2) Interest or dividend income on obligations or securities of any authority, commission,
15 or instrumentality of the United States, but not of Rhode Island or its political subdivisions, to the
16 extent exempted by the laws of the United States from federal income tax but not from state income
17 taxes;

18 (3) The modification described in § 44-30-25(g);

19 (4)(i) The amount defined below of a nonqualified withdrawal made from an account in
20 the tuition savings program pursuant to § 16-57-6.1. For purposes of this section, a nonqualified
21 withdrawal is:

22 (A) A transfer or rollover to a qualified tuition program under Section 529 of the Internal
23 Revenue Code, 26 U.S.C. § 529, other than to the tuition savings program referred to in § 16-57-
24 6.1; and

25 (B) A withdrawal or distribution that is:

26 (I) Not applied on a timely basis to pay "qualified higher education expenses" as defined
27 in § 16-57-3(12) of the beneficiary of the account from which the withdrawal is made;

28 (II) Not made for a reason referred to in § 16-57-6.1(e); or

29 (III) Not made in other circumstances for which an exclusion from tax made applicable by
30 Section 529 of the Internal Revenue Code, 26 U.S.C. § 529, pertains if the transfer, rollover,
31 withdrawal, or distribution is made within two (2) taxable years following the taxable year for
32 which a contributions modification pursuant to subsection (c)(4) of this section is taken based on
33 contributions to any tuition savings program account by the person who is the participant of the
34 account at the time of the contribution, whether or not the person is the participant of the account

1 at the time of the transfer, rollover, withdrawal or distribution;

2 (ii) In the event of a nonqualified withdrawal under subsection (b)(4)(i)(A) or (b)(4)(i)(B)
3 of this section, there shall be added to the federal adjusted gross income of that person for the
4 taxable year of the withdrawal an amount equal to the lesser of:

5 (A) The amount equal to the nonqualified withdrawal reduced by the sum of any
6 administrative fee or penalty imposed under the tuition savings program in connection with the
7 nonqualified withdrawal plus the earnings portion thereof, if any, includible in computing the
8 person's federal adjusted gross income for the taxable year; and

9 (B) The amount of the person's contribution modification pursuant to subsection (c)(4) of
10 this section for the person's taxable year of the withdrawal and the two (2) prior taxable years less
11 the amount of any nonqualified withdrawal for the two (2) prior taxable years included in
12 computing the person's Rhode Island income by application of this subsection for those years. Any
13 amount added to federal adjusted gross income pursuant to this subdivision shall constitute Rhode
14 Island income for residents, nonresidents and part-year residents;

15 (5) The modification described in § 44-30-25.1(d)(3)(i);

16 (6) The amount equal to any unemployment compensation received but not included in
17 federal adjusted gross income; ~~and~~

18 (7) The amount equal to the deduction allowed for sales tax paid for a purchase of a
19 qualified motor vehicle as defined by the Internal Revenue Code § 164(a)(6); ~~and~~

20 (8) For any taxable year beginning on or after January 1, 2020, the amount of any Paycheck
21 Protection Program loan forgiven for federal income tax purposes as authorized by the Coronavirus
22 Aid, Relief, and Economic Security Act and/or the Consolidated Appropriations Act, 2021 and/or
23 any other subsequent federal stimulus relief packages enacted by law, to the extent that the amount
24 of the loan forgiven exceeds \$250,000, including an individual's distributive share of the amount
25 of a pass-through entity's loan forgiveness in excess of \$250,000.

26 (c) *Modifications reducing federal adjusted gross income.* There shall be subtracted from
27 federal adjusted gross income:

28 (1) Any interest income on obligations of the United States and its possessions to the extent
29 includible in gross income for federal income tax purposes, and any interest or dividend income on
30 obligations, or securities of any authority, commission, or instrumentality of the United States to
31 the extent includible in gross income for federal income tax purposes but exempt from state income
32 taxes under the laws of the United States; provided, that the amount to be subtracted shall in any
33 case be reduced by any interest on indebtedness incurred or continued to purchase or carry
34 obligations or securities the income of which is exempt from Rhode Island personal income tax, to

1 the extent the interest has been deducted in determining federal adjusted gross income or taxable
2 income;

3 (2) A modification described in § 44-30-25(f) or § 44-30-1.1(c)(1);

4 (3) The amount of any withdrawal or distribution from the "tuition savings program"
5 referred to in § 16-57-6.1 that is included in federal adjusted gross income, other than a withdrawal
6 or distribution or portion of a withdrawal or distribution that is a nonqualified withdrawal;

7 (4) Contributions made to an account under the tuition savings program, including the
8 "contributions carryover" pursuant to subsection (c)(4)(iv) of this section, if any, subject to the
9 following limitations, restrictions and qualifications:

10 (i) The aggregate subtraction pursuant to this subdivision for any taxable year of the
11 taxpayer shall not exceed five hundred dollars (\$500) or one thousand dollars (\$1,000) if a joint
12 return;

13 (ii) The following shall not be considered contributions:

14 (A) Contributions made by any person to an account who is not a participant of the account
15 at the time the contribution is made;

16 (B) Transfers or rollovers to an account from any other tuition savings program account or
17 from any other "qualified tuition program" under section 529 of the Internal Revenue Code, 26
18 U.S.C. § 529; or

19 (C) A change of the beneficiary of the account;

20 (iii) The subtraction pursuant to this subdivision shall not reduce the taxpayer's federal
21 adjusted gross income to less than zero (0);

22 (iv) The contributions carryover to a taxable year for purpose of this subdivision is the
23 excess, if any, of the total amount of contributions actually made by the taxpayer to the tuition
24 savings program for all preceding taxable years for which this subsection is effective over the sum
25 of:

26 (A) The total of the subtractions under this subdivision allowable to the taxpayer for all
27 such preceding taxable years; and

28 (B) That part of any remaining contribution carryover at the end of the taxable year which
29 exceeds the amount of any nonqualified withdrawals during the year and the prior two (2) taxable
30 years not included in the addition provided for in this subdivision for those years. Any such part
31 shall be disregarded in computing the contributions carryover for any subsequent taxable year;

32 (v) For any taxable year for which a contributions carryover is applicable, the taxpayer
33 shall include a computation of the carryover with the taxpayer's Rhode Island personal income tax
34 return for that year, and if for any taxable year on which the carryover is based the taxpayer filed a

1 joint Rhode Island personal income tax return but filed a return on a basis other than jointly for a
2 subsequent taxable year, the computation shall reflect how the carryover is being allocated between
3 the prior joint filers;

4 (5) The modification described in § 44-30-25.1(d)(1);

5 (6) Amounts deemed taxable income to the taxpayer due to payment or provision of
6 insurance benefits to a dependent, including a domestic partner pursuant to chapter 12 of title 36 or
7 other coverage plan;

8 (7) *Modification for organ transplantation.*

9 (i) An individual may subtract up to ten thousand dollars (\$10,000) from federal adjusted
10 gross income if he or she, while living, donates one or more of his or her human organs to another
11 human being for human organ transplantation, except that for purposes of this subsection, "human
12 organ" means all or part of a liver, pancreas, kidney, intestine, lung, or bone marrow. A subtract
13 modification that is claimed hereunder may be claimed in the taxable year in which the human
14 organ transplantation occurs.

15 (ii) An individual may claim that subtract modification hereunder only once, and the
16 subtract modification may be claimed for only the following unreimbursed expenses that are
17 incurred by the claimant and related to the claimant's organ donation:

18 (A) Travel expenses.

19 (B) Lodging expenses.

20 (C) Lost wages.

21 (iii) The subtract modification hereunder may not be claimed by a part-time resident or a
22 nonresident of this state;

23 (8) *Modification for taxable Social Security income.*

24 (i) For tax years beginning on or after January 1, 2016:

25 (A) For a person who has attained the age used for calculating full or unreduced social
26 security retirement benefits who files a return as an unmarried individual, head of household, or
27 married filing separate whose federal adjusted gross income for the taxable year is less than eighty
28 thousand dollars (\$80,000); or

29 (B) A married individual filing jointly or individual filing qualifying widow(er) who has
30 attained the age used for calculating full or unreduced social security retirement benefits whose
31 joint federal adjusted gross income for the taxable year is less than one hundred thousand dollars
32 (\$100,000), an amount equal to the social security benefits includable in federal adjusted gross
33 income.

34 (ii) Adjustment for inflation. The dollar amount contained in subsections (c)(8)(i)(A) and

1 (c)(8)(i)(B) of this section shall be increased annually by an amount equal to:

2 (A) Such dollar amount contained in subsections (c)(8)(i)(A) and (c)(8)(i)(B) of this section
3 adjusted for inflation using a base tax year of 2000, multiplied by;

4 (B) The cost-of-living adjustment with a base year of 2000.

5 (iii) For the purposes of this section the cost-of-living adjustment for any calendar year is
6 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds
7 the consumer price index for the base year. The consumer price index for any calendar year is the
8 average of the consumer price index as of the close of the twelve-month (12) period ending on
9 August 31, of such calendar year.

10 (iv) For the purpose of this section the term "consumer price index" means the last
11 consumer price index for all urban consumers published by the department of labor. For the purpose
12 of this section the revision of the consumer price index which is most consistent with the consumer
13 price index for calendar year 1986 shall be used.

14 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),
15 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a
16 married individual filing separate return, if any increase determined under this section is not a
17 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple
18 of twenty-five dollars (\$25.00);

19 (9) Modification for up to fifteen thousand dollars (\$15,000) of taxable retirement income
20 from certain pension plans or annuities.

21 (i) For tax years beginning on or after January 1, 2017, a modification shall be allowed for
22 up to fifteen thousand dollars (\$15,000) of taxable pension and/or annuity income that is included
23 in federal adjusted gross income for the taxable year:

24 (A) For a person who has attained the age used for calculating full or unreduced social
25 security retirement benefits who files a return as an unmarried individual, head of household, or
26 married filing separate whose federal adjusted gross income for such taxable year is less than the
27 amount used for the modification contained in subsection (c)(8)(i)(A) of this section an amount not
28 to exceed \$15,000 of taxable pension and/or annuity income includable in federal adjusted gross
29 income; or

30 (B) For a married individual filing jointly or individual filing qualifying widow(er) who
31 has attained the age used for calculating full or unreduced social security retirement benefits whose
32 joint federal adjusted gross income for such taxable year is less than the amount used for the
33 modification contained in subsection (c)(8)(i)(B) of this section an amount not to exceed \$15,000
34 of taxable pension and/or annuity income includable in federal adjusted gross income.

1 (ii) Adjustment for inflation. The dollar amount contained by reference in subsections
2 (c)(9)(i)(A) and (c)(9)(i)(B) of this section shall be increased annually for tax years beginning on
3 or after January 1, 2018 by an amount equal to:

4 (A) Such dollar amount contained by reference in subsections (c)(9)(i)(A) and (c)(9)(i)(B)
5 of this section adjusted for inflation using a base tax year of 2000, multiplied by;

6 (B) The cost-of-living adjustment with a base year of 2000.

7 (iii) For the purposes of this section, the cost-of-living adjustment for any calendar year is
8 the percentage (if any) by which the consumer price index for the preceding calendar year exceeds
9 the consumer price index for the base year. The consumer price index for any calendar year is the
10 average of the consumer price index as of the close of the twelve-month (12) period ending on
11 August 31, of such calendar year.

12 (iv) For the purpose of this section, the term "consumer price index" means the last
13 consumer price index for all urban consumers published by the department of labor. For the purpose
14 of this section, the revision of the consumer price index which is most consistent with the consumer
15 price index for calendar year 1986 shall be used.

16 (v) If any increase determined under this section is not a multiple of fifty dollars (\$50.00),
17 such increase shall be rounded to the next lower multiple of fifty dollars (\$50.00). In the case of a
18 married individual filing a separate return, if any increase determined under this section is not a
19 multiple of twenty-five dollars (\$25.00), such increase shall be rounded to the next lower multiple
20 of twenty-five dollars (\$25.00); and

21 (10) *Modification for Rhode Island investment in opportunity zones.* For purposes of a
22 taxpayer's state tax liability, in the case of any investment in a Rhode Island opportunity zone by
23 the taxpayer for at least seven (7) years, a modification to income shall be allowed for the
24 incremental difference between the benefit allowed under 26 U.S.C. § 1400Z-2(b)(2)(B)(iv) and
25 the federal benefit allowed under 26 U.S.C. § 1400Z-2(c).

26 (d) *Modification for Rhode Island fiduciary adjustment.* There shall be added to, or
27 subtracted from, federal adjusted gross income (as the case may be) the taxpayer's share, as
28 beneficiary of an estate or trust, of the Rhode Island fiduciary adjustment determined under § 44-
29 30-17.

30 (e) *Partners.* The amounts of modifications required to be made under this section by a
31 partner, which relate to items of income or deduction of a partnership, shall be determined under §
32 44-30-15.

33 SECTION 14. Sections 1 through 8 of this article shall take effect July 1, 2021. Sections 9
34 through 13 of this article shall take effect upon passage.

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ARTICLE 7 AS AMENDED

RELATING TO THE ENVIRONMENT

SECTION 1. Section 2-7-4 of the General Laws in Chapter 2-7 entitled "Commercial Fertilizer" is hereby amended to read as follows:

2-7-4. Registration.

(a) Each brand and grade of commercial fertilizer shall be registered by the manufacturer or by that person whose name appears upon the label before being distributed in this state. The application for registration shall be submitted to the director on a form furnished by the director, and shall be accompanied by a fee of ~~seventy two dollars (\$72.00)~~ one hundred dollars (\$100) per brand or grade registered.

- (1) All revenues received from registration fees shall be deposited as general revenues.
- (2) All applications for registration shall be accompanied by a label or true copy of the label.
- (3) Upon approval by the director, a copy of the registration shall be furnished to the applicant.
- (4) All registrations expire on December 31st of each year.
- (5) The application includes the following information:
 - (i) The brand and grade;
 - (ii) The guaranteed analysis;
 - (iii) The name and address of the registrant.

(b) A distributor is not required to register any commercial fertilizer which is already registered under this chapter by another person, providing the label does not differ in any respect.

(c) A distributor is not required to register each grade of commercial fertilizer formulated according to specifications which are furnished by a consumer prior to mixing.

(d) The plant nutrient content of each and every brand and grade of commercial fertilizer must remain uniform for the period of registration.

SECTION 2. Sections 20-2-15, 20-2-16, 20-2-17, 20-2-18, 20-2-18.1, 20-2-18.3, 20-2-30, 20-2-37 and 20-2-42 of the General Laws in Chapter 20-2 entitled "Licensing" are hereby amended to read as follows:

20-2-15. Freshwater fishing license.

1 (a)(1) Resident: ~~eighteen dollars (\$18.00)~~; twenty-one dollars (\$21.00); commencing July
2 1, 2025, twenty-four dollars (\$24.00); commencing July 1, 2028, twenty-seven dollars (\$27.00).

3 (2) Nonresident: ~~thirty-five dollars (\$35.00)~~; thirty-eight dollars (\$38.00); commencing
4 July 1, 2025, forty-one dollars (\$41.00); commencing July 1, 2028, forty-four dollars (\$44.00).

5 (3) Nonresident tourist: ~~sixteen dollars (\$16.00)~~; eighteen dollars (\$18.00); commencing
6 July 1, 2025, twenty dollars (\$20.00); commencing July 1, 2028, twenty-two dollars (\$22.00). This
7 license shall entitle the licensee to fish in Rhode Island for three (3) consecutive days including the
8 day of issue.

9 (b) Freshwater fishing licenses shall expire on the last day of February of each year.

10 **20-2-16. Hunting License.**

11 (a)(1) Resident: ~~eighteen dollars (\$18.00)~~; twenty-one dollars (\$21.00); commencing July
12 1, 2025, twenty-four dollars (\$24.00); commencing July 1, 2028, twenty-seven dollars (\$27.00).

13 (2) Nonresident: ~~forty-five dollars (\$45.00)~~; fifty-five dollars (\$55.00); commencing July
14 1, 2025, sixty-five dollars (\$65.00); commencing July 1, 2028, seventy-five dollars (\$75.00).

15 (3) Nonresident landowner: a nonresident citizen of the United States and owner of real
16 estate in Rhode Island assessed for taxation at a valuation of not less than thirty thousand dollars
17 (\$30,000) may obtain a resident's hunting license.

18 (4) Shooting preserve: three dollars and fifty cents (\$3.50).

19 (5) Nonresident three (3) day: ~~sixteen dollars (\$16.00)~~; twenty dollars (\$20.00). This license
20 shall entitle the licensee to hunt in Rhode Island for three (3) consecutive days as validated by the
21 issuing agent.

22 (6) Resident junior hunting license: fourteen dollars (\$14.00).

23 (7) Nonresident junior hunting license: forty dollars (\$40.00).

24 (b) Hunting licenses shall expire on the last day of February of each year.

25 **20-2-17. Combination fishing and hunting license.**

26 The director may grant to any eligible resident applying for a combination hunting and
27 fishing license a license that shall entitle the licensee to the privileges of both hunting and fishing
28 licenses, for a fee of ~~thirty-three dollars (\$33.00)~~; thirty-eight dollars (\$38.00); commencing July 1,
29 2025, forty-three dollars (\$43.00); commencing July 1, 2028, forty-eight dollars (\$48.00). The
30 license shall expire on the last day of February of each year.

31 **20-2-18. Deer Permits.**

32 (a)(1) Resident: ~~twelve dollars and fifty cents (\$12.50)~~; thirteen dollars (\$13.00);
33 commencing July 1, 2025, fourteen dollars (\$14.00); commencing July 1, 2028, fifteen dollars
34 (\$15.00).

1 (2) Nonresident: ~~twenty-five~~ twenty-six dollars and fifty cents (~~\$25.50~~\$26.50);
2 commencing July 1, 2025, twenty-seven dollars and fifty cents (\$27.50); commencing July 1, 2028,
3 twenty-eight dollars and fifty cents (\$28.50).

4 (b) A deer permit is good only for the season in which it is issued.

5 **20-2-18.1. Wild turkey permits.**

6 (a) No person shall attempt to take any wild turkey without first obtaining a regular hunting
7 license and a turkey permit for the current year. Permits shall be sold at the direction of the director
8 for a fee of ~~seven dollars and fifty cents~~ eight dollars (~~\$7.50~~\$8.00) for residents and ~~twenty-one~~
9 ~~dollars and fifty cents~~ (~~\$20.00~~\$21.50) for nonresidents. Commencing July 1, 2025, permits shall
10 be sold for a fee of nine dollars (\$9.00) for residents and twenty-three dollars (\$23.00) for
11 nonresidents. Commencing July 1, 2028, permits shall be sold for a fee of ten dollars and fifty cents
12 (\$10.50) for residents and twenty-four dollars and fifty cents (\$24.50) for nonresidents. The issuing
13 agent may retain a fee of fifty cents (\$.50) for each permit and shall remit ~~seven dollars (\$7.00) for~~
14 ~~resident permits and nineteen dollars and fifty cents (\$19.50) for nonresident permits~~ the remainder
15 to the department.

16 (b) A wild turkey permit shall be good only for the season in which it is issued.

17 (c) All monies derived by the department from the sale of wild turkey permits shall be
18 expended for turkey habitat acquisition in Rhode Island and wild turkey restoration management
19 and research.

20 **20-2-18.3. Stocked game bird permit fees and bag limits.**

21 Permits shall be sold at the direction of the director for a fee of ~~fifteen~~ seventeen dollars
22 ~~and fifty cents~~ (~~\$15.50~~ \$17.00). Commencing July 1, 2025, the fee for a permit shall be eighteen
23 dollars and fifty cents (\$18.50). Commencing July 1, 2028, the fee for a permit shall be twenty-one
24 dollars (\$21.00). The issuing agent will retain a fee of fifty cents (\$.50) for each permit and shall
25 remit ~~fifteen dollars (\$15.00)~~ the remainder to the department. The permit will allow the person to
26 harvest a daily bag and season limit as described in regulations promulgated by the director. All
27 monies derived by the department from the sale of stocked game bird permits shall be expended
28 for stocking game birds and wildlife habitat acquisition in Rhode Island.

29 **20-2-30. Fur trapping and licenses.**

30 (a)(1) Fur trapper – Resident: ~~ten~~ fifteen dollars (~~\$10.00~~\$15.00); commencing July 1, 2025,
31 twenty dollars (\$20.00); commencing July 1, 2028, twenty-five dollars (\$25.00).

32 (2) Fur trapper – Nonresident: ~~thirty~~ fifty dollars (~~\$30.00~~\$50.00); commencing July 1,
33 2025, seventy-five dollars (\$75.00); commencing July 1, 2028, one hundred dollars (\$100.00).

34 (b) Fur trapper and fur licenses expire on the last day of March of each year.

1 **20-2-37. Waterfowl stamp fees.**

2 (a) Stamps shall be sold at the direction of the director for a fee of ~~seven~~ eight dollars ~~and~~
3 ~~fifty cents~~ (~~\$7.50~~\$8.00). Commencing July 1, 2025, the fee for a stamp shall be nine dollars (\$9.00).
4 Commencing July 1, 2028, the fee for a stamp shall be ten dollars (\$10.00). The issuing agent may
5 retain a fee of fifty cents (\$.50) for each stamp and shall remit ~~seven dollars (\$7.00)~~ the remainder
6 of each fee to the department. The director shall establish a uniform sale price for all categories of
7 by-products.

8 (b) [Deleted by P.L. 2002, ch. 65, art. 13, § 16.]

9 **20-2-42. Trout conservation stamp fee.**

10 Stamps shall be sold at the direction of the director for a fee of five dollars and fifty cents
11 (\$5.50). Commencing July 1, 2025, the fee for a stamp shall be six dollars (\$6.00). Commencing
12 July 1, 2028, the fee for a stamp shall be six dollars and fifty cents (\$6.50). The issuing agent may
13 retain a fee of fifty cents (\$.50) for each stamp sold and shall remit ~~five dollars (\$5.00)~~ the
14 remainder of each fee to the department. The director shall establish uniform sale prices for all
15 categories of by-products.

16 SECTION 3. Section 20-2-27.1 of the General Laws in Chapter 20-2 entitled "Licensing"
17 is hereby amended to read as follows:

18 **20-2-27.1. Rhode Island party and charter boat vessel license Rhode Island party and**
19 **charter vessel license.**

20 (a) All party and charter ~~boats~~ vessels carrying recreational passengers to take or attempt
21 to take marine ~~fish~~ species upon the navigable state and coastal waters of Rhode Island shall be
22 required to obtain a Rhode Island party and charter ~~boat~~ vessel license. ~~The licenses shall be issued~~
23 ~~by the department on a biennial basis for a fee of twenty five dollars (\$25) per vessel. The annual~~
24 ~~fee shall be one hundred dollars (\$100) for a resident of Rhode Island and shall be three hundred~~
25 ~~dollars (\$300) for a non-resident.~~ All licensed party and charter ~~boats~~ vessels shall be required to
26 display a party and charter ~~boat~~ vessel decal provided by the department. To obtain a license, the
27 owner of a qualified vessel must submit:

28 (1) A current copy of the operator's United States Coast Guard license to carry passengers
29 for hire;

30 (2) A current copy of the vessel's "Certificate of Documentation" certifying that the vessel
31 is documented "Coastwise", or if the vessel is under five (5) net tons, a copy of the vessel's state
32 registration;

33 (3) Proof that the operator and crew are currently enrolled in a random drug testing program
34 that complies with the federal government's 46 C.F.R. § 16.101 et seq. "Drug Testing Program"

1 regulations; and

2 (4) A signed license application form certifying that the vessel is and will be operated in
3 compliance with all state and federal safety regulations for the vessel.

4 (b) Rhode Island party and charter ~~boat~~ vessel licenses shall expire on the last day of
5 ~~February~~ December every ~~other~~ year, ~~with the first expiration date being in February 2001.~~

6 SECTION 4. Sections 20-2.1-3, 20-2.1-4, 20-2.1-7 and 20-2.1-8 of the General Laws in
7 Chapter 20-2.1 entitled "Commercial Fishing Licenses" are hereby amended to read as follows:

8 **20-2.1-3. Definitions.**

9 For the purposes of this chapter the following terms shall mean:

10 ~~(1) "Basic harvest and gear levels" means fishery specific harvest and/or gear levels,~~
11 ~~established and regularly updated by the department by rule, that, in a manner consistent with the~~
12 ~~state or federally sanctioned management plans or programs that may be in effect, and to the extent~~
13 ~~possible given those plans and programs, provide a maximum level of participation for commercial~~
14 ~~fishing license holders in accordance with applicable endorsements.~~

15 (1) "Activity Standard" means a level of fishing participation used to establish criteria for
16 the issuance of new licenses.

17 (2) "Commercial fisherman" means a natural person licensed to ~~who~~ catches, harvests, or
18 takes ~~finfish, crustaceans, or shellfish~~ marine species from the marine waters for sale.

19 (3) "Council" means the marine fisheries council established by chapter 3 of this title.

20 (4) "Crustaceans" means lobsters, crabs, shrimp, and for purposes of this chapter it also
21 includes horseshoe crabs.

22 (5) "Director" means the director of the department of environmental management.

23 ~~(6) "Endorsement" means the designation of a fishery in which a license holder may~~
24 ~~participate at either basic or full harvest and gear levels. Endorsement categories and levels shall~~
25 ~~be established annually by the department by rule, based on the status of the various fisheries, the~~
26 ~~levels of participation of existing license holders, and the provisions of applicable management~~
27 ~~plans or programs. At a minimum, endorsement categories and endorsement opportunities shall~~
28 ~~include, but may not be limited to: non-lobster crustacean; lobster; non-quahaug shellfish; quahaug;~~
29 ~~non-restricted finfish; and restricted finfish. Endorsements, when available, shall be issued in~~
30 ~~accordance with applicable qualifying criteria.~~

31 ~~(7) "February 28" means the twenty-eighth (28th) day in the month of February or the next~~
32 ~~business day if February 28 falls on a Saturday or Sunday for the purpose of application submittals~~
33 ~~and renewal deadlines.~~

34 (6) "Family member" means a spouse, mother, father, brother, sister, child, or grandchild

1 of the holder or transferor of a commercial fishing license.

2 (87) "Finfish" means cold-blooded aquatic vertebrates with fins, including fish, sharks,
3 rays, skates, and eels and also includes, for the purposes of this chapter, squid.

4 (98) "Fisheries sectors" means and comprises crustaceans, finfish, shellfish, as defined in
5 this section, each of which shall singularly be considered a fishery sector.

6 ~~(10) "Full harvest and gear levels" means fishery specific harvest and/or gear levels,
7 established and regularly updated by the department by rule, that, in a manner consistent with the
8 state or federally sanctioned management plans or programs that may be in effect, and to the extent
9 possible given those plans and programs, provide a maximum level of participation for principal
10 effort license holders in accordance with applicable endorsements and for all multi-purpose license
11 holders.~~

12 (9) "Fishery Endorsement" means the authorization for a license holder to participate in a
13 designated fishery sector at a limited or unlimited level.

14 ~~(11) "Grace period" means sixty (60) calendar days commencing the last day of February
15 28, as defined herein, and shall only apply to renewals of licenses from the immediately preceding
16 year; provided, that for calendar year 2004 the grace period shall be ninety (90) calendar days
17 commencing February 29, 2004.~~

18 ~~(12) "Medical hardship" means a significant medical condition that prevents a license
19 applicant from meeting the application requirements renders an active licensed person unable to
20 fish for a period in excess of fourteen (14) days, either as a result of the physical loss of function
21 or impairment of a body part or parts, or debilitating pain. Demonstration of the medical hardship
22 shall be in the form of a diagnosis and prognosis signed by a medical doctor (M.D. or O.D.).~~

23 (12) "Medical Incapacity" means death or injury that renders an active license holder
24 permanently unable to actively fish. Demonstration of medical incapacity shall be in the form of a
25 death certificate, or a diagnosis and prognosis signed by a medical doctor (M.D. or O.D.).

26 (13) "Other Endorsement" means the authorization for a license holder or vessel to
27 participate in a designated activity.

28 (134) "Shellfish" means quahogs, clams, mussels, scallops, oysters, conches, and mollusks
29 in general other than squid.

30 (145) "Student commercial fisherman" means a resident twenty-three (23) years of age or
31 younger, licensed pursuant to this chapter, who is a full-time student.

32 ~~20-2.1-4. Licenses -- General provisions governing licenses issued~~ **General provisions**
33 **governing licenses issued.**

34 (a) ~~Licenses and vessel declarations required~~ Applicability. It shall be unlawful for any

1 person in Rhode Island or the waters of the state: (1) To ~~take, catch,~~ harvest, possess, or to hold, or
2 transport for sale in Rhode Island any marine ~~finfish, crustacean, or shellfish~~ species without a
3 license issued under the provisions of this title, provided, however, that marine ~~finfish, crustaceans,~~
4 ~~or shellfish~~ species may be transported by a duly licensed dealer if the marine ~~finfish, crustaceans,~~
5 ~~or shellfish~~ species have previously been sold by a duly licensed person; or (2) To engage in
6 commercial fishing from a vessel unless the vessel has been declared a commercial fishing vessel
7 as provided in § 20-2.1-5(~~23~~) and has a decal affixed to it or is displaying a plate.

8 (b) *Validation of license.* No license issued under this chapter shall be valid until signed by
9 the licensee in his or her own handwriting.

10 (c) *Transfer or loan of license.* Unless otherwise provided for in this title, a license issued
11 to a person under this chapter shall be good only for the person to whom it is issued and any transfer
12 or loan of the license shall be grounds for revocation or suspension of that license pursuant to § 20-
13 2-13.

14 (d) *Reporting and inspections condition of license.* All persons granted a license under the
15 provisions of this chapter are deemed to have consented to the reporting requirements applicable
16 to commercial fishing actively that are established pursuant to this title and to the reasonable
17 inspection of any ~~boat,~~ vessel, net, rake, bullrake, tong, dredge, trap, pot, vehicle, structure, or other
18 contrivance used regularly for the keeping or storage of ~~fish, shellfish or crustaceans~~ marine
19 species, and any creel, box, locker, basket, crate, blind, fishing, or paraphernalia used in
20 conjunction with the licensed activity by persons duly authorized by the director. The provisions
21 of § 20-1-8(a)(7)(ii) shall apply to these inspections.

22 (e) *Possession, inspection, and display of license.* Every person holding a license issued
23 under this chapter shall have that license in his or her possession at all times while engaged in the
24 licensed activity and shall present the license for inspection on demand by any authorized person.
25 Any person who shall refuse to present a license on demand shall be liable to the same punishment
26 as if that person were fishing without a license.

27 (f) *Application for license.* Every person entitled to a license under this chapter shall file
28 an application with the director, or the director's authorized agent, properly sworn to, stating the
29 name, age, occupation, place of residence, mailing address, weight, height, and color of hair and
30 eyes of the applicant for whom the license is wanted and providing any other information that may
31 be required pursuant to rule in order to effectuate the purposes of this chapter, and pay the fees as
32 provided in this chapter. All licenses issued under this chapter shall be valid only for the calendar
33 year of issuance, unless otherwise specified in this chapter or in the rules and regulations adopted
34 pursuant to this chapter. If the person will be either the owner or the operator as provided in § 20-

1 2.1-5(~~57~~) of a commercial fishing vessel, the person shall declare, on the application for each
2 commercial fishing vessel, the vessel name, length, horsepower, state registration number or coast
3 guard documentation number, federal permit number, ~~if any, gear type(s), the principal fishery or~~
4 ~~fisheries~~, and average projected crew size.

5 (g) *Application deadline, grace period for renewals, and limitation on appeals after the*
6 *deadlines.* For commercial marine fishing licenses provided for in §§ 20-2.1-5 and 20-2.1-6, the
7 following provisions shall apply:

8 (1) Unless otherwise specified in this chapter, an individual qualified to obtain a license
9 must submit an application to the department of environmental management no later than the last
10 day of February ~~28 of each year~~; license application shall be deemed valid if submitted to the
11 department prior to the close of regular office hours on the last day of February ~~28~~ or if postmarked
12 by the last day of February ~~28~~;

13 (2) Unless otherwise specified in this title, no new or renewed licenses shall be issued after
14 the last day of February ~~28~~ of each year, unless an applicant has submitted an application by the
15 ~~February 28~~ deadline required by this section;

16 (3) The department shall notify all license holders, in writing, regarding the December 31
17 expiration and the ~~February 28~~ renewal deadline no later than November 1 of each year;

18 (4) For renewals of existing commercial marine fishing licenses that expire on December
19 31 of the immediately preceding year, there shall be a sixty-day (60) grace period from the renewal
20 deadline ~~of February 28~~; licenses issued during the grace period shall be subject to a late fee in the
21 amount of two-hundred dollars (\$200) in addition to all other applicable fees;

22 (5) Except as provided for in subsection (g)(4) of this section or § 20-2.1-5(1)(~~iviii~~)(A), the
23 department shall not accept any applications submitted after the last day of February ~~28~~; and

24 (6) There shall be no right to request ~~reconsideration by the commercial fishing license~~
25 ~~review board or an~~ appeal to the department of environmental management's administrative
26 adjudication division (AAD) for the rejection of any new license applications submitted after the
27 last day of February ~~28~~, or any license renewal applications submitted after the sixty (60) day grace
28 period; ~~except i~~n the case of a documented ~~medical hardship as defined herein~~ medical condition
29 that prevents a license applicant from meeting the application requirements, the license applicant
30 has no more than one year after the expiration of a license to appeal to AAD. Demonstration of
31 such medical condition shall be in the form of a diagnosis and prognosis signed by a medical doctor
32 (M.D. or O.D.).

33 (h) *Lost or destroyed licenses and duplicate licenses.* Whoever loses, or by a mistake or
34 accident destroys his or her certificate of a commercial marine fisheries license, may, upon

1 application to the department accompanied by an affidavit fully setting forth the circumstances of
2 the loss, receive a duplicate certificate license for the remainder of the year covered by the original
3 certificate, for a fee of ten dollars (\$10.00) for each duplicate license.

4 *(i) Revocation of licenses.*

5 *(1) License revocation.* The license of any person who has violated the provisions of this
6 chapter, or rules adopted pursuant to the provisions of this chapter, or rules and regulations that
7 pertain to commercial fishing and reporting issued pursuant to this title, may be suspended or
8 revoked by the director as the director shall determine by regulation. Any person aggrieved by an
9 order of suspension or revocation may appeal this order in accordance with the provisions of the
10 administrative procedures act, chapter 35 of title 42.

11 *(2) False statements and violations; cancellation of license.* Any person who willfully
12 makes a false representation as to birthplace or requirements of identification or of other facts
13 required in an application for license under this chapter, or is otherwise directly or indirectly a party
14 to a false representation, shall be punished by a fine of not more than fifty dollars (\$50.00). A
15 license obtained by any person through a false representation shall be null and void, and the license
16 shall be surrendered immediately to the director. No license shall be issued under this title to this
17 person for a period of one year from the date of imposition of a penalty under this section.

18 *(3) False, altered, forged, or counterfeit licenses.* Every person who falsely makes, alters,
19 forges, or counterfeits, or who causes to be made, altered, forged, or counterfeited, a license issued
20 under this chapter or title or purporting to be a license issued under this chapter or title, or who
21 shall have in his or her possession such a license knowing it to be false, altered, forged, or
22 counterfeit, is guilty of a misdemeanor and is subject to the penalties prescribed in § 20-1-16.

23 *(j) Expiration.* Unless otherwise specified in this title, all licenses issued under this chapter
24 shall be annual and shall expire on December 31 of each year. It shall be unlawful for any person
25 to fish commercially in Rhode Island waters on an expired license; and the application and grace
26 periods set forth in subsections (g)(1) and (g)(4) above shall not extend the validity of any expired
27 license.

28 *(k) Notice of change of address.* Whenever any person holding any commercial fishing
29 license shall move from the address named in his or her last application, that person shall, within
30 ten (10) days subsequent to moving, notify the office of boat registration and licensing of his or her
31 former and current address.

32 **20-2.1-7. Landing permits and fees.**

33 ~~Landing permits shall be issued as provided for in chapter 4 of this title. In addition, a non-~~
34 ~~resident must obtain a landing permit, for a fee of two hundred dollars (\$200), to off load or land~~

1 ~~species harvested outside Rhode Island waters. The landing permit shall be valid for the calendar~~
2 ~~year in which it was issued. The department shall adopt any rules and procedures that may be~~
3 ~~necessary for the timely issuance of landing permits in order to facilitate the off-loading and sale~~
4 ~~of non-quota species harvested outside state waters.~~

5 (a) All residents or non-residents, with the exception of persons or vessels with qualifying
6 Rhode Island fishing licenses, who have charge of a vessel carrying seafood products legally
7 harvested outside Rhode Island waters shall obtain a permit to land, sell or offer for sale seafood
8 products in Rhode Island. The permit shall be issued by the department upon proof that the
9 applicant holds a valid state or federal commercial fishing license.

10 (1) Resident landing permit: for the landing, sale or offering for sale of marine species
11 (including process product), caught by any means; the fee shall be three hundred dollars (\$300).

12 (2) Non-resident landing permit: for the landing, sale or offering for sale of marine species
13 (including process product), caught by any means, excluding restricted species as defined by rule.
14 The fee shall be six hundred dollars (\$600).

15 (3) Non-resident exempted landing permits.

16 (i) A new landing permit shall not be issued to any non-resident to off-load, land, offer for
17 sale, or sell any restricted marine species, the definition of which shall be established by the
18 department by rule and shall take into account species for which a quota has been allocated to the
19 state of Rhode Island by the Atlantic States Marine Fisheries Council or the National Marine
20 Fisheries service, unless:

21 (A) the landing shall be counted against the quota of the state where the vessel making the
22 landing is registered or documented; or

23 (B) the state where the vessel making the landing is registered or documented issues new
24 landing permits to Rhode Island residents to land against that state's quota for the same species. For
25 purposes of this section, the renewal of any non-resident landing permit shall be considered a new
26 non-resident landing permit unless the applicant can show, to the satisfaction of the director,
27 historic participation in the fishery and landings of the species; and any change or upgrade of a
28 vessel twenty percent (20%) or greater in length, displacement, or horsepower above the named
29 vessel shall be considered a new landing permit. Issuance of a landing permit shall not be deemed
30 to create a property right that can be sold, transferred, or encumbered; landing permits shall be
31 surrendered to the state upon their non-renewal or forfeiture, and the acquisition of a named vessel
32 by a non-resident who does not already have a landing permit shall not entitle the non-resident to
33 a landing permit unless a new landing permit can be issued as allowed in this section.

34 (4) Fee: The fee shall be six hundred dollars (\$600).

1 (b) Landing permits shall be valid for the calendar year in which they are issued.

2 (c) The department shall adopt any rules and procedures that may be necessary for the
3 timely issuance of these permits in order to facilitate the off-loading and sale of seafood products,
4 except restricted finfish, harvested outside Rhode Island waters.

5 (d) Notwithstanding the provisions of this section, a commercial vessel with seafood
6 products on board may, without a landing permit, enter Rhode Island waters and be secured to a
7 shoreside facility for purposes other than landing, selling, or offering for sale the seafood products
8 on board if the person having charge of the vessel obtains permission from the department's division
9 of law enforcement prior to securing the vessel to the shoreside facility.

10 **20-2.1-8. Dealers' licenses and fees.**

11 ~~In accordance with §§ 20-4-1.1, 20-6-24, and 20-7-5.1, the following dealers' licenses shall~~
12 ~~be issued by the department:~~

13 (a) No person, partnership, firm, association, or corporation shall barter or trade in marine
14 species taken by persons licensed under this chapter unless a license so to do has been obtained
15 from the director of environmental management.

16 (b) Any licensee operating under the provisions of this section shall purchase marine
17 species from licensed persons only and shall purchase or possess only those lobsters legally taken
18 or possessed.

19 (c) The director shall issue and enforce rules and regulations and orders governing bartering
20 and trading in marine species by licensed persons of marine species and licensed dealers, and other
21 persons, partnerships, firms, associations, or corporations.

22 (d) License types and fees:

23 (1) Multi-purpose ~~Rhode Island~~ dealer's license. This license shall allow the ~~holder~~ dealer
24 to ~~deal~~ purchase or sell all marine products in the state of Rhode Island. The license shall be valid
25 for the calendar year in which it is issued. The ~~cost of the license fee~~ shall be ~~three hundred four~~
26 hundred and fifty dollars (~~\$300~~ 450).

27 (2) Finfish dealer's license. This license shall allow the ~~holder~~ dealer to ~~deal~~ purchase or
28 sell all finfish products in the state of Rhode Island. The license shall be valid for the calendar year
29 in which it is issued. The ~~cost of the license fee~~ shall be ~~two hundred~~ three hundred dollars (~~\$200~~
30 300).

31 (3) Shellfish dealer's license. This license shall allow the ~~holder~~ dealer to ~~deal~~ purchase or
32 sell all shellfish products in the state of Rhode Island. The license shall be valid for the calendar
33 year in which it is issued. The ~~cost of the license fee~~ shall be ~~two hundred~~ three hundred dollars
34 (~~\$200~~ 300).

1 (4) Crustacean dealer license. This license shall allow the dealer to purchase all crustacean
2 products in the state of Rhode Island. The license shall be valid for the calendar year in which it is
3 issued. The fee shall be three hundred dollars (\$300).

4 (e) Seafood dealers license – suspension or revocation. The director may suspend, revoke,
5 or deny the license of a seafood dealer or fisher of marine species for the violation of any provision
6 of this title or the rules, regulations, or orders adopted or issued pursuant to this title.

7 (f) Any person aggrieved by the decisions of the director may appeal the decision pursuant
8 to the provisions of the Administrative Procedures Act, chapter 35 of title 42.

9 (g) The director is authorized to enter and inspect the business premises, appurtenant
10 structures, vehicles, or vessels of any seafood dealer and to inspect the records maintained by a
11 seafood dealer for the purpose of determining compliance with the provisions of this section and
12 any rules, regulations, or orders issued under this section, and no person shall interfere with,
13 obstruct the entrance, or inspection of the director or the director's agents of those business
14 premises, appurtenant structures, vehicles or vessels.

15 (h) Any violation of the provisions of this section or any rule, regulation, or order adopted
16 under this section shall be subject to penalties prescribed in § 20-1-16.

17 SECTION 5. Sections 20-2.1-5 and 20-2.1-6 of the General Laws in Chapter 20-2.1 entitled
18 "Commercial Fishing Licenses" are hereby amended to read as follows:

19 **20-2.1-5. Resident licenses, endorsements and fees.**

20 The director shall establish, as a minimum, the following types of licenses and
21 endorsements set forth in this section. In addition, the director may establish any other classes and
22 types of licenses and endorsements, consistent with the provisions of this chapter and with adopted
23 management plans that may be necessary to accomplish the purposes of this chapter:

24 *(1) Types of licenses.*

25 (i) Standard resident ~~Commercial fishing license~~. Rhode Island residents shall be eligible
26 to obtain a standard resident commercial fishing license; the license shall allow the holder to engage
27 in commercial fishing in fisheries sectors, ~~per~~ dictated by the fishery endorsement(s) associated
28 with the license at basic harvest and gear levels. Fishery endorsements shall be established by the
29 department consistent with fishery management plans developed pursuant to this chapter. ~~The~~
30 ~~annual fee for a commercial fishing license shall be fifty dollars (\$50.00) and twenty five dollars~~
31 ~~(\$25.00) for each endorsement at the basic harvest and gear levels.~~

32 (ii) ~~Principal effort license. Duly licensed persons, in a fishery as of December 31 of the~~
33 ~~immediately preceding year, shall be eligible to obtain a principal effort license for the fishery~~
34 ~~sector for which they were licensed on December 31 of the immediately preceding year, which~~

1 ~~principal effort license shall allow its holder to fish in a fishery sector at the full harvest and gear~~
2 ~~levels. Principal effort license holders, in addition to the fishery sector of their principal effort, shall~~
3 ~~be eligible to obtain endorsements for the other fishery sectors at the full harvest and gear levels, if~~
4 ~~and when those endorsements are made available; the annual fee for each other fishery sector~~
5 ~~endorsement shall be seventy five dollars (\$75). Principal effort license holders shall also be~~
6 ~~eligible to obtain a commercial fishing license with endorsements, except for fisheries in which the~~
7 ~~license holder can fish at the full harvest and gear levels.~~

8 (iii) *Multi-purpose license.* All multi-purpose license holders as of December 31 of the
9 immediately preceding year shall be eligible to obtain a multi-purpose license that shall allow the
10 holder to engage in commercial fishing in all fisheries sectors ~~at the full harvest and gear levels. At~~
11 ~~the time of application for a multi purpose license and each annual renewal of it, the applicant shall~~
12 ~~make a non binding declaration of which fishing sectors the applicant intends to place significant~~
13 ~~fishing effort during the period covered by the license. The annual fee for multi purpose license~~
14 ~~shall be three hundred dollars (\$300).~~

15 (Aiii) *Student shellfish license.* A resident twenty-three (23) years or younger shall pay
16 fifty dollars (\$50.00) for a student commercial license to take shellfish upon provision of proof of
17 full-time student status. An individual qualified to obtain a license must submit an application to
18 the department of environmental management no later than June 30; a license application shall be
19 deemed valid if submitted to the department prior to the close of regular office hours on June 30 or
20 if postmarked by June 30.

21 (Biv) *Over sixty-five (65) shellfish license.* A resident sixty-five (65) years of age and over
22 shall be eligible for a shellfish license to shellfish commercially and there shall be no fee for this
23 license.

24 (v) Multipurpose vessel license. Any multipurpose license holder shall be eligible to obtain
25 a multipurpose vessel license that shall allow the vessel owner to designate any operator to engage
26 in commercial fishing for all marine species aboard their owned vessel, provided the vessel owner
27 has consigned a multipurpose fishing license to the department. The department may then re-issue
28 the consigned multipurpose fishing license to the commercially declared fishing vessel as a
29 multipurpose vessel license. The director has the authority to limit the number of multipurpose
30 vessel licenses issued annually by rule. The fee for a multipurpose vessel license shall be one
31 thousand dollars (\$1,000).

32 (2) Fees.

33 (i) Standard resident commercial fishing license.

34 (A) Standard resident commercial fishing license plus one limited fishery endorsement:

1 The fee shall be one hundred fifty dollars (\$150).

2 (B) Standard resident commercial fishing license plus two limited fishery endorsement:

3 The fee shall be two hundred dollars (\$200).

4 (C) Standard resident commercial fishing license plus three limited fishery endorsement:

5 The fee shall be two hundred fifty dollars (\$250).

6 (D) Standard resident commercial fishing license plus one unlimited fishery endorsement:

7 The fee shall be three hundred dollars (\$300).

8 (E) Standard resident commercial fishing license plus one unlimited fishery endorsement
9 and one limited fishery endorsement: The fee shall be three hundred fifty dollars (\$350).

10 (F) Standard resident commercial fishing license plus two unlimited fishery endorsement:

11 The fee shall be three hundred seventy-five dollars (\$375).

12 (G) Standard resident commercial fishing license plus one unlimited fishery endorsement
13 and two limited fishery endorsement: The fee shall be four hundred dollars (\$400).

14 (H) Standard resident commercial fishing license plus two unlimited fishery endorsement
15 and one limited fishery endorsement: The fee shall be four hundred twenty-five dollars (\$425).

16 (i) Multipurpose license: The fee shall be four hundred fifty dollars (\$450).

17 ~~(iv) Special licenses.~~

18 ~~(2 3) Vessel declaration and fees; gear endorsement and fees.~~

19 (i) *Vessel declaration and fee.* (A) The department shall require the owner and/or the
20 operator of a commercial fishing vessel to declare the vessel on the owner/operator's commercial
21 fishing license. The declaration shall be made at the time of initial license issuance and each
22 renewal, or prior to the vessel being used for commercial fishing by the owner and/or operator if
23 the first usage of the vessel for commercial fishing occurs during the course of a year after the
24 license has been issued or renewed. If the declaration is for a vessel of less than twenty-five feet
25 (25') in length, the declaration shall be transferable to another vessel less than twenty-five feet (25')
26 in length, provided the vessel is identified as commercial fishing vessel while it is being used for
27 commercial fishing by displaying a plate as provided in § 20-2.1-4.

28 (B) The annual fee for each vessel declaration shall be twenty-five dollars (\$25.00) for the
29 first twenty-five feet (25') or under, plus fifty cents (\$0.50) per foot for each whole foot over twenty-
30 five feet (25'); this declaration fee shall entitle the holder to a decal. The holder of a valid decal for
31 twenty-five feet (25') in length or under may obtain a plate from the department for display on a
32 vessel twenty-five feet (25') in length that is being used temporarily for commercial fishing; the
33 annual fee for a plate shall be fifteen dollars (\$15.00).

34 ~~(4) Gear endorsements and fees.~~

1 ~~(A) Shellfish dredging endorsement. A resident of this state who holds a multipurpose~~
2 ~~license and/or an appropriate shellfish license is also eligible to apply for a shellfish dredging~~
3 ~~endorsement to take quahogs, mussels, and surf clams by dredges hauled by powerboat. The annual~~
4 ~~fee shall be twenty dollars (\$20.00).~~

5 ~~(B) Fish trap endorsements. A person who holds a multi-purpose license and/or a principal-~~
6 ~~effort license for finfish is also eligible to apply for a fish trap endorsement in accordance with the~~
7 ~~permitting provisions in chapter 5 of this title. The fee shall be twenty dollars (\$20.00) per trap~~
8 ~~location for a three-year (3) period. Applicants who possessed a valid fish trap endorsement as of~~
9 ~~the immediately preceding year may obtain a fish trap endorsement for the immediately following~~
10 ~~year, subject to the same terms and conditions in effect as the immediately preceding year. New~~
11 ~~fish trap endorsement opportunities shall be established by the department by rule, pursuant to~~
12 ~~applicable management plans and the provisions in chapter 5 of this title.~~

13 ~~(C i) Gill net endorsements.~~ A person who holds a multipurpose license, or a vessel with a
14 multipurpose vessel license, ~~and/or a principal effort license for finfish~~ is also eligible to apply for
15 a commercial gill net endorsement in accordance with the provisions of this section. The ~~annual~~
16 fee for a commercial gill net endorsement ~~is~~ shall be twenty dollars (\$20.00). Applicants who
17 possessed a gill net endorsement as of the immediately preceding year may obtain a gill net
18 endorsement for the immediately following year. New gill net endorsement opportunities shall be
19 established by the department by rule, pursuant to applicable management plans.

20 ~~(D ii) Miscellaneous gear~~ *Other endorsements.* The department may establish by rule any
21 ~~specific gear~~ endorsements that may be necessary or appropriate to effectuate the purposes of this
22 chapter and facilitate participation in a specific fishery ~~with a specific type of gear~~; the fee for such
23 ~~a gear~~ endorsement shall not be greater than two hundred dollars (\$200), ~~but may be a lesser~~
24 ~~amount.~~ This endorsement shall be issued only in a manner consistent with the general requirements
25 of this chapter, including specifically those governing residency.

26 ~~(3 5) New licenses.~~

27 ~~(i) Eligibility.~~ For new ~~principal effort~~ standard resident commercial fishing and multi-
28 purpose licenses, priority shall be given to applicants who have held a ~~lower level of~~ commercial
29 fishing license for two (2) years or more, applicants with military service, and applicants who have
30 completed a department authorized commercial fishing training program, with preference to family
31 members and crew members of a license holder who is retiring his or her license.

32 ~~(ii) Priority or preference applicants.~~ A new license shall be granted to priority/preference
33 applicants who have acquired vessel and/or gear from a license holder who has retired a license,
34 provided, that as the result of any such transaction, for each license retired, not more than one new

1 license may be granted, nor may the nominal effort, including the total number of licenses, in a
2 fishery subject to effort controls or catch restrictions be increased.

3 (iii) *Availability of new or additional licenses.* New ~~principal effort~~ standard resident
4 commercial fishing and multipurpose licenses that increase the total number of licenses in the
5 fishery may be made available by rule consistent with management plan for issuance effective
6 January 1, in any year, based on status of resource and economic condition of fishery. Priority for
7 new licenses shall be given to Rhode Island residents.

8 (4 6) *Retirement of licenses.* Issuance of a commercial fishing license shall not be deemed
9 to create a property right such that the license can be sold or transferred by the license holder;
10 fishing licenses shall be surrendered to the state upon their non-renewal, forfeiture, or revocation.

11 (57) ~~Transfer for~~ Issuance of temporary operator permits in cases of medical
12 hardship. ~~Notwithstanding the provisions of § 20-2.1-4(c), a license may be transferred to a family~~
13 ~~member upon the incapacity or death of the license holder who has actively participated in~~
14 ~~commercial fishing. The transfer shall be effective upon its registration with the department. A~~
15 ~~family member shall be defined as the spouse, mother, father, brother, sister, child, or grandchild~~
16 ~~of the transferor.~~ The department shall make available, as necessary, temporary operator permits to
17 provide solely for the continued operation of a fishing vessel upon the ~~illness, incapacity, or death~~
18 determination of medical hardship of a license holder who has actively ~~participated in commercial~~
19 fishing fished. ~~, which~~ Temporary operator permits shall be subject at a minimum to the conditions
20 and restrictions that applied to the license holder.

21 (8) Issuance of new Licenses to family members in cases of medical incapacity: Upon
22 determination of medical incapacity, an actively fished license may be surrendered to the
23 Department for the purpose of the concurrent issuance of a new license to a resident family member.

24 (9) Issuance of new licenses upon the sale of a commercial fishing business: Upon the sale
25 of a commercial fishing business, as defined by rule, a new license may be issued to the buyer upon
26 the surrender of the seller's license to the department for the purpose of the concurrent issuance of
27 a new license.

28 (610) *Transfer of vessels and gear.* Vessels and gear may be sold, transferred, or disposed
29 at the sole discretion of the owner; provided, however, that the subsequent level of use of the gear
30 may be restricted in Rhode Island waters in order to accomplish the purposes of a duly adopted
31 management plan or other duly adopted program to reduce effort.

32 **20-2.1-6. Non-resident licenses, endorsements and fees.**

33 Subject to the rules of the department, non-residents may apply for the following
34 commercial fishing licenses:

1 (1) ~~Standard Non-resident principal effort commercial fishing~~ license.

2 (i) Non-residents age eighteen (18) and over shall be eligible to obtain a standard non-
3 resident commercial fishing license and, in accordance with applicable qualifying criteria, available
4 fishery sector endorsements, provided that the state of residence of the person affords the same
5 privilege in a manner that is not more restrictive to Rhode Island residents. A standard non-resident
6 ~~principal effort commercial fishing~~ license shall allow the license holder to harvest, land, and sell
7 in a lawful manner any marine species ~~of finfish, per as dictated by the fishery~~ endorsement(s), ~~at~~
8 ~~principal harvest and gear levels and as allowed in a management plan adopted by the department~~
9 associated with the license. Fishery endorsements shall be established by the department consistent
10 with fishery management plans developed pursuant to this chapter.

11 (ii) Duly Rhode Island-licensed non-residents in a commercial fishery as of December 31
12 of the immediately preceding year shall be eligible to obtain a standard non-resident ~~principal effort~~
13 commercial fishing license with a single sector endorsement applicable to the fishery sectors for
14 which they were licensed as of December 31 of the immediately preceding year; provided:

15 (A) that the state of residence of the person affords the same privilege in a manner that is
16 not more restrictive to Rhode Island residents;

17 (B) that those persons apply for the standard non-resident ~~principal effort~~ commercial
18 fishing license in accordance with § 20-2.1-4(g); and

19 (C) that those persons shall also be subject to any other restrictions that were applicable to
20 the license as of December 31 of the immediately preceding year, which other restrictions may be
21 altered or changed consistent with ~~a fishery~~ management plans ~~adopted by the department~~
22 developed pursuant to this chapter.

23 (iii) Persons not duly licensed as of December 31 of the immediately preceding year shall
24 be eligible to obtain a standard non-resident ~~principal effort~~ commercial fishing license, per
25 endorsement, when available, consistent with fishery management plans developed pursuant to this
26 chapter, in accordance with applicable qualifying criteria ~~and as allowed in a management plan~~
27 ~~adopted by the department,~~ provided that the state of residence of the person affords the same
28 privilege in a manner that is not more restrictive to Rhode Island residents.

29 ~~(iv) The annual fee for a standard non-resident principal effort license shall be four hundred~~
30 ~~dollars (\$400), plus one hundred dollars (\$100) per endorsement.~~

31 ~~(2) Non-resident commercial fishing license. (i) A non-resident commercial fishing license~~
32 ~~shall allow the holder to harvest, land, and sell in a lawful manner any species of finfish, per~~
33 ~~endorsement(s), at basic harvest and gear levels and as allowed in a management plan adopted by~~
34 ~~the department.~~

1 ~~(ii) Non-residents age eighteen (18) and over shall be eligible to obtain a non-resident~~
2 ~~commercial fishing license and, in accordance with applicable qualifying criteria, available fishery~~
3 ~~sector endorsements, provided that the state of residence of the person affords the same privilege~~
4 ~~in a manner that is not more restrictive to Rhode Island residents.~~

5 ~~(iii) Holders of non-resident principal effort licenses shall not be eligible to obtain non-~~
6 ~~resident commercial fishing licenses with the same fishery sector endorsements.~~

7 ~~(iv) Duly Rhode Island licensed non-residents in a commercial fishery as of December 31~~
8 ~~of the immediately preceding year shall be eligible to obtain a non-resident commercial fishing~~
9 ~~license in their endorsed fishery sector as of December 31 of the immediately preceding year~~
10 ~~provided:~~

11 ~~(A) That the state of residence of the person affords the same privilege in a manner that is~~
12 ~~not more restrictive to Rhode Island residents;~~

13 ~~(B) That those persons apply for the non-resident commercial fishing license in accordance~~
14 ~~with § 20-2.1-4(g); and~~

15 ~~(C) That those persons shall also be subject to any other restrictions that were applicable~~
16 ~~to the license as of December 31 of the immediately preceding year which other restrictions may~~
17 ~~be altered or changed consistent with a management plan adopted by the department.~~

18 ~~(v) The annual fee for a non-resident commercial fishing license shall be one hundred fifty~~
19 ~~dollars (\$150), plus fifty dollars (\$50.00) per endorsement.~~

20 (2) Fees.

21 (i) Standard non-resident commercial fishing license.

22 (A) Standard non-resident commercial fishing license plus one limited fishery
23 endorsement: The fee shall be three hundred fifty dollars (\$350).

24 (B) Standard non-resident commercial fishing license plus one unlimited fishery
25 endorsement: The fee shall be seven hundred dollars (\$700).

26 (C) Standard non-resident commercial fishing license plus two limited fishery
27 endorsements: The fee shall be seven hundred dollars (\$700).

28 (D) Standard non-resident commercial fishing license plus three limited fishery
29 endorsements: The fee shall be one thousand fifty dollars (\$1,050).

30 (E) Standard non-resident commercial fishing license plus one unlimited fishery
31 endorsement and one limited fishery endorsement: The fee shall be one thousand fifty dollars
32 (\$1,050).

33 (F) Standard non-resident commercial fishing license plus one unlimited fishery
34 endorsement and two limited fishery endorsements: The fee shall be one thousand four hundred

1 dollars (\$1,400).

2 (G) Standard non-resident commercial fishing license plus two unlimited fishery
3 endorsements: The fee shall be one thousand four hundred dollars (\$1,400).

4 (H) Standard non-resident commercial fishing license plus two unlimited and one limited
5 fishery endorsement: The fee shall be one thousand seven hundred fifty dollars (\$1,750).

6 (3) *Vessel declaration and fees.* The department shall require a non-resident owner and/or
7 operator of a commercial fishing vessel to make a declaration for that vessel; which shall be made
8 at the time of initial license issuance and each renewal, or prior to the vessel's being used for
9 commercial fishing in Rhode Island waters by the non-resident owner and/or operator if the first
10 usage of the vessel for commercial fishing occurs during the course of a year after the license has
11 been issued or renewed, for a cost of fifty dollars (\$50.00), plus one dollar and fifty cents (\$1.50)
12 for each whole foot over twenty-five feet (25') in length overall.

13 (4) *New licenses.* Any resident of a state that accords to Rhode Island residents commercial
14 fishing privileges that include an ability to obtain a new license to fish for finfish species that are
15 subject to restrictions and/or quotas, may on species specific reciprocal basis be eligible to obtain
16 ~~commercial fishing licenses and principal effort~~ standard non-resident commercial fishing licenses
17 by endorsement as provided in this section, subject to availability and with the priority established
18 in § 20-2.1-5(3)(iii).

19 SECTION 6. Sections 20-4-1.1, 20-4-1.2 and 20-4-1.3 of the General Laws in Chapter 20-
20 4 entitled "Commercial Fisheries" are hereby repealed.

21 ~~20-4-1.1. Finfish dealers license — License for finfish buyers — Suspension or~~
22 ~~revocation.~~

23 ~~(a) No person, partnership, firm, association, or corporation shall barter or trade in finfish~~
24 ~~taken by persons licensed under this chapter unless a license so to do has been obtained from the~~
25 ~~director of environmental management.~~

26 ~~(b) Any licensee operating under the provisions of this section shall purchase finfish from~~
27 ~~licensed persons only and shall purchase or possess only those finfish legally taken or possessed.~~

28 ~~(c) The director shall issue and enforce rules and regulations and orders governing bartering~~
29 ~~and trading in finfish by licensed fishers of finfish and licensed finfish buyers and other persons,~~
30 ~~partnerships, firms, associations, or corporations.~~

31 ~~(d) The director may suspend, revoke, or deny the license of a finfish buyer or fisher of~~
32 ~~finfish for the violation of any provision of this title or the rules, regulations, or orders adopted or~~
33 ~~issued pursuant to this title.~~

34 ~~(e) Any person aggrieved by the decisions of the director may appeal the decision pursuant~~

1 ~~to the provisions of the Administrative Procedures Act, chapter 35 of title 42.~~

2 ~~(f) The director of the department of environmental management and the director's agents~~
3 ~~are authorized to enter and inspect the business premises, appurtenant structures, vehicles, or~~
4 ~~vessels of any finfish buyer and to inspect the records maintained by a finfish buyer for the purpose~~
5 ~~of determining compliance with the provisions of this section and any rules, regulations, or orders~~
6 ~~issued under this section, and no person shall interfere with, obstruct the entrance, or inspection of~~
7 ~~the director or the director's agents of those business premises, appurtenant structures, vehicles or~~
8 ~~vessels.~~

9 ~~(g) Any violation of the provisions of this section or any rule, regulation, or order adopted~~
10 ~~under this section shall be subject to penalties prescribed in § 20-1-16.~~

11 ~~**20-4-1.2. Resident or non-resident commercial landing permit.**~~

12 ~~(a) Each resident or non-resident who has charge of a vessel carrying seafood products~~
13 ~~legally harvested outside Rhode Island waters shall obtain a permit to land, sell or offer for sale~~
14 ~~seafood products in Rhode Island. The permit shall be issued by the department upon proof that the~~
15 ~~applicant holds a valid state or federal commercial fishing license and upon payment of the~~
16 ~~following fees:~~

17 ~~(1) Resident or non-resident finfish landing permit: for the landing sale or offering for sale~~
18 ~~of non-restricted finfish, the definition of which shall be established by the department by rule,~~
19 ~~caught by any means, two hundred dollars (\$200) for residents of the state; four hundred dollars~~
20 ~~(\$400) for non-residents of the state.~~

21 ~~(2) Resident or non-resident shellfish landing permit: (includes process product), two~~
22 ~~hundred dollars (\$200) for residents of the state; four hundred dollars (\$400) for non-residents of~~
23 ~~the state. This permit allows the holder to land shellfish (surf clams, blue mussels, ocean quahaugs,~~
24 ~~sea scallops) legally harvested in federal water.~~

25 ~~(3) Resident or non-resident miscellaneous landing permit: includes all other seafood~~
26 ~~products not specified under any other provision of this chapter, two hundred dollars (\$200) for~~
27 ~~residents of the state; four hundred dollars (\$400) for non-residents of the state.~~

28 ~~(4) Multi-purpose resident or non-resident landing permit: This permit allows a resident or~~
29 ~~non-resident to land and sell all marine products in the state of Rhode Island, except restricted~~
30 ~~finfish, the definition of which shall be established by the department by rule, three hundred dollars~~
31 ~~(\$300) for residents of the state; six hundred dollars (\$600) for non-residents of the state.~~

32 ~~(b) Landing permits shall be valid for the calendar year in which they are issued.~~

33 ~~(c) The department shall adopt any rules and procedures that may be necessary for the~~
34 ~~timely issuance of these permits in order to facilitate the off-loading and sale of seafood products,~~

1 ~~except restricted finfish, harvested outside Rhode Island waters.~~

2 ~~(d) Notwithstanding the provisions of this section, a commercial vessel with seafood~~
3 ~~products on board may, without a landing permit, enter Rhode Island waters and be secured to a~~
4 ~~shoreside facility for purposes other than landing, selling, or offering for sale the seafood products~~
5 ~~on board if the person having charge of the vessel obtains permission from the department's division~~
6 ~~of law enforcement prior to securing the vessel to the shoreside facility~~

7 **20-4-1.3. Non-resident landing permits.**

8 ~~A new landing permit shall not be issued to any non-resident to off load, land, offer for~~
9 ~~sale, or sell any restricted marine species, the definition of which shall be established by the~~
10 ~~department by rule and shall take into account species for which a quota has been allocated to the~~
11 ~~state of Rhode Island by the Atlantic States Marine Fisheries Council or the National Marine~~
12 ~~Fisheries service, unless: (1) the landing shall be counted against the quota of the state where the~~
13 ~~vessel making the landing is registered or documented; or (2) the state where the vessel making the~~
14 ~~landing is registered or documented issues new landing permits to Rhode Island residents to land~~
15 ~~against that state's quota for the same species. For purposes of this section, the renewal of any non-~~
16 ~~resident landing permit shall be considered a new non-resident landing permit unless the applicant~~
17 ~~can show, to the satisfaction of the director, historic participation in the fishery and landings of the~~
18 ~~species; and any change or upgrade of a vessel twenty percent (20%) or greater in length,~~
19 ~~displacement, or horsepower above the named vessel shall be considered a new landing permit.~~
20 ~~Issuance of a landing permit shall not be deemed to create a property right that can be sold,~~
21 ~~transferred, or encumbered; landing permits shall be surrendered to the state upon their non-renewal~~
22 ~~or forfeiture, and the acquisition of a named vessel by a non-resident who does not already have a~~
23 ~~landing permit shall not entitle the non-resident to a landing permit unless a new landing permit~~
24 ~~can be issued as allowed in this section~~

25 SECTION 7. Section 20-6-24 of the General Laws in Chapter 20-6 entitled "Shellfish" is
26 hereby repealed.

27 **20-6-24. License for shellfish buyers — Suspension or revocation.**

28 (a) ~~No person, partnership, firm, association, or corporation shall barter or trade in shellfish~~
29 ~~taken by persons licensed under this chapter unless a license so to do has been obtained from the~~
30 ~~director of environmental management.~~

31 (b) ~~Any licensee operating under the provisions of this section shall purchase shellfish from~~
32 ~~licensed persons only and shall purchase or possess only those shellfish legally taken or possessed.~~

33 (c) ~~The director shall issue and enforce rules and regulations and orders governing bartering~~
34 ~~and trading in shellfish by licensed fishers of shellfish, licensed shellfish buyers and other persons,~~

1 ~~partnerships, firms, associations, or corporations.~~

2 ~~(d) The director may suspend, revoke, or deny the license of a shellfish buyer or fisher of~~
3 ~~shellfish for the violation of any provision of this title or the rules, regulations, or orders adopted~~
4 ~~or issued pursuant to this title.~~

5 ~~(e) Any person aggrieved by the decision of the director may appeal the decision pursuant~~
6 ~~to the provisions of the Administrative Procedures Act, chapter 35 of title 42.~~

7 ~~(f) The director of the department of environmental management and the director's agents~~
8 ~~are authorized to enter and inspect the business premises, appurtenant structures, vehicles, or~~
9 ~~vessels of any shellfish buyer and to inspect records maintained by a shellfish buyer for the purpose~~
10 ~~of determining compliance with the provisions of this section and any rules, regulations, or orders~~
11 ~~issued under this section, and no person shall interfere with or obstruct the entrance or inspection~~
12 ~~of the director or the director's agents of those business premises, appurtenant structures, vehicles,~~
13 ~~or vessels.~~

14 ~~(g) Any violation of the provisions of this section or any rule, regulation, or order adopted~~
15 ~~under this section shall be subject to the penalties prescribed in § 20-1-16.~~

16 SECTION 8. Section 20-7-5.1 of the General Laws in Chapter 20-7 entitled "Lobsters and
17 Other Crustaceans" is hereby repealed.

18 **20-7-5.1 Lobster dealer's license.**

19 ~~(a) No person, partnership, firm, association, or corporation shall barter or trade in lobsters~~
20 ~~taken by persons licensed under this chapter unless a license so to do has been obtained from the~~
21 ~~director of environmental management.~~

22 ~~(b) Any licensee operating under the provisions of this section shall purchase lobsters from~~
23 ~~licensed persons only and shall purchase or possess only those lobsters legally taken or possessed.~~

24 ~~(c) The director shall issue and enforce rules and regulations and orders governing bartering~~
25 ~~and trading in lobsters by licensed fishers of lobster and licensed lobster buyers and other persons,~~
26 ~~partnerships, firms, associations, or corporations.~~

27 ~~(d) The director may suspend, revoke, or deny the license of a lobster buyer or fisher of~~
28 ~~lobster for the violation of any provision of this title or the rules, regulations, or orders adopted or~~
29 ~~issued pursuant to this title.~~

30 ~~(e) Any person aggrieved by the decision of the director may appeal the decision pursuant~~
31 ~~to the provision of the Administrative Procedures Act, chapter 35 of title 42.~~

32 ~~(f) The director of the department of environmental management and the director's agents~~
33 ~~are authorized to enter and inspect the business premises, appurtenant structures, vehicles or vessels~~
34 ~~of any lobster buyer and to inspect records maintained by a lobster buyer for the purposes of~~

1 ~~determining compliance with the provisions of this section and any rules, regulations, or orders~~
2 ~~issued under this section, and no person shall interfere with or obstruct the entrance or inspection~~
3 ~~of the director or the director's her agents of those business premises, appurtenant structures,~~
4 ~~vehicles or vessels.~~

5 ~~(g) Any violation of the provisions of this section or any rule, regulation or order adopted~~
6 ~~hereunder shall be subject to the penalties prescribed in § 20-1-16.~~

7 SECTION 9. Section 21-14-12 of the General Laws in Chapter 21-14 entitled "Shellfish
8 Packing Houses" is hereby amended to read as follows:

9 **21-14-12. Inspection of business premises – Dockside Program Established.**

10 (a) The director shall make regular inspections of the business premises of licensees and
11 no person shall interfere with or obstruct the entrance of the director to any packing house or
12 structural appurtenance to it, vessel, or vehicle for the purpose of making inspection as to sanitary
13 conditions during reasonable business hours, and no person shall obstruct the conduct of this
14 inspection; provided, that inspections as to sanitary conditions shall be made only by the director
15 or employees of the department ~~of health~~. These employees of the department ~~of health~~ shall not
16 be construed to include agents whom the director may appoint in other departments for the purpose
17 of enforcing other provisions of this chapter; and provided, that nothing in this section shall be
18 construed as having granted to the director or any duly authorized official of the department the
19 right of search and seizure without a warrant.

20 (b) The director shall be authorized to establish a dockside program, including the
21 promulgation of any rules and regulations deemed necessary or advisable in connection therewith,
22 pursuant to the relevant provisions of the National Shellfish Sanitation Program (NSSP) Model
23 Ordinance. Promulgating such rules and regulations pursuant to the NSSP Model Ordinance shall
24 assure that the marine shellfish processors, licensed by the department to land and process surf
25 clams and/or other marine shellfish species acquired in federal waters, are doing so in sanitary
26 fashion that comports with national standards. Such rules and regulations shall also be consistent
27 with the landing permit requirements of the department of environmental management in section
28 20-2.1-7. The dockside program shall not apply to aquaculture processors.

29 (c) The licensing fees from the dockside program shall be deposited into the general fund.
30 However, the amount of the revenues collected for the dockside program shall be appropriated to
31 the department of health for its administration of this program. The director shall have the authority
32 to establish the licensing fees and limit the number of licenses issued, at his or her sole discretion.

33 SECTION 10. Section 23-25-6.1 of the General Laws in Chapter 23-25 entitled "Pesticide
34 Control" is hereby amended to read as follows:

1 **23-25-6.1. Registration fee - Surcharge.**

2 In addition to the annual registration fee of fifty dollars (\$50.00) as required by § 23-25-6,
3 an additional ~~one hundred fifty dollar (\$150)~~ two hundred fifty dollars (\$250) registration surcharge
4 fee shall be imposed upon each pesticide to be sold or used within the state, unless the director has
5 determined the subject product is a "statewide minor use" product pursuant to § 23-25-6(b)(3). The
6 registration surcharge fee shall be deposited as general revenues.

7 SECTION 11. Sections 1, 2, and 10 of this article shall take effect on July 1, 2021. Section
8 5 of this article shall take effect on July 1, 2022. The remainder of this article shall take effect upon
9 passage.

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ARTICLE 8

RELATING TO PUBLIC UTILITIES AND CARRIERS

SECTION 1. Chapter 39-2 of the General Laws entitled "Duties of Utilities and Carriers" is hereby amended by adding thereto the following sections:

39-2-26. Emergency response plans.

Submission, approval, penalties for failure to file, and denial of recovery of service restoration costs for failure to implement emergency response plan.

(a) Each electric distribution company and natural gas distribution company conducting business in the state shall, on or before May 15, 2022 and annually thereafter, submit to the division an emergency response plan for review and approval. The emergency response plan shall be designed for the reasonably prompt restoration of service in the case of an emergency event, which is an event where widespread outages have occurred in the service area of the company due to storms or other causes beyond the control of the company.

(b) After review of an electric distribution or natural gas distribution company's emergency response plan, the division may request that the company amend the plan. The division may open an investigation of the company's plan. If, after hearings, the division finds a material deficiency in the plan, the division may order the company to make such modifications that it deems reasonably necessary to remedy the deficiency.

(c) Any investor-owned electric distribution or natural gas distribution company that fails to file its emergency response plan may be fined five hundred dollars (\$500) for each day during which such failure continues. Any fines levied by the division shall be returned to ratepayers through distribution rates in a manner determined by the commission.

(d) Each investor-owned electric distribution or natural gas distribution company, when implementing an emergency response plan, shall designate an employee or employees to remain stationed at the Rhode Island emergency management agency's emergency operations center for the duration of the emergency when the emergency operations center is activated in response to an emergency with an electric or gas service restoration component. In the event of a virtual activation of the emergency activation center, each investor-owned electric and natural gas distribution company shall designate an employee or employees to participate in the virtual activation. The employee or employees shall coordinate communications efforts with designated local and state

1 emergency management officials, as required by this section.

2 (e) Each investor-owned electric distribution or natural gas distribution company, when
3 implementing an emergency response plan, shall designate an employee or employees to serve as
4 community liaisons for each municipality within their service territory. An investor-owned electric
5 distribution or natural gas distribution company shall provide each community liaison with the
6 necessary feeder map or maps outlining municipal substations and distribution networks and up-
7 to-date customer outage reports at the time of designation as a community liaison. An investor-
8 owned electric distribution or natural gas distribution company shall, at a minimum, provide each
9 community liaison with three (3) customer outage report updates for each twenty-four (24) hour
10 period, to the liaison's respective city or town. The community liaison shall utilize the maps and
11 outage reports to respond to inquiries from state and local officials and relevant regulatory agencies.

12 (f) On or before October 1 of each year, every city or town shall notify each investor-owned
13 electric distribution or natural gas distribution company and the Rhode Island emergency
14 management agency of the name of the emergency management official or designee responsible
15 for coordinating the emergency response during storm restoration. If a municipality does not have
16 a designated emergency management official, the chief municipal officer shall designate one public
17 safety official responsible for said emergency response.

18 (g) Notwithstanding any existing power or authority, the division may open an
19 investigation to review the performance of any investor-owned electric distribution or natural gas
20 distribution company in restoring service during an emergency event. If, after evidentiary hearings
21 or other investigatory proceedings, the division finds that, as a result of the failure of the company
22 to follow its approved emergency response plan, the length of the outages were materially longer
23 than they would have been but for the company's failure, the division shall recommend that the
24 commission enter an order denying the recovery of all, or any part of, the service restoration costs
25 through distribution rates, commensurate with the degree and impact of the service outage.

26 (h) Notwithstanding any general or special law or rule or regulation to the contrary, upon
27 request by the commission, division and any emergency management agency each electric
28 distribution or natural gas distribution company conducting business in the state shall provide
29 periodic reports regarding emergency conditions and restoration performance during an emergency
30 event consistent with orders of the commission and/or division.

31 **39-2-27. Standards of acceptable performance for emergency preparation and**
32 **restoration of service.**

33 The division shall open a docket and establish standards of acceptable performance for
34 emergency preparation and restoration of service for each investor-owned electric and gas

1 distribution company doing business in the state. The division shall levy a penalty not to exceed
2 one hundred thousand dollars (\$100,000) for each violation for each day that the violation of the
3 division's standards persists; provided, however, that the maximum penalty shall not exceed seven
4 million five hundred thousand dollars (\$7,500,000) for any related series of violations. The division
5 shall open a full investigation, upon its own initiative. Nothing herein shall prohibit any affected
6 city or town from filing a complaint with the division regarding a violation of the division's
7 standards of acceptable performance by an investor-owned electric distribution or natural gas
8 distribution company; provided, however, that said petition shall be filed with the division no later
9 than ninety (90) days after the violation has been remedied. After an initial review of the complaint,
10 the division shall make a determination as to whether to open a full investigation.

11 **39-2-28. Levied penalties to be credited back to customers.**

12 Any penalty levied by the division against an investor-owned electric distribution or natural
13 gas distribution company for any violation of the division's standards of acceptable performance
14 for emergency preparation and restoration of service for electric and gas distribution companies
15 shall be credited back to the company's customers in a manner determined by the commission.

16 SECTION 2. This article shall take effect upon passage.

ARTICLE 9 AS AMENDED

RELATING TO ECONOMIC DEVELOPMENT

SECTION 1. Sections 5-8-2, 5-8-10, 5-8-11, 5-8-12 and 5-8-15 of Chapter 5-8 of the General Laws entitled "Engineers" are hereby amended as follows:

5-8-2. Definitions.

As used or within the intent of this chapter:

(a) "Accredited program" means specific engineering curricula within established institutions of higher learning that have both met the criteria of, and have been designated by, the ~~Engineering Accreditation Commission of the~~ following commissions of the Accreditation Board for Engineering and Technology, Inc. ~~(ABET-EAC)~~ ("ABET"): the Engineering Accreditation Commission ("ABET-EAC") and the Engineering Technology Accreditation Commission ("ABET-ETAC").

(b) "Board" means the state board of registration for professional engineers subsequently provided by this chapter.

(c) "Department" means the department of business regulation.

(d) "Director" means the director of the department of business regulation or his or her designee.

(e) "Engineer" means a person who, by reason of his or her special knowledge and use of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, is qualified to practice engineering, as subsequently defined, and as attested by his or her registration as an engineer.

(f) "Engineer-in-training" means a person who complies with the requirements for education, experience, and character, and has passed an examination in the fundamental engineering subjects, as provided in §§ 5-8-11 and 5-8-13.

(g) "National Council of Examiners for Engineering and Surveying (NCEES)" is a nationally recognized organization that assists state boards and territorial boards to better discharge their duties and responsibilities in regulating the practice of engineering and land surveying.

(h)(1) "Practice of engineering" means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application

1 of special knowledge of the mathematical, physical, and engineering sciences to services or creative
2 work, such as consultation, investigation, evaluation surveys, planning and design of engineering
3 systems, and the supervision of construction for the purpose of assuring compliance with
4 specifications; and embracing those services or work in connection with any public or private
5 utilities, structures, buildings, machines, equipment, processes, work, or projects in which the
6 public welfare or the safeguarding of life, health, or property is concerned.

7 (2) Any person shall be construed to practice or offer to practice engineering, within the
8 meaning and intent of this chapter, who:

9 (i) Practices any branch of the profession of engineering;

10 (ii) By verbal claim, sign, advertisement, letterhead, card, or in any other way represents
11 himself or herself to be an engineer, or through the use of some other title implies that he or she is
12 an engineer or that he or she is registered under this chapter; or

13 (iii) Holds himself or herself out as able to perform, or who does perform any engineering
14 service or work or any other service designated by the practitioner or recognized as engineering.

15 (i) "Professional engineer" means a person who has been registered and licensed by the
16 state board of registration for professional engineers.

17 (j) "Responsible charge" means direct control and personal supervision of engineering
18 work.

19 (k) "Rules and regulations" means that document of the same title, as amended from time
20 to time, subject to the director's approval, that has been adopted by the board and filed with the
21 secretary of state in accordance with §§ 42-35-3(a), 42-35-4(b), and 5-8-8.

22 **5-8-10. Roster of registered engineers.**

23 A complete roster showing the names ~~and last known addresses~~ of all registered engineers
24 [is available on the Department's website or through an Access to Public Records Request.](#) ~~will be~~
25 ~~published by the board once each year. Copies of this roster may be mailed to each person so~~
26 ~~registered, placed on file with the secretary of state, county, and city officials and may be distributed~~
27 ~~to the public~~

28 **5-8-11. General requirements for registration or certification.**

29 ~~(a) Engineer or engineer in training. To be eligible for registration as a professional~~
30 ~~engineer or certification as an engineer in training, an applicant must be of good character and~~
31 ~~reputation and shall submit five (5) references with his or her application for registration, three (3)~~
32 ~~of which references shall be registered engineers having personal knowledge of his or her~~
33 ~~engineering experience, or in the case of an application for certification as an engineer in training,~~
34 ~~by three (3) character references.~~

1 ~~(b)~~(a) Professional Engineer. The following shall be considered minimum evidence
2 satisfactory to the board that the applicant is qualified for registration as a professional engineer ~~or~~
3 ~~for certification as an engineer in training, respectively:~~

4 (1) Eligibility. To be eligible for registration as a professional engineer, an applicant shall
5 meet the following requirements:

6 (i) Be of good character and reputation;

7 (ii) Submit five (5) references with his or her application for registration, three (3) of which
8 references shall be from registered professional engineers having personal knowledge of the
9 applicant's engineering experience;

10 (iii) Satisfy the education criteria set forth in this section;

11 (iv) Satisfy the experience criteria set forth in this section; and

12 (v) Pass the applicable examinations as required in this section.

13 ~~(1) As a professional engineer: (1) (2) Registration by endorsement comity.~~

14 ~~(A)~~(i) A person holding a current certificate of registration to engage in the practice of
15 engineering, on the basis of comparable written NCEES examinations, issued to him or her by
16 either a proper authority of a state, territory, or possession of the United States, the District of
17 Columbia, or of any foreign country, and whose qualifications meets the requirements of this
18 chapter, based on verified evidence may, upon application, be registered without further
19 examination.

20 ~~(B)~~(ii) A person holding a ~~certificate of qualification issued by the National Council of~~
21 ~~Examiners for Engineering and Surveying~~ NCEES Record, whose qualifications as evidenced by
22 the NCEES Record meet the requirements of this chapter, may, upon application, be registered
23 without further examination, provided he or she is qualified.

24 ~~(ii)~~(3) Graduation from an accredited program, experience and examination.

25 (i) A graduate of ~~or senior enrolled in~~ an ABET-EAC accredited engineering curriculum
26 of four (4) years or more approved by the board as being of satisfactory standing, ~~shall be admitted~~
27 ~~to an~~ who has passed a NCEES examination in the fundamentals of engineering. ~~Upon passing this~~
28 ~~examination and obtaining~~ and obtained a specific record of a minimum of four (4) years of
29 experience in engineering work of a grade and character which indicates to the board that the
30 applicant may be competent to practice engineering, ~~the applicant~~ may be admitted, upon
31 application, to ~~an~~ a NCEES examination in the principles and practice of engineering. ~~The graduate~~
32 ~~having a specific record of twelve (12) years or more of experience in engineering work of a grade~~
33 ~~and character which indicates to the board that the applicant may be competent to practice~~
34 ~~engineering, shall be admitted to an examination in the principles and practice of engineering. Upon~~

1 ~~passing that examination, the applicant shall be granted a certificate of registration to practice~~
2 ~~engineering in this state, provided he or she is qualified.~~

3 (ii) A graduate of an ABET-ETAC accredited engineering technology curriculum of four
4 (4) years or more approved by the board as being of satisfactory standing, who has passed a NCEES
5 examination in the fundamentals of engineering and obtained a specific record of a minimum of
6 eight (8) years of experience in engineering work of a grade and character which indicates to the
7 board that the applicant may be competent to practice engineering, may be admitted, upon
8 application, to a NCEES examination in the principles and practice of engineering.

9 (4) Waiver of Requirement for NCEES Examination in Fundamentals of Engineering.

10 (i) A graduate of an ABET-EAC accredited engineering curriculum having a specific
11 record of twelve (12) years or more of experience in engineering work of a grade and character
12 which indicates to the board that the applicant may be competent to practice engineering, shall be
13 admitted to a NCEES examination in the principles and practice of engineering. Upon passing that
14 examination, the applicant shall be granted a certificate of registration to practice engineering in
15 this state, provided he or she is qualified.

16 (ii) A graduate of an engineering technology curriculum, whether accredited by ABET-
17 ETAC or unaccredited, applying for initial or comity registration as a professional engineer in
18 Rhode Island shall not be eligible for waiver of this requirement.

19 ~~(iii)~~ (5) Graduation from a non-accredited program, experience, and examination.

20 (i) A graduate of ~~or senior enrolled in~~ an engineering curriculum of four (4) years or more
21 ~~other than those approved by the board as being of satisfactory standing shall be admitted to an~~ that
22 is not accredited by ABET-EAC, who has passed a NCEES examination in the fundamentals of
23 engineering. ~~Upon passing this examination and obtaining~~ and obtained a specific record of a
24 minimum of ~~four (4)~~ six (6) years of experience in engineering work of a grade and character which
25 indicates to the board that the applicant may be competent to practice engineering, ~~the applicant~~
26 may be admitted, upon application, to ~~an~~ a NCEES examination in the principles and practice of
27 engineering. Upon passing these examinations, the applicant shall be granted a certificate of
28 registration to practice engineering in this state, provided he or she is qualified.

29 (ii) A graduate of an engineering technology curriculum of four (4) years or more that is
30 not accredited by ABET-ETAC is not eligible for registration as a professional engineer in this
31 state unless they obtain an advanced engineering degree from an ABET-EAC accredited program.

32 ~~(iv)~~ (6) Teaching. Engineering teaching in a college or university offering an ABET- EAC
33 accredited engineering curriculum of four (4) years or more may be considered as engineering
34 experience.

1 ~~(7)~~ Engineers previously registered. Each engineer holding a certificate of registration
2 ~~and each engineer in training~~ under the laws of this state as previously in effect shall be deemed
3 registered as an engineer ~~or engineer in training~~ as appropriate under this chapter in accordance
4 with the laws in effect at the time of their initial registration.

5 ~~(2)(b) As an engineer~~ Engineer-in-training: ~~the~~ The following ~~is~~ shall be considered as
6 minimum evidence satisfactory to the board that the applicant is qualified for certification as an
7 engineer-in-training:

8 (1) Eligibility. To be eligible for registration as an engineer-in-training, an applicant shall
9 meet the following requirements:

10 (i) Be of good character and reputation;

11 (ii) Submit three (3) character references, one (1) of which must be from a registered
12 professional engineer;

13 (iii) Satisfy the education requirements set forth in this section; and

14 (iv) Satisfy the examination requirements set forth in this section.

15 ~~(2)~~ Graduation and examination. A graduate of an ABET-EAC or an ABET-ETAC
16 accredited ~~engineering curriculum~~ program of four (4) years or more who has passed ~~the board's a~~
17 NCEES examination in the fundamentals of engineering shall be certified or enrolled as an
18 engineer-in-training, if he or she is qualified.

19 ~~(3)~~ Graduation from a non-accredited program and examination. A graduate of a non-
20 accredited engineering curriculum of four (4) years or more who has passed ~~the board's a~~ NCEES
21 examination in the fundamentals of engineering and has obtained two (2) years of engineering
22 experience of a grade and character approved by the board shall be certified and enrolled as an
23 engineer in training, if he or she is qualified. Graduates of a non-accredited engineering technology
24 curriculum are not eligible for certification as an engineer in training.

25 ~~(4)~~ Duration of engineer in training certification. The certification or enrollment of an
26 engineer in training shall ~~be valid for a minimum period of twelve (12) years~~ not expire and does
27 not need to be renewed.

28 **5-8-12. Form of application for registration or certification – Registration,**
29 **certification, and enrollment fees.**

30 (a) Application for registration as a professional engineer ~~or land surveyor~~ or certification
31 as an engineer-in-training shall:

32 (1) Be on a form prescribed and furnished by the board;

33 (2) Establish compliance with the licensing requirements pursuant to § 5-8-11; and

34 (3) Contain references as prescribed in § 5-8-11, none of whom may be members of the

1 board.

2 (b) The application ~~and reexamination~~ fees for professional engineers shall be set by the
3 board in an amount to cover the ~~charges and~~ expenses of ~~examination and scoring~~ reviewing
4 applications and shall accompany the application.

5 (c) The fee for engineer-in-training certification or enrollment shall be set by the board in
6 an amount to cover the ~~charges and~~ expenses of ~~examination and scoring~~ reviewing applications
7 and shall accompany the application.

8 (d) ~~Should the board deny the issuance of a certificate to any applicant, the fee paid shall~~
9 ~~be retained as an application fee~~ All application fees are non-refundable, even if an application is
10 denied.

11 **5-8-15. Expiration and renewal of certificates of registration** **Expiration and renewal**
12 **of certificates of registration for professional engineers.**

13 (a) Certificates of registration shall expire on the last day of the month of June following
14 their issuance and become invalid after that date unless renewed. It is the duty of the board to notify
15 every person registered under this chapter of the date of the expiration of his or her certificate and
16 the amount of the fee required for its renewal. The notice shall be delivered, electronically or
17 otherwise, to the registrant, at his or her last-known e-mail address, at least one month in advance
18 of the date of the expiration of the certificate.

19 (b) ~~Renewal may be effected at any time~~ Certificates of registration must be renewed prior
20 to, or during the month of, June by the payment of a fee set by the board in an amount not less than
21 one hundred fifty dollars (\$150), but not to exceed one hundred eighty dollars (\$180). ~~Renewal of~~
22 ~~an expired certificate may be effected~~ Expired certificates may be renewed within a period of three
23 (3) years, provided evidence is submitted to the board attesting to the continued competence and
24 good character of the applicant. In the event renewal is not made before the end of the third year,
25 the board may require any reexamination that it deems appropriate. The amount to be paid for that
26 renewal is the annual fee set by the board in an amount not to exceed one hundred eighty dollars
27 (\$180) times the number of years the applicant has been delinquent, plus a penalty of sixty dollars
28 (\$60.00) per delinquent year.

29 SECTION 2. Section 42-11-10 of the General Laws in Chapter 42-11 entitled "Department
30 of Administration" is hereby amended to read as follows:

31 **42-11-10. Statewide planning program.**

32 (a) Findings. The general assembly finds that the people of this state have a fundamental
33 interest in the orderly development of the state; the state has a positive interest and demonstrated
34 need for establishment of a comprehensive, strategic state planning process and the preparation,

1 maintenance, and implementation of plans for the physical, economic, and social development of
2 the state; the continued growth and development of the state presents problems that cannot be met
3 by the cities and towns individually and that require effective planning by the state; and state and
4 local plans and programs must be properly coordinated with the planning requirements and
5 programs of the federal government.

6 (b) Establishment of statewide planning program.

7 (1) A statewide planning program is hereby established to prepare, adopt, and amend
8 strategic plans for the physical, economic, and social development of the state and to recommend
9 these to the governor, the general assembly, and all others concerned.

10 (2) All strategic planning, as defined in subsection (c) of this section, undertaken by all
11 departments and agencies of the executive branch unless specifically exempted, shall be conducted
12 by or under the supervision of the statewide planning program. The statewide planning program
13 shall consist of a state planning council, and the division of planning, which shall be a division
14 within the department of administration.

15 (c) Strategic planning. Strategic planning includes the following activities:

16 (1) Establishing or identifying general goals.

17 (2) Refining or detailing these goals and identifying relationships between them.

18 (3) Formulating, testing, and selecting policies and standards that will achieve desired
19 objectives.

20 (4) Preparing long-range or system plans or comprehensive programs that carry out the
21 policies and set time schedules, performance measures, and targets.

22 (5) Preparing functional, short-range plans or programs that are consistent with established
23 or desired goals, objectives, and policies, and with long-range or system plans or comprehensive
24 programs where applicable, and that establish measurable, intermediate steps toward their
25 accomplishment of the goals, objectives, policies, and/or long-range system plans.

26 (6) Monitoring the planning of specific projects and designing of specific programs of short
27 duration by the operating departments, other agencies of the executive branch, and political
28 subdivisions of the state to ensure that these are consistent with, and carry out the intent of,
29 applicable strategic plans.

30 (7) Reviewing the execution of strategic plans, and the results obtained, and making
31 revisions necessary to achieve established goals.

32 (d) State guide plan. Components of strategic plans prepared and adopted in accordance
33 with this section may be designated as elements of the state guide plan. The state guide plan shall
34 be comprised of functional elements or plans dealing with land use; physical development and

1 environmental concerns; economic development; housing production; energy supply, including the
2 development of renewable energy resources in Rhode Island, and energy access, use, and
3 conservation; human services; climate change and resiliency; and other factors necessary to
4 accomplish the objective of this section. The state guide plan shall be a means for centralizing,
5 integrating, and monitoring long-range goals, policies, plans, and implementation activities related
6 thereto. State agencies concerned with specific subject areas, local governments, and the public
7 shall participate in the state guide planning process, which shall be closely coordinated with the
8 budgeting process.

9 (e) Membership of state planning council. The state planning council shall consist of the
10 following members:

- 11 (1) The director of the department of administration as chairperson;
- 12 (2) The director, policy office, in the office of the governor, as vice-chairperson;
- 13 (3) The governor, or his or her designee;
- 14 (4) [Deleted by P.L. 2019, ch. 88, art. 4, § 13];
- 15 (5) The chairperson of the housing resources commission;
- 16 (6) The highest-ranking administrative officer of the division of planning, as secretary;
- 17 (7) The president of the Rhode Island League of Cities and Towns or his or her designee;
- 18 (8) The executive director of the Rhode Island League of Cities and Towns;
- 19 (9) Three (3) chief elected officials of cities and towns appointed by the governor after
20 consultation with the Rhode Island League of Cities and Towns, one of whom shall be from a
21 community with a population greater than 40,000 persons; one of whom shall be from a community
22 with a population of between 20,000 and 40,000 persons; and one of whom shall be from a
23 community with a population less than 20,000 persons;
- 24 (10) One representative of a nonprofit community development or housing organization
25 appointed by the governor;
- 26 (11) Four (4) public members, appointed by the governor, one of whom shall be an
27 employer with fewer than fifty (50) employees; one of whom shall be an employer with greater
28 than fifty (50) employees; one of whom shall represent a professional planning or engineering
29 organization in Rhode Island; and one of whom shall represent a chamber of commerce or
30 economic development organization;
- 31 (12) Two (2) representatives of private, nonprofit, environmental or environmental justice
32 advocacy organizations, both to be appointed by the governor;
- 33 (13) The director of planning and development for the city of Providence;
- 34 (14) The director of the department of transportation;

- 1 (15) The director of the department of environmental management;
- 2 (16) The director of the department of health;
- 3 (17) The chief executive officer of the commerce corporation;
- 4 (18) The commissioner of the Rhode Island office of energy resources;
- 5 (19) The chief executive officer of the Rhode Island public transit authority;
- 6 (20) The executive director of Rhode Island housing;
- 7 (21) The executive director of the coastal resources management council; and
- 8 (22) The director of the Rhode Island emergency management agency.

9 (f) Powers and duties of state planning council. The state planning council shall have the
10 following powers and duties:

11 (1) To adopt strategic plans as defined in this section and the long-range state guide plan,
12 and to modify and amend any of these, following the procedures for notification and public hearing
13 set forth in § 42-35-3, and to recommend and encourage implementation of these goals to the
14 general assembly, state and federal agencies, and other public and private bodies; approval of
15 strategic plans by the governor; and to ensure that strategic plans and the long-range state guide
16 plan are consistent with the findings, intent, and goals set forth in § 45-22.2-3, the "Rhode Island
17 comprehensive planning and land use regulation act";

18 (2) To coordinate the planning and development activities of all state agencies, in
19 accordance with strategic plans prepared and adopted as provided for by this section;

20 (3) To review and comment on the proposed annual work program of the statewide
21 planning program;

22 (4) To adopt rules and standards and issue orders concerning any matters within its
23 jurisdiction as established by this section and amendments to it;

24 (5) To establish advisory committees and appoint members thereto representing diverse
25 interests and viewpoints as required in the state planning process and in the preparation or
26 implementation of strategic plans. At minimum, the state planning council shall appoint permanent
27 committees:

28 (i) A technical committee, comprised of public members from different geographic areas
29 of the state representing diverse interests along with officials of state, local, and federal
30 government, who shall review all proposed elements of the state guide plan, or amendment or repeal
31 of any element of the plan, and shall advise the state planning council thereon before the council
32 acts on any such proposal. This committee shall also advise the state planning council on any other
33 matter referred to it by the council; and

34 (ii) An executive committee consisting of major participants of a Rhode Island geographic

1 information system with oversight responsibility for its activities; and

2 (iii) A transportation advisory committee, made up of diverse representation, including,
3 but not limited to, municipal elected and appointed officials; representatives of various
4 transportation sectors, departments, and agencies; and other groups and agencies with an interest
5 in transportation operations, maintenance, construction, and policy, who shall review
6 transportation-related plans and amendments and recommend action to the state planning council.

7 (6) To adopt, amend, and maintain, as an element of the state guide plan or as an
8 amendment to an existing element of the state guide plan, standards and guidelines for the location
9 of eligible, renewable energy resources and renewable energy facilities in Rhode Island with due
10 consideration for the location of such resources and facilities in commercial and industrial areas,
11 agricultural areas, areas occupied by public and private institutions, and property of the state and
12 its agencies and corporations, provided these areas are of sufficient size, and in other areas of the
13 state as appropriate.

14 (7) To act as the single, statewide metropolitan planning organization for transportation
15 planning, and to promulgate all rules and regulations that are necessary thereto.

16 [\(8\) To assist the Rhode Island infrastructure bank in establishing review criteria, evaluating](#)
17 [applications, approving and issuing grants, and assist municipalities pursuant to the provisions of](#)
18 [chapter 11.4 of title 42, and any rules or regulations promulgated thereunder.](#)

19 (g) Division of statewide planning.

20 (1) The division of statewide planning shall be the principal staff agency of the state
21 planning council for preparing and/or coordinating strategic plans for the comprehensive
22 management of the state's human, economic, and physical resources. The division of statewide
23 planning shall recommend to the state planning council specific guidelines, standards, and
24 programs to be adopted to implement strategic planning and the state guide plan and shall undertake
25 any other duties established by this section and amendments thereto.

26 (2) The division of statewide planning shall maintain records (which shall consist of files
27 of complete copies) of all plans, recommendations, rules, and modifications or amendments thereto
28 adopted or issued by the state planning council under this section. The records shall be open to the
29 public.

30 (3) The division of statewide planning shall manage and administer the Rhode Island
31 geographic information system of land-related resources, and shall coordinate these efforts with
32 other state departments and agencies, including the university of Rhode Island, which shall provide
33 technical support and assistance in the development and maintenance of the system and its
34 associated data base.

1 (4) The division of statewide planning shall coordinate and oversee the provision of
2 technical assistance to political subdivisions of the state in preparing and implementing plans to
3 accomplish the purposes, goals, objectives, policies, and/or standards of applicable elements of the
4 state guide plan and shall make available to cities and towns data and guidelines that may be used
5 in preparing comprehensive plans and elements thereof and in evaluating comprehensive plans and
6 elements thereby.

7 (h) [Deleted by P.L. 2011, ch. 215, § 4, and by P.L. 2011, ch. 313, § 4].

8 (i) The division of planning shall be the principal staff agency of the water resources board
9 established pursuant to chapter 15 of title 46 ("Water Resources Board") and the water resources
10 board corporate established pursuant to chapter 15.1 of title 46 ("Water Supply Facilities").

11 SECTION 3. Sections 42-11.4-1, 42-11.4-3, 42-11.4-4 and 42-11.4-5 of the General Laws
12 in Chapter 42-11.4 entitled "The Rhode Island Municipal Infrastructure Grant Program" are hereby
13 amended to read as follows:

14 **42-11.4-1. Establishment.**

15 The Rhode Island municipal infrastructure grant program is hereby created within the
16 Rhode Island infrastructure bank. ~~department of administration and is subject to grant funding.~~
17 ~~State funds or appropriations shall not be utilized in connection with the implementation of this~~
18 ~~section.~~ The Rhode Island infrastructure bank shall have all the powers necessary and convenient
19 to carry out and effectuate the purposes and provisions of this chapter, including, without limiting
20 the generality of the preceding statement, the authority to: ~~The department of administration is~~
21 ~~authorized to:~~

22 (1) Issue public infrastructure grants to municipalities and other public instrumentalities
23 for design, construction, building, land acquisition, rehabilitation, repair, and other improvements
24 to publicly owned infrastructure including, but not limited to, sewers, utility extensions, streets,
25 roads, curb-cuts, parking, water-treatment systems, telecommunications systems, transit
26 improvements, and pedestrian ways; ~~and~~

27 (2) Assist municipalities to advance projects that support job creation and expansion,
28 housing development and rehabilitation, community development projects in areas or districts that
29 communities have determined are best suited to efficiently accommodate future growth and
30 redevelopment, largely in previously developed areas with some level of existing or planned
31 infrastructure. ;

32 (3) Establish a fund within the Rhode Island infrastructure bank to receive and disburse
33 such funds as may be available for the purpose of the program, subject to the provisions of this
34 section;

1 (4) Make and enter into binding commitments to provide grants to municipalities and other
2 public instrumentalities from amounts on deposit in the program fund;

3 (5) Engage the services of third-party vendors to provide professional services;

4 (6) Establish one or more accounts within the fund; and

5 (7) Such other authority as granted to the Rhode Island infrastructure bank under this
6 chapter and chapter 12.2 of title 46.

7 **42-11.4-3. Solicitations.**

8 (a) There shall be at least one open solicitation period each year to accept and consider new
9 applications. ~~Not~~ The Rhode Island infrastructure bank shall provide not less than ~~twelve (12)~~ eight
10 (8) weeks notice before ~~the annual~~ an open solicitation period. ~~, the department of administration~~
11 ~~shall release the criteria upon which the applications shall be judged including, but not limited to,~~
12 ~~a minimum project readiness standard, overall spending targets by project type, preferences for~~
13 ~~projects that align with the state's prevailing economic development plan, and other preferences~~
14 ~~applying to that funding round. Grants may be made outside of the open solicitation period at the~~
15 ~~discretion of the director of administration subject to the provisions of this section.~~ The Rhode
16 Island infrastructure bank shall review and approve all applications for projects to be financed
17 through the Rhode Island municipal infrastructure grant program. All grant awards shall be made
18 after consultation with the Rhode Island division of statewide planning ~~program and the Rhode~~
19 ~~Island infrastructure bank.~~

20 (b) An eligible city or town, acting by and through its municipal officers or by and through
21 any agency designated by the municipal officers to act on their behalf, may apply to the program
22 for a grant in a specific amount to fund a specified project. Two (2) or more municipalities may
23 apply jointly, with one municipality acting as fiscal agent. The grants may be made in addition to
24 other forms of local, state, and federal assistance. Receipt of a grant that is part of a joint application
25 shall not preclude a municipality from receiving additional funds under a separate application.

26 **42-11.4-4. Rules and regulations.**

27 The ~~director of administration~~ Rhode Island infrastructure bank ~~may~~ shall establish
28 ~~reasonable~~ rules and regulations to govern the application and distribution of grants under the
29 program, to include, but not be limited to, provisions for joint applications by two (2) or more
30 eligible municipalities for a single project serving those municipalities. The rules and regulations
31 shall include the criteria upon which the applications shall be judged including, but not limited to,
32 a minimum project readiness standard, overall spending targets by project type, preferences for
33 projects that align with the state's prevailing economic development plan, and other preferences
34 applying to that funding round.

1 **42-11.4-5. Reports.**

2 The ~~director of administration~~ [Rhode Island infrastructure bank](#) shall report annually to the
3 governor, speaker of the house, president of the senate, and the chairs of the house committee on
4 finance, senate committee on finance, house committee on oversight, senate committee on
5 government oversight, house committee on municipal government, senate committee on housing
6 and municipal government, and the permanent joint committee on economic development. The
7 report shall include a list and description of all projects that received grant funds under the program;
8 the amount of the grant awarded to the project; other sources of public funds that supported the
9 project; and a detailed analysis of the economic impact of each project including, where applicable,
10 the number of construction and full-time equivalent jobs to be created, number of housing units to
11 be created, the private investment in the project, and the expected tax revenue generated from the
12 project.

13 SECTION 4. Section 42-64.20-10 of the General Laws in Chapter 42-64.20 entitled
14 "Rebuild Rhode Island Tax Credit" is hereby amended to read as follows:

15 **42-64.20-10. Sunset.**

16 No credits shall be authorized to be reserved pursuant to this chapter after ~~June 30, 2021~~
17 [December 31, 2022](#).

18 SECTION 5. Section 42-64.21-9 of the General Laws in Chapter 42-64.21 entitled "Rhode
19 Island Tax Increment Financing" is hereby amended to read as follows:

20 **42-64.21-9. Sunset.**

21 The commerce corporation shall enter into no agreement under this chapter after ~~June 30,~~
22 ~~2021~~ [December 31, 2022](#).

23 SECTION 6. Section 42-64.22-15 of the General Laws in Chapter 42-64.22 entitled "Tax
24 Stabilization Incentive" is hereby amended to read as follows:

25 **42-64.22-15. Sunset.**

26 The commerce corporation shall enter into no agreement under this chapter after ~~June 30,~~
27 ~~2021~~ [December 31, 2022](#).

28 SECTION 7. Section 42-64.23-8 of the General Laws in Chapter 42-64.23 entitled "First
29 Wave Closing Fund Act" is hereby amended to read as follows:

30 **42-64.23-8. Sunset.**

31 No financing shall be authorized to be reserved pursuant to this chapter after ~~June 30, 2021~~
32 [December 31, 2022](#).

33 SECTION 8. Section 42-64.24-8 of the General Laws in Chapter 42-64.24 entitled "I-195
34 Redevelopment Project Fund Act" is hereby amended as follows:

1 **42-64.24-8. Sunset.**

2 No funding, credits, or incentives shall be authorized or authorized to be reserved pursuant
3 to this chapter after ~~June 30, 2021~~ December 31, 2022.

4 SECTION 9. Section 42-64.25-14 of the General Laws in Chapter 42-64.25 entitled
5 "Rhode Island Small Business Assistance Program" is amended to read as follows:

6 **42-64.25-14. Sunset.**

7 No grants, funding, or incentives shall be authorized pursuant to this chapter after ~~June 30,~~
8 ~~2021~~ December 31, 2022.

9 SECTION 10. Sections 42-64.26-5, 42-64.26-8 and 42-64.26-12 of the General Laws in
10 Chapter 42-64.26 entitled "Stay Invested in RI Wavemaker Fellowship" are hereby amended to
11 read as follows:

12 **42-64.26-5. Administration.**

13 (a) Application. An eligible graduate claiming an award under this chapter shall submit to
14 the commerce corporation an application in the manner that the commerce corporation shall
15 prescribe.

16 (b) Upon receipt of a proper application from an applicant who meets all of the eligibility
17 requirements, the commerce corporation shall select applicants on a competitive basis to receive
18 credits for up to a maximum amount for each service period of one thousand dollars (\$1,000) for
19 an associate's degree holder, four thousand dollars (\$4,000) for a bachelor's degree holder, and six
20 thousand dollars (\$6,000) for a graduate or post-graduate degree holder, but not to exceed the
21 education loan repayment expenses incurred by such taxpayer during each service period
22 completed, for up to four (4) consecutive service periods provided that the taxpayer continues to
23 meet the eligibility requirements throughout the eligibility period. The commerce corporation shall
24 delegate the selection of the applicants that are to receive awards to a fellowship committee to be
25 convened by the commerce corporation and promulgate the selection procedures the fellowship
26 committee will use, which procedures shall require that the committee's consideration of
27 applications be conducted on a name-blind and employer-blind basis and that the applications and
28 other supporting documents received or reviewed by the fellowship committee shall be redacted of
29 the applicant's name, street address, and other personally-identifying information as well as the
30 applicant's employer's name, street address, and other employer-identifying information. The
31 commerce corporation shall determine the composition of the fellowship committee and the
32 selection procedures it will use in consultation with the state's chambers of commerce.

33 (c) The credits awarded under this chapter shall not exceed one hundred percent (100%) of
34 the education loan repayment expenses ~~incurred~~ paid by such taxpayer during each service period

1 completed for up to four (4) consecutive service periods. Tax credits shall be issued annually to the
2 taxpayer upon proof that (i) the taxpayer has actually incurred and paid such education loan
3 repayment expenses; (ii) the taxpayer continues to meet the eligibility requirements throughout the
4 service period; (iii) The award shall not exceed the original loan amount plus any capitalized
5 interest less award previously claimed under this section; and (iv) that the taxpayer claiming an
6 award is current on his or her student loan repayment obligations.

7 (d) The commerce corporation shall not commit to overall awards in excess of the amount
8 contained in the fund.

9 (e) The commerce corporation shall reserve seventy percent (70%) of the awards issued in
10 a calendar year to applicants who are permanent residents of the state of Rhode Island or who
11 attended an institution of higher education located in Rhode Island when they incurred the
12 education loan expenses to be repaid.

13 (f) In administering award, the commerce corporation shall:

14 (1) Require suitable proof that an applicant meets the eligibility requirements for award
15 under this chapter;

16 (2) Determine the contents of applications and other materials to be submitted in support
17 of an application for award under this chapter; and

18 (3) Collect reports and other information during the eligibility period for each award to
19 verify that a taxpayer continues to meet the eligibility requirements for an award.

20 **42-64.26-8. Carry forward and redemption of tax credits.**

21 (a) If the amount of the tax credit allowed under this chapter exceeds the taxpayer's total
22 tax liability for the year in which the credit is allowed, the amount of such credit that exceeds the
23 taxpayer's tax liability may be carried forward and applied against the taxes imposed for the
24 succeeding four (4) years, or until the full credit is used, whichever occurs first.

25 (b) The tax credit allowed under this chapter may be used as a credit against personal
26 income taxes imposed under chapter 30 of title 44.

27 (c) The division of taxation shall at the request of a taxpayer redeem such credits in whole
28 or in part for one hundred percent (100%) of the value of the tax credit.

29 (d) Any ~~amounts paid to a taxpayer for the redemption of tax credits allowed~~ [award issued](#)
30 [pursuant to this chapter after January 1, 2021](#) ~~pursuant to this section~~ shall be exempt from taxation
31 under title 44 of the General Laws.

32 **42-64.26-12. Sunset.**

33 No incentives or credits shall be authorized pursuant to this chapter after ~~June 30, 2021~~
34 [December 31, 2022](#).

1 SECTION 11. Section 42-64.27-6 of the General Laws in Chapter 42-64.27 entitled "Main
2 Street Rhode Island Streetscape Improvement Fund" is hereby amended as follows:

3 **42-64.27-6. Sunset.**

4 No incentives shall be authorized pursuant to this chapter after ~~June 30, 2021~~ [December](#)
5 [31, 2022](#).

6 SECTION 12. Section 42-64.28-10 of the General Laws in Chapter 42-64.28 entitled
7 "Innovation Initiative" is hereby amended as follows:

8 **42-64.28-10. Sunset.**

9 No vouchers, grants, or incentives shall be authorized pursuant to this chapter after ~~June~~
10 ~~30, 2021~~ [December 31, 2022](#).

11 SECTION 13. Section 42-64.31-4 of the General Laws in Chapter 42-64.31 entitled "High
12 School, College, and Employer Partnerships" is hereby amended as follows:

13 **42-64.31-4. Sunset.**

14 No grants shall be authorized pursuant to this chapter after ~~June 30, 2021~~ [December 31,](#)
15 [2022](#).

16 SECTION 14. Section 42-64.32-6 of the General Laws in Chapter 42-64.32 entitled "Air
17 Service Development Fund" is hereby amended as follows:

18 **42-64.32-6. Sunset.**

19 No grants, credits, or incentives shall be authorized or authorized to be reserved pursuant
20 to this chapter after ~~June 30, 2021~~ [December 31, 2022](#).

21 SECTION 15. Section 44-31.2-5 of the General Laws in Chapter 44-31.2 entitled "Motion
22 Picture Production Tax Credits" is hereby amended to read as follows:

23 **44-31.2-5. Motion picture production company tax credit.**

24 (a) A motion picture production company shall be allowed a credit to be computed as
25 provided in this chapter against a tax imposed by chapters 11, 14, 17, and 30 of this title. The
26 amount of the credit shall be thirty percent (30%) of the state-certified production costs incurred
27 directly attributable to activity within the state, provided:

28 (1) That the primary locations are within the state of Rhode Island and the total production
29 budget as defined herein is a minimum of one hundred thousand dollars (\$100,000); or

30 (2) The motion picture production incurs and pays a minimum of ten million dollars
31 (\$10,000,000) in state-certified production costs within a twelve-month (12) period.

32 The credit shall be earned in the taxable year in which production in Rhode Island is
33 completed, as determined by the film office in final certification pursuant to § 44-31.2-6(c).

34 (b) For the purposes of this section: "total production budget" means and includes the

1 motion picture production company's pre-production, production, and post-production costs
2 incurred for the production activities of the motion picture production company in Rhode Island in
3 connection with the production of a state-certified production. The budget shall not include costs
4 associated with the promotion or marketing of the film, video, or television product.

5 (c) Notwithstanding subsection (a) of this section, the credit shall not exceed seven million
6 dollars (\$7,000,000) and shall be allowed against the tax for the taxable period in which the credit
7 is earned and can be carried forward for not more than three (3) succeeding tax years. Pursuant to
8 rules promulgated by the tax administrator, the administrator may issue a waiver of the seven
9 million dollars (\$7,000,000) tax credit cap for any feature-length film or television series up to the
10 remaining funds available pursuant to section (e) of this section.

11 (d) Credits allowed to a motion picture production company, which is a subchapter S
12 corporation, partnership, or a limited-liability company that is taxed as a partnership, shall be
13 passed through respectively to persons designated as partners, members, or owners on a pro rata
14 basis or pursuant to an executed agreement among such persons designated as subchapter S
15 corporation shareholders, partners, or members documenting an alternate distribution method
16 without regard to their sharing of other tax or economic attributes of such entity.

17 (e) No more than fifteen million dollars (\$15,000,000) in total may be issued for any tax
18 year beginning after December 31, 2007, for motion picture tax credits pursuant to this chapter
19 and/or musical and theatrical production tax credits pursuant to chapter 31.3 of this title. After
20 December 31, 2019, no more than twenty million dollars (\$20,000,000) in total may be issued for
21 any tax year for motion picture tax credits pursuant to this chapter and/or musical and theater
22 production tax credits pursuant to chapter 31.3 of this title. Said credits shall be equally available
23 to motion picture productions and musical and theatrical productions. No specific amount shall be
24 set aside for either type of production.

25 [\(f\) Exclusively for tax year 2022, the total amount of motion picture tax credits issued](#)
26 [pursuant to § 44-31.2-5 and/or musical and theatrical production tax credits pursuant to chapter](#)
27 [31.3 of this title shall not exceed thirty million dollars \(\\$30,000,000\)](#)

28 SECTION 16. Section 44-33.6-11 of the General Laws in Chapter 44-33.6 entitled
29 "Historic Preservation Tax Credits 2013" is hereby amended to read as follows:

30 **44-33.6-11. Sunset.**

31 No credits shall be authorized to be reserved pursuant to this chapter on or after June 30,
32 ~~2021~~ 2022, or upon the exhaustion of the maximum aggregate credits, whichever comes first.

33 SECTION 17. Section 44-48.3-14 of the General Laws in Chapter 44-48.3 entitled "Rhode
34 Island Qualified Jobs Incentive Act of 2015" is hereby amended as follows:

1 **44-48.3-14. Sunset.**

2 No credits shall be authorized to be reserved pursuant to this chapter after ~~June 30, 2021~~
3 [December 31, 2022.](#)

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

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ARTICLE 10

RELATING TO EDUCATION

SECTION 1. Section 16-7-16 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read as follows:

16-7-16. Definitions.

The following words and phrases used in §§ 16-7-15 to 16-7-34 have the following meanings:

(1) "Adjusted equalized weighted assessed valuation" means the equalized weighted assessed valuation of a community as determined by the department of revenue or as apportioned by the commissioner pursuant to the provisions of § 16-7-21;

(2)(i) "Average daily membership" means the average number of pupils in a community during a school year as determined pursuant to the provisions of § 16-7-22, less any students who are served in a program operated by the state and funded through the permanent foundation education aid formula pursuant to chapter 16-7.2;

(ii) For FY 2022, "average daily membership" means the greater of the average number of pupils in a community during a school year as determined pursuant to the provisions of § 16-7-22 in March 2020 or March 2021, less any students who are served in a program operated by the state and funded through the permanent foundation education aid formula pursuant to chapter 16-7.2. State aid to charter public schools, Davies, and the Met Center shall be determined based on the districts of residence in whichever year had the greater total average daily membership.

(A) For the purposes of determining the number of students in poverty, the department shall divide the average daily membership of students reported as living in poverty in each district of residence by the total average daily membership of students enrolled in the district of residence in both March 2020 and March 2021. The greater percentage shall be applied to the average daily membership used in the calculation of foundation education aid. For charter public schools, Davies, and the Met Center, the average daily membership of students reported as living in poverty shall be consistent with March 2020 or March 2021, whichever year had the greater total average daily membership.

(B) If the average daily membership in March 2020 is greater for any given community

1 [than in March 2021, the number of pupils shall be reduced by the number of students attending new](#)
2 [or expanding charter schools in FY 2022.](#)

3 (3) "Basic education program" means the cost of education of resident pupils in grades
4 twelve (12) and below in average daily membership for the reference year as determined by the
5 mandated minimum program level;

6 (4) "Certified personnel" means all persons who are required to hold certificates issued by
7 or under the authority of the board of regents for elementary and secondary education;

8 (5) "Community" means any city, town, or regional school district established pursuant to
9 law and/or the department of children, youth, and families; provided, however, that the department
10 of children, youth, and families shall not have those administrative responsibilities and obligations
11 as set forth in chapter 2 of this title; provided, however, that the member towns of the Chariho
12 regional high school district, created by P.L. 1958, chapter 55 as amended, shall constitute separate
13 and individual communities for the purpose of determining and distributing the foundation level
14 school support including state aid for noncapital excess expenses for the special education of
15 children with disabilities provided for in § 16-24-6 for all grades financed in whole or in part by
16 the towns irrespective of any regionalization and any school operated by the state department of
17 elementary and secondary education;

18 (6) "Department of children, youth, and families" means that department created pursuant
19 to chapter 72 of title 42. For purposes of this section, §§ 16-7-20, 16-24-2, and 42-72-5(b)(22),
20 "children" means those children who are placed, assigned, or otherwise accommodated for
21 residence by the department of children, youth, and families in a state operated or supported
22 community residence licensed by a state agency and the residence operates an educational program
23 approved by the department of elementary and secondary education;

24 (7) "Equalized weighted assessed valuation" means the equalized weighted assessed
25 valuation for a community as determined by the division of property valuation pursuant to the
26 provisions of § 16-7-21;

27 (8) "Full time equivalency students" means the time spent in a particular activity divided
28 by the amount of time in a normal school day;

29 (9) "Incentive entitlement" means the sum payable to a local school district under the
30 formula used;

31 (10) "Mandated minimum program level" means the amount that shall be spent by a
32 community for every pupil in average daily membership as determined pursuant to the provisions
33 of § 16-7-18;

34 (11) "Reference year" means the next year prior to the school year immediately preceding

1 that in which the aid is to be paid. For the purposes of calculating the permanent foundation
2 education formula aid as described in § 16-7.2-3, the reference date shall be one year prior to the
3 year in which aid is paid; and

4 (12) "Regularly employed" and "service" as applied to certified personnel have the same
5 meaning as defined in chapter 16 of this title.

6 SECTION 2. Sections 16-7.2-5 and 16-7.2-8 of the General Laws in Chapter 16-7.2 entitled
7 "The Education Equity and Property Tax Relief Act" are hereby amended to read as follows:

8 **16-7.2-5. Charter public schools, the William M. Davies, Jr. Career and Technical**
9 **High School, and the Metropolitan Regional Career and Technical Center.**

10 (a) Charter public schools, as defined in chapter 77 of this title, the William M. Davies, Jr.
11 Career and Technical High School (Davies), and the Metropolitan Regional Career and Technical
12 Center (the Met Center) shall be funded pursuant to § 16-7.2-3. If the October 1 actual enrollment
13 data for any charter public school shows a ten percent (10%) or greater change from the prior year
14 enrollment which is used as the reference year average daily membership, the last six (6) monthly
15 payments to the charter public school will be adjusted to reflect actual enrollment. The state share
16 of the permanent foundation education aid shall be paid by the state directly to the charter public
17 schools, Davies, and the Met Center pursuant to § 16-7.2-9 and shall be calculated using the state-
18 share ratio of the district of residence of the student as set forth in § 16-7.2-4. The department of
19 elementary and secondary education shall provide the general assembly with the calculation of the
20 state share of permanent foundation education aid for charter public schools delineated by school
21 district.

22 (b) The local share of education funding shall be paid to the charter public school, Davies,
23 and the Met Center by the district of residence of the student and shall be the local, per-pupil cost
24 calculated by dividing the local appropriation to education from property taxes, net of debt service,
25 and capital projects, as defined in the uniform chart of accounts by the average daily membership
26 for each city and town, pursuant to § 16-7-22, for the reference year.

27 (c) Beginning in FY 2017, there shall be a reduction to the local per pupil funding paid by
28 the district of residence to charter public schools, Davies, and the Met Center. This reduction shall
29 be equal to the greater (i) Of seven percent (7%) of the local, per-pupil funding of the district of
30 residence pursuant to subsection (b) or (ii) The per-pupil value of the district's costs for non-public
31 textbooks, transportation for non-public students, retiree health benefits, out-of-district special-
32 education tuition and transportation, services for students age eighteen (18) to twenty-one (21)
33 years old, pre-school screening and intervention, and career and technical education, tuition and
34 transportation costs, debt service and rental costs minus the average expenses incurred by charter

1 schools for those same categories of expenses as reported in the uniform chart of accounts for the
2 prior preceding fiscal year pursuant to § 16-7-16(11) and verified by the department of elementary
3 and secondary education. In the case where audited financials result in a change in the calculation
4 after the first tuition payment is made, the remaining payments shall be based on the most recent
5 audited data. For those districts whose greater reduction occurs under the calculation of (ii), there
6 shall be an additional reduction to payments to mayoral academies with teachers who do not
7 participate in the state teacher's retirement system under chapter 8 of title 36 equal to the per-pupil
8 value of teacher retirement costs attributable to unfunded liability as calculated by the state's
9 actuary for the prior preceding fiscal year.

10 (d) Local district payments to charter public schools, Davies, and the Met Center for each
11 district's students enrolled in these schools shall be made on a quarterly basis in July, October,
12 January, and April; however, the first local-district payment shall be made by August 15, instead
13 of July. Failure of the community to make the local-district payment for its student(s) enrolled in a
14 charter public school, Davies, and/or the Met Center may result in the withholding of state
15 education aid pursuant to § 16-7-31.

16 (e) Beginning in FY 2017, school districts with charter public school, Davies, and the Met
17 Center enrollment, that, combined, comprise five percent (5%) or more of the average daily
18 membership as defined in § 16-7-22, shall receive additional aid for a period of three (3) years. Aid
19 in FY 2017 shall be equal to the number of charter public school, open-enrollment schools, Davies,
20 or the Met Center students as of the reference year as defined in § 16-7-16 times a per-pupil amount
21 of one hundred seventy-five dollars (\$175). Aid in FY 2018 shall be equal to the number of charter
22 public school, open-enrollment schools, Davies, or the Met Center students as of the reference year
23 as defined in § 16-7-16 times a per-pupil amount of one hundred dollars (\$100). Aid in FY 2019
24 shall be equal to the number of charter public school, open-enrollment schools, Davies, or the Met
25 Center students as of the reference year as defined in § 16-7-16 times a per-pupil amount of fifty
26 dollars (\$50.00). The additional aid shall be used to offset the adjusted fixed costs retained by the
27 districts of residence.

28 (f) School districts with charter public school, Davies, and the Met Center enrollment, that,
29 combined, comprise five percent (5%) or more of the average daily membership as defined in § 16-
30 7-22, shall receive additional aid intended to help offset the impact of new and expanding charter
31 schools. For FY 2022, aid shall be equal to the number of new students being served as determined
32 by the difference between the reference year as defined in § 16-7-16 and FY 2019 times a per-pupil
33 amount of five hundred dollars (\$500). For FY 2023 and thereafter, aid shall be equal to the number
34 of new students being served as determined by the difference between the reference year as defined

1 in § 16-7-16 and the prior reference year times a per-pupil amount of five hundred dollars (\$500).
2 The additional aid shall be used to offset the adjusted fixed costs retained by the districts of
3 residence.

4 **16-7.2-8. Accountability.**

5 (a) Pursuant to §§ 16-7.1-3 and 16-7.1-5, the department of elementary and secondary
6 education (the "department") shall use the uniform chart of accounts to maintain fiscal
7 accountability for education expenditures that comply with applicable laws and regulations,
8 including but not limited to the basic education program. This data shall be used to develop criteria,
9 ~~and~~ priorities, and benchmarks specific to each local education agency (LEA) to improve for cost
10 controls, efficiencies, and program effectiveness. The department ~~of elementary and secondary~~
11 ~~education~~ shall present ~~this~~ LEA-specific information ~~in the form of an annual report~~ to the LEA
12 to which it applies, and provide a summary of all LEA reports to the governor and the general
13 assembly annually, beginning on August 1, 2022.

14 (b) The department of elementary and secondary education shall establish and/or
15 implement program standards to be used in the oversight of the use of foundation aid calculated
16 pursuant to § 16-7.2-3. Such oversight will be carried out in accordance with the progressive
17 support and intervention protocols established in chapter 7.1 of this title.

18 SECTION 3. Chapter 16-22 of the General Laws entitled "Curriculum [See Title 16
19 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto the
20 following section:

21 **16-22-34. The basic education program.**

22 (a) For the purposes of this chapter, the "basic education program" means a set of
23 regulations promulgated by the council on elementary and secondary education pursuant to its
24 delegated statutory authority to determine standards for the Rhode Island public education system
25 and the maintenance of local appropriation to support its implementation under Rhode Island
26 general laws.

27 (b) The basic education program (BEP) shall include, but shall not be limited to, the
28 following basic elements:

29 (1) A standard for students who are English language learners; and

30 (2) Any other requirements set forth elsewhere in Rhode Island general laws or
31 departmental regulations.

32 (c) By August 1, 2022, and annually thereafter, the department of elementary and
33 secondary education (the "department") shall review BEP compliance of each local education
34 agency (LEA) within the state. The department shall:

1 (1) Assess programmatic compliance with the BEP to ensure high-quality education is
2 available to all public school students, regardless of where they reside or which school they attend;

3 (2) Determine the incremental cost to meet the BEP utilizing uniform chart of account
4 (UCOA) data from the LEA and all LEAs statewide;

5 (3) Determine the sufficiency of both the state and the local education aid to the LEA to
6 meet the BEP; and,

7 (4) If a deficiency exists in the local education aid to the LEA to meet the BEP, the
8 Department shall consult with the Department of Revenue to issue a joint report to the General
9 Assembly on the feasibility of the municipality to raise sufficient funds to meet the BEP standard
10 set in law.

11 SECTION 4. Sections 16-98-2, 16-98-4 and 16-98-6 of the General Laws in Chapter 16-
12 98 entitled "Access to Advanced Placement Courses for All Students Act [See Title 16 Chapter 97
13 - The Rhode Island Board of Education Act]" are hereby amended to read as follows:

14 **16-98-2. Definitions.**

15 The following words and phrases when used in this chapter shall have the following
16 meanings given to them unless the context clearly indicates otherwise:

17 (1) "Advanced placement" means a college-level class taught at the high school level
18 ~~preparatory course for a college advanced placement that provides students the opportunity to earn~~
19 college credit upon passage of an exam that:

20 (i) Incorporates all topics specified by the ~~college-board~~ College Board on its standards
21 syllabus for a given subject area; and

22 (ii) Is authorized by the ~~college-board~~ College Board.

23 (2) ~~"Board of regents" means the board of regents for elementary and secondary education.~~

24 (3) "College ~~board~~ Board " means ~~the non-profit examination board in the United States~~
25 ~~comprised of over four thousand five hundred (4,500) institutions of higher learning and known for~~
26 ~~managing standardized tests such as the advanced placement or "AP" tests~~ and refers to the
27 nonprofit organization that develops and administers standardized tests and curricula used by
28 kindergarten through grade twelve (K-12) and post-secondary education institutions to promote
29 college readiness.

30 (4) "Department" means the Rhode Island department of elementary and secondary
31 education.

32 (5) "Eligible teacher" means a professional employee that is certified in the subject area of
33 the advanced placement course that he or she will be teaching.

34 (6) "Examination" or "exam" means the test provided by the College Board to measure a

1 [student's mastery of the advanced placement subject matter.](#)

2 ~~(6)~~(7) "Four core academic areas" means advanced placement courses in English,
3 mathematics, science and social science.

4 ~~(7)~~(8) "Poverty level" means ~~the percentage of students in a school district eligible for free~~
5 ~~and reduced lunch~~ [students whose family income is at or below one hundred eighty-five percent](#)
6 [\(185%\) of federal poverty guidelines.](#)

7 ~~(8)~~(9) "Program" means [furtherance of](#) the advanced placement [classes in the public](#)
8 [schools and includes](#) teacher training ~~program~~ [and increased student participation.](#)

9 ~~(9)~~(10) "School district" means any public school district, school unit, area-vocational-
10 technical school, ~~or~~ charter school [or mayoral academy](#) that composes a school district; the term
11 also encompasses a single high school or multiple high schools within a school district where
12 applicable.

13 ~~(10)~~(11) "Teacher training entities" means institutions of higher education, intermediate
14 units or organizations approved/certified by the ~~college-board~~ [College Board](#) to train teachers to
15 teach advanced placement courses.

16 ~~(11)~~(12) "Virtual learning instruction" means providing academic courses to students via
17 the Internet and/or the use of technology in providing instruction to students.

18 **16-98-4. Powers and duties of department.**

19 (a) Guidelines. The department shall promulgate rules, regulations and procedures
20 necessary for the implementation of this chapter including, but not limited to, the following:

21 (1) In consultation with the ~~college-board~~ [College Board](#), certify those teacher-training
22 entities that are qualified to provide training of teachers to teach advanced placement courses in the
23 four (4) core academic areas;

24 (2) In certifying teacher-training entities for this program, the department shall ensure that
25 the training times and locations will be geographically accessible for teachers from eligible school
26 entities to attend;

27 (3) The department, in consultation with the ~~college-board~~ [College Board](#), shall ensure that
28 training provided by those teacher-training entities must provide teachers of advanced placement
29 courses with the necessary content knowledge and instructional skills to prepare students for
30 success in advanced placement courses and examinations; ~~and~~

31 (4) Starting at the end of the first year of the program, and every year thereafter, the
32 department shall issue a report to the general assembly on the advanced placement teacher-training
33 program that shall include, but not be limited to:

34 (i) The number of teachers receiving training in advanced placement instructions in school

1 entities, school districts and high schools in each of the four (4) core academic areas.

2 (ii) The number of students taking advanced placement courses at school entities in each
3 of the four (4) core academic areas.

4 (iii) The number of students scoring a three (3) or more on an advanced placement
5 examination at school entities in each of the four (4) core academic areas.

6 (iv) The remaining unmet need for trained teachers in school entities that do not offer
7 advanced placement courses.

8 (v) The number of students taking advanced placement courses who do not take the
9 advanced placement examination.

10 (vi) The number of students below the poverty level who take advanced placement courses.

11 (vii) The number of students below the poverty level who take advanced placement courses
12 and do not take the advanced placement examination; and.

13 (5) In consultation with local education authorities, ensure that the opportunity to
14 participate in the advanced placement program and gain college credit is available to the greatest
15 amount of students as practicable.

16 (b) Nothing in this chapter shall prohibit the board of education, through the department,
17 from expanding the program to include other nationally accepted courses of study that provide
18 students an opportunity to gain college credits from classes taken in high school.

19 **16-98-6. Program funding.**

20 (a) Funding shall be for ~~this program is subject to appropriation by the general assembly to~~
21 ~~the department for that purpose~~ the purpose of providing advanced placement examinations to
22 students at or below the poverty level at no cost to the student.

23 ~~(b) In the event that insufficient moneys are appropriated in any fiscal year to provide~~
24 ~~funding for all eligible school entities applying to the program, the department shall prioritize~~
25 ~~funding of eligible school entities based on the poverty level of the school districts that high school~~
26 ~~students who will be taking the advanced placement courses reside in.~~ Notwithstanding any general
27 law, rule or regulation to the contrary, the department shall include as part of its annual budget the
28 amount necessary to pay the exam costs for all students below the poverty level who take advanced
29 courses.

30 SECTION 5. This article shall take effect upon passage.

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ARTICLE 11

RELATING TO LEASE AGREEMENTS FOR LEASED OFFICE AND OPERATING SPACE

SECTION 1. This article consists of a Joint Resolution that is submitted pursuant to Rhode Island General Laws § 37-6-2 authorizing various lease agreements for office space and operating space.

SECTION 2. Department of Revenue, 238 East Main Road, Middletown.

WHEREAS, The Department of Revenue currently occupies approximately 4,200 square feet at 238 East Main Road in the Town of Middletown; and

WHEREAS, The Rhode Island Department of Revenue currently has a current lease agreement, in full force and effect, with Kenneth J. Alves for approximately 4,200 square feet of office space located at 238 East Main Road, Middletown; and

WHEREAS, The existing lease expires on October 31, 2021 and the Department of Revenue wishes to exercise its option to renew this lease for an additional five (5)-year term; and

WHEREAS, The State of Rhode Island, acting by and through the Rhode Island Department of Revenue attests to the fact that there are no clauses in the lease agreement with Kenneth J. Alves that would interfere with the Rhode Island Department of Revenue lease agreement or use of the facility; and

WHEREAS, The leased premises provide a critical regional location for the offices of the Department of Revenue from which the Department can serve the needs of Middletown and surrounding Aquidneck Island communities and otherwise fulfill the mission of the Department of Revenue; and

WHEREAS, The annual base rent in the agreement in the current fiscal year, ending June 30, 2021 is \$57,978; and

WHEREAS, The anticipated annual base rent of the agreement in each of the initial five (5) years of the term will not exceed \$63,522; and

WHEREAS, The payment of the annual base rent will be made from funds available to the Department of Revenue 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 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement

1 between the Department of Revenue and Kenneth J. Alves for leased space located at 238 East
2 Main Road, Middletown; now therefore be it

3 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
4 the lease agreement, for a term not to exceed five (5) years and an aggregate base rent not to exceed
5 \$317,606; and it be further

6 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
7 Assembly; and it be further

8 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
9 certified copies of this resolution to the Governor, the Director of the Department of Revenue, the
10 Director of Administration, the State Budget Officer, and the Chair of the State Properties
11 Committee.

12 SECTION 3. Department of Corrections, 49 Pavilion Avenue, Providence.

13 WHEREAS, The Rhode Island Department of Corrections has a current lease agreement,
14 in full force and effect, with WRR Associates, LLC for approximately 5,086 square feet of office
15 space located at 49 Pavilion Avenue, Providence; and

16 WHEREAS, The State of Rhode Island, acting by and through the Rhode Island
17 Department of Corrections attests to the fact that there are no clauses in the lease agreement with
18 the WRR Associates, LLC that would interfere with the Rhode Island Department of Corrections
19 lease agreement or use of the facility; and

20 WHEREAS, The existing lease expires on July 31, 2021 and the Rhode Island Department
21 of Corrections wishes to renew its lease for a term of one and one-half (1.5) years; and

22 WHEREAS, The annual base rent in the current agreement in the current fiscal year, ending
23 July 31, 2021 is \$108,690; and

24 WHEREAS, The annual base rent of the agreement in each of the next one and one-half
25 (1.5) years of the term will not exceed \$108,690; and

26 WHEREAS, The payment of the annual base rent will be made from funds available to the
27 Department of Corrections for the payments of rental and lease costs based on annual
28 appropriations made by the General Assembly; and

29 WHEREAS, The leased premises will provide a critical location for the offices of the
30 Department of Corrections from which the Department can serve the needs of Providence and
31 surrounding communities and otherwise fulfill the mission of the Department of Corrections; and

32 WHEREAS, The State Properties Committee now respectfully requests the approval of the
33 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement
34 between the Department of Corrections and a landlord to be determined, for the office space located

1 at 49 Pavilion Avenue in the City of Providence, Rhode Island; now therefore be it

2 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
3 the lease agreement, for a term not to exceed one (1) year and six (6) months and an aggregate base
4 rent not to exceed \$163,035; and it be further

5 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
6 Assembly; and it be further

7 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
8 certified copies of this resolution to the Governor, the Director of the Department of Corrections,
9 the Director of Administration, the State Budget Officer, and the Chair of the State Properties
10 Committee.

11 SECTION 4. Commission for Human Rights, 180 Westminster Street, Providence.

12 WHEREAS, The Commission for Human Rights currently holds a lease agreement with
13 Dorwest Associates, LLC for approximately 9,912 square feet of office space located at 180
14 Westminster Street in the City of Providence; and

15 WHEREAS, The State of Rhode Island, acting by and through the Commission for Human
16 Rights, attests to the fact that there are no clauses in the lease agreement with Dorwest Associates,
17 LLC that would interfere with the Commission for Human Rights lease agreement or use of the
18 facility; and

19 WHEREAS, The current lease expires on August 31, 2021, and the Commission for
20 Human Rights wishes to renew the lease agreement with Dorwest Associates, LLC for an additional
21 five (5) year lease term, commencing on September 1, 2021 and expiring on August 31, 2026; and

22 WHEREAS, The leased premises provide a central location from which the Commission
23 for Human Rights can serve the needs of state residents and otherwise fulfill the mission of the
24 Commission; and

25 WHEREAS, The annual rent in the agreement in the current fiscal year, ending June 30,
26 2021 is \$181,410; and

27 WHEREAS, The annual base rent of the agreement in each of the five years of the term
28 will not exceed \$185,850; and

29 WHEREAS, The payment of the annual base rent will be made from funds available to the
30 Rhode Island Commission for Human Rights for the payments of rental and lease costs based on
31 annual appropriations made by the General Assembly; and

32 WHEREAS, The State Properties Committee now respectfully requests the approval of the
33 House of Representatives and the Senate for the lease agreement between the Commission for
34 Human Rights and Dorwest Associates, LLC, for the facility located at 180 Westminster Street in

1 the City of Providence; now therefore be it

2 RESOLVED, That this General Assembly approves the lease agreement, for a term not to
3 exceed five (5) years and an aggregate base rent not to exceed \$929,250; and it be further

4 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
5 Assembly; and it be further

6 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
7 certified copies of this resolution to the Governor, the Executive Director of the Commission for
8 Human Rights, the Director of Administration, the State Budget Officer, and the Chair of the State
9 Properties Committee.

10 SECTION 5. Ethics Commission, 38-40 Fountain Street, Providence.

11 WHEREAS, The Rhode Island Ethics Commission currently holds a lease agreement with
12 Gardner Building LLC for approximately 4,535 square feet of office space at 38-40 Fountain Street
13 in the City of Providence; and

14 WHEREAS, The State of Rhode Island, acting by and through the Ethics Commission,
15 attests to the fact that there are no clauses in the lease agreement with Gardner Building, LLC that
16 would interfere with the Ethics Commission lease agreement or use of the facility; and

17 WHEREAS, The existing lease expires on November 30, 2021 and the Rhode Island Ethics
18 Commission wishes to exercise its option and renew this lease for a term of ten (10) years; and

19 WHEREAS, The leased premises will provide a critical regional location for officials of
20 the Rhode Island Ethics Commission from which it can serve the needs of the Rhode Island
21 community and otherwise fulfill the mission of the office; and

22 WHEREAS, The annual rent in the agreement in the current fiscal year, ending June 30,
23 2021 is \$79,181; and

24 WHEREAS, The annual additional rent for parking in the current fiscal year, ending June
25 30, 2021 is \$24,894; and

26 WHEREAS, The anticipated annual base rent of the agreement in each of the initial five
27 (5) years of the lease term will not exceed \$83,898 and the anticipated annual base rent of the
28 agreement in years six through ten of the lease term will not exceed \$88,433; and

29 WHEREAS, The anticipated annual additional rent for parking of the agreement in each of
30 the initial five (5) years of the lease term will not exceed \$24,894 and the anticipated annual base
31 rent of the agreement in years six (6) through ten (10) of the lease term will not exceed \$24,894;
32 and

33 WHEREAS, The payment of the annual base rent and parking rent will be made from funds
34 available to the Rhode Island Ethics Commission for the payments of rental and lease costs based

1 on annual appropriations made by the General Assembly; and

2 WHEREAS, The State Properties Committee now respectfully requests the approval of the
3 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement
4 between the Rhode Island Ethics Commission and Garner Building, LLC, for office space located
5 at 40 Fountain Street, in the City of Providence, Rhode Island; now therefore be it

6 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
7 the lease agreement, for a lease term not to exceed ten years and an aggregate base rent not to
8 exceed \$861,650 and an aggregate additional rent for parking not to exceed \$248,940; and it be
9 further

10 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
11 Assembly; and it be further

12 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
13 certified copies of this resolution to the Governor, the Secretary of the Rhode Island Ethics
14 Commission, the Director of Administration, the State Budget Officer, and the Chair of the State
15 Properties Committee.

16 SECTION 6. Department of Human Services, Office of Rehabilitative Services, 40
17 Fountain Street, Providence.

18 WHEREAS, The Rhode Island Department of Human Services (Office of Rehabilitative
19 Services) currently has a current lease agreement, in full force and effect, with the Gardner
20 Building, LLC for approximately 27,680 square feet of office space located at 40 Fountain Street,
21 Providence; and

22 WHEREAS, The State of Rhode Island, acting by and through the Department of Human
23 Services (Office of Rehabilitative Services), attests to the fact that there are no clauses in the lease
24 agreement with Gardner Building, LLC that would interfere with the Department of Human
25 Services (Office of the Rhode Island Department of Human Services (Office of Rehabilitative
26 Services) lease agreement or use of the facility; and

27 WHEREAS, The existing lease expires on November 30, 2021 and the Department of
28 Human Services (Office of Rehabilitative Services) wishes to exercise its option and renew this
29 lease for a term of ten (10) years; and

30 WHEREAS, The leased premises will provide a critical regional location for officials of
31 the Department of Human Services (Office of Rehabilitative Services) from which it can serve the
32 needs of the Rhode Island community and otherwise fulfill the mission of the office; and

33 WHEREAS, The annual rent in the agreement in the current fiscal year, ending June 30,
34 2021 is \$483,293; and

1 WHEREAS, The annual additional rent for parking in the current fiscal year, ending June
2 30, 2021 is \$198,000; and

3 WHEREAS, The anticipated annual base rent of the agreement in each of the initial five
4 (5) years of the term will not exceed \$512,808 and the anticipated annual base rent in years six (6)
5 through ten (10) of the term will not exceed \$539,760; and

6 WHEREAS, The anticipated annual additional rent for parking of the agreement in each of
7 the initial five (5) years of the lease term will not exceed \$198,000 and the anticipated annual base
8 rent of the agreement in years six (6) through ten (10) of the lease term will not exceed \$198,000;
9 and

10 WHEREAS, The payment of the annual base rent and parking rent will be made from funds
11 available to the Department of Human Services (Office of Rehabilitative Services) for the payments
12 of rental and lease costs based on annual appropriations made by the General Assembly; and

13 WHEREAS, The State Properties Committee now respectfully requests the approval of the
14 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement
15 between the Department of Human Services (Office of Rehabilitative Services) and Garner
16 Building, LLC, for office space located at 40 Fountain Street, in the City of Providence, Rhode
17 Island; now therefore be it

18 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
19 the lease agreement, for a lease term not to exceed ten (10) years and an aggregate base rent not to
20 exceed \$5,262,840 and an aggregate additional rent for parking not to exceed \$1,980,000; and it be
21 further

22 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
23 Assembly; and it be further

24 RESOLVED, That the Secretary of State be and he hereby is authorized and directed to
25 transmit duly certified copies of this resolution to the Governor, the Secretary of the Department
26 of Human Services, the Director of Administration, the State Budget Officer, and the Chair of the
27 State Properties Committee

28 SECTION 7. Department of Human Services, Office of Disability Determination Services,
29 40 Fountain Street, Providence.

30 WHEREAS, The Rhode Island Department of Human Services (Office of Disability
31 Determination Services) currently has a current lease agreement, in full force and effect, with the
32 Gardner Building, LLC for approximately 16,024 square feet of office space located at 40 Fountain
33 Street, Providence which will expire on November 30, 2021; and

34 WHEREAS, The State of Rhode Island, acting by and through the Department of Human

1 Services (Office of Disability Determination Services), attests to the fact that there are no clauses
2 in the lease agreement with Gardner Building, LLC that would interfere with the Department of
3 Human Services (Office of Disability Determination Services) lease agreement or use of the
4 facility; and

5 WHEREAS, The existing lease expires on November 30, 2021 and the Department of
6 Human Services (Office of Disability Determination Services) wishes to exercise its option and
7 renew this lease for a term of ten (10) years.

8 WHEREAS, The leased premises will provide a critical regional location for officials of
9 the Department of Human Services (Office of Disability Determination Services) from which it can
10 serve the needs of the Rhode Island community and otherwise fulfill the mission of the office; and

11 WHEREAS, The annual rent in the agreement in the current fiscal year, ending June 30,
12 2021 is \$279,779; and

13 WHEREAS, The annual additional rent for parking in the current fiscal year, ending June
14 30, 2021 is \$108,000; and

15 WHEREAS, The anticipated annual base rent of the agreement in each of the initial five
16 (5) years of the term will not exceed \$296,444 and the anticipated annual base rent of the agreement
17 in years six (6) through ten (10) will not exceed \$312,468; and

18 WHEREAS, The anticipated annual additional rent for parking of the agreement in each of
19 the initial five (5) years of the lease term will not exceed \$108,000 and the anticipated annual base
20 rent of the agreement in years six (6) through ten (10) of the lease term will not exceed \$108,000;
21 and

22 WHEREAS, The payment of the annual base rent and parking rent will be made from funds
23 available to the Department of Human Services (Office of Disability Determination Services) for
24 the payments of rental and lease costs based on annual appropriations made by the General
25 Assembly; and

26 WHEREAS, The State Properties Committee now respectfully requests the approval of the
27 Rhode Island House of Representatives and the Rhode Island Senate for the lease agreement
28 between the Department of Human Services (Office of Disability Determination Services) and
29 Gardner Building, LLC, for office space located at 40 Fountain Street, in the City of Providence,
30 Rhode Island; now therefore be it

31 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
32 the lease agreement, for a lease term not to exceed ten (10) years and an aggregate base rent not to
33 exceed \$3,044,560 and an aggregate additional rent for parking not to exceed \$1,080,000; and it be
34 further

1 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
2 Assembly; and it be further

3 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
4 certified copies of this resolution to the Governor, the Secretary of the Department of Human
5 Services, the Director of Administration, the State Budget Officer, and the Chair of the State
6 Properties Committee.

7 SECTION 8. Department of Human Services, 249 Roosevelt Avenue, Pawtucket.

8 WHEREAS, The Department of Human Services holds a current lease agreement, in full
9 force and effect, with PUI O, Inc. for 24,400 square feet of space located at 249 Roosevelt Avenue
10 in the City of Pawtucket; and

11 WHEREAS, The current lease expires on July 31, 2021 and the Department of Human
12 Services wishes to renew the lease agreement with PUI O, Inc. for a period of ten (10) years; and

13 WHEREAS, The State of Rhode Island, acting by and through the Department of Human
14 Services, attests to the fact that there are no clauses in the lease agreement with PUI O, Inc. that
15 would interfere with the Department of Human Services lease agreement or use of the facility; and

16 WHEREAS, The leased premises provide a regional location from which the Department
17 of Human Services can serve the needs of the City of Pawtucket and its surrounding communities
18 and otherwise further fulfill the mission of the Department; and

19 WHEREAS, The annual rent (includes systems furniture throughout leased premises and
20 access to 190 parking spaces) in the agreement in the current fiscal year, ending June 30, 2021 is
21 \$453,598; and

22 WHEREAS, The annual base rent (includes systems furniture throughout leased premises
23 and access to 190 parking spaces) shall not exceed \$453,598 for the initial three (3) years of the
24 lease term, \$441,169 for the next three (3) years and six (6) months of the lease term and \$456,610
25 for the final three (3) years and six (6) months of the lease term; and

26 WHEREAS, The payment of the annual base rent will be made from funds available to the
27 Department of Human Services for the payments of rental and lease costs based on annual
28 appropriations made by the General Assembly; and

29 WHEREAS, The State Properties Committee now respectfully requests the approval of the
30 House of Representatives and the Senate for the lease agreement between the Department of
31 Human Services and PUI O, Inc., for the facility located at 249 Roosevelt Avenue in the City of
32 Pawtucket; now therefore be it

33 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
34 the lease agreement, for a lease term not to exceed ten years and an aggregate base rent not to

1 exceed \$4,503,021; and it be further

2 RESOLVED, That this Joint Resolution shall take effect upon passage by the General
3 Assembly; and it be further

4 RESOLVED, That the Secretary of State is hereby authorized and directed to transmit duly
5 certified copies of this resolution to the Governor, the Director of the Department of Human
6 Services, the Director of Administration, the State Budget Officer, and the Chair of the State
7 Properties Committee.

8 SECTION 9. Department of Human Services, 77 Dorrance Street, Providence.

9 WHEREAS, The Department of Human Services holds a current lease agreement, in full
10 force and effect, with 77 Dorrance, LLC for 25,812 square feet of space located at 77 Dorrance
11 Street in the City of Providence; and

12 WHEREAS, The current lease expires on August 31, 2021 and the Department of Human
13 Services wishes to renew the lease agreement with 77 Dorrance, LLC for a period of five (5) years;
14 and

15 WHEREAS, The State of Rhode Island, acting by and through the Rhode Island
16 Department of Human Services, attests to the fact that there are no clauses in the lease agreement
17 with 77 Dorrance, LLC that would interfere with the Department of Human Services lease
18 agreement or use of the facility; and

19 WHEREAS, The leased premises provide a central location from which the Department of
20 Human Services can serve the needs of the Rhode Island community and otherwise further and
21 fulfill the mission of the Department; and

22 WHEREAS, The annual rent in the agreement in the current fiscal year, ending June 30,
23 2021 is \$395,791; and

24 WHEREAS, The anticipated annual base rent (includes janitorial services) in each of the
25 five (5) years of the new lease term is not to exceed \$412,992; and

26 WHEREAS, The payment of the annual base rent will be made from funds available to the
27 Department of Human Services for the payments of rental and lease costs based on annual
28 appropriations made by the General Assembly; and

29 WHEREAS, The State Properties Committee now respectfully requests the approval of the
30 House of Representatives and the Senate for the lease agreement between the Department of
31 Human Services and 77 Dorrance, LLC, for the facility located at 77 Dorrance Street in the City of
32 Providence; now therefore be it

33 RESOLVED, That this General Assembly of the State of Rhode Island hereby approves
34 the lease agreement, for a lease term not to exceed five (5) years and an aggregate base rent not to

1 exceed \$2,064,960; and it be further

2 RESOLVED, that the Secretary of State is hereby authorized and directed to transmit duly
3 certified copies of this resolution to the Governor, the Director of the Department of Human
4 Services, the Director of Administration, the State Budget Officer, and the Chair of the State
5 Properties Committee.

6 SECTION 10. This article shall take effect upon passage.

ARTICLE 12

RELATING TO MEDICAL ASSISTANCE

SECTION 1. Sections 40-6-27 and 40-6-27.2 of the General Laws in Chapter 40-6 entitled “Public Assistance Act” is hereby amended to read as follows:

40-6-27. Supplemental Security Income.

(a)(1) The director of the department is hereby authorized to enter into agreements on behalf of the state with the secretary of the Department of Health and Human Services or other appropriate federal officials, under the Supplementary Security Income (SSI) program established by title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq., concerning the administration and determination of eligibility for SSI benefits for residents of this state, except as otherwise provided in this section. The state's monthly share of supplementary assistance to the Supplementary Security Income program shall be as follows:

(i) Individual living alone: \$39.92

(ii) Individual living with others: \$51.92

(iii) Couple living alone: \$79.38

(iv) Couple living with others: \$97.30

(v) Individual living in state licensed assisted living residence: \$332.00

~~(vi) Individual eligible to receive Medicaid funded long term services and supports and living in a Medicaid certified state licensed assisted living residence or adult supportive care residence, as defined in § 23-17.24-1, participating in the program authorized under § 40-8.13-12 or an alternative, successor, or substitute program or delivery option designated for such purposes by the secretary of the executive office of health and human services:~~

~~(A) With countable income above one hundred and twenty (120) percent of poverty: up to \$465.00;~~

~~(B) With countable income at or below one hundred and twenty (120) percent of poverty: up to the total amount established in (v) and \$465: \$797~~

(vi) Individual living in state-licensed supportive residential-care settings that, depending on the population served, meet the standards set by the department of human services in conjunction with the department(s) of children, youth and families, elderly affairs and/or behavioral healthcare, developmental disabilities and hospitals: \$300.00.

1 Provided, however, that the department of human services shall by regulation reduce,
2 effective January 1, 2009, the state's monthly share of supplementary assistance to the
3 Supplementary Security Income (SSI) program for each of the above-listed payment levels, by the
4 same value as the annual federal cost of living adjustment to be published by the federal Social
5 Security Administration in October 2008 and becoming effective on January 1, 2009, as determined
6 under the provisions of title XVI of the federal Social Security Act [42 U.S.C. § 1381 et seq.]; and
7 provided further, that it is the intent of the general assembly that the January 1, 2009, reduction in
8 the state's monthly share shall not cause a reduction in the combined federal and state payment
9 level for each category of recipients in effect in the month of December 2008; provided further,
10 that the department of human services is authorized and directed to provide for payments to
11 recipients in accordance with the above directives.

12 (2) As of July 1, 2010, state supplement payments shall not be federally administered and
13 shall be paid directly by the department of human services to the recipient.

14 (3) Individuals living in institutions shall receive a twenty dollar (\$20.00) per month
15 personal needs allowance from the state that shall be in addition to the personal needs allowance
16 allowed by the Social Security Act, 42 U.S.C. § 301 et seq.

17 (4) Individuals living in state-licensed supportive residential-care settings and assisted-
18 living residences who are receiving SSI supplemental payments under this section ~~who are~~
19 ~~participating in the program under § 40-8.13-12 or an alternative, successor, or substitute program~~
20 ~~or delivery option, or otherwise~~ shall be allowed to retain a minimum personal needs allowance of
21 fifty-five dollars (\$55.00) per month from their SSI monthly benefit prior to payment of any
22 monthly fees in addition to any amounts established in an administrative rule promulgated by the
23 secretary of the executive office of health and human services for persons eligible to receive
24 Medicaid-funded long-term services and supports in the settings identified in subsections (a)(1)(v)
25 ~~and (a)(1)(vi).~~

26 (5) ~~Except as authorized for the program authorized under § 40-8.13-12 or an alternative,~~
27 ~~successor, or substitute program, or delivery option designated by the secretary to ensure that~~
28 ~~supportive residential care or an assisted living residence is a safe and appropriate service setting,~~
29 ~~the~~ The department is authorized and directed to make a determination of the medical need and
30 whether a setting provides the appropriate services for those persons who:

31 (i) Have applied for or are receiving SSI, and who apply for admission to supportive
32 residential care setting and assisted living residences on or after October 1, 1998; or

33 (ii) Who are residing in supportive residential care settings and assisted living residences,
34 and who apply for or begin to receive SSI on or after October 1, 1998.

1 (6) The process for determining medical need required by subsection (a)(5) of this section
2 shall be developed by the executive office of health and human services in collaboration with the
3 departments of that office and shall be implemented in a manner that furthers the goals of
4 establishing a statewide coordinated long-term care entry system as required pursuant to the
5 Medicaid section 1115 waiver demonstration.

6 (7) To assure access to high quality coordinated services, the executive office of health and
7 human services is further authorized and directed to establish certification or contract standards
8 that must be met by those state-licensed supportive residential-care settings, including adult
9 supportive-care homes and assisted-living residences admitting or serving any persons eligible for
10 state-funded supplementary assistance under this section ~~or the program established under § 40-~~
11 ~~8.13-12~~. Such certification or contract standards shall define:

12 (i) The scope and frequency of resident assessments, the development and implementation
13 of individualized service plans, staffing levels and qualifications, resident monitoring, service
14 coordination, safety risk management and disclosure, and any other related areas;

15 (ii) The procedures for determining whether the certifications or contract standards have
16 been met; and

17 (iii) The criteria and process for granting a one time, short-term good cause exemption
18 from the certification or contract standards to a licensed supportive residential care setting or
19 assisted living residence that provides documented evidence indicating that meeting or failing to
20 meet said standards poses an undue hardship on any person eligible under this section who is a
21 prospective or current resident.

22 (8) The certification or contract standards required by this section ~~or § 40-8.13-12 or an~~
23 ~~alternative, successor, or substitute program, or delivery option designated by the secretary~~ shall
24 be developed in collaboration by the departments, under the direction of the executive office of
25 health and human services, so as to ensure that they comply with applicable licensure regulations
26 either in effect or in development.

27 (b) The department is authorized and directed to provide additional assistance to
28 individuals eligible for SSI benefits for:

29 (1) Moving costs or other expenses as a result of an emergency of a catastrophic nature
30 which is defined as a fire or natural disaster; and

31 (2) Lost or stolen SSI benefit checks or proceeds of them; and

32 (3) Assistance payments to SSI eligible individuals in need because of the application of
33 federal SSI regulations regarding estranged spouses; and the department shall provide such
34 assistance, in a form and amount, which the department shall by regulation determine.

1 **40-6-27.2. Supplementary cash assistance payment for certain Supplemental Security**

2 **Income recipients.**

3 There is hereby established a \$206 monthly payment for disabled and elderly individuals
4 who, on or after July 1, 2012, receive the state supplementary assistance payment for an individual
5 in a state-licensed assisted-living residence under § 40-6-27 and further reside in an assisted-living
6 facility that is not eligible to receive funding under Title XIX of the Social Security Act, 42 U.S.C.
7 § 1381 et seq., ~~or reside in any assisted living facility financed by the Rhode Island housing and~~
8 ~~mortgage finance corporation prior to January 1, 2006, and receive a payment under § 40-6-27. The~~
9 ~~monthly payment shall not be made on behalf of persons participating in the program authorized~~
10 ~~under § 40-8-13-12 or an alternative, successor, or substitute program, or delivery option designated~~
11 ~~for such purposes by the secretary of the executive office of health and human services.~~

12 SECTION 2. Section 40-8-4 and 40-8-26 of the General Laws in Chapter 40-8 entitled
13 “Medical Assistance” is hereby amended to read as follows:

14 **40-8-4. Direct vendor payment plan.**

15 (a) The department shall furnish medical care benefits to eligible beneficiaries through a
16 direct vendor payment plan. The plan shall include, but need not be limited to, any or all of the
17 following benefits, which benefits shall be contracted for by the director:

- 18 (1) Inpatient hospital services, other than services in a hospital, institution, or facility for
19 tuberculosis or mental diseases;
- 20 (2) Nursing services for the period of time as the director shall authorize;
- 21 (3) Visiting nurse service;
- 22 (4) Drugs for consumption either by inpatients or by other persons for whom they are
23 prescribed by a licensed physician;
- 24 (5) Dental services; and
- 25 (6) Hospice care up to a maximum of two hundred and ten (210) days as a lifetime benefit.

26 (b) For purposes of this chapter, the payment of federal Medicare premiums or other health
27 insurance premiums by the department on behalf of eligible beneficiaries in accordance with the
28 provisions of Title XIX of the federal Social Security Act, 42 U.S.C. § 1396 et seq., shall be deemed
29 to be a direct vendor payment.

30 ~~(c) With respect to medical care benefits furnished to eligible individuals under this chapter~~
31 ~~or Title XIX of the federal Social Security Act, the department is authorized and directed to impose:~~

- 32 ~~(1) Nominal co-payments or similar charges upon eligible individuals for non-emergency~~
33 ~~services provided in a hospital emergency room; and~~
- 34 ~~(2) Co-payments for prescription drugs in the amount of one dollar (\$1.00) for generic drug~~

1 ~~prescriptions and three dollars (\$3.00) for brand name drug prescriptions in accordance with the~~
2 ~~provisions of 42 U.S.C. § 1396 et seq.~~

3 ~~(d) The department is authorized and directed to promulgate rules and regulations to~~
4 ~~impose co-payments or charges and to provide that, with respect to subsection (c)(2), those~~
5 ~~regulations shall be effective upon filing.~~

6 ~~(e)(c)~~ No state agency shall pay a vendor for medical benefits provided to a recipient of
7 assistance under this chapter until and unless the vendor has submitted a claim for payment to a
8 commercial insurance plan, Medicare, and/or a Medicaid managed care plan, if applicable for that
9 recipient, in that order. This includes payments for skilled nursing and therapy services specifically
10 outlined in Chapters 7, 8, and 15 of the Medicare Benefit Policy Manual.

11 **40-8-26. Community health centers.**

12 (a) For the purposes of this section, the term community health centers refers to federally
13 qualified health centers and rural health centers.

14 (b) To support the ability of community health centers to provide high-quality medical care
15 to patients, the executive office of health and human services ("executive office") ~~shall~~may adopt
16 and implement an alternative payment methodology (APM) for determining a Medicaid per-visit
17 reimbursement for community health centers that is compliant with the prospective payment system
18 (PPS) provided for in the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection
19 Act of 2000⁴. The following principles are to ensure that the APM PPS ~~prospective payment~~ rate
20 determination methodology is part of the executive office overall value purchasing approach. For
21 community health centers that do not agree to the Principles of Reimbursement that reflects the
22 APM PPS, EOHHS shall reimburse such community health centers at the federal PPS rate, as
23 required per 1902(bb)(3) of the Social Security Act. For community health centers that are
24 reimbursed at the federal PPS rate, RIGL Sections 40-8-26(d) through (f) apply.

25 (c) The APM PPS rate determination methodology will (i) Fairly recognize the reasonable
26 costs of providing services. Recognized reasonable costs will be those appropriate for the
27 organization, management, and direct provision of services and (ii) Provide assurances to the
28 executive office that services are provided in an effective and efficient manner, consistent with
29 industry standards. Except for demonstrated cause and at the discretion of the executive office, the
30 maximum reimbursement rate for a service (e.g., medical, dental) provided by an individual
31 community health center shall not exceed one hundred twenty-five percent (125%) of the median
32 rate for all community health centers within Rhode Island.

33 (d) Community health centers will cooperate fully and timely with reporting requirements
34 established by the executive office.

1 (e) Reimbursement rates established through this methodology shall be incorporated into
2 the PPS reconciliation for services provided to Medicaid-eligible persons who are enrolled in a
3 health plan on the date of service. Monthly payments by the executive office related to PPS for
4 persons enrolled in a health plan shall be made directly to the community health centers.

5 (f) Reimbursement rates established through this methodology shall be incorporated into
6 the actuarially certified capitation rates paid to a health plan. The health plan shall be responsible
7 for paying the full amount of the reimbursement rate to the community health center for each
8 service eligible for reimbursement under the Medicare, Medicaid, and SCHIP Benefits
9 Improvement and Protection Act of 2000~~1~~. If the health plan has an alternative payment
10 arrangement with the community health center the health plan may establish a PPS reconciliation
11 process for eligible services and make monthly payments related to PPS for persons enrolled in the
12 health plan on the date of service. The executive office will review, at least annually, the Medicaid
13 reimbursement rates and reconciliation methodology used by the health plans for community health
14 centers to ensure payments to each are made in compliance with the Medicare, Medicaid, and
15 SCHIP Benefits Improvement and Protection Act of 2000~~1~~.

16 SECTION 3. Sections 40-8.3-2, 40-8.3-3 and 40-8.3-10 of the General Laws in Chapter
17 40-8.3 entitled "Uncompensated Care" are hereby amended to read as follows:

18 **40-8.3-2. Definitions.**

19 As used in this chapter:

20 (1) "Base year" means, for the purpose of calculating a disproportionate share payment for
21 any fiscal year ending after September 30, ~~2018~~ 2020, the period from October 1, ~~2016~~ 2018,
22 through September 30, ~~2017~~ 2019, and for any fiscal year ending after September 30, ~~2019~~ 2021,
23 the period from October 1, ~~2016~~ 2019, through September 30, ~~2017~~ 2020.

24 (2) "Medicaid inpatient utilization rate for a hospital" means a fraction (expressed as a
25 percentage), the numerator of which is the hospital's number of inpatient days during the base year
26 attributable to patients who were eligible for medical assistance during the base year and the
27 denominator of which is the total number of the hospital's inpatient days in the base year.

28 (3) "Participating hospital" means any nongovernment and nonpsychiatric hospital that:

29 (i) Was licensed as a hospital in accordance with chapter 17 of title 23 during the base year
30 and shall mean the actual facilities and buildings in existence in Rhode Island, licensed pursuant to
31 § 23-17-1 et seq. on June 30, 2010, and thereafter any premises included on that license, regardless
32 of changes in licensure status pursuant to chapter 17.14 of title 23 (hospital conversions) and § 23-
33 17-6(b) (change in effective control), that provides short-term, acute inpatient and/or outpatient
34 care to persons who require definitive diagnosis and treatment for injury, illness, disabilities, or

1 pregnancy. Notwithstanding the preceding language, the negotiated Medicaid managed-care
2 payment rates for a court-approved purchaser that acquires a hospital through receivership, special
3 mastership, or other similar state insolvency proceedings (which court-approved purchaser is issued
4 a hospital license after January 1, 2013), shall be based upon the newly negotiated rates between
5 the court-approved purchaser and the health plan, and the rates shall be effective as of the date that
6 the court-approved purchaser and the health plan execute the initial agreement containing the newly
7 negotiated rate. The rate-setting methodology for inpatient hospital payments and outpatient
8 hospital payments set forth in §§ 40-8-13.4(b)(1)(ii)(C) and 40-8-13.4(b)(2), respectively, shall
9 thereafter apply to negotiated increases for each annual twelve-month (12) period as of July 1
10 following the completion of the first full year of the court-approved purchaser's initial Medicaid
11 managed-care contract;

12 (ii) Achieved a medical assistance inpatient utilization rate of at least one percent (1%)
13 during the base year; and

14 (iii) Continues to be licensed as a hospital in accordance with chapter 17 of title 23 during
15 the payment year.

16 (4) "Uncompensated-care costs" means, as to any hospital, the sum of: (i) The cost incurred
17 by such hospital during the base year for inpatient or outpatient services attributable to charity care
18 (free care and bad debts) for which the patient has no health insurance or other third-party coverage
19 less payments, if any, received directly from such patients; and (ii) The cost incurred by such
20 hospital during the base year for inpatient or out-patient services attributable to Medicaid
21 beneficiaries less any Medicaid reimbursement received therefor; multiplied by the
22 uncompensated-care index.

23 (5) "Uncompensated-care index" means the annual percentage increase for hospitals
24 established pursuant to § 27-19-14 for each year after the base year, up to and including the payment
25 year; provided, however, that the uncompensated-care index for the payment year ending
26 September 30, 2007, shall be deemed to be five and thirty-eight hundredths percent (5.38%), and
27 that the uncompensated-care index for the payment year ending September 30, 2008, shall be
28 deemed to be five and forty-seven hundredths percent (5.47%), and that the uncompensated-care
29 index for the payment year ending September 30, 2009, shall be deemed to be five and thirty-eight
30 hundredths percent (5.38%), and that the uncompensated-care index for the payment years ending
31 September 30, 2010, September 30, 2011, September 30, 2012, September 30, 2013, September
32 30, 2014, September 30, 2015, September 30, 2016, September 30, 2017, September 30, 2018,
33 September 30, 2019, ~~and~~ September 30, 2020, September 30, 2021, and September 30, 2022 shall
34 be deemed to be five and thirty hundredths percent (5.30%).

1 **40-8.3.3. Implementation.**

2 ~~(a) For federal fiscal year 2018, commencing on October 1, 2017, and ending September~~
3 ~~30, 2018, the executive office of health and human services shall submit to the Secretary of the~~
4 ~~United States Department of Health and Human Services a state plan amendment to the Rhode~~
5 ~~Island Medicaid DSH Plan to provide:~~

6 ~~(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of~~
7 ~~\$138.6 million, shall be allocated by the executive office of health and human services to the Pool~~
8 ~~D component of the DSH Plan; and~~

9 ~~(2) That the Pool D allotment shall be distributed among the participating hospitals in direct~~
10 ~~proportion to the individual participating hospital's uncompensated care costs for the base year,~~
11 ~~inflated by the uncompensated care index to the total uncompensated care costs for the base year~~
12 ~~inflated by uncompensated care index for all participating hospitals. The disproportionate share~~
13 ~~payments shall be made on or before July 10, 2018, and are expressly conditioned upon approval~~
14 ~~on or before July 5, 2018, by the Secretary of the United States Department of Health and Human~~
15 ~~Services, or his or her authorized representative, of all Medicaid state plan amendments necessary~~
16 ~~to secure for the state the benefit of federal financial participation in federal fiscal year 2018 for~~
17 ~~the disproportionate share payments.~~

18 ~~(b) For federal fiscal year 2019, commencing on October 1, 2018, and ending September~~
19 ~~30, 2019, the executive office of health and human services shall submit to the Secretary of the~~
20 ~~United States Department of Health and Human Services a state plan amendment to the Rhode~~
21 ~~Island Medicaid DSH Plan to provide:~~

22 ~~(1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of~~
23 ~~\$142.4 million, shall be allocated by the executive office of health and human services to the Pool~~
24 ~~D component of the DSH Plan; and~~

25 ~~(2) That the Pool D allotment shall be distributed among the participating hospitals in direct~~
26 ~~proportion to the individual participating hospital's uncompensated care costs for the base year,~~
27 ~~inflated by the uncompensated care index to the total uncompensated care costs for the base year~~
28 ~~inflated by uncompensated care index for all participating hospitals. The disproportionate share~~
29 ~~payments shall be made on or before July 10, 2019, and are expressly conditioned upon approval~~
30 ~~on or before July 5, 2019, by the Secretary of the United States Department of Health and Human~~
31 ~~Services, or his or her authorized representative, of all Medicaid state plan amendments necessary~~
32 ~~to secure for the state the benefit of federal financial participation in federal fiscal year 2019 for~~
33 ~~the disproportionate share payments.~~

34 ~~(e)~~ (a) For federal fiscal year 2020, commencing on October 1, 2019, and ending September

1 30, 2020, the executive office of health and human services shall submit to the Secretary of the
2 United States Department of Health and Human Services a state plan amendment to the Rhode
3 Island Medicaid DSH Plan to provide:

4 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of
5 \$142.4 million, shall be allocated by the executive office of health and human services to the Pool
6 D component of the DSH Plan; and

7 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct
8 proportion to the individual participating hospital's uncompensated-care costs for the base year,
9 inflated by the uncompensated-care index to the total uncompensated-care costs for the base year
10 inflated by uncompensated-care index for all participating hospitals. The disproportionate share
11 payments shall be made on or before July 13, 2020, and are expressly conditioned upon approval
12 on or before July 6, 2020, by the Secretary of the United States Department of Health and Human
13 Services, or his or her authorized representative, of all Medicaid state plan amendments necessary
14 to secure for the state the benefit of federal financial participation in federal fiscal year 2020 for
15 the disproportionate share payments.

16 (b) For federal fiscal year 2021, commencing on October 1, 2020, and ending September
17 30, 2021, the executive office of health and human services shall submit to the Secretary of the
18 U.S. Department of Health and Human Services a state plan amendment to the Rhode Island
19 Medicaid DSH Plan to provide:

20 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of
21 \$142.5 million, shall be allocated by the executive office of health and human services to the Pool
22 D component of the DSH Plan; and

23 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct
24 proportion to the individual participating hospital's uncompensated care costs for the base year,
25 inflated by the uncompensated care index to the total uncompensated care costs for the base year
26 inflated by uncompensated care index for all participating hospitals. The disproportionate share
27 payments shall be made on or before July 12, 2021, and are expressly conditioned upon approval
28 on or before July 5, 2021, by the Secretary of the U.S. Department of Health and Human Services,
29 or his or her authorized representative, of all Medicaid state plan amendments necessary to secure
30 for the state the benefit of federal financial participation in federal fiscal year 2021 for the
31 disproportionate share payments.

32 (c) For federal fiscal year 2022, commencing on October 1, 2021, and ending September
33 30, 2022, the executive office of health and human services shall submit to the Secretary of the
34 U.S. Department of Health and Human Services a state plan amendment to the Rhode Island

1 Medicaid DSH Plan to provide:

2 (1) That the DSH Plan to all participating hospitals, not to exceed an aggregate limit of
3 \$143.8 million, shall be allocated by the executive office of health and human services to the Pool
4 D component of the DSH Plan; and

5 (2) That the Pool D allotment shall be distributed among the participating hospitals in direct
6 proportion to the individual participating hospital's uncompensated care costs for the base year,
7 inflated by the uncompensated care index to the total uncompensated care costs for the base year
8 inflated by uncompensated care index for all participating hospitals. The disproportionate share
9 payments shall be made on or before July 12, 2022, and are expressly conditioned upon approval
10 on or before July 5, 2022, by the Secretary of the U.S. Department of Health and Human Services,
11 or his or her authorized representative, of all Medicaid state plan amendments necessary to secure
12 for the state the benefit of federal financial participation in federal fiscal year 2022 for the
13 disproportionate share payments.

14 (d) No provision is made pursuant to this chapter for disproportionate-share hospital
15 payments to participating hospitals for uncompensated-care costs related to graduate medical
16 education programs.

17 (e) The executive office of health and human services is directed, on at least a monthly
18 basis, to collect patient-level uninsured information, including, but not limited to, demographics,
19 services rendered, and reason for uninsured status from all hospitals licensed in Rhode Island.

20 **40-8.3-10. Hospital adjustment payments.**

21 Effective July 1, ~~2012~~ 2021, and for each subsequent year, the executive office of health
22 and human services is hereby authorized and directed to amend its regulations for reimbursement
23 to hospitals for inpatient and outpatient services as follows:

24 (a) Each hospital in the state of Rhode Island, as defined in § 23-17-38.1, shall receive a
25 quarterly outpatient adjustment payment each state fiscal year of an amount determined as follows:

26 (1) Determine the percent of the state's total Medicaid outpatient and emergency
27 department services (exclusive of physician services) provided by each hospital during each
28 hospital's prior fiscal year;

29 (2) Determine the sum of all Medicaid payments to hospitals made for outpatient and
30 emergency department services (exclusive of physician services) provided during each hospital's
31 prior fiscal year;

32 (3) Multiply the sum of all Medicaid payments as determined in subsection (a)(2) by a
33 percentage defined as the total identified upper payment limit for all hospitals divided by the sum
34 of all Medicaid payments as determined in subsection (a)(2); and then multiply that result by each

1 hospital's percentage of the state's total Medicaid outpatient and emergency department services as
2 determined in subsection (a)(1) to obtain the total outpatient adjustment for each hospital to be paid
3 each year;

4 (4) Pay each hospital on or before July 20, October 20, January 20, and April 20 one quarter
5 (1/4) of its total outpatient adjustment as determined in subsection (a)(3).

6 (b) [Deleted by P.L. 2019, ch. 88, art. 13, § 6.]

7 (c) Each hospital in the state of Rhode Island, as defined in subdivision 3-17-38.19(b)(1),
8 shall receive a quarterly inpatient adjustment payment each state fiscal year of an amount
9 determined as follows:

10 (1) Determine the percent of the state's total Medicaid inpatient services (exclusive of
11 physician services) provided by each hospital during each hospital's prior fiscal year;

12 (2) Determine the sum of all Medicaid payments to hospitals made for inpatient services
13 (exclusive of physician services) provided during each hospital's prior fiscal year;

14 (3) Multiply the sum of all Medicaid payments as determined in subdivision (2) by a
15 percentage defined as the total identified upper payment limit for all hospitals divided by the sum
16 of all Medicaid payments as determined in subdivision (2); and then multiply that result by each
17 hospital's percentage of the state's total Medicaid inpatient services as determined in subdivision
18 (1) to obtain the total inpatient adjustment for each hospital to be paid each year;

19 (4) Pay each hospital on or before July 20, October 20, January 20, and April 20 one
20 quarter (1/4) of its total inpatient adjustment as determined in subdivision (3) above.

21 ~~(e)(d)~~ The amounts determined in ~~subsection~~ subsections (a) and (c) are in addition to
22 Medicaid inpatient and outpatient payments and emergency services payments (exclusive of
23 physician services) paid to hospitals in accordance with current state regulation and the Rhode
24 Island Plan for Medicaid Assistance pursuant to Title XIX of the Social Security Act and are not
25 subject to recoupment or settlement.

26 SECTION 4. Section 15 of Article 5 of Chapter 141 of the Public Laws of 2015 is hereby
27 repealed.

28 ~~A pool is hereby established of up to \$4.0 million to support Medicaid Graduate Education~~
29 ~~funding for Academic Medical Centers who provide care to the state's critically ill and indigent~~
30 ~~populations. The office of Health and Human Services shall utilize this pool to provide up to \$5~~
31 ~~million per year in additional Medicaid payments to support Graduate Medical Education programs~~
32 ~~to hospitals meeting all of the following criteria:~~

33 ~~(a) Hospital must have a minimum of 25,000 inpatient discharges per year for all patients~~
34 ~~regardless of coverage.~~

1 ~~(b) Hospital must be designated as Level I Trauma Center.~~

2 ~~(c) Hospital must provide graduate medical education training for at least 250 interns and~~
3 ~~residents per year.~~

4 ~~The Secretary of the Executive Office of Health and Human Services shall determine the~~
5 ~~appropriate Medicaid payment mechanism to implement this program and amend any state plan~~
6 ~~documents required to implement the payments.~~

7 ~~Payments for Graduate Medical Education programs shall be made annually.~~

8 SECTION 5. Section 40-8.4-12 of the General Laws in Chapter 40-8.4 entitled "Health
9 Care for Families" is hereby amended to read as follows:

10 **40-8.4-12. RIte Share health insurance premium assistance program.**

11 (a) Basic RIte Share health insurance premium assistance program. Under the terms of
12 Section 1906 of Title XIX of the U.S. Social Security Act, 42 U.S.C. § 1396e, states are permitted
13 to pay a Medicaid-eligible person's share of the costs for enrolling in employer-sponsored health
14 insurance (ESI) coverage if it is cost-effective to do so. Pursuant to the general assembly's direction
15 in the Rhode Island health reform act of 2000, the Medicaid agency requested and obtained federal
16 approval under § 1916, 42 U.S.C. § 1396o, to establish the RIte Share premium assistance program
17 to subsidize the costs of enrolling Medicaid-eligible persons and families in employer-sponsored
18 health insurance plans that have been approved as meeting certain cost and coverage requirements.
19 The Medicaid agency also obtained, at the general assembly's direction, federal authority to require
20 any such persons with access to ESI coverage to enroll as a condition of retaining eligibility
21 providing that doing so meets the criteria established in Title XIX for obtaining federal matching
22 funds.

23 (b) Definitions. For the purposes of this section, the following definitions apply:

24 (1) "Cost-effective" means that the portion of the ESI that the state would subsidize, as
25 well as wrap-around costs, would on average cost less to the state than enrolling that same
26 person/family in a managed-care delivery system.

27 (2) "Cost sharing" means any co-payments, deductibles, or co-insurance associated with
28 ESI.

29 (3) "Employee premium" means the monthly premium share a person or family is required
30 to pay to the employer to obtain and maintain ESI coverage.

31 (4) "Employer-sponsored insurance" or "ESI" means health insurance or a group health
32 plan offered to employees by an employer. This includes plans purchased by small employers
33 through the state health insurance marketplace, healthsource, RI (HSRI).

34 (5) "Policy holder" means the person in the household with access to ESI, typically the

1 employee.

2 (6) "RIte Share-approved employer-sponsored insurance (ESI)" means an employer-
3 sponsored health insurance plan that meets the coverage and cost-effectiveness criteria for RIte
4 Share.

5 (7) "RIte Share buy-in" means the monthly amount an Medicaid-ineligible policy holder
6 must pay toward RIte Share-approved ESI that covers the Medicaid-eligible children, young adults,
7 or spouses with access to the ESI. The buy-in only applies in instances when household income is
8 above one hundred fifty percent (150%) of the FPL.

9 (8) "RIte Share premium assistance program" means the Rhode Island Medicaid premium
10 assistance program in which the State pays the eligible Medicaid member's share of the cost of
11 enrolling in a RIte Share-approved ESI plan. This allows the state to share the cost of the health
12 insurance coverage with the employer.

13 (9) "RIte Share unit" means the entity within the executive office of health and human
14 services (EOHHS) responsible for assessing the cost-effectiveness of ESI, contacting employers
15 about ESI as appropriate, initiating the RIte Share enrollment and disenrollment process, handling
16 member communications, and managing the overall operations of the RIte Share program.

17 (10) "Third-party liability (TPL)" means other health insurance coverage. This insurance
18 is in addition to Medicaid and is usually provided through an employer. Since Medicaid is always
19 the payer of last resort, the TPL is always the primary coverage.

20 (11) "Wrap-around services or coverage" means any healthcare services not included in
21 the ESI plan that would have been covered had the Medicaid member been enrolled in a RIte Care
22 or Rhody Health Partners plan. Coverage of deductibles and co-insurance is included in the wrap.
23 Co-payments to providers are not covered as part of the wrap-around coverage.

24 (c) RIte Share populations. Medicaid beneficiaries subject to RIte Share include: children,
25 families, parent and caretakers eligible for Medicaid or the children's health insurance program
26 (CHIP) under this chapter or chapter 12.3 of title 42; and adults between the ages of nineteen (19)
27 and sixty-four (64) who are eligible under chapter 8.12 of this title, not receiving or eligible to
28 receive Medicare, and are enrolled in managed care delivery systems. The following conditions
29 apply:

30 (1) The income of Medicaid beneficiaries shall affect whether and in what manner they
31 must participate in RIte Share as follows:

32 (i) Income at or below one hundred fifty percent (150%) of FPL -- Persons and families
33 determined to have household income at or below one hundred fifty percent (150%) of the federal
34 poverty level (FPL) guidelines based on the modified adjusted gross income (MAGI) standard or

1 other standard approved by the secretary are required to participate in RIte Share if a Medicaid-
2 eligible adult or parent/caretaker has access to cost-effective ESI. Enrolling in ESI through RIte
3 Share shall be a condition of maintaining Medicaid health coverage for any eligible adult with
4 access to such coverage.

5 (ii) Income above one hundred fifty percent (150%) of FPL and policy holder is not
6 Medicaid-eligible -- Premium assistance is available when the household includes Medicaid-
7 eligible members, but the ESI policy holder (typically a parent/caretaker, or spouse) is not eligible
8 for Medicaid. Premium assistance for parents/caretakers and other household members who are not
9 Medicaid-eligible may be provided in circumstances when enrollment of the Medicaid-eligible
10 family members in the approved ESI plan is contingent upon enrollment of the ineligible policy
11 holder and the executive office of health and human services (executive office) determines, based
12 on a methodology adopted for such purposes, that it is cost-effective to provide premium assistance
13 for family or spousal coverage.

14 (d) RIte Share enrollment as a condition of eligibility. For Medicaid beneficiaries over the
15 age of nineteen (19), enrollment in RIte Share shall be a condition of eligibility except as exempted
16 below and by regulations promulgated by the executive office.

17 (1) Medicaid-eligible children and young adults up to age nineteen (19) shall not be
18 required to enroll in a parent/caretaker relative's ESI as a condition of maintaining Medicaid
19 eligibility if the person with access to RIte Share-approved ESI does not enroll as required. These
20 Medicaid-eligible children and young adults shall remain eligible for Medicaid and shall be
21 enrolled in a RIte Care plan.

22 (2) There shall be a limited six-month (6) exemption from the mandatory enrollment
23 requirement for persons participating in the RI works program pursuant to chapter 5.2 of this title.

24 (e) Approval of health insurance plans for premium assistance. The executive office of
25 health and human services shall adopt regulations providing for the approval of employer-based
26 health insurance plans for premium assistance and shall approve employer-based health insurance
27 plans based on these regulations. In order for an employer-based health insurance plan to gain
28 approval, the executive office must determine that the benefits offered by the employer-based
29 health insurance plan are substantially similar in amount, scope, and duration to the benefits
30 provided to Medicaid-eligible persons enrolled in a Medicaid managed care plan, when the plan is
31 evaluated in conjunction with available supplemental benefits provided by the office. The office
32 shall obtain and make available to persons otherwise eligible for Medicaid identified in this section
33 as supplemental benefits those benefits not reasonably available under employer-based health
34 insurance plans that are required for Medicaid beneficiaries by state law or federal law or

1 regulation. Once it has been determined by the Medicaid agency that the ESI offered by a particular
2 employer is RItE Share-approved, all Medicaid members with access to that employer's plan are
3 required to participate in RItE Share. Failure to meet the mandatory enrollment requirement shall
4 result in the termination of the Medicaid eligibility of the policy holder and other Medicaid
5 members nineteen (19) or older in the household who could be covered under the ESI until the
6 policy holder complies with the RItE Share enrollment procedures established by the executive
7 office.

8 (f) Premium assistance. The executive office shall provide premium assistance by paying
9 all or a portion of the employee's cost for covering the eligible person and/or his or her family under
10 such a RItE Share-approved ESI plan subject to the buy-in provisions in this section.

11 (g) Buy-in. Persons who can afford it shall share in the cost. -- The executive office is
12 authorized and directed to apply for and obtain any necessary state plan and/or waiver amendments
13 from the Secretary of the United States Department of Health and Human Services (DHHS) to
14 require that persons enrolled in a RItE Share-approved employer-based health plan who have
15 income equal to or greater than one hundred fifty percent (150%) of the FPL to buy-in to pay a
16 share of the costs based on the ability to pay, provided that the buy-in cost shall not exceed five
17 percent (5%) of the person's annual income. The executive office shall implement the buy-in by
18 regulation, and shall consider co-payments, premium shares, or other reasonable means to do so.

19 (h) Maximization of federal contribution. The executive office of health and human
20 services is authorized and directed to apply for and obtain federal approvals and waivers necessary
21 to maximize the federal contribution for provision of medical assistance coverage under this
22 section, including the authorization to amend the Title XXI state plan and to obtain any waivers
23 necessary to reduce barriers to provide premium assistance to recipients as provided for in Title
24 XXI of the Social Security Act, 42 U.S.C. § 1397aa et seq.

25 (i) Implementation by regulation. The executive office of health and human services is
26 authorized and directed to adopt regulations to ensure the establishment and implementation of the
27 premium assistance program in accordance with the intent and purpose of this section, the
28 requirements of Title XIX, Title XXI, and any approved federal waivers.

29 (j) Outreach and reporting. The executive office of health and human services shall develop
30 a plan to identify Medicaid-eligible individuals who have access to employer-sponsored insurance
31 and increase the use of RItE Share benefits. Beginning October 1, 2019, the executive office shall
32 submit the plan to be included as part of the reporting requirements under § 35-17-1. Starting
33 January 1, 2020, the executive office of health and human services shall include the number of
34 Medicaid recipients with access to employer-sponsored insurance, the number of plans that did not

1 meet the cost-effectiveness criteria for RItE Share, and enrollment in the premium assistance
2 program as part of the reporting requirements under § 35-17-1.

3 (k) Employer Sponsored Insurance. The Executive Office of Health and Human Services
4 shall dedicate staff and resources to reporting monthly as part of the requirements under § 35-17-1
5 which employer sponsored insurance plans meet the cost effectiveness criteria for RItE Share.
6 Information in the report shall be used for screening for Medicaid enrollment to encourage RItE
7 Share participation. By October 1, 2021, the report shall include any employers with 300 or more
8 employees. By January 1, 2022, the report shall include employers with 100 or more employees.
9 The January report shall also be provided to the chairperson of the house finance committee; the
10 chairperson of the senate finance committee; the house fiscal advisor; the senate fiscal advisor; and
11 the state budget officer..

12 SECTION 6. Section 40-8.9-9 of the General Laws in Chapter 40-8.9 entitled “Medical
13 Assistance – Long-Term Care Service and Finance Reform” is hereby amended to read as follows:

14 **40-8.9-9. Long-term-care rebalancing system reform goal.**

15 (a) Notwithstanding any other provision of state law, the executive office of health and
16 human services is authorized and directed to apply for, and obtain, any necessary waiver(s), waiver
17 amendment(s), and/or state-plan amendments from the Secretary of the United States Department
18 of Health and Human Services, and to promulgate rules necessary to adopt an affirmative plan of
19 program design and implementation that addresses the goal of allocating a minimum of fifty percent
20 (50%) of Medicaid long-term-care funding for persons aged sixty-five (65) and over and adults
21 with disabilities, in addition to services for persons with developmental disabilities, to home- and
22 community-based care; provided, further, the executive office shall report annually as part of its
23 budget submission, the percentage distribution between institutional care and home- and
24 community-based care by population and shall report current and projected waiting lists for long-
25 term-care and home- and community-based care services. The executive office is further authorized
26 and directed to prioritize investments in home- and community-based care and to maintain the
27 integrity and financial viability of all current long-term-care services while pursuing this goal.

28 (b) The reformed long-term-care system rebalancing goal is person-centered and
29 encourages individual self-determination, family involvement, interagency collaboration, and
30 individual choice through the provision of highly specialized and individually tailored home-based
31 services. Additionally, individuals with severe behavioral, physical, or developmental disabilities
32 must have the opportunity to live safe and healthful lives through access to a wide range of
33 supportive services in an array of community-based settings, regardless of the complexity of their
34 medical condition, the severity of their disability, or the challenges of their behavior. Delivery of

1 services and supports in less-costly and less-restrictive community settings will enable children,
2 adolescents, and adults to be able to curtail, delay, or avoid lengthy stays in long-term-care
3 institutions, such as behavioral health residential-treatment facilities, long-term-care hospitals,
4 intermediate-care facilities, and/or skilled nursing facilities.

5 (c) Pursuant to federal authority procured under § 42-7.2-16, the executive office of health
6 and human services is directed and authorized to adopt a tiered set of criteria to be used to determine
7 eligibility for services. The criteria shall be developed in collaboration with the state's health and
8 human services departments and, to the extent feasible, any consumer group, advisory board, or
9 other entity designated for these purposes, and shall encompass eligibility determinations for long-
10 term-care services in nursing facilities, hospitals, and intermediate-care facilities for persons with
11 intellectual disabilities, as well as home- and community-based alternatives, and shall provide a
12 common standard of income eligibility for both institutional and home- and community-based care.
13 The executive office is authorized to adopt clinical and/or functional criteria for admission to a
14 nursing facility, hospital, or intermediate-care facility for persons with intellectual disabilities that
15 are more stringent than those employed for access to home- and community-based services. The
16 executive office is also authorized to promulgate rules that define the frequency of re-assessments
17 for services provided for under this section. Levels of care may be applied in accordance with the
18 following:

19 (1) The executive office shall continue to apply the level-of-care criteria in effect on June
20 30, 2015, for any recipient determined eligible for and receiving Medicaid-funded long-term
21 services in supports in a nursing facility, hospital, or intermediate-care facility for persons with
22 intellectual disabilities on or before that date, unless:

23 (i) The recipient transitions to home- and community-based services because he or she
24 would no longer meet the level-of-care criteria in effect on June 30, 2015; or

25 (ii) The recipient chooses home- and community-based services over the nursing facility,
26 hospital, or intermediate-care facility for persons with intellectual disabilities. For the purposes of
27 this section, a failed community placement, as defined in regulations promulgated by the executive
28 office, shall be considered a condition of clinical eligibility for the highest level of care. The
29 executive office shall confer with the long-term-care ombudsperson with respect to the
30 determination of a failed placement under the ombudsperson's jurisdiction. Should any Medicaid
31 recipient eligible for a nursing facility, hospital, or intermediate-care facility for persons with
32 intellectual disabilities as of June 30, 2015, receive a determination of a failed community
33 placement, the recipient shall have access to the highest level of care; furthermore, a recipient who
34 has experienced a failed community placement shall be transitioned back into his or her former

1 nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities
2 whenever possible. Additionally, residents shall only be moved from a nursing home, hospital, or
3 intermediate-care facility for persons with intellectual disabilities in a manner consistent with
4 applicable state and federal laws.

5 (2) Any Medicaid recipient eligible for the highest level of care who voluntarily leaves a
6 nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities shall
7 not be subject to any wait list for home- and community-based services.

8 (3) No nursing home, hospital, or intermediate-care facility for persons with intellectual
9 disabilities shall be denied payment for services rendered to a Medicaid recipient on the grounds
10 that the recipient does not meet level-of-care criteria unless and until the executive office has:

11 (i) Performed an individual assessment of the recipient at issue and provided written notice
12 to the nursing home, hospital, or intermediate-care facility for persons with intellectual disabilities
13 that the recipient does not meet level-of-care criteria; and

14 (ii) The recipient has either appealed that level-of-care determination and been
15 unsuccessful, or any appeal period available to the recipient regarding that level-of-care
16 determination has expired.

17 (d) The executive office is further authorized to consolidate all home- and community-
18 based services currently provided pursuant to 42 U.S.C. § 1396n into a single system of home- and
19 community-based services that include options for consumer direction and shared living. The
20 resulting single home- and community-based services system shall replace and supersede all 42
21 U.S.C. § 1396n programs when fully implemented. Notwithstanding the foregoing, the resulting
22 single program home- and community-based services system shall include the continued funding
23 of assisted-living services at any assisted-living facility financed by the Rhode Island housing and
24 mortgage finance corporation prior to January 1, 2006, and shall be in accordance with chapter 66.8
25 of title 42 as long as assisted-living services are a covered Medicaid benefit.

26 (e) The executive office is authorized to promulgate rules that permit certain optional
27 services including, but not limited to, homemaker services, home modifications, respite, and
28 physical therapy evaluations to be offered to persons at risk for Medicaid-funded long-term care
29 subject to availability of state-appropriated funding for these purposes.

30 (f) To promote the expansion of home- and community-based service capacity, the
31 executive office is authorized to pursue payment methodology reforms that increase access to
32 homemaker, personal care (home health aide), assisted living, adult supportive-care homes, and
33 adult day services, as follows:

34 (1) Development of revised or new Medicaid certification standards that increase access to

1 service specialization and scheduling accommodations by using payment strategies designed to
2 achieve specific quality and health outcomes.

3 (2) Development of Medicaid certification standards for state-authorized providers of adult
4 day services, excluding providers of services authorized under § 40.1-24-1(3), assisted living, and
5 adult supportive care (as defined under chapter 17.24 of title 23) that establish for each, an acuity-
6 based, tiered service and payment methodology tied to: licensure authority; level of beneficiary
7 needs; the scope of services and supports provided; and specific quality and outcome measures.

8 The standards for adult day services for persons eligible for Medicaid-funded long-term
9 services may differ from those who do not meet the clinical/functional criteria set forth in § 40-
10 8.10-3.

11 (3) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term
12 services and supports in home- and community-based settings, the demand for home-care workers
13 has increased, and wages for these workers has not kept pace with neighboring states, leading to
14 high turnover and vacancy rates in the state's home-care industry, the executive office shall institute
15 a one-time increase in the base-payment rates [for FY 2019, as described below](#), for home-care
16 service providers to promote increased access to and an adequate supply of highly trained home-
17 healthcare professionals, in amount to be determined by the appropriations process, for the purpose
18 of raising wages for personal care attendants and home health aides to be implemented by such
19 providers.

20 ~~(4)~~[\(i\)](#) A prospective base adjustment, effective not later than July 1, 2018, of ten percent
21 (10%) of the current base rate for home-care providers, home nursing care providers, and hospice
22 providers contracted with the executive office of health and human services and its subordinate
23 agencies to deliver Medicaid fee-for-service personal care attendant services.

24 ~~(5)~~[\(ii\)](#) A prospective base adjustment, effective not later than July 1, 2018, of twenty
25 percent (20%) of the current base rate for home-care providers, home nursing care providers, and
26 hospice providers contracted with the executive office of health and human services and its
27 subordinate agencies to deliver Medicaid fee-for-service skilled nursing and therapeutic services
28 and hospice care.

29 ~~(6)~~[\(iii\)](#) Effective upon passage of this section, hospice provider reimbursement, exclusively
30 for room and board expenses for individuals residing in a skilled nursing facility, shall revert to the
31 rate methodology in effect on June 30, 2018, and these room and board expenses shall be exempted
32 from any and all annual rate increases to hospice providers as provided for in this section.

33 ~~(7)~~[\(iv\)](#) On the first of July in each year, beginning on July 1, 2019, the executive office of
34 health and human services will initiate an annual inflation increase to the base rate for home-care

1 providers, home nursing care providers, and hospice providers contracted with the executive office
2 and its subordinate agencies to deliver Medicaid fee-for-service personal care attendant services,
3 skilled nursing and therapeutic services and hospice care. The base rate increase shall be a
4 percentage amount equal to the New England Consumer Price Index card as determined by the
5 United States Department of Labor for medical care and for compliance with all federal and state
6 laws, regulations, and rules, and all national accreditation program requirements.

7 (g) As the state's Medicaid program seeks to assist more beneficiaries requiring long-term
8 services and supports in home- and community-based settings, the demand for home-care workers
9 has increased, and wages for these workers has not kept pace with neighboring states, leading to
10 high turnover and vacancy rates in the state's home-care industry, to promote increased access to
11 and an adequate supply of direct care workers the executive office shall institute a payment
12 methodology change, in Medicaid fee-for-service and managed care, for FY 2022, which shall be
13 passed through directly to the direct care workers' wages that are employed by home nursing care
14 and home care providers licensed by Rhode Island Department of Health, as described below:

15 (1) Effective July 1, 2021, increase the existing shift differential modifier by \$0.19 per
16 fifteen (15) minutes for Personal Care and Combined Personal Care/Homemaker.

17 (i) Employers must pass on one-hundred percent (100%) of the shift differential modifier
18 increase per fifteen (15) minute unit of service to the CNAs that rendered such services. This
19 compensation shall be provided in addition to the rate of compensation that the employee was
20 receiving as of June 30, 2021. For an employee hired after June 30, 2021, the agency shall use not
21 less than the lowest compensation paid to an employee of similar functions and duties as of June
22 30, 2021 as the base compensation to which the increase is applied.

23 (ii) Employers must provide to EOHHS an annual compliance statement showing wages
24 as of June 30, 2021, amounts received from the increases outlined herein, and compliance with this
25 section by July 1, 2022. EOHHS may adopt any additional necessary regulations and processes to
26 oversee this section.

27 (2) Effective January 1, 2022, establish a new behavioral healthcare enhancement of \$0.39
28 per fifteen (15) minutes for Personal Care, Combined Personal Care/Homemaker, and Homemaker
29 only for providers who have at least thirty percent (30%) of their direct care workers (which
30 includes Certified Nursing Assistants (CNA) and Homemakers) certified in behavioral healthcare
31 training.

32 (i) Employers must pass on one-hundred percent (100%) of the behavioral healthcare
33 enhancement per fifteen (15) minute unit of service rendered by only those CNAs and Homemakers
34 who have completed the thirty (30) hour behavioral health certificate training program offered by

1 Rhode Island College, or a training program that is prospectively determined to be compliant per
2 EOHHS, to those CNAs and Homemakers. This compensation shall be provided in addition to the
3 rate of compensation that the employee was receiving as of December 31, 2021. For an employee
4 hired after December 31, 2021, the agency shall use not less than the lowest compensation paid to
5 an employee of similar functions and duties as of December 31, 2021 as the base compensation to
6 which the increase is applied.

7 (ii) By January 1, 2023, employers must provide to EOHHS an annual compliance
8 statement showing wages as of December 31, 2021, amounts received from the increases outlined
9 herein, and compliance with this section, including which behavioral healthcare training programs
10 were utilized. EOHHS may adopt any additional necessary regulations and processes to oversee
11 this section.

12 ~~(g)~~(h) The executive office shall implement a long-term-care-options counseling program
13 to provide individuals, or their representatives, or both, with long-term-care consultations that shall
14 include, at a minimum, information about: long-term-care options, sources, and methods of both
15 public and private payment for long-term-care services and an assessment of an individual's
16 functional capabilities and opportunities for maximizing independence. Each individual admitted
17 to, or seeking admission to, a long-term-care facility, regardless of the payment source, shall be
18 informed by the facility of the availability of the long-term-care-options counseling program and
19 shall be provided with long-term-care-options consultation if they so request. Each individual who
20 applies for Medicaid long-term-care services shall be provided with a long-term-care consultation.

21 ~~(h)~~(i) The executive office is also authorized, subject to availability of appropriation of
22 funding, and federal, Medicaid-matching funds, to pay for certain services and supports necessary
23 to transition or divert beneficiaries from institutional or restrictive settings and optimize their health
24 and safety when receiving care in a home or the community. The secretary is authorized to obtain
25 any state plan or waiver authorities required to maximize the federal funds available to support
26 expanded access to home- and community-transition and stabilization services; provided, however,
27 payments shall not exceed an annual or per-person amount.

28 ~~(i)~~(j) To ensure persons with long-term-care needs who remain living at home have
29 adequate resources to deal with housing maintenance and unanticipated housing-related costs, the
30 secretary is authorized to develop higher resource eligibility limits for persons or obtain any state
31 plan or waiver authorities necessary to change the financial eligibility criteria for long-term services
32 and supports to enable beneficiaries receiving home and community waiver services to have the
33 resources to continue living in their own homes or rental units or other home-based settings.

34 ~~(j)~~(k) The executive office shall implement, no later than January 1, 2016, the following

1 home- and community-based service and payment reforms:

2 ~~(1) Community-based, supportive living program established in § 40-8.13-12 or an~~
3 ~~alternative, successor, or substitute program, or delivery option designated for these purposes by~~
4 ~~the secretary of the executive office of health and human services;~~

5 ~~(2)~~ (1) Adult day services level of need criteria and acuity-based, tiered-payment
6 methodology; and

7 ~~(3)~~ (2) Payment reforms that encourage home- and community-based providers to provide
8 the specialized services and accommodations beneficiaries need to avoid or delay institutional care.

9 ~~(4)~~(1) The secretary is authorized to seek any Medicaid section 1115 waiver or state-plan
10 amendments and take any administrative actions necessary to ensure timely adoption of any new
11 or amended rules, regulations, policies, or procedures and any system enhancements or changes,
12 for which appropriations have been authorized, that are necessary to facilitate implementation of
13 the requirements of this section by the dates established. The secretary shall reserve the discretion
14 to exercise the authority established under §§ 42-7.2-5(6)(v) and 42-7.2-6.1, in consultation with
15 the governor, to meet the legislative directives established herein.

16 SECTION 7. Section 40-8.13-12 of the General Laws in Chapter 40-8.13 entitled “Long-
17 Term Managed Care Arrangements” is hereby repealed in its entirety.

18 **40-8.13-12. Community-based supportive living program.**

19 ~~(a) To expand the number of community-based service options, the executive office of~~
20 ~~health and human services shall establish a program for beneficiaries opting to participate in~~
21 ~~managed care long term care arrangements under this chapter who choose to receive Medicaid-~~
22 ~~funded assisted living, adult supportive care home, or shared living long term care services and~~
23 ~~supports. As part of the program, the executive office shall implement Medicaid certification or, as~~
24 ~~appropriate, managed care contract standards for state-authorized providers of these services that~~
25 ~~establish an acuity-based, tiered service and payment system that ties reimbursements to: a~~
26 ~~beneficiary's clinical/functional level of need; the scope of services and supports provided; and~~
27 ~~specific quality and outcome measures. These standards shall set the base level of Medicaid state-~~
28 ~~plan and waiver services that each type of provider must deliver, the range of acuity-based service~~
29 ~~enhancements that must be made available to beneficiaries with more intensive care needs, and the~~
30 ~~minimum state licensure and/or certification requirements a provider must meet to participate in~~
31 ~~the pilot at each service/payment level. The standards shall also establish any additional~~
32 ~~requirements, terms, or conditions a provider must meet to ensure beneficiaries have access to high-~~
33 ~~quality, cost-effective care.~~

34 ~~(b) Room and board. The executive office shall raise the cap on the amount Medicaid-~~

~~certified assisted living and adult supportive home care providers are permitted to charge participating beneficiaries for room and board. In the first year of the program, the monthly charges for a beneficiary living in a single room who has income at or below three hundred percent (300%) of the Supplemental Security Income (SSI) level shall not exceed the total of both the maximum monthly federal SSI payment and the monthly state supplement authorized for persons requiring long term services under § 40-6-27(a)(1)(vi), less the specified personal needs allowance. For a beneficiary living in a double room, the room and board cap shall be set at eighty five percent (85%) of the monthly charge allowed for a beneficiary living in a single room.~~

~~(c) Program cost effectiveness. The total cost to the state for providing the state supplement and Medicaid funded services and supports to beneficiaries participating in the program in the initial year of implementation shall not exceed the cost for providing Medicaid funded services to the same number of beneficiaries with similar acuity needs in an institutional setting in the initial year of the operations. The program shall be terminated if the executive office determines that the program has not met this target. The state shall expand access to the program to qualified beneficiaries who opt out of a long term services and support (LTSS) arrangement, in accordance with § 40-8.13-2, or are required to enroll in an alternative, successor, or substitute program, or delivery option designated for these purposes by the secretary of the executive office of health and human services if the enrollment in an LTSS plan is no longer an option.~~

SECTION 8. Section 42-7.2-5 of the General Laws in Chapter 42-7.2 entitled “Office of Health and Human Services” is hereby amended to read as follows:

42-7.2-5. Duties of the secretary.

The secretary shall be subject to the direction and supervision of the governor for the oversight, coordination, and cohesive direction of state-administered health and human services and in ensuring the laws are faithfully executed, notwithstanding any law to the contrary. In this capacity, the secretary of the executive office of health and human services (EOHHS) shall be authorized to:

(1) Coordinate the administration and financing of healthcare benefits, human services, and programs including those authorized by the state's Medicaid section 1115 demonstration waiver and, as applicable, the Medicaid State Plan under Title XIX of the U.S. Social Security Act. However, nothing in this section shall be construed as transferring to the secretary the powers, duties, or functions conferred upon the departments by Rhode Island public and general laws for the administration of federal/state programs financed in whole or in part with Medicaid funds or the administrative responsibility for the preparation and submission of any state plans, state plan amendments, or authorized federal waiver applications, once approved by the secretary.

1 (2) Serve as the governor's chief advisor and liaison to federal policymakers on Medicaid
2 reform issues as well as the principal point of contact in the state on any such related matters.

3 (3)(i) Review and ensure the coordination of the state's Medicaid section 1115
4 demonstration waiver requests and renewals as well as any initiatives and proposals requiring
5 amendments to the Medicaid state plan or formal amendment changes, as described in the special
6 terms and conditions of the state's Medicaid section 1115 demonstration waiver with the potential
7 to affect the scope, amount or duration of publicly funded healthcare services, provider payments
8 or reimbursements, or access to or the availability of benefits and services as provided by Rhode
9 Island general and public laws. The secretary shall consider whether any such changes are legally
10 and fiscally sound and consistent with the state's policy and budget priorities. The secretary shall
11 also assess whether a proposed change is capable of obtaining the necessary approvals from federal
12 officials and achieving the expected positive consumer outcomes. Department directors shall,
13 within the timelines specified, provide any information and resources the secretary deems necessary
14 in order to perform the reviews authorized in this section.

15 (ii) Direct the development and implementation of any Medicaid policies, procedures, or
16 systems that may be required to assure successful operation of the state's health and human services
17 integrated eligibility system and coordination with HealthSource RI, the state's health insurance
18 marketplace.

19 (iii) Beginning in 2015, conduct on a biennial basis a comprehensive review of the
20 Medicaid eligibility criteria for one or more of the populations covered under the state plan or a
21 waiver to ensure consistency with federal and state laws and policies, coordinate and align systems,
22 and identify areas for improving quality assurance, fair and equitable access to services, and
23 opportunities for additional financial participation.

24 (iv) Implement service organization and delivery reforms that facilitate service integration,
25 increase value, and improve quality and health outcomes.

26 (4) Beginning in 2020, prepare and submit to the governor, the chairpersons of the house
27 and senate finance committees, the caseload estimating conference, and to the joint legislative
28 committee for health-care oversight, by no later than ~~March~~ September 15 of each year, a
29 comprehensive overview of all Medicaid expenditures outcomes, administrative costs, and
30 utilization rates. The overview shall include, but not be limited to, the following information:

31 (i) Expenditures under Titles XIX and XXI of the Social Security Act, as amended;

32 (ii) Expenditures, outcomes and utilization rates by population and sub-population served
33 (e.g. families with children, persons with disabilities, children in foster care, children receiving
34 adoption assistance, adults ages nineteen (19) to sixty-four (64), and elders);

1 (iii) Expenditures, outcomes and utilization rates by each state department or other
2 municipal or public entity receiving federal reimbursement under Titles XIX and XXI of the Social
3 Security Act, as amended;

4 (iv) Expenditures, outcomes and utilization rates by type of service and/or service provider;
5 and

6 (v) Expenditures by mandatory population receiving mandatory services and, reported
7 separately, optional services, as well as optional populations receiving mandatory services and,
8 reported separately, optional services for each state agency receiving Title XIX and XXI funds.

9 The directors of the departments, as well as local governments and school departments,
10 shall assist and cooperate with the secretary in fulfilling this responsibility by providing whatever
11 resources, information and support shall be necessary.

12 (5) Resolve administrative, jurisdictional, operational, program, or policy conflicts among
13 departments and their executive staffs and make necessary recommendations to the governor.

14 (6) Ensure continued progress toward improving the quality, the economy, the
15 accountability and the efficiency of state-administered health and human services. In this capacity,
16 the secretary shall:

17 (i) Direct implementation of reforms in the human resources practices of the executive
18 office and the departments that streamline and upgrade services, achieve greater economies of scale
19 and establish the coordinated system of the staff education, cross-training, and career development
20 services necessary to recruit and retain a highly-skilled, responsive, and engaged health and human
21 services workforce;

22 (ii) Encourage EOHHS-wide consumer-centered approaches to service design and delivery
23 that expand their capacity to respond efficiently and responsibly to the diverse and changing needs
24 of the people and communities they serve;

25 (iii) Develop all opportunities to maximize resources by leveraging the state's purchasing
26 power, centralizing fiscal service functions related to budget, finance, and procurement,
27 centralizing communication, policy analysis and planning, and information systems and data
28 management, pursuing alternative funding sources through grants, awards and partnerships and
29 securing all available federal financial participation for programs and services provided EOHHS-
30 wide;

31 (iv) Improve the coordination and efficiency of health and human services legal functions
32 by centralizing adjudicative and legal services and overseeing their timely and judicious
33 administration;

34 (v) Facilitate the rebalancing of the long term system by creating an assessment and

1 coordination organization or unit for the expressed purpose of developing and implementing
2 procedures EOHHS-wide that ensure that the appropriate publicly funded health services are
3 provided at the right time and in the most appropriate and least restrictive setting;

4 (vi) Strengthen health and human services program integrity, quality control and
5 collections, and recovery activities by consolidating functions within the office in a single unit that
6 ensures all affected parties pay their fair share of the cost of services and are aware of alternative
7 financing;

8 (vii) Assure protective services are available to vulnerable elders and adults with
9 developmental and other disabilities by reorganizing existing services, establishing new services
10 where gaps exist and centralizing administrative responsibility for oversight of all related initiatives
11 and programs.

12 (7) Prepare and integrate comprehensive budgets for the health and human services
13 departments and any other functions and duties assigned to the office. The budgets shall be
14 submitted to the state budget office by the secretary, for consideration by the governor, on behalf
15 of the state's health and human services agencies in accordance with the provisions set forth in §
16 35-3-4.

17 (8) Utilize objective data to evaluate health and human services policy goals, resource use
18 and outcome evaluation and to perform short and long-term policy planning and development.

19 (9) Establishment of an integrated approach to interdepartmental information and data
20 management that complements and furthers the goals of the unified health infrastructure project
21 initiative and that will facilitate the transition to a consumer-centered integrated system of state
22 administered health and human services.

23 (10) At the direction of the governor or the general assembly, conduct independent reviews
24 of state-administered health and human services programs, policies and related agency actions and
25 activities and assist the department directors in identifying strategies to address any issues or areas
26 of concern that may emerge thereof. The department directors shall provide any information and
27 assistance deemed necessary by the secretary when undertaking such independent reviews.

28 (11) Provide regular and timely reports to the governor and make recommendations with
29 respect to the state's health and human services agenda.

30 (12) Employ such personnel and contract for such consulting services as may be required
31 to perform the powers and duties lawfully conferred upon the secretary.

32 (13) Assume responsibility for complying with the provisions of any general or public law
33 or regulation related to the disclosure, confidentiality and privacy of any information or records, in
34 the possession or under the control of the executive office or the departments assigned to the

1 executive office, that may be developed or acquired or transferred at the direction of the governor
2 or the secretary for purposes directly connected with the secretary's duties set forth herein.

3 (14) Hold the director of each health and human services department accountable for their
4 administrative, fiscal and program actions in the conduct of the respective powers and duties of
5 their agencies.

6 SECTION 9. Rhode Island Medicaid Reform Act of 2008 Resolution.

7 WHEREAS, the General Assembly enacted Chapter 12.4 of Title 42 entitled “The Rhode
8 Island Medicaid Reform Act of 2008”; and

9 WHEREAS, a legislative enactment is required pursuant to Rhode Island General Laws
10 42-12.4-1, et seq.; and

11 WHEREAS, Rhode Island General Law Section 42-7.2-5(3)(a) provides that the Secretary
12 of Health and Human Services (“Secretary”), of the Executive Office of Health and Human
13 Services (“Executive Office”), is responsible for the review and coordination of any Medicaid
14 section 1115 demonstration waiver requests and renewals as well as any initiatives and proposals
15 requiring amendments to the Medicaid state plan or changes as described in the demonstration,
16 “with potential to affect the scope, amount, or duration of publicly-funded health care services,
17 provider payments or reimbursements, or access to or the availability of benefits and services
18 provided by Rhode Island general and public laws”; and

19 WHEREAS, in pursuit of a more cost-effective consumer choice system of care that is
20 fiscally sound and sustainable, the Secretary requests legislative approval of the following
21 proposals to amend the demonstration:

22 (a) *Update dental benefits for children.* The Executive Office proposes to allow coverage
23 for dental caries arresting treatments using Silver Diamine Fluoride when necessary.
24 Implementation of this initiative requires amendments to the Medicaid State Plan.

25 (b) *Perinatal Doula Services.* The Executive Office proposes to establish medical
26 assistance coverage and reimbursement rates for perinatal doula services, a practice to provide non-
27 clinical emotional, physical and informational support before, during and after birth for expectant
28 mothers, in order to reduce maternal health disparities, reduce the likelihood of costly interventions
29 during births, such as cesarean birth and epidural pain relief, while increasing the likelihood of a
30 shorter labor, a spontaneous vaginal birth, and a positive childbirth experience.

31 (c) *Community Health Workers.* To improve health outcomes, increase access to care, and
32 reduce healthcare costs, the Executive Office proposes to provide medical assistance coverage and
33 reimbursement to community health workers.

34 (d) *HCBS Maintenance of Need Allowance Increase.* The Executive Office proposes to

1 increase the Home and Community Based Services (HCBS) Maintenance of Need Allowance from
2 100% of the Federal Poverty Limit (FPL) plus twenty dollars to 300% of the Federal Social Security
3 Income (SSI) standard to enable the Executive Office to provide sufficient support for individuals
4 who are able to, and wish to, receive services in their homes.

5 *(e) Change to Rates for Nursing Facility Services.* To more effectively compensate the
6 nursing facilities for the costs of providing care to members who require behavioral healthcare or
7 ventilators, the Executive Office proposes to revise the fee-for-service Medicaid payment rate for
8 nursing facility residents in the following ways:

9 (i) Re-weighting towards behavioral health care, such that the average Resource Utilization
10 Group (RUG) weight is not increased as follows:

11 1. Increase the RUG weights related to behavioral healthcare; and

12 2. Decrease all other RUG weights

13 (ii) Increase the RUG weight related to ventilators; and

14 (iii) Implement a behavioral health per-diem add-on for particularly complex patients, who
15 have been hospitalized for six months or more, are clinically appropriate for discharge to a nursing
16 facility, and where the nursing facility is Medicaid certified to provide or facilitate enhanced levels
17 of behavioral healthcare.

18 *(f) Increase Shared Living Rates.* In order to better incentivize the utilization of home- and
19 community-based care for individuals that wish to receive their care in the community, the
20 Executive Office proposes a ten percent (10%) increase to shared living caregiver stipend rates that
21 are paid to providers through Medicaid fee-for-service and managed care.

22 *(g) Increase rates for home nursing care and home care providers licensed by Rhode Island*
23 *Department of Health.* To ensure better access to home- and community-based services, the
24 Executive Office proposes, for both fee-for-service and managed care, to increase the existing shift
25 differential modifier by \$0.19 per fifteen (15) minutes for Personal Care and Combined Personal
26 Care/Homemaker effective July 1, 2021, and to establish a new behavioral healthcare enhancement
27 of \$0.39 per fifteen (15) minutes for Personal Care, Combined Personal Care/Homemaker, and
28 Homemaker only for providers who have at least thirty percent (30%) of their direct care workers
29 (which includes Certified Nursing Assistants (CNA) and Homemakers) certified in behavioral
30 healthcare training effective January 1, 2022.

31 *(h) Expansion of First Connections Program.* In collaboration with the Rhode Island
32 Department of Health (RIDOH), the Executive Office proposes to seek federal matching funds for
33 the expansion of the First Connections Program, a risk assessment and response home visiting
34 program designed to ensure that families are connected to appropriate services such as food

1 assistance, mental health, child care, long term family home visiting, Early Intervention (EI) and
2 other programs, to prenatal women. The Executive Office would establish medical assistance
3 coverage and reimbursement rates for such First Connection services provided to prenatal women.

4 (i) *Parents as Teachers Program.* In collaboration with RIDOH, the Executive Office
5 proposes to seek federal matching funds for the coverage of the Parents as Teachers Program, to
6 ensure that parents of young children are connected with the medical and social supports necessary
7 to support their families.

8 (j) *Increase Assisted Living rates.* To ensure better access to home- and community-based
9 services, the Executive Office proposes to increase the rates for Assisted Living providers in both
10 fee-for-service and managed care.

11 (k) *Elimination of Category F State Supplemental Payments.* To ensure better access to
12 home- and community-based services, the Executive Office proposes to eliminate the State
13 Supplemental Payment for Category F individuals.

14 (l) *Establish an intensive, expanded Mental Health Psychiatric Rehabilitative Residential*
15 *(“MHPRR”).* In collaboration with BHDDH, the Executive Office proposes to establish a MHPRR
16 to provide discharge planning, medical and/or psychiatric treatment, and identification and
17 amelioration of barriers to transition to less restrictive settings.

18 (m) *Hospice and Home Care Annual Rate Increase Language.* The Executive Office
19 proposes amending the language in the Medicaid State Plan detailing the annual inflationary
20 adjustments to hospice rates to utilize the New England Consumer Price Index card as determined
21 by the United States Department of Labor for medical care data that is released in March, containing
22 the February data. Additionally, the Executive Office proposes to add language to the Medicaid
23 State Plan regarding the annual inflationary adjustments to home care rates to clarify that the
24 Executive Office will utilize the New England Consumer Price Index card as determined by the
25 United States Department of Labor for medical care data that is released in March, containing the
26 February data.

27 (n) *Non-Emergency Transportation Services.* The Executive Office of Health and Human
28 Services shall, as part of its payments through the transportation broker model, reimburse for basic
29 life-support services at a rate no less than \$147.67 and for advanced life-support services at no less
30 than \$177.20.

31 (o) *Expansion of Home and Community Co-Pay Programs.* The Executive Office, in
32 conjunction with the Office of Healthy Aging, proposes to implement the authorities approved
33 under the section 1115 demonstration waiver to increase the maximum income limit for all co-pay
34 program eligibility from two hundred percent (200%) to two hundred fifty percent (250%) of the

1 federal poverty level. This includes implementing programs for adults, age 19 through 64,
2 diagnosed with Alzheimer's or a related dementia. Implementation of these waiver authorities
3 requires adoption of new or amended rules, regulations and procedures..

4 (p) *Federal Financing Opportunities*. The Executive Office proposes to review Medicaid
5 requirements and opportunities under the U.S. Patient Protection and Affordable Care Act of 2010
6 (PPACA) and various other recently enacted federal laws and pursue any changes in the Rhode
7 Island Medicaid program that promote service quality, access and cost-effectiveness that may
8 warrant a Medicaid state plan amendment or amendment under the terms and conditions of Rhode
9 Island's section 1115 waiver, its successor, or any extension thereof. Any such actions by the
10 Executive Office shall not have an adverse impact on beneficiaries or cause there to be an increase
11 in expenditures beyond the amount appropriated for state fiscal year 2022.

12 Now, therefore, be it

13 RESOLVED, the General Assembly hereby approves the proposals stated in (a) through
14 (p) above; and be it further;

15 RESOLVED, the Secretary of the Executive Office is authorized to pursue and implement
16 any 1115 demonstration waiver amendments, Medicaid state plan amendments, and/or changes to
17 the applicable department's rules, regulations and procedures approved herein and as authorized
18 by Chapter 42-12.4; and be it further;

19 RESOLVED, that this Joint Resolution shall take effect upon passage.

20 SECTION 10. This article shall take effect as of July 1, 2021.

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ARTICLE 13 AS AMENDED

RELATING TO HUMAN SERVICES

SECTION 1. Section 12-19-14 of the General Laws in Chapter 12-19 entitled "Sentence and Execution" is hereby amended to read as follows:

12-19-14. Violation of terms of probation – Notice to court – Revocation or continuation of suspension.

(a) Whenever any person who has been placed on probation by virtue of the suspension of execution of his or her sentence pursuant to § 12-19-13 violates the terms and conditions of his or her probation as fixed by the court by being formally charged with committing a new criminal offense, the police or department of corrections division of rehabilitative services shall cause the defendant to appear before the court. The department of corrections division of rehabilitative services shall determine when a technical violation of the terms and conditions of probation as fixed by the court that does not constitute a new criminal offense has occurred and shall cause the defendant to appear before the court. For technical violations, the ~~The~~ division of rehabilitative services shall promptly render a written report relative to the conduct of the defendant, including, as applicable, a description of the clear and articulable public safety risk posed by a defendant accused of a technical violation, and, as available, the information contained in any report under § 12-13-24.1. The division of rehabilitative services may recommend that the time served up to that point is a sufficient response to a violation that is not a new, alleged crime. The court may order the defendant held without bail for a period not exceeding ten (10) days excluding Saturdays, Sundays, and holidays if the new criminal charge(s) constitutes a violent crime as defined in the Rhode Island General Laws, a domestic violence crime, or a crime involving driving under the influence or if the court determines in its discretion that public safety concerns and/or concerns regarding the defendant's likelihood to appear before the court warrant holding the defendant without bail.

(b) The court shall conduct a hearing within thirty (30) days of arrest, unless waived by the defendant, to determine whether the defendant has violated the terms and conditions of his or her probation, at which hearing the defendant shall have the opportunity to be present and to respond. Upon a determination by a fair preponderance of the evidence that the defendant has violated the terms and conditions of his or her probation, the court, in open court and in the presence of the

1 defendant, may as to the court may seem just and proper:

2 (1) Revoke the suspension and order the defendant committed on the sentence previously
3 imposed, or on a lesser sentence;

4 (2) Impose a sentence if one has not been previously imposed;

5 (3) Stay all or a portion of the sentence imposed after removal of the suspension;

6 (4) Continue the suspension of a sentence previously imposed; or

7 (5) Convert a sentence of probation without incarceration to a suspended sentence.

8 SECTION 2. Chapter 13-8 of the General Laws entitled "Parole" is hereby amended by
9 adding thereto the following section:

10 **13-8-14.2. Special parole consideration for persons convicted as juveniles.**

11 (a) When a person who is serving a sentence imposed as the result of an offense or offenses
12 committed when he or she was less than eighteen years of age becomes eligible for parole pursuant
13 to applicable provisions of law, the parole board shall ensure that he or she is provided a meaningful
14 opportunity to obtain release and shall adopt rules and guidelines to do so, consistent with existing
15 law.

16 (b) During a parole hearing involving a person described in subsection (a) of this section,
17 in addition to other factors required by law or under the parole guidelines set forth by the parole
18 board, the parole board shall also take into consideration the diminished culpability of juveniles as
19 compared to that of adults and any subsequent growth and increased maturity of the prisoner during
20 incarceration. The board shall also consider the following:

21 (1) A review of educational and court documents;

22 (2) Participation in available rehabilitative and educational programs while in prison;

23 (3) Age at the time of the offense;

24 (4) Immaturity at the time of the offense;

25 (5) Home and community environment at the time of the offense;

26 (6) Efforts made toward rehabilitation;

27 (7) Evidence of remorse; and

28 (8) Any other factors or circumstances the Board considers relevant

29 (c) The parole board shall have access to all relevant records and information in the
30 possession of any state official or agency relating to the board's consideration of the factors detailed
31 in the foregoing sections.

32 SECTION 3. Sections 13-8-11, 13-8-13, 13-8-18 and 13-8-18.1 of the General Laws in
33 Chapter 13-8 entitled "Parole" are hereby amended to read as follows:

34 **~~13-8-11. Good conduct, industrial, and meritorious service time included in~~**

1 **computation Good conduct, industrial, and meritorious service time.**

2 (a) In computing the one-third (1/3) of any term of sentence for the purpose of §§ 13-8-9 –
3 13-8-14, the time a prisoner shall have earned pursuant to §§ 42-56-24 and 42-56-26 shall be
4 considered by the parole board to reduce inmate overcrowding when directed by the criminal justice
5 oversight committee, pursuant to the provisions of § 42-26-13.3(e), or when directed by the
6 governor, pursuant to the provisions of § 42-26-13.3(f).

7 (b) As used in this section, the following words shall, unless the context clearly requires
8 otherwise, have the following meanings:

9 (i) "Compliance," the absence of a finding by a Parole Officer or the Parole Board of a
10 violation of the terms or conditions of a permit or conditions of parole supervision set by the Rhode
11 Island Parole Board.

12 (ii) "Compliance credits," credits that an eligible offender earns through compliance with
13 Parole Board-ordered conditions of parole supervision; provided, however, that such credits shall
14 operate to reduce the length of parole supervision.

15 (iii) "Eligible parolee," any offender who is currently serving a term of post-incarceration
16 parole supervision except any such person serving a sentence of a violation of §§ 11-5-1 (where
17 the specified felony is murder or sexual assault), 11-23-1, 11-26-1.4, 11-37-2, 11-37-8.1 or 11-37-
18 8.3.

19 (c) On the first day of each calendar month after July 1, 2021, an eligible parolee shall earn
20 5 days of compliance credits if the eligible parolee served on parole without any documented
21 behavior that could constitute a violation of the terms and conditions of parole for the prior calendar
22 month. Any compliance credits so granted and not rescinded pursuant to guidelines set forth by the
23 parole board shall reduce the period of time that a parolee is subject to the jurisdiction of the parole
24 board under § 13-8-9.

25 (d) The parole board shall issue guidelines governing the awarding of compliance credits,
26 any disqualifiers to the earning of compliance credits, and the rescission or suspension of
27 compliance credits as applicable.

28 (e) The award or rescission of credits pursuant to this section shall not be the subject of
29 judicial review.

30 (f) This section shall apply to all individuals sentenced to imprisonment and subsequently
31 granted parole including those sentences granted prior to passage of this legislation and shall not
32 alter the ability of the Parole Board to revoke parole. The calculation of compliance credits shall
33 be prospective from the date of passage, while eligibility to earn compliance credits shall be
34 prospective and retrospective.

1 [\(g\) The department of corrections shall keep a record of the eligible parolee's sentence,](#)
2 [including the person's end of supervision date based on earned credits for compliance with the](#)
3 [terms and conditions of parole.](#)

4 **13-8-13. Life prisoners and prisoners with lengthy sentences.**

5 (a) In the case of a prisoner sentenced to imprisonment for life, a parole permit may be
6 issued at any time after the prisoner has served not less than ten (10) years imprisonment; provided
7 that:

8 (1) In the case of a prisoner serving a sentence or sentences of a length making him or her
9 ineligible for a permit in less than ten (10) years, pursuant to §§ 13-8-9 and 13-8-10, the permit
10 may be issued at any time after the prisoner has served not less than ten (10) years imprisonment.

11 (2) In the case of a prisoner sentenced to imprisonment for life for a first- or second-degree
12 murder committed after July 10, 1989, the permit may be issued only after the prisoner has served
13 not less than fifteen (15) years imprisonment.

14 (3) In the case of a prisoner sentenced to imprisonment for life for a first- or second-degree
15 murder committed after June 30, 1995, the permit may be issued only after the prisoner has served
16 not less than twenty (20) years imprisonment; and

17 (4) In the case of a prisoner sentenced to imprisonment for life for a first- or second-degree
18 murder committed after July 1, 2015, the permit may be issued only after the prisoner has served
19 not less than twenty-five (25) years imprisonment.

20 (5) In the case of a prisoner sentenced to imprisonment for life for a crime, other than first-
21 or second-degree murder, committed after July 1, 2015, the permit may be issued only after the
22 prisoner has served not less than twenty (20) years imprisonment.

23 (b) The permit shall be issued only by a unanimous vote of all the attending members of
24 the board; provided that not less than four (4) members are present, and whenever, after the issue
25 of the permit, the prisoner shall be pardoned, then the control of the board over the prisoner shall
26 cease and terminate.

27 (c)(1) In the case of a prisoner sentenced to imprisonment for life who is convicted of
28 escape or attempted escape from the lawful custody of the warden of the adult correctional
29 institutions, the permit may be issued only after the prisoner has served not less than twenty-five
30 (25) years imprisonment; provided, however, that as to a prisoner who has been sentenced to
31 imprisonment for life for a conviction of first- or second-degree murder, committed after July 1,
32 2015, and who is convicted thereafter of escape or attempted escape from the lawful custody of the
33 warden of the adult correctional institutions, the permit may be issued only after the prisoner has
34 served not less than thirty-five (35) years imprisonment; and

1 (2) For each subsequent conviction of escape or attempted escape, an additional five (5)
2 years shall be added to the time required to be served.

3 (d) In the case of a prisoner sentenced consecutively to more than one life term for crimes
4 occurring after May 7, 1981, the permit may be issued only after the prisoner has served not less
5 than ten (10) years consecutively on each life sentence; provided, in the case of a prisoner sentenced
6 consecutively to more than one life term for crimes occurring after June 30, 1995, the permit may
7 be issued only after the prisoner has served not less than fifteen (15) years consecutively on each
8 life sentence. In the case of a prisoner sentenced consecutively to more than one life term for crimes
9 occurring after July 1, 2015, the permit may be issued only after the prisoner has served not less
10 than twenty (20) years consecutively on each life sentence. In the case of a prisoner sentenced
11 consecutively to more than one life term for crimes, including first- or second-degree murder,
12 occurring after July 1, 2015, the permit may be issued only after the prisoner has served not less
13 than twenty-five (25) years consecutively on each life sentence.

14 (e) Any person sentenced for any offense committed prior to his or her twenty-second
15 birthday, other than a person serving life without parole, shall be eligible for parole review and a
16 parole permit may be issued after the person has served no fewer than twenty (20) years
17 imprisonment unless the person is entitled to earlier parole eligibility pursuant to any other
18 provisions of law. This subsection shall be given prospective and retroactive effect for all offenses
19 occurring on or after January 1, 1991.

20 **13-8-18. Revocation of parole – Hearing.**

21 The parole board may, by a majority vote of all of its members, revoke, in accordance with
22 the provisions of § 13-8-18.1, any permit issued by it to any prisoner under the provisions of this
23 chapter or revoke any permit issued by another state or jurisdiction where the prisoner is being
24 supervised by the Rhode Island parole board whenever it shall appear to the board that the prisoner
25 has violated any of the terms or conditions of his or her permit or conditions of parole set by an
26 out-of-state jurisdiction, or has during the period of his or her parole violated any state laws.
27 Whenever it shall come to the knowledge of the board that any prisoner at liberty under a permit
28 issued by this state or another state or jurisdiction has been guilty of a violation of parole related to
29 a new criminal charge, the chairperson shall issue his or her warrant to any officer authorized to
30 serve criminal process to arrest the prisoner and commit him or her to the adult correctional
31 institutions, to be detained until the board shall have an opportunity to determine whether the permit
32 of the prisoner is to be revoked in accordance with the provisions of § 13-8-18.1, or in the case of
33 prisoners granted parole by another state or jurisdiction, and supervised by the Rhode Island parole
34 board, until that state or jurisdiction takes custody of the prisoner. Whenever it shall come to the

1 knowledge of the board that any prisoner at liberty under a permit issued by this state or another
2 state or jurisdiction has been guilty of a technical violation of parole, absent a new criminal charge,
3 the chairperson may, at his or her discretion, issue his or her warrant to any officer authorized to
4 serve criminal process to arrest the prisoner and commit him or her to the adult correctional
5 institutions, to be detained until the board shall have an opportunity to determine whether the permit
6 of the prisoner is to be revoked in accordance with the provisions of § 13-8-18.1, or in the case of
7 prisoners granted parole by another state or jurisdiction, and supervised by the Rhode Island parole
8 board, until that state or jurisdiction takes custody of the prisoner. If the board shall determine that
9 the permit shall not be revoked, then the board shall immediately order the prisoner to be set at
10 liberty under the terms and conditions of his or her original permit.

11 **13-8-18.1. Preliminary parole violation hearing.**

12 (a) As soon as is practicable after a detention for an alleged violation of parole, the parole
13 board shall afford the alleged parole violator a preliminary parole revocation hearing before a
14 hearing officer designated by the board. Such hearing officer shall not have had any prior
15 supervisory involvement over the alleged violator.

16 (b) The alleged violator shall, within five (5) days of the detention, in Rhode Island be
17 given written notice of the time, place and purpose of the preliminary hearing. The notice shall state
18 the specific conditions of parole that are alleged to have been violated and in what manner. The
19 notice shall also inform the alleged violator of the following rights in connection with the
20 preliminary hearing:

- 21 (1) The right to appear and speak in his/her own behalf;
22 (2) The right to call witnesses and present evidence;
23 (3) The right to confront and cross-examine the witnesses against him/her, unless the
24 hearing officer finds on the record that a witness may be subjected to risk of harm if his or her
25 identity is revealed; and
26 (4) The right to retain counsel and, if unable to afford counsel, the right under certain
27 circumstances to the appointment of counsel for the preliminary hearing.

28 The determination of whether or not the alleged violator is entitled to appointed counsel, if
29 such a request is made, shall be made on the record and in accordance with all relevant statutory
30 and constitutional provisions.

31 (c) The notice form must explain in clear and unambiguous language the procedures
32 established by the parole board concerning an alleged violator's exercise of the rights denominated
33 in subsection (b), including the mechanism for compelling the attendance of witnesses, the
34 mechanism for obtaining documentary evidence, and the mechanism for requesting the

1 appointment of counsel.

2 (d) The preliminary hearing shall take place no later than ten (10) days after service of
3 notice set forth in subsection (b). A preliminary hearing may be postponed beyond the ten (10) day
4 time limit for good cause at the request of either party, but may not be postponed at the request of
5 the state for more than five (5) additional days. The parole revocation charges shall be dismissed
6 with prejudice if a preliminary hearing is not conducted within the time period established by this
7 paragraph, not including any delay directly attributed to a postponement requested by the alleged
8 violator.

9 (e) If the alleged violator has requested the appointment of counsel at least five (5) days
10 prior to the preliminary hearing, the preliminary hearing may not proceed without counsel present
11 unless the hearing officer finds on the record, in accordance with all relevant statutory and
12 constitutional provisions, that the alleged violator is not entitled to appointed counsel. If the alleged
13 violator is found to have been entitled to counsel and no such counsel has been appointed, the parole
14 violation charges must be dismissed with prejudice. If the request for counsel was made four (4) or
15 fewer days in advance of the preliminary hearing, the time limit within which the preliminary
16 hearing must be held may be extended up to five (5) additional days.

17 (f) The standard of proof at the preliminary hearing shall be probable cause to believe that
18 the alleged violator has violated one or more conditions of his or her parole and that the violation
19 or violations were not de minimus in nature. Proof of conviction of a crime committed subsequent
20 to release on parole shall constitute probable cause for the purposes of the preliminary hearing.

21 (g) At the preliminary hearing, the hearing officer shall review the violation charges with
22 the alleged violator, direct the presentation of the evidence concerning the alleged violation, receive
23 the statements of the witnesses and documentary evidence, and allow cross-examination of those
24 witnesses in attendance. All proceedings shall be recorded and preserved.

25 (h) At the conclusion of the preliminary hearing, the hearing officer shall inform the alleged
26 violator of his or her decision as to whether there is probable cause to believe that the alleged
27 violator has violated one or more conditions of his or her parole and, if so, whether the violation or
28 violations were de minimus in nature. Those determinations shall be based solely on the evidence
29 adduced at the preliminary hearing. The hearing officer shall state in writing the reasons for his or
30 her determinations and the evidence relied upon for those determinations. A copy of the written
31 findings shall be sent to the alleged violator, and his or her counsel if applicable, within fourteen
32 (14) days of the preliminary hearing.

33 (i) If the hearing officer finds that there is no probable cause to believe that the alleged
34 violator has violated one or more conditions of his or her parole or that the violation or violations,

1 if any, were de minimus in nature, the parole chairperson shall rescind the detention warrant and
2 direct that the alleged violator, unless in custody for other reasons, be released and restored to
3 parole supervision.

4 (j) If the hearing officer finds that there is probable cause to believe that the alleged violator
5 has violated one or more conditions of his or her parole and that the violation or violations were
6 not de minimus in nature, the alleged violator shall be held for a final parole revocation hearing. A
7 final parole revocation hearing must be held as soon as is practicable, but in no event more than
8 ninety (90) days after the conclusion of the preliminary hearing.

9 (k) An alleged violator may waive his or her right to a preliminary hearing. Such a waiver
10 must be in written form. In the event of such a written waiver, a final parole revocation hearing
11 must be held as soon as is practicable, but in no event more than ninety (90) days after the right to
12 a preliminary hearing is waived. Notwithstanding the above, a final parole revocation hearing may
13 be continued by the alleged violator beyond the ninety (90) day time period. [For parole violations](#)
14 [not involving a new criminal offense, an alleged violator may waive his or her right to a final parole](#)
15 [revocation hearing, where there is no dispute as to the alleged violation and the parolee charged](#)
16 [with such violation\(s\) freely admits to the violation and accepts the appropriate sanction imposed](#)
17 [by the parole board.](#)

18 SECTION 4. Sections 13-8.1-1, 13-8.1-2, 13-8.1-3 and 13-8.1-4 of the General Laws in
19 Chapter 13-8.1 entitled "Medical Parole" are hereby amended to read as follows:

20 **13-8.1-1. Short title.**

21 This chapter shall be known as the "Medical [and Geriatric](#) Parole Act".

22 **13-8.1-2. Purpose.**

23 (a) Medical parole is made available for humanitarian reasons and to alleviate exorbitant
24 medical expenses associated with inmates whose chronic and incurable illness render their
25 incarceration non-punitive and non-rehabilitative. Notwithstanding other statutory or
26 administrative provisions to the contrary, all prisoners except those serving life without parole shall
27 at any time after they begin serving their sentences be eligible for medical parole consideration,
28 regardless of the crime committed or the sentence imposed.

29 [\(b\) Geriatric parole is made available for humanitarian reasons and to alleviate exorbitant](#)
30 [expenses associated with the cost of aging, for inmates whose advanced age reduces the risk that](#)
31 [they pose to the public safety. Notwithstanding other statutory or administrative provisions to the](#)
32 [contrary, all prisoners except those serving life without parole shall be eligible for geriatric parole](#)
33 [consideration upon meeting the criteria set forth below, regardless of the crime committed or the](#)
34 [sentence imposed.](#)

1 **13-8.1-3. Definitions.**

2 (a) "Permanently physically incapacitated" means suffering from a physical condition
3 caused by injury, disease, illness, ~~or cognitive insult such as dementia~~ or persistent vegetative state,
4 which, to a reasonable degree of medical certainty, permanently and irreversibly physically
5 incapacitates the individual to the extent that the individual needs help with most of the activities
6 that are necessary for independence such as feeding, toileting, dressing, and bathing and
7 transferring, or no significant physical activity is possible, ~~and the individual is confined to bed or~~
8 ~~a wheelchair~~ or suffering from an incurable, progressive condition that substantially diminishes the
9 individual's capacity to function in a correctional setting.

10 **(b) "Cognitively incapacitated" means suffering from a cognitive condition such as**
11 **dementia which greatly impairs activities that are necessary for independence such as feeding,**
12 **toileting, dressing, and bathing and renders their incarceration non-punitive and non-rehabilitative.**

13 ~~(b)~~ (c) "Terminally ill" means suffering from a condition caused by injury (except self-
14 inflicted injury), disease, or illness which, to a reasonable degree of medical certainty, is a life-
15 limiting diagnosis that will lead to profound functional, cognitive and/or physical decline, and
16 likely will result in death within eighteen (18) months.

17 ~~(c)~~ (d) "Severely ill" means suffering from a significant and permanent or chronic physical
18 and/or mental condition that: (1) Requires extensive medical and/or psychiatric treatment with little
19 to no possibility of recovery; and (2) ~~Precludes significant~~ Significantly impairs rehabilitation from
20 further incarceration.

21 **(e) "Aging prisoner" means an individual who is sixty-five (65) years of age or older and**
22 **suffers from functional impairment, infirmity, or illness.**

23 **13-8.1-4. Procedure.**

24 (a) The parole board is authorized to grant medical parole release of a prisoner, except a
25 prisoner serving life without parole, at any time, who is determined to be terminally ill, severely
26 ill, or permanently physically or cognitively incapacitated within the meaning of §§ 13-8.1-3(a) -
27 ~~(d). Inmates who are severely ill will only be considered for such release when their treatment~~
28 ~~causes the state to incur exorbitant expenses as a result of continued and frequent medical treatment~~
29 ~~during their incarceration, as determined by the office of financial resources of the department of~~
30 ~~corrections.~~

31 (b) The parole board is authorized to grant geriatric parole release of a prisoner, except a
32 prisoner serving life without parole, who is an aging prisoner within the meaning of § 13-8.1-3(e)
33 or under medical parole as outlined by § 13-8.1-2.

34 ~~(c)~~ (c) In order to apply for this relief, the prisoner or his or her family member or friend,

1 with an attending physician's written approval, or an attending physician, on behalf of the prisoner,
2 shall file an application with the director of the department of corrections. Within seventy-two (72)
3 hours after the filing of any application, the director shall refer the application to the health service
4 unit of the department of corrections for a medical report and a medical or geriatric discharge plan
5 to be completed within ten (10) days. Upon receipt of the ~~medical~~ discharge plan, the director of
6 the department of corrections shall immediately transfer the ~~medical~~ discharge plan, together with
7 the application, to the parole board for its consideration and decision.

8 ~~(e)~~ (d) The report shall contain, at a minimum, the following information:

9 (1) Diagnosis of the prisoner's medical conditions, including related medical history;

10 (2) Detailed description of the conditions and treatments;

11 (3) Prognosis, including life expectancy, likelihood of recovery, likelihood of
12 improvement, mobility and trajectory and rate of debilitation;

13 (4) Degree of incapacity or disability, including an assessment of whether the prisoner is
14 ambulatory, capable of engaging in any substantial physical activity, ability to independently
15 provide for their daily life activities, and the extent of that activity;

16 (5) An opinion from the medical director as to whether the person is terminally ill, and if
17 so, the stage of the illness, or whether the person is permanently physically or cognitively
18 incapacitated, ~~or~~ severely ill, or an aging prisoner. If the medical director's opinion is that the person
19 is not terminally ill, permanently, physically or cognitively incapacitated, ~~or~~ severely ill, or an aging
20 prisoner as defined in § 13-8.1-3, the petition for medical or geriatric parole shall not be forwarded
21 to the parole board.

22 ~~(6) In the case of a severely ill inmate, the report shall also contain a determination from~~
23 ~~the office of financial resources that the inmate's illness causes the state to incur exorbitant expenses~~
24 ~~as a result of continued and frequent medical treatment during incarceration.~~

25 ~~(d)~~(e) When the director of corrections refers a prisoner to the parole board for medical or
26 geriatric parole, the director shall provide to the parole board a medical or geriatric discharge plan
27 that is acceptable to the parole board.

28 ~~(e)~~ (f) The department of corrections and the parole board shall jointly develop standards
29 for the medical or geriatric discharge plan that are appropriately adapted to the criminal justice
30 setting. The discharge plan should ensure at the minimum that:

31 (1) An appropriate placement for the prisoner has been secured, including, but not limited
32 to: a hospital, nursing facility, hospice, or family home;

33 (2) A referral has been made for the prisoner to secure a source for payment of the prisoner's
34 medical expenses;

1 (3) A parole officer has been assigned to periodically obtain updates on the prisoner's
2 medical condition to report back to the board.

3 ~~(g)~~ If the parole board finds from the credible medical evidence that the prisoner is
4 terminally ill, permanently physically or cognitively incapacitated, ~~or~~ severely ill, or an aging
5 prisoner, the board shall grant release to the prisoner but only after the board also considers whether,
6 in light of the prisoner's medical condition, there is a reasonable probability that the prisoner, if
7 released, will live and remain at liberty without violating the law, and that the release is compatible
8 with the welfare of society and will not so depreciate the seriousness of the crime as to undermine
9 respect for the law. Notwithstanding any other provision of law, medical or geriatric release may
10 be granted an any time during the term of a prisoner's sentence.

11 ~~(h)~~ There shall be a presumption that the opinion of the physician and/or medical
12 director will be accepted. However, the applicant, the physician, the director, or the parole board
13 may request an independent medical evaluation within seven (7) days after the physician's and/or
14 medical director's report is presented. The evaluation shall be completed and a report, containing
15 the information required by subsection ~~(c)~~ of this section, filed with the director and the parole
16 board, and a copy sent to the applicant within fourteen (14) days from the date of the request.

17 ~~(i)~~ Within seven (7) days of receiving the application, the medical or geriatric report and
18 the discharge plan, the parole board shall determine whether the application, on its face,
19 demonstrates that relief may be warranted. If the face of the application clearly demonstrates that
20 relief is unwarranted, the board may deny the application without a hearing or further proceedings,
21 and within seven (7) days shall notify the prisoner in writing of its decision to deny the application,
22 setting forth its factual findings and a brief statement of the reasons for denying release without a
23 hearing. Denial of release does not preclude the prisoner from reapplying for medical or geriatric
24 parole after the expiration of sixty (60) days. A reapplication under this section must demonstrate
25 a material change in circumstances.

26 ~~(j)~~(1) Upon receipt of the application from the director of the department of corrections
27 the parole board shall, except as provided in subsection ~~(i)~~ of this section, set the case for a
28 hearing within thirty (30) days;

29 (2) Notice of the hearing shall be sent to the prosecutor and the victim(s), if any, of the
30 offense(s) for which the prisoner is incarcerated, and the prosecutor and the victim(s) shall have
31 the right to be heard at the hearing, or in writing, or both;

32 (3) At the hearing, the prisoner shall be entitled to be represented by an attorney or by the
33 public defender if qualified or other representative.

34 ~~(k)~~ Within seven (7) days of the hearing, the parole board shall issue a written decision

1 granting or denying medical [or geriatric](#) parole and explaining the reasons for the decision. If the
2 board determines that medical [or geriatric](#) parole is warranted, it shall impose conditions of release,
3 that shall include the following:

4 (1) Periodic medical examinations;

5 (2) Periodic reporting to a parole officer, and the reporting interval;

6 (3) Any other terms or conditions that the board deems necessary; and

7 (4) In the case of a prisoner who is medically paroled due to being severely ill, the parole
8 board shall require electronic monitoring as a condition of the medical parole, unless the health
9 care plan mandates placement in a medical facility that cannot accommodate the electronic
10 monitoring.

11 ~~(l)~~ If after release the releasee's condition or circumstances change so that he or she
12 would not then be eligible for medical [or geriatric](#) parole, the parole board may order him or her
13 returned to custody to await a hearing to determine whether his or her release should be revoked.
14 A release may also be revoked for violation of conditions otherwise applicable to parole.

15 ~~(m)~~ An annual report shall be prepared by the director of corrections for the parole board
16 and the general assembly. The report shall include:

17 (1) The number of inmates who have applied for medical [or geriatric](#) parole;

18 (2) The number [of inmates](#) who have been granted medical or geriatric parole;

19 (3) The nature of the illness, [cognitive condition, functional impairment, and/or infirmity](#)
20 of the applicants, and the nature of the placement pursuant to the ~~medical~~ discharge plan;

21 (4) The categories of reasons for denial for those who have been denied;

22 (5) The number of releasees on medical [or geriatric](#) parole who have been returned to the
23 custody of the department of corrections and the reasons for return.

24 [\(6\) The number of inmates who meet the statutory definition of "aging prisoner" and would](#)
25 [be potentially-eligible for geriatric parole.](#)

26 [\(n\) An annual educational seminar will be offered by the department of corrections](#)
27 [healthcare services unit to the parole board and community stakeholders on aging and infirmity in](#)
28 [prison and special considerations that should be applied to aging prisoners and prisoners with](#)
29 [severe or terminal illnesses during parole consideration.](#)

30 SECTION 5. Section 14-1-6 of the General Laws in Chapter 14-1 entitled "Proceedings in
31 Family Court" is hereby amended to read as follows:

32 **14-1-6. Retention of jurisdiction.**

33 (a) When the court shall have obtained jurisdiction over any child prior to the child having
34 attained the age of eighteen (18) years by the filing of a petition alleging that the child is wayward

1 or delinquent pursuant to § 14-1-5, the child shall, except as specifically provided in this chapter,
2 continue under the jurisdiction of the court until he or she becomes nineteen (19) years of age,
3 unless discharged prior to turning nineteen (19).

4 (b) When the court shall have obtained jurisdiction over any child prior to the child's
5 eighteenth (18th) birthday by the filing of a miscellaneous petition or a petition alleging that the
6 child is dependent, neglected, or abused pursuant to §§ 14-1-5 and 40-11-7 or 42-72-14, the child
7 shall, except as specifically provided in this chapter, continue under the jurisdiction of the court
8 until he or she becomes eighteen (18) years of age; provided, that at least six (6) months prior to a
9 child turning eighteen (18) years of age, the court shall require the department of children, youth
10 and families to provide a description of the transition services including the child's housing, health
11 insurance, education and/or employment plan, available mentors and continuing support services,
12 including workforce supports and employment services afforded the child in placement, or a
13 detailed explanation as to the reason those services were not offered. As part of the transition
14 planning, the child shall be informed by the department of the opportunity to voluntarily agree to
15 extended care and placement by the department and legal supervision by the court until age twenty-
16 one (21). The details of a child's transition plan shall be developed in consultation with the child,
17 wherever possible, and approved by the court prior to the dismissal of an abuse, neglect,
18 dependency, or miscellaneous petition before the child's twenty-first birthday.

19 (c) A child, who is in foster care on their eighteenth birthday due to the filing of a
20 miscellaneous petition or a petition alleging that the child is dependent, neglected, or abused
21 pursuant to §§ 14-1-5, 40-11-7 or 42-72-14, may voluntarily elect to continue responsibility for
22 care and placement from DCYF and to remain under the legal supervision of the court as a young
23 adult until age twenty-one (21), provided:

24 (1) The young adult was in the legal custody of the department at age eighteen (18); and

25 (2) The young adult is participating in at least one of the following:

26 (i) Completing the requirements to receive a high school diploma or GED;

27 (ii) Completing a secondary education or a program leading to an equivalent credential;
28 enrolled in an institution that provides postsecondary or vocational education;

29 (iii) Participating in a job-training program or an activity designed to promote or remove
30 barriers to employment;

31 (iv) Be employed for at least eighty (80) hours per month; or

32 (v) Incapable of doing any of the foregoing due to a medical condition that is regularly
33 updated and documented in the case plan.

34 (d) A former foster child who was adopted or placed in guardianship with an adoption

1 assistance agreement or a guardianship assistance agreement that was executed on or after his or
2 her sixteenth birthday and prior to his or her eighteenth birthday may voluntarily agree to extended
3 care and placement by the department and legal supervision by the court until age twenty-one (21)
4 if the young adult satisfies the requirements in subsection (c)(2). Provided, however, the department
5 retains the right to review the request and first attempt to address the issues through the adoption
6 assistance agreement by providing post adoptive or post guardianship support services to the young
7 adult and his or her adoptive or guardianship family.

8 (e) Upon the request of the young adult, who voluntarily agreed to the extension of care
9 and placement by the department and legal supervision by the court, pursuant to subsections (c)
10 and (d) of this section, the court's legal supervision and the department's responsibility for care and
11 placement may be terminated. Provided, however, the young adult may request reinstatement of
12 responsibility and resumption of the court's legal supervision at any time prior to his or her twenty-
13 first birthday if the young adult meets the requirements set forth in subsection (c)(2). If the
14 department wishes to terminate the court's legal supervision and its responsibility for care and
15 placement, it may file a motion for good cause. The court may exercise its discretion to terminate
16 legal supervision over the young adult at any time.

17 (f) With the consent of the person previously under the court's supervision, the court may
18 reopen, extend or retain its jurisdiction beyond that persons' twenty-first birthday until his or her
19 twenty-second birthday or until September 30, 2021, whichever date occurs first, under the
20 following circumstances:

21 (1) The person aged out of DCYF care or left foster care during the COVID-19 public
22 health emergency, defined as beginning on January 27, 2020, and is entitled to extended benefits
23 pursuant to the terms of the Consolidated Appropriations Act of 2021, Pub. L. 116-260; and

24 (i) The court has or had obtained jurisdiction over the person prior to his or her eighteenth
25 birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent,
26 abused or neglected pursuant to § 14-1-5, 40-11-7 or § 42-72-14 or after the person's eighteenth
27 birthday pursuant to a Voluntary Extension of Care petition; and

28 (ii) Court supervision is necessary for the department of children, youth and families to
29 access IV-E funding to support such benefits, in whole or in part; and

30 (iii) Court supervision is required to continue transition planning and to ensure the safety,
31 permanency, and well-being of older youth who remain in or who age out of foster care and re-
32 enter foster care.

33 ~~(f)~~(g) The court may retain jurisdiction of any child who is seriously emotionally disturbed
34 or developmentally delayed pursuant to § 42-72-5(b)(24)(v) until that child turns age twenty-one

1 (21) when the court shall have obtained jurisdiction over any child prior to the child's eighteenth
2 birthday by the filing of a miscellaneous petition or a petition alleging that the child is dependent,
3 neglected, and/or abused pursuant to §§ 14-1-5, and 40-11-7, or 42-72-14.

4 ~~(e)~~(h) The department of children, youth and families shall work collaboratively with the
5 department of behavioral healthcare, developmental disabilities and hospitals, and other agencies,
6 in accordance with § 14-1-59, to provide the family court with a transition plan for those individuals
7 who come under the court's jurisdiction pursuant to a petition alleging that the child is dependent,
8 neglected, and/or abused and who are seriously emotionally disturbed or developmentally delayed
9 pursuant to § 42-72-5(b)(24)(v). This plan shall be a joint plan presented to the court by the
10 department of children, youth and families and the department of behavioral healthcare,
11 developmental disabilities and hospitals. The plan shall include the behavioral healthcare,
12 developmental disabilities and hospitals' community or residential service level, health insurance
13 option, education plan, available mentors, continuing support services, workforce supports and
14 employment services, and the plan shall be provided to the court at least twelve (12) months prior
15 to discharge. At least three (3) months prior to discharge, the plan shall identify the specific
16 placement for the child, if a residential placement is needed. The court shall monitor the transition
17 plan. In the instance where the department of behavioral healthcare, developmental disabilities and
18 hospitals has not made timely referrals to appropriate placements and services, the department of
19 children, youth and families may initiate referrals.

20 ~~(h)~~(i) The parent and/or guardian and/or guardian ad litem of a child who is seriously
21 emotionally disturbed or developmentally delayed pursuant to § 42-72-5(b)(24)(v), and who is
22 before the court pursuant to §§ 14-1-5(1)(iii) through 14-1-5(1)(v), 40-11-7 or 42-72-14, shall be
23 entitled to a transition hearing, as needed, when the child reaches the age of twenty (20) if no
24 appropriate transition plan has been submitted to the court by the department of children, youth and
25 families and the department of behavioral healthcare, developmental disabilities and hospitals. The
26 family court shall require that the department of behavioral healthcare, developmental disabilities
27 and hospitals shall immediately identify a liaison to work with the department of children, youth
28 and families until the child reaches the age of twenty-one (21) and an immediate transition plan be
29 submitted if the following facts are found:

30 (1) No suitable transition plan has been presented to the court addressing the levels of
31 service appropriate to meet the needs of the child as identified by the department of behavioral
32 healthcare, developmental disabilities and hospitals; or

33 (2) No suitable housing options, health insurance, educational plan, available mentors,
34 continuing support services, workforce supports, and employment services have been identified for

1 the child.

2 ~~(j)~~ In any case where the court shall not have acquired jurisdiction over any person prior
3 to the person's eighteenth (18th) birthday by the filing of a petition alleging that the person had
4 committed an offense, but a petition alleging that the person had committed an offense that would
5 be punishable as a felony if committed by an adult has been filed before that person attains the age
6 of nineteen (19) years of age, that person shall, except as specifically provided in this chapter, be
7 subject to the jurisdiction of the court until he or she becomes nineteen (19) years of age, unless
8 discharged prior to turning nineteen (19).

9 ~~(k)~~ In any case where the court shall not have acquired jurisdiction over any person prior
10 to the person attaining the age of nineteen (19) years by the filing of a petition alleging that the
11 person had committed an offense prior to the person attaining the age of eighteen (18) years that
12 would be punishable as a felony if committed by an adult, that person shall be referred to the court
13 that had jurisdiction over the offense if it had been committed by an adult. The court shall have
14 jurisdiction to try that person for the offense committed prior to the person attaining the age of
15 eighteen (18) years and, upon conviction, may impose a sentence not exceeding the maximum
16 penalty provided for the conviction of that offense.

17 ~~(l)~~ In any case where the court has certified and adjudicated a child in accordance with
18 the provisions of §§ 14-1-7.2 and 14-1-7.3, the jurisdiction of the court shall encompass the power
19 and authority to sentence the child to a period in excess of the age of nineteen (19) years. However,
20 in no case shall the sentence be in excess of the maximum penalty provided by statute for the
21 conviction of the offense.

22 ~~(m)~~ Nothing in this section shall be construed to affect the jurisdiction of other courts
23 over offenses committed by any person after he or she reaches the age of eighteen (18) years.

24 SECTION 6. Sections 40-5.2-8, 40-5.2-108, 40-5.2-11, 40-5.2-20 and 40-5.2-33 of the
25 General Laws in Chapter 40-5.2 entitled "The Rhode Island Works Program" are hereby amended
26 to read as follows:

27 **40-5.2-8. Definitions.**

28 As used in this chapter, the following terms having the meanings set forth herein, unless
29 the context in which such terms are used clearly indicates to the contrary:

30 (1) "Applicant" means a person who has filed a written application for assistance for
31 herself/himself and her/his dependent child(ren). An applicant may be a parent or non-parent
32 caretaker relative.

33 (2) "Assistance" means cash and any other benefits provided pursuant to this chapter.

34 (3) "Assistance unit" means the assistance-filing unit consisting of the group of persons,

1 including the dependent child(ren), living together in a single household who must be included in
2 the application for assistance and in the assistance payment if eligibility is established. An
3 assistance unit may be the same as a family.

4 (4) "Benefits" shall mean assistance received pursuant to this chapter.

5 (5) "Community service programs" means structured programs and activities in which cash
6 assistance recipients perform work for the direct benefit of the community under the auspices of
7 public or nonprofit organizations. Community service programs are designed to improve the
8 employability of recipients not otherwise able to obtain paid employment.

9 (6) "Department" means the department of human services.

10 (7) "Dependent child" means an individual, other than an individual with respect to whom
11 foster care maintenance payments are made, who is: (A) under the age of eighteen (18); or (B)
12 under the age of nineteen (19) and a full-time student in a secondary school (or in the equivalent
13 level of vocational or educational training); ~~if before he or she attains age nineteen (19), he or she~~
14 ~~may reasonably be expected to complete the program of such secondary school (or such training).~~

15 (8) "Director" means the director of the department of human services.

16 (9) "Earned income" means income in cash or the equivalent received by a person through
17 the receipt of wages, salary, commissions, or profit from activities in which the person is self-
18 employed or as an employee and before any deductions for taxes.

19 (10) "Earned income tax credit" means the credit against federal personal income tax
20 liability under § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32, or any successor section,
21 the advanced payment of the earned income tax credit to an employee under § 3507 of the code, 26
22 U.S.C. § 3507 [repealed], or any successor section and any refund received as a result of the earned
23 income tax credit, as well as any refundable state earned income tax credit.

24 (11) "Education directly related to employment" means education, in the case of a
25 participant who has not received a high school diploma or a certificate of high school equivalency,
26 related to a specific occupation, job, or job offer.

27 (12) "Family" means: (A) a pregnant woman from and including the seventh month of her
28 pregnancy; or (B) a child and the following eligible persons living in the same household as the
29 child: (C) each biological, adoptive or stepparent of the child, or in the absence of a parent, any
30 adult relative who is responsible, in fact, for the care of such child; and (D) the child's minor siblings
31 (whether of the whole or half blood); provided, however, that the term "family" shall not include
32 any person receiving benefits under title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq.
33 A family may be the same as the assistance unit.

34 (13) "Gross earnings" means earnings from employment and self-employment further

1 described in the department of human services rules and regulations.

2 (14) "Individual employment plan" means a written, individualized plan for employment
3 developed jointly by the applicant and the department of human services that specifies the steps the
4 participant shall take toward long-term economic independence developed in accordance with §
5 40-5.2-10(e). A participant must comply with the terms of the individual employment plan as a
6 condition of eligibility in accordance with § 40-5.2-10(e).

7 (15) "Job search and job readiness" means the mandatory act of seeking or obtaining
8 employment by the participant, or the preparation to seek or obtain employment.

9 In accord with federal requirements, job search activities must be supervised by the
10 department of labor and training and must be reported to the department of human services in
11 accordance with TANF work verification requirements.

12 Except in the context of rehabilitation employment plans, and special services provided by
13 the department of children, youth and families, job-search and job-readiness activities are limited
14 to four (4) consecutive weeks, or for a total of six (6) weeks in a twelve-month (12) period, with
15 limited exceptions as defined by the department. The department of human services, in consultation
16 with the department of labor and training, shall extend job-search, and job-readiness assistance for
17 up to twelve (12) weeks in a fiscal year if a state has an unemployment rate at least fifty percent
18 (50%) greater than the United States unemployment rate if the state meets the definition of a "needy
19 state" under the contingency fund provisions of federal law.

20 Preparation to seek employment, or job readiness, may include, but may not be limited to,
21 the participant obtaining life-skills training, homelessness services, domestic violence services,
22 special services for families provided by the department of children youth and families, substance
23 abuse treatment, mental health treatment, or rehabilitation activities as appropriate for those who
24 are otherwise employable. The services, treatment, or therapy must be determined to be necessary
25 and certified by a qualified medical or mental health professional. Intensive work-readiness
26 services may include work-based literacy, numeracy, hands-on training, work experience, and case
27 management services. Nothing in this section shall be interpreted to mean that the department of
28 labor and training shall be the sole provider of job-readiness activities described herein.

29 (16) "Job skills training directly related to employment" means training or education for
30 job skills required by an employer to provide an individual with the ability to obtain employment
31 or to advance or adapt to the changing demands of the workplace. Job skills training directly related
32 to employment must be supervised on an ongoing basis.

33 (17) "Minor parent" means a parent under the age of eighteen (18). A minor parent may be
34 an applicant or recipient with his or her dependent child(ren) in his/her own case or a member of

1 an assistance unit with his or her dependent child(ren) in a case established by the minor parent's
2 parent.

3 (18) "Net income" means the total gross income of the assistance unit less allowable
4 disregards and deductions as described in § 40-5.2-10(g).

5 (19) "On-the-job-training" means training in the public or private sector that is given to a
6 paid employee while he or she is engaged in productive work and that provides knowledge and
7 skills essential to the full and adequate performance of the job. On-the-job training must be
8 supervised by an employer, work-site sponsor, or other designee of the department of human
9 services on an ongoing basis.

10 (20) "Participant" means a person who has been found eligible for assistance in accordance
11 with this chapter and who must comply with all requirements of this chapter, and has entered into
12 an individual employment plan. A participant may be a parent or non-parent caretaker relative
13 included in the cash assistance payment.

14 (21) "Recipient" means a person who has been found eligible and receives cash assistance
15 in accordance with this chapter.

16 (22) "Relative" means a parent, stepparent, grandparent, great grandparent, great-great
17 grandparent, aunt, great-aunt, great-great aunt, uncle, great-uncle, great-great uncle, sister, brother,
18 stepbrother, stepsister, half-brother, half-sister, first cousin, first cousin once removed, niece, great-
19 niece, great-great niece, nephew, great-nephew, or great-great nephew.

20 (23) "Resident" means a person who maintains residence by his or her continuous physical
21 presence in the state.

22 (24) "Self-employment income" means the total profit from a business enterprise, farming,
23 etc., resulting from a comparison of the gross receipts with the business expenses, i.e., expenses
24 directly related to producing the goods or services and without which the goods or services could
25 not be produced. However, items such as depreciation, personal business and entertainment
26 expenses, and personal transportation are not considered business expenses for the purposes of
27 determining eligibility for cash assistance in accordance with this chapter.

28 (25) "State" means the State of Rhode Island ~~and Providence Plantations~~.

29 (26) "Subsidized employment" means employment in the private or public sectors for
30 which the employer receives a subsidy from TANF or other public funds to offset some or all of
31 the wages and costs of employing a recipient. It includes work in which all or a portion of the wages
32 paid to the recipient are provided to the employer either as a reimbursement for the extra costs of
33 training or as an incentive to hire the recipient, including, but not limited to, grant diversion.

34 (27) "Subsidized housing" means housing for a family whose rent is restricted to a

1 percentage of its income.

2 (28) "Unsubsidized employment" means full- or part-time employment in the public or
3 private sector that is not subsidized by TANF or any other public program.

4 (29) "Vocational educational training" means organized educational programs, not to
5 exceed twelve (12) months with respect to any participant, that are directly related to the preparation
6 of participants for employment in current or emerging occupations. Vocational educational training
7 must be supervised.

8 (30) "Work activities" mean the specific work requirements that must be defined in the
9 individual employment plan and must be complied with by the participant as a condition of
10 eligibility for the receipt of cash assistance for single and two-family (2) households outlined in §
11 40-5.2-12 of this chapter.

12 (31) "Work experience" means a work activity that provides a participant with an
13 opportunity to acquire the general skills, training, knowledge, and work habits necessary to obtain
14 employment. The purpose of work experience is to improve the employability of those who cannot
15 find unsubsidized employment. An employer, work site sponsor, and/or other appropriate designee
16 of the department must supervise this activity.

17 (32) "Work supplementation," also known as "grant diversion," means the use of all or a
18 portion of a participant's cash assistance grant and food stamp grant as a wage supplement to an
19 employer. The supplement shall be limited to a maximum period of twelve (12) months. An
20 employer must agree to continue the employment of the participant as part of the regular work
21 force, beyond the supplement period, if the participant demonstrates satisfactory performance.

22 **40-5.2-10. Necessary requirements and conditions.**

23 The following requirements and conditions shall be necessary to establish eligibility for
24 the program.

25 (a) *Citizenship, alienage, and residency requirements.*

26 (1) A person shall be a resident of the State of Rhode Island.

27 (2) Effective October 1, 2008, a person shall be a United States citizen, or shall meet the
28 alienage requirements established in § 402(b) of the Personal Responsibility and Work Opportunity
29 Reconciliation Act of 1996, PRWORA, Public Laws No. 104-193 and as that section may hereafter
30 be amended [8 U.S.C. § 1612]; a person who is not a United States citizen and does not meet the
31 alienage requirements established in PRWORA, as amended, is not eligible for cash assistance in
32 accordance with this chapter.

33 (b) The family/assistance unit must meet any other requirements established by the
34 department of human services by rules and regulations adopted pursuant to the Administrative

1 Procedures Act, as necessary to promote the purpose and goals of this chapter.

2 (c) Receipt of cash assistance is conditional upon compliance with all program
3 requirements.

4 (d) All individuals domiciled in this state shall be exempt from the application of
5 subdivision 115(d)(1)(A) of Public Law 104-193, the Personal Responsibility and Work
6 Opportunity Reconciliation Act of 1996, PRWORA [21 U.S.C. § 862a], which makes any
7 individual ineligible for certain state and federal assistance if that individual has been convicted
8 under federal or state law of any offense that is classified as a felony by the law of the jurisdiction
9 and that has as an element the possession, use, or distribution of a controlled substance as defined
10 in § 102(6) of the Controlled Substances Act (21 U.S.C. § 802(6)).

11 (e) Individual employment plan as a condition of eligibility.

12 (1) Following receipt of an application, the department of human services shall assess the
13 financial conditions of the family, including the non-parent caretaker relative who is applying for
14 cash assistance for himself or herself as well as for the minor child(ren), in the context of an
15 eligibility determination. If a parent or non-parent caretaker relative is unemployed or under-
16 employed, the department shall conduct an initial assessment, taking into account: (A) The physical
17 capacity, skills, education, work experience, health, safety, family responsibilities and place of
18 residence of the individual; and (B) The child care and supportive services required by the applicant
19 to avail himself or herself of employment opportunities and/or work readiness programs.

20 (2) On the basis of this assessment, the department of human services and the department
21 of labor and training, as appropriate, in consultation with the applicant, shall develop an individual
22 employment plan for the family which requires the individual to participate in the intensive
23 employment services. Intensive employment services shall be defined as the work requirement
24 activities in § 40-5.2-12(g) and (i).

25 (3) The director, or his or her designee, may assign a case manager to an
26 applicant/participant, as appropriate.

27 (4) The department of labor and training and the department of human services in
28 conjunction with the participant shall develop a revised individual employment plan that shall
29 identify employment objectives, taking into consideration factors above, and shall include a
30 strategy for immediate employment and for preparing for, finding, and retaining employment
31 consistent, to the extent practicable, with the individual's career objectives.

32 (5) The individual employment plan must include the provision for the participant to
33 engage in work requirements as outlined in § 40-5.2-12.

34 (6)(i) The participant shall attend and participate immediately in intensive assessment and

1 employment services as the first step in the individual employment plan, unless temporarily exempt
2 from this requirement in accordance with this chapter. Intensive assessment and employment
3 services shall be defined as the work requirement activities in § 40-5.2-12(g) and (i).

4 (ii) Parents under age twenty (20) without a high school diploma or general equivalency
5 diploma (GED) shall be referred to special teen parent programs which will provide intensive
6 services designed to assist teen parents to complete high school education or GED, and to continue
7 approved work plan activities in accord with Rhode Island works program requirements.

8 (7) The applicant shall become a participant in accordance with this chapter at the time the
9 individual employment plan is signed and entered into.

10 (8) Applicants and participants of the Rhode Island works program shall agree to comply
11 with the terms of the individual employment plan, and shall cooperate fully with the steps
12 established in the individual employment plan, including the work requirements.

13 (9) The department of human services has the authority under the chapter to require
14 attendance by the applicant/participant, either at the department of human services or at the
15 department of labor and training, at appointments deemed necessary for the purpose of having the
16 applicant enter into and become eligible for assistance through the Rhode Island works program.
17 The appointments include, but are not limited to, the initial interview, orientation and assessment;
18 job readiness and job search. Attendance is required as a condition of eligibility for cash assistance
19 in accordance with rules and regulations established by the department.

20 (10) As a condition of eligibility for assistance pursuant to this chapter, the
21 applicant/participant shall be obligated to keep appointments, attend orientation meetings at the
22 department of human services and/or the Rhode Island department of labor and training; participate
23 in any initial assessments or appraisals; and comply with all the terms of the individual employment
24 plan in accordance with department of human services rules and regulations.

25 (11) A participant, including a parent or non-parent caretaker relative included in the cash
26 assistance payment, shall not voluntarily quit a job or refuse a job unless there is good cause as
27 defined in this chapter or the department's rules and regulations.

28 (12) A participant who voluntarily quits or refuses a job without good cause, as defined in
29 § 40-5.2-12(1), while receiving cash assistance in accordance with this chapter, shall be sanctioned
30 in accordance with rules and regulations promulgated by the department.

31 (f) Resources.

32 (1) The family or assistance unit's countable resources shall be less than the allowable
33 resource limit established by the department in accordance with this chapter.

34 (2) No family or assistance unit shall be eligible for assistance payments if the combined

1 value of its available resources (reduced by any obligations or debts with respect to such resources)
2 exceeds one thousand dollars (\$1,000).

3 (3) For purposes of this subsection, the following shall not be counted as resources of the
4 family/assistance unit in the determination of eligibility for the works program:

5 (i) The home owned and occupied by a child, parent, relative or other individual;

6 (ii) Real property owned by a husband and wife as tenants by the entirety, if the property
7 is not the home of the family and if the spouse of the applicant refuses to sell his or her interest in
8 the property;

9 (iii) Real property that the family is making a good faith effort to dispose of, however, any
10 cash assistance payable to the family for any such period shall be conditioned upon such disposal
11 of the real property within six (6) months of the date of application and any payments of assistance
12 for that period shall (at the time of disposal) be considered overpayments to the extent that they
13 would not have occurred at the beginning of the period for which the payments were made. All
14 overpayments are debts subject to recovery in accordance with the provisions of the chapter;

15 (iv) Income-producing property other than real estate including, but not limited to,
16 equipment such as farm tools, carpenter's tools and vehicles used in the production of goods or
17 services that the department determines are necessary for the family to earn a living;

18 (v) One vehicle for each adult household member, but not to exceed two (2) vehicles per
19 household, and in addition, a vehicle used primarily for income producing purposes such as, but
20 not limited to, a taxi, truck or fishing boat; a vehicle used as a family's home; a vehicle that annually
21 produces income consistent with its fair market value, even if only used on a seasonal basis; a
22 vehicle necessary to transport a family member with a disability where the vehicle is specially
23 equipped to meet the specific needs of the person with a disability or if the vehicle is a special type
24 of vehicle that makes it possible to transport the person with a disability;

25 (vi) Household furnishings and appliances, clothing, personal effects, and keepsakes of
26 limited value;

27 (vii) Burial plots (one for each child, relative, and other individual in the assistance unit)
28 and funeral arrangements;

29 (viii) For the month of receipt and the following month, any refund of federal income taxes
30 made to the family by reason of § 32 of the Internal Revenue Code of 1986, 26 U.S.C. § 32 (relating
31 to earned income tax credit), and any payment made to the family by an employer under § 3507 of
32 the Internal Revenue Code of 1986, 26 U.S.C. § 3507 [repealed] (relating to advance payment of
33 such earned income credit);

34 (ix) The resources of any family member receiving supplementary security income

1 assistance under the Social Security Act, 42 U.S.C. § 301 et seq.

2 (x) Any veteran's disability pension benefits received as a result of any disability sustained
3 by the veteran while in the military service.

4 (g) Income.

5 (1) Except as otherwise provided for herein, in determining eligibility for and the amount
6 of cash assistance to which a family is entitled under this chapter, the income of a family includes
7 all of the money, goods, and services received or actually available to any member of the family.

8 (2) In determining the eligibility for and the amount of cash assistance to which a
9 family/assistance unit is entitled under this chapter, income in any month shall not include the first
10 one hundred seventy dollars (\$170) of gross earnings plus fifty percent (50%) of the gross earnings
11 of the family in excess of one hundred seventy dollars (\$170) earned during the month.

12 (3) The income of a family shall not include:

13 (i) The first fifty dollars (\$50.00) in child support received in any month from each non-
14 custodial parent of a child plus any arrearages in child support (to the extent of the first fifty dollars
15 (\$50.00) per month multiplied by the number of months in which the support has been in arrears)
16 that are paid in any month by a non-custodial parent of a child;

17 (ii) Earned income of any child;

18 (iii) Income received by a family member who is receiving supplemental security income
19 (SSI) assistance under Title XVI of the Social Security Act, 42 U.S.C. § 1381 et seq.;

20 (iv) The value of assistance provided by state or federal government or private agencies to
21 meet nutritional needs, including: value of USDA donated foods; value of supplemental food
22 assistance received under the Child Nutrition Act of 1966, as amended and the special food service
23 program for children under Title VII, nutrition program for the elderly, of the Older Americans Act
24 of 1965 as amended, and the value of food stamps;

25 (v) Value of certain assistance provided to undergraduate students, including any grant or
26 loan for an undergraduate student for educational purposes made or insured under any loan program
27 administered by the United States Commissioner of Education (or the Rhode Island council on
28 postsecondary education or the Rhode Island division of higher education assistance);

29 (vi) Foster care payments;

30 (vii) Home energy assistance funded by state or federal government or by a nonprofit
31 organization;

32 (viii) Payments for supportive services or reimbursement of out-of-pocket expenses made
33 to foster grandparents, senior health aides or senior companions and to persons serving in SCORE
34 and ACE and any other program under Title II and Title III of the Domestic Volunteer Service Act

1 of 1973, 42 U.S.C. § 5000 et seq.;

2 (ix) Payments to volunteers under AmeriCorps VISTA as defined in the department's rules
3 and regulations;

4 (x) Certain payments to native Americans; payments distributed per capita to, or held in
5 trust for, members of any Indian Tribe under P.L. 92-254, 25 U.S.C. § 1261 et seq., P.L. 93-134,
6 25 U.S.C. § 1401 et seq., or P.L. 94-540; receipts distributed to members of certain Indian tribes
7 which are referred to in § 5 of P.L. 94-114, 25 U.S.C. § 459d, that became effective October 17,
8 1975;

9 (xi) Refund from the federal and state earned income tax credit;

10 (xii) The value of any state, local, or federal government rent or housing subsidy, provided
11 that this exclusion shall not limit the reduction in benefits provided for in the payment standard
12 section of this chapter.

13 (xiii) The earned income of any adult family member who gains employment while an
14 active RI Works household member. Such income is excluded for the first six (6) months of
15 employment in which the income is earned, or until the household's total gross income exceeds one
16 hundred and eighty five (185) percent of the federal poverty level, unless the household reaches its
17 forty-eight (48) month time limit first.

18 (xiv) Any veteran's disability pension benefits received as a result of any disability
19 sustained by the veteran while in the military service.

20 (4) The receipt of a lump sum of income shall affect participants for cash assistance in
21 accordance with rules and regulations promulgated by the department.

22 (h) Time limit on the receipt of cash assistance.

23 (1) On or after January 1, 2020, no cash assistance shall be provided, pursuant to this
24 chapter, to a family or assistance unit that includes an adult member who has received cash
25 assistance for a total of forty-eight (48) months (whether or not consecutive), to include any time
26 receiving any type of cash assistance in any other state or territory of the United States of America
27 as defined herein. Provided further, in no circumstances other than provided for in subsection (h)(3)
28 with respect to certain minor children, shall cash assistance be provided pursuant to this chapter to
29 a family or assistance unit which includes an adult member who has received cash assistance for a
30 total of a lifetime limit of forty-eight (48) months.

31 (2) Cash benefits received by a minor dependent child shall not be counted toward their
32 lifetime time limit for receiving benefits under this chapter should that minor child apply for cash
33 benefits as an adult.

34 (3) Certain minor children not subject to time limit. This section regarding the lifetime time

1 limit for the receipt of cash assistance, shall not apply only in the instances of a minor child(ren)
2 living with a parent who receives SSI benefits and a minor child(ren) living with a responsible adult
3 non-parent caretaker relative who is not in the cash assistance payment.

4 (4) Receipt of family cash assistance in any other state or territory of the United States of
5 America shall be determined by the department of human services and shall include family cash
6 assistance funded in whole or in part by Temporary Assistance for Needy Families (TANF) funds
7 [Title IV-A of the Federal Social Security Act 42 U.S.C. § 601 et seq.] and/or family cash assistance
8 provided under a program similar to the Rhode Island families work and opportunity program or
9 the federal TANF program.

10 (5)(i) The department of human services shall mail a notice to each assistance unit when
11 the assistance unit has six (6) months of cash assistance remaining and each month thereafter until
12 the time limit has expired. The notice must be developed by the department of human services and
13 must contain information about the lifetime time limit, the number of months the participant has
14 remaining, the hardship extension policy, the availability of a post-employment-and-closure bonus,
15 and any other information pertinent to a family or an assistance unit nearing the forty-eight-month
16 (48) lifetime time limit.

17 (ii) For applicants who have less than six (6) months remaining in the forty-eight-month
18 (48) lifetime time limit because the family or assistance unit previously received cash assistance in
19 Rhode Island or in another state, the department shall notify the applicant of the number of months
20 remaining when the application is approved and begin the process required in subsection (h)(5)(i).

21 (6) If a cash assistance recipient family was closed pursuant to Rhode Island's Temporary
22 Assistance for Needy Families Program (federal TANF described in Title IV A of the Federal
23 Social Security Act, 42 U.S.C. § 601 et seq.), formerly entitled the Rhode Island family
24 independence program, more specifically under § 40-5.1-9(2)(c) [repealed], due to sanction
25 because of failure to comply with the cash assistance program requirements; and that recipient
26 family received forty-eight (48) months of cash benefits in accordance with the family
27 independence program, then that recipient family is not able to receive further cash assistance for
28 his/her family, under this chapter, except under hardship exceptions.

29 (7) The months of state or federally funded cash assistance received by a recipient family
30 since May 1, 1997, under Rhode Island's Temporary Assistance for Needy Families Program
31 (federal TANF described in Title IV A of the Federal Social Security Act, 42 U.S.C. § 601 et seq.),
32 formerly entitled the Rhode Island family independence program, shall be countable toward the
33 time limited cash assistance described in this chapter.

34 (i) Time limit on the receipt of cash assistance.

1 (1) No cash assistance shall be provided, pursuant to this chapter, to a family assistance
2 unit in which an adult member has received cash assistance for a total of sixty (60) months (whether
3 or not consecutive) to include any time receiving any type of cash assistance in any other state or
4 territory of the United States as defined herein effective August 1, 2008. Provided further, that no
5 cash assistance shall be provided to a family in which an adult member has received assistance for
6 twenty-four (24) consecutive months unless the adult member has a rehabilitation employment plan
7 as provided in § 40-5.2-12(g)(5).

8 (2) Effective August 1, 2008, no cash assistance shall be provided pursuant to this chapter
9 to a family in which a child has received cash assistance for a total of sixty (60) months (whether
10 or not consecutive) if the parent is ineligible for assistance under this chapter pursuant to
11 subdivision 40-5.2(a) (2) to include any time they received any type of cash assistance in any other
12 state or territory of the United States as defined herein.

13 (j) Hardship exceptions.

14 (1) The department may extend an assistance unit's or family's cash assistance beyond the
15 time limit, by reason of hardship; provided, however, that the number of families to be exempted
16 by the department with respect to their time limit under this subsection shall not exceed twenty
17 percent (20%) of the average monthly number of families to which assistance is provided for under
18 this chapter in a fiscal year; provided, however, that to the extent now or hereafter permitted by
19 federal law, any waiver granted under § 40-5.2-35, for domestic violence, shall not be counted in
20 determining the twenty percent (20%) maximum under this section.

21 (2) Parents who receive extensions to the time limit due to hardship must have and comply
22 with employment plans designed to remove or ameliorate the conditions that warranted the
23 extension.

24 (k) Parents under eighteen (18) years of age.

25 (1) A family consisting of a parent who is under the age of eighteen (18), and who has
26 never been married, and who has a child; or a family consisting of a woman under the age of
27 eighteen (18) who is at least six (6) months pregnant, shall be eligible for cash assistance only if
28 the family resides in the home of an adult parent, legal guardian, or other adult relative. The
29 assistance shall be provided to the adult parent, legal guardian, or other adult relative on behalf of
30 the individual and child unless otherwise authorized by the department.

31 (2) This subsection shall not apply if the minor parent or pregnant minor has no parent,
32 legal guardian, or other adult relative who is living and/or whose whereabouts are unknown; or the
33 department determines that the physical or emotional health or safety of the minor parent, or his or
34 her child, or the pregnant minor, would be jeopardized if he or she was required to live in the same

1 residence as his or her parent, legal guardian, or other adult relative (refusal of a parent, legal
2 guardian or other adult relative to allow the minor parent or his or her child, or a pregnant minor,
3 to live in his or her home shall constitute a presumption that the health or safety would be so
4 jeopardized); or the minor parent or pregnant minor has lived apart from his or her own parent or
5 legal guardian for a period of at least one year before either the birth of any child to a minor parent
6 or the onset of the pregnant minor's pregnancy; or there is good cause, under departmental
7 regulations, for waiving the subsection; and the individual resides in a supervised supportive living
8 arrangement to the extent available.

9 (3) For purposes of this section, "supervised supportive-living arrangement" means an
10 arrangement that requires minor parents to enroll and make satisfactory progress in a program
11 leading to a high school diploma or a general education development certificate, and requires minor
12 parents to participate in the adolescent parenting program designated by the department, to the
13 extent the program is available; and provides rules and regulations that ensure regular adult
14 supervision.

15 (1) Assignment and cooperation. As a condition of eligibility for cash and medical
16 assistance under this chapter, each adult member, parent, or caretaker relative of the
17 family/assistance unit must:

18 (1) Assign to the state any rights to support for children within the family from any person
19 that the family member has at the time the assignment is executed or may have while receiving
20 assistance under this chapter;

21 (2) Consent to and cooperate with the state in establishing the paternity and in establishing
22 and/or enforcing child support and medical support orders for all children in the family or assistance
23 unit in accordance with title 15 of the general laws, as amended, unless the parent or caretaker
24 relative is found to have good cause for refusing to comply with the requirements of this subsection.

25 (3) Absent good cause, as defined by the department of human services through the rule-
26 making process, for refusing to comply with the requirements of (1)(1) and (1)(2), cash assistance
27 to the family shall be reduced by twenty-five percent (25%) until the adult member of the family
28 who has refused to comply with the requirements of this subsection consents to and cooperates with
29 the state in accordance with the requirements of this subsection.

30 (4) As a condition of eligibility for cash and medical assistance under this chapter, each
31 adult member, parent, or caretaker relative of the family/assistance unit must consent to and
32 cooperate with the state in identifying and providing information to assist the state in pursuing any
33 third-party who may be liable to pay for care and services under Title XIX of the Social Security
34 Act, 42 U.S.C. § 1396 et seq.

1 **40-5.2-11. Cash assistance.**

2 (a) A family or assistance unit found by the department to meet the eligibility criteria set
3 forth in this chapter shall be eligible to receive cash assistance as of the date a signed, written
4 application, signed under a penalty of perjury, is received by the department.

5 (b) The family members or assistance unit shall be eligible for cash assistance for so long
6 as they continue to meet the eligibility criteria outlined in accordance with this chapter. Parents and
7 adult non-parent caretaker relatives receiving cash assistance shall be eligible so long as they meet
8 the terms and conditions of the work requirements of § 40-5.2-12. An adult caretaker relative shall
9 be eligible for assistance as a member of the assistance unit so long as he/she meets all the eligibility
10 requirements of this chapter.

11 (c) The monthly amount of cash assistance shall be equal to the payment standard for the
12 family minus the countable income of the family in that month. The department is authorized to
13 reduce the amount of assistance in the month of application to reflect the number of the days
14 between the first day of the month and the effective date of the application.

15 (d) A decision on the application for assistance shall be made or rejected by the department
16 no later than thirty (30) days following the date submitted and shall be effective as of the date of
17 application.

18 (e) The payment standard is equal to the sum of the following: ~~three hundred twenty-seven~~
19 ~~dollars (\$327) (two hundred seventy-seven dollars (\$277))~~ four hundred twenty-five dollars (\$425)
20 (three hundred sixty dollars (\$360) for a family residing in subsidized housing) for the first person,
21 ~~one hundred twenty-two dollars (\$122)~~ one hundred fifty-nine dollars (\$159) for the second person,
22 ~~one hundred five dollars (\$105)~~ one hundred thirty-seven dollars (\$137) for the third person and
23 ~~eighty dollars (\$80)~~ and one hundred four dollars (\$104) for each additional person.

24 **40-5.2-20. Childcare assistance - Families or assistance units eligible.**

25 (a) The department shall provide appropriate child care to every participant who is eligible
26 for cash assistance and who requires child care in order to meet the work requirements in
27 accordance with this chapter.

28 (b) Low-income child care. The department shall provide child care to all other working
29 families with incomes at or below one hundred eighty percent (180%) of the federal poverty level
30 if, and to the extent, these other families require child care in order to work at paid employment as
31 defined in the department's rules and regulations. Beginning October 1, 2013, the department shall
32 also provide child care to families with incomes below one hundred eighty percent (180%) of the
33 federal poverty level if, and to the extent, these families require child care to participate on a short-
34 term basis, as defined in the department's rules and regulations, in training, apprenticeship,

1 internship, on-the-job training, work experience, work immersion, or other job-readiness/job-
2 attachment program sponsored or funded by the human resource investment council (governor's
3 workforce board) or state agencies that are part of the coordinated program system pursuant to §
4 42-102-11. Effective from January 1, 2021 through June 30, 2022, the department shall also provide
5 child care assistance to families with incomes below one hundred eighty percent (180%) of the
6 federal poverty level when such assistance is necessary for a member of these families to enroll or
7 maintain enrollment in a Rhode Island public institution of higher education provided that
8 eligibility to receive funding is capped when expenditures reach \$200,000 for this provision.

9 (c) No family/assistance unit shall be eligible for childcare assistance under this chapter if
10 the combined value of its liquid resources exceeds one million dollars (\$1,000,000), which
11 corresponds to the amount permitted by the federal government under the state plan and set forth
12 in the administrative rulemaking process by the department. Liquid resources are defined as any
13 interest(s) in property in the form of cash or other financial instruments or accounts that are readily
14 convertible to cash or cash equivalents. These include, but are not limited to: cash, bank, credit
15 union, or other financial institution savings, checking, and money market accounts; certificates of
16 deposit or other time deposits; stocks; bonds; mutual funds; and other similar financial instruments
17 or accounts. These do not include educational savings accounts, plans, or programs; retirement
18 accounts, plans, or programs; or accounts held jointly with another adult, not including a spouse.
19 The department is authorized to promulgate rules and regulations to determine the ownership and
20 source of the funds in the joint account.

21 (d) As a condition of eligibility for childcare assistance under this chapter, the parent or
22 caretaker relative of the family must consent to, and must cooperate with, the department in
23 establishing paternity, and in establishing and/or enforcing child support and medical support
24 orders for any children in the family receiving appropriate child care under this section in
25 accordance with the applicable sections of title 15 of the state's general laws, as amended, unless
26 the parent or caretaker relative is found to have good cause for refusing to comply with the
27 requirements of this subsection.

28 (e) For purposes of this section, "appropriate child care" means child care, including infant,
29 toddler, pre-school, nursery school, and school-age, that is provided by a person or organization
30 qualified, approved, and authorized to provide the care by the state agency or agencies designated
31 to make the determinations in accordance with the provisions set forth herein.

32 (f)(1) Families with incomes below one hundred percent (100%) of the applicable federal
33 poverty level guidelines shall be provided with free child care. Families with incomes greater than
34 one hundred percent (100%) and less than one hundred eighty percent (180%) of the applicable

1 federal poverty guideline shall be required to pay for some portion of the child care they receive,
2 according to a sliding-fee scale adopted by the department in the department's rules, not to exceed
3 seven percent (7%) of income as defined in subsection (h) of this section.

4 (2) Families who are receiving childcare assistance and who become ineligible for
5 childcare assistance as a result of their incomes exceeding one hundred eighty percent (180%) of
6 the applicable federal poverty guidelines shall continue to be eligible for childcare assistance until
7 their incomes exceed two hundred twenty-five percent (225%) of the applicable federal poverty
8 guidelines. To be eligible, the families must continue to pay for some portion of the child care they
9 receive, as indicated in a sliding-fee scale adopted in the department's rules, not to exceed seven
10 percent (7%) of income as defined in subsection (h) of this section, and in accordance with all other
11 eligibility standards.

12 (g) In determining the type of child care to be provided to a family, the department shall
13 take into account the cost of available childcare options; the suitability of the type of care available
14 for the child; and the parent's preference as to the type of child care.

15 (h) For purposes of this section, "income" for families receiving cash assistance under §
16 40-5.2-11 means gross, earned income and unearned income, subject to the income exclusions in
17 §§ 40-5.2-10(g)(2) and 40-5.2-10(g)(3), and income for other families shall mean gross, earned and
18 unearned income as determined by departmental regulations.

19 (i) The caseload estimating conference established by chapter 17 of title 35 shall forecast
20 the expenditures for child care in accordance with the provisions of § 35-17-1.

21 (j) In determining eligibility for childcare assistance for children of members of reserve
22 components called to active duty during a time of conflict, the department shall freeze the family
23 composition and the family income of the reserve component member as it was in the month prior
24 to the month of leaving for active duty. This shall continue until the individual is officially
25 discharged from active duty.

26 **40-5.2-33. ~~School-age children~~ Child clothing allowance.**

27 ~~Subject to general assembly appropriation, one~~ One month each year, each ~~dependent~~
28 ~~school-age~~ child ~~as defined by the department of human services~~ who lives in a family receiving
29 cash assistance under this chapter in that month shall be given a supplementary payment of no less
30 than one hundred dollars (\$100) for the purchase of clothing in accordance with Title IV-A of the
31 Social Security Act, 42 U.S.C. § 601 et seq.

32 SECTION 7. Sections 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Child
33 Care – State Subsidies" is hereby amended to read as follows:

34 **40-6.2-1.1. Rates established.**

1 (a) Through June 30, 2015, subject to the payment limitations in subsection (c), the
2 maximum reimbursement rates to be paid by the departments of human services and children, youth
3 and families for licensed childcare centers and licensed family childcare providers shall be based
4 on the following schedule of the 75th percentile of the 2002 weekly market rates adjusted for the
5 average of the 75th percentile of the 2002 and the 2004 weekly market rates:

6 LICENSED CHILDCARE CENTERS	75th PERCENTILE OF WEEKLY
7	MARKET RATE
8 INFANT	\$182.00
9 PRESCHOOL	\$150.00
10 SCHOOL-AGE	\$135.00
11 LICENSED FAMILY CHILDCARE	75th PERCENTILE OF WEEKLY
12 PROVIDERS	MARKET RATE
13 INFANT	\$150.00
14 PRESCHOOL	\$150.00
15 SCHOOL-AGE	\$135.00

16 Effective July 1, 2015, subject to the payment limitations in subsection (c), the maximum
17 reimbursement rates to be paid by the departments of human services and children, youth and
18 families for licensed childcare centers and licensed family childcare providers shall be based on the
19 above schedule of the 75th percentile of the 2002 weekly market rates adjusted for the average of
20 the 75th percentile of the 2002 and the 2004 weekly market rates. These rates shall be increased by
21 ten dollars (\$10.00) per week for infant/toddler care provided by licensed family childcare
22 providers and license-exempt providers and then the rates for all providers for all age groups shall
23 be increased by three percent (3%). For the fiscal year ending June 30, 2018, licensed childcare
24 centers shall be reimbursed a maximum weekly rate of one hundred ninety-three dollars and sixty-
25 four cents (\$193.64) for infant/toddler care and one hundred sixty-one dollars and seventy-one
26 cents (\$161.71) for preschool-age children.

27 (b) Effective July 1, 2018, subject to the payment limitations in subsection (c), the
28 maximum infant/toddler and preschool-age reimbursement rates to be paid by the departments of
29 human services and children, youth and families for licensed childcare centers shall be
30 implemented in a tiered manner, reflective of the quality rating the provider has achieved within
31 the state's quality rating system outlined in § 42-12-23.1.

32 (1) For infant/toddler child care, tier one shall be reimbursed two and one-half percent
33 (2.5%) above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%) above
34 the FY 2018 weekly amount, tier three shall be reimbursed thirteen percent (13%) above the FY

1 2018 weekly amount, tier four shall be reimbursed twenty percent (20%) above the FY 2018 weekly
2 amount, and tier five shall be reimbursed thirty-three percent (33%) above the FY 2018 weekly
3 amount.

4 (2) For preschool reimbursement rates, tier one shall be reimbursed two and one-half
5 (2.5%) percent above the FY 2018 weekly amount, tier two shall be reimbursed five percent (5%)
6 above the FY 2018 weekly amount, tier three shall be reimbursed ten percent (10%) above the FY
7 2018 weekly amount, tier four shall be reimbursed thirteen percent (13%) above the FY 2018
8 weekly amount, and tier five shall be reimbursed twenty-one percent (21%) above the FY 2018
9 weekly amount.

10 (c) [Deleted by P.L. 2019, ch. 88, art. 13, § 4.]

11 (d) By June 30, 2004, and biennially through June 30, 2014, the department of labor and
12 training shall conduct an independent survey or certify an independent survey of the then-current
13 weekly market rates for child care in Rhode Island and shall forward the weekly market rate survey
14 to the department of human services. The next survey shall be conducted by June 30, 2016, and
15 triennially thereafter. The departments of human services and labor and training will jointly
16 determine the survey criteria including, but not limited to, rate categories and sub-categories.

17 (e) In order to expand the accessibility and availability of quality child care, the department
18 of human services is authorized to establish, by regulation, alternative or incentive rates of
19 reimbursement for quality enhancements, innovative or specialized child care, and alternative
20 methodologies of childcare delivery, including nontraditional delivery systems and collaborations.

21 (f) Effective January 1, 2007, all childcare providers have the option to be paid every two
22 (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of
23 reimbursement payments.

24 (g) Effective July 1, 2019, the maximum infant/toddler reimbursement rates to be paid by
25 the departments of human services and children, youth and families for licensed family childcare
26 providers shall be implemented in a tiered manner, reflective of the quality rating the provider has
27 achieved within the state's quality rating system outlined in § 42-12-23.1. Tier one shall be
28 reimbursed two percent (2%) above the prevailing base rate for step 1 and step 2 providers, three
29 percent (3%) above prevailing base rate for step 3 providers, and four percent (4%) above the
30 prevailing base rate for step 4 providers; tier two shall be reimbursed five percent (5%) above the
31 prevailing base rate; tier three shall be reimbursed eleven percent (11%) above the prevailing base
32 rate; tier four shall be reimbursed fourteen percent (14%) above the prevailing base rate; and tier
33 five shall be reimbursed twenty-three percent (23%) above the prevailing base rate.

34 [\(h\) Through December 31, 2021, the maximum reimbursement rates paid by the](#)

departments of human services, and children, youth and families to licensed childcare centers shall be consistent with the enhanced emergency rates provided as of June 1, 2021 as follows:

	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>
<u>Infant/Toddler</u>	<u>\$257.54</u>	<u>\$257.54</u>	<u>\$257.54</u>	<u>\$257.54</u>	<u>\$273.00</u>
<u>Pre-school Age</u>	<u>\$195.67</u>	<u>\$195.67</u>	<u>\$195.67</u>	<u>\$195.67</u>	<u>\$260.00</u>
<u>School Age</u>	<u>\$200.00</u>	<u>\$200.00</u>	<u>\$200.00</u>	<u>\$200.00</u>	<u>\$245.00</u>

The maximum reimbursement rates paid by the departments of human services, and children, youth and families to licensed family childcare providers shall be consistent with the enhanced emergency rates provided as of June 1, 2021 as follows:

	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>
<u>Infant/Toddler</u>	<u>\$224.43</u>	<u>\$224.43</u>	<u>\$224.43</u>	<u>\$224.43</u>	<u>\$224.43</u>
<u>Pre-school Age</u>	<u>\$171.45</u>	<u>\$171.45</u>	<u>\$171.45</u>	<u>\$171.45</u>	<u>\$171.45</u>
<u>School Age</u>	<u>\$162.30</u>	<u>\$162.30</u>	<u>\$162.30</u>	<u>\$162.30</u>	<u>\$162.30</u>

(i) Effective January 1, 2022, the maximum reimbursement rates to be paid by the departments of human services and children, youth and families for licensed childcare centers shall be implemented in a tiered manner, reflective of the quality rating the provider has achieved within the state's quality rating system outlined in § 42-12-23.1. Maximum weekly rates shall be reimbursed as follows:

LICENSED CHILDCARE

<u>CENTERS</u>	<u>Tier One</u>	<u>Tier Two</u>	<u>Tier Three</u>	<u>Tier Four</u>	<u>Tier Five</u>
<u>Infant/Toddler</u>	<u>\$236.36</u>	<u>\$244.88</u>	<u>\$257.15</u>	<u>\$268.74</u>	<u>\$284.39</u>
<u>Preschool</u>	<u>\$207.51</u>	<u>\$212.27</u>	<u>\$218.45</u>	<u>\$223.50</u>	<u>\$231.39</u>
<u>School-Age</u>	<u>\$180.38</u>	<u>\$182.77</u>	<u>\$185.17</u>	<u>\$187.57</u>	<u>\$189.97</u>

The maximum reimbursement rates for licensed family childcare providers paid by the departments of human services, and children, youth and families is determined through collective bargaining. The maximum reimbursement rates for infant/toddler and preschool age children paid to licensed family childcare providers by both departments is implemented in a tiered manner that reflects the quality rating the provider has achieved in accordance with § 42-12-23.1.

SECTION 8. Sections 42-56-20.2, 42-56-24 and 42-56-38 of the General Laws in Chapter 42-56 entitled "Corrections Department" are hereby amended to read as follows:

42-56-20.2. Community confinement.

(a) Persons subject to this section. Every person who shall have been adjudged guilty of any crime after trial before a judge, a judge and jury, or before a single judge entertaining the person's plea of nolo contendere or guilty to an offense ("adjudged person"), and every person

1 sentenced to imprisonment in the adult correctional institutions ("sentenced person") including
2 those sentenced or imprisoned for civil contempt, and every person awaiting trial at the adult
3 correctional institutions ("detained person") who meets the criteria set forth in this section shall be
4 subject to the terms of this section except:

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

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

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

13 A "violent felony" as used in this section shall mean any one of the following crimes or an
14 attempt to commit that crime: murder, manslaughter, sexual assault, mayhem, robbery, burglary,
15 assault with a dangerous weapon, assault or battery involving serious bodily injury, arson, breaking
16 and entering into a dwelling, child molestation, kidnapping, DWI resulting in death or serious
17 injury, driving to endanger resulting in death or serious injury; or

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

20 (iii) Any person currently adjudged guilty of or sentenced for or detained on a felony
21 offense involving the use of force or violence against a person or persons.

22 These shall include, but are not limited to, those offenses listed in subsection (a)(3)(i) of
23 this section; or

24 (iv) Any person currently adjudged guilty, sentenced, or detained for the sale, delivery, or
25 possession with intent to deliver a controlled substance in violation of § 21-28-4.01(a)(4)(i) or
26 possession of a certain enumerated quantity of a controlled substance in violation of §§ 21-28-
27 4.01.1 or 21-28-4.01.2; or

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

30 (b) Findings prior to sentencing to community confinement. In the case of adjudged
31 persons, if the judge intends to impose a sentence of community confinement, he or she shall first
32 make specific findings, based on evidence regarding the nature and circumstances of the offense
33 and the personal history, character, record, and propensities of the defendant which are relevant to
34 the sentencing determination, and these findings shall be placed on the record at the time of

1 sentencing. These findings shall include, but are not limited to:

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

4 (2) A finding that the person meets each of the eligibility criteria set forth in subsection (a);

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

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

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

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

12 (c) Community confinement.

13 (1) There shall be established within the department of corrections, a community
14 confinement program to serve that number of adjudged persons, sentenced persons, and detainees,
15 that the director of the department of corrections ("director") shall determine on or before July 1 of
16 each year. Immediately upon that determination, the director shall notify the presiding justice of
17 the superior court of the number of adjudged persons, sentenced persons, and detainees that can be
18 accommodated in the community confinement program for the succeeding twelve (12) months.
19 One-half (1/2) of all persons sentenced to community confinement shall be adjudged persons, and
20 the balance shall be detainees and sentenced persons. The director shall provide to the presiding
21 justice of the superior court and the family court on the first day of each month a report to set forth
22 the number of adjudged persons, sentenced persons, and detainees participating in the community
23 confinement program as of each reporting date. Notwithstanding any other provision of this section,
24 if on April 1 of any fiscal year less than one-half (1/2) of all persons sentenced to community
25 confinement shall be adjudged persons, then those available positions in the community
26 confinement program may be filled by sentenced persons or detainees in accordance with the
27 procedures set forth in subsection (c)(2) of this section.

28 (2) In the case of inmates other than those classified to community confinement under
29 subsection (h) of this section, the director may make written application ("application") to the
30 sentencing judge for an order ("order") directing that a sentenced person or detainee be confined
31 within an eligible residence for a period of time, which in the case of a sentenced person, shall not
32 exceed the term of imprisonment. This application and order shall contain a recommendation for a
33 program of supervision and shall contain the findings set forth in subsections (b)(1), (b)(2), (b)(3),
34 (b)(4), and (b)(5) of this section and facts supporting these findings. The application and order may

1 contain a recommendation for the use of electronic surveillance or monitoring devices. The hearing
2 on this application shall be held within ten (10) business days following the filing of this
3 application. If the sentencing judge is unavailable to hear and consider the application the presiding
4 justice of the superior court shall designate another judge to do so.

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

9 (4) With authorization by the sentencing judge, or, in the case of sentenced persons
10 classified to community confinement under subsection (h) of this section by the director of
11 corrections, or in accordance with the order, persons confined under the provisions of this chapter
12 may be permitted to exit the eligible residence in order to travel directly to and from their place of
13 employment or education or training and may be confined in other terms or conditions consistent
14 with the basic needs of that person that justice may demand, including the right to exit the eligible
15 residence to which that person is confined for certain enumerated purposes such as religious
16 observation, medical and dental treatment, participation in an education or vocational training
17 program, and counseling, all as set forth in the order.

18 (d) Administration.

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

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

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

34 (4) Regulatory authority. The director shall have full power and authority to enforce any

1 of the provisions of this section by regulation, subject to the provisions of the Administrative
2 Procedures Act, chapter 35 of title 42. Notwithstanding any provision to the contrary, the
3 department of corrections may contract with private agencies to carry out the provisions of this
4 section. The civil liability of those agencies and their employees, acting within the scope of their
5 employment, and carrying out the provisions of this section, shall be limited in the same manner
6 and dollar amount as if they were agencies or employees of the state.

7 (e) Violations. Any person confined pursuant to the provisions of this section, who is found
8 to be a violator of any of the terms and conditions imposed upon him or her according to the order,
9 or in the case of sentenced persons classified to community confinement under subsection (h),
10 otherwise authorized by the director of corrections, this section, or any rules, regulations, or
11 restrictions issued pursuant hereto shall serve the balance of his or her sentence in a classification
12 deemed appropriate by the director. If that conduct constitutes a violation of § 11-25-2, the person,
13 upon conviction, shall be subject to an additional term of imprisonment of not less than one year
14 and not more than twenty (20) years. However, it shall be a defense to any alleged violation that
15 the person was at the time of the violation acting out of a necessary response to an emergency
16 situation. An "emergency situation" shall be construed to mean the avoidance by the defendant of
17 death or of substantial personal injury, as defined above, to him or herself or to others.

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

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

28 (h) Sentenced persons approaching release. Notwithstanding the provisions set forth within
29 this section, any sentenced person committed under the direct care, custody, and control of the adult
30 correctional institutions, who is within ~~six (6) months~~ one (1) year of the projected good time
31 release date, provided that the person shall have completed at least one-half (1/2) of the full term
32 of incarceration, or any person who is sentenced to a term of six (6) months or less of incarceration,
33 provided that the person shall have completed at least ~~three-fourths (3/4)~~ one-half (1/2) of the term
34 of incarceration, may in the discretion of the director of corrections be classified to community

1 confinement. This provision shall not apply to any person whose current sentence was imposed
2 upon conviction of murder, first degree sexual assault or first degree child molestation.

3 (i) Notification to police departments. The director, or his or her designee, shall notify the
4 appropriate police department when a sentenced, adjudged or detained person has been placed into
5 community confinement within that department's jurisdiction. That notice will include the nature
6 of the offense and the express terms and conditions of that person's confinement. That notice shall
7 also be given to the appropriate police department when a person in community confinement within
8 that department's jurisdiction is placed in escape status.

9 (j) No incarceration credit for persons awaiting trial. No detainee shall be given
10 incarceration credit by the director for time spent in community confinement while awaiting trial.

11 (k) No confinement in college or university housing facilities. Notwithstanding any
12 provision of the general laws to the contrary, no person eligible for community confinement shall
13 be placed in any college or university housing facility, including, but not limited to, dormitories,
14 fraternities or sororities. College or university housing facilities shall not be considered an "eligible
15 residence" for "community confinement."

16 (l) A sentencing judge shall have authority to waive overnight stay or incarceration at the
17 adult correctional institution after the sentencing of community confinement. Such a waiver shall
18 be binding upon the adult correctional institution and the staff thereof, including, but not limited to
19 the community confinement program.

20 **42-56-24. Earned time for good behavior or program participation or completion.**

21 (a) A person serving a sentence of a violation of §§ 11-5-1 (where the specified felony is
22 murder), 11-23-1, 11-26-1.4, 11-37-2, 11-37-8.1 or 11-37-8.3 shall not be eligible to earn time off
23 their term or terms of incarceration for good behavior.

24 (b) The director, or his or her designee, shall keep a record of the conduct of each prisoner,
25 and for each month that a prisoner who has been sentenced to imprisonment for six (6) months or
26 more and not under sentence to imprisonment for life, appears by the record to have faithfully
27 observed all the rules and requirements of the institutions and not to have been subjected to
28 discipline, and is serving a sentence imposed for violation of sexual offenses under §§ 11-37-4, 11-
29 37-6, 11-37-8 or 11-9-1.3 there shall, with the consent of the director of the department of
30 corrections, or his or her designee, upon recommendation to him or her by the assistant director of
31 institutions/operations, be deducted from the term or terms of sentence of that prisoner the same
32 number of days that there are years in the term of his or her sentence; provided, that when the
33 sentence is for a longer term than ten (10) years, only ten (10) days shall be deducted for one
34 month's good behavior; and provided, further, that in the case of sentences of at least six (6) months

1 and less than one year, one day per month shall be deducted.

2 For the purposes of this subsection computing the number of days to be deducted for good
3 behavior, consecutive sentences shall be counted as a whole sentence. This subsection recognizes
4 the serious nature of sex offenses; promotes community safety and protection of the public; and
5 maintains the ability of the department of corrections to oversee the rehabilitation and supervision
6 of sex offenders.

7 (c) For all prisoners serving sentences of more than one month, and not serving a sentence
8 of imprisonment for life or a sentence imposed for a violation of the offenses identified in
9 subsection (a) or (b) the director, or his or her designee, shall keep a record of the conduct of each
10 prisoner, and for each month that prisoner has faithfully observed all the rules and requirements of
11 the institutions and has not been subjected to discipline, there shall, with the consent of the director
12 of the department of corrections or his or her designee and upon recommendation by the assistant
13 director of institutions/operations, be deducted from the term or terms of sentence of that prisoner
14 ten (10) days for each month's good behavior.

15 (d) For every day a prisoner shall be shut up or otherwise disciplined for bad conduct, as
16 determined by the assistant director, institutions/operations, subject to the authority of the director,
17 there shall be deducted one day from the time he or she shall have gained for good conduct.

18 (e) The assistant director, or his or her designee, subject to the authority of the director,
19 shall have the power to restore lost good conduct time in whole or in part upon a showing by the
20 prisoner of subsequent good behavior and disposition to reform.

21 (f) For each month that a prisoner who has been sentenced to imprisonment for more than
22 one month and not under sentence to imprisonment for life who has faithfully engaged in
23 institutional industries there shall, with the consent of the director, upon the recommendations to
24 him or her by the assistant director, institutions/operations, be deducted from the term or terms of
25 the prisoner an additional two (2) days a month.

26 (g) Except those prisoners serving a sentence imposed for violation of subsection (a) or (b),
27 for each month that a prisoner who has been sentenced to imprisonment for more than one month
28 and not under sentence to imprisonment for life has participated faithfully in programs that have
29 been determined by the director or his/her designee to address that prisoner's individual needs that
30 are related to his/her criminal behavior, there may, with the consent of the director and upon the
31 recommendation of the assistant director, rehabilitative services, be deducted from the term or
32 terms of the prisoner up to an additional five (5) days a month. Furthermore, whenever the prisoner
33 has successfully completed such program, they may; with the consent of the director and upon the
34 recommendation by the assistant director, rehabilitative services, be deducted from the term or

1 terms of the prisoner up to an additional thirty (30) days.

2 (h) A person who is serving a term or terms of a probation sentence of one year or
3 longer, including a person who has served a term of incarceration followed by a probation
4 sentence, except those serving a term of probation for a sentence in violation of §§ 11-5-1 (where
5 the specified felony is murder or sexual assault), 11-23-1, 11-26-1.4, 11-37-2, 11-37-8.1 or 11-37-
6 8.3 shall upon serving three years of their probation sentence be eligible to earn time off their term
7 or terms of the probation sentence for compliance with court-ordered terms and conditions of
8 probation. Calculation of these credits shall commence upon the probationer's completion
9 of all terms of incarceration.

10 (i) The director, or his or her designee, shall keep a record of the conduct of each
11 probationer. For each month that the probationer has not had a judicial finding of a violation of
12 conditions of probation, there shall, with the consent of the director of the department of
13 corrections, or designee, upon recommendation of the assistant director of
14 institutions/operations, or designee, be deducted from the term or terms of the probationer's
15 sentence (10) ten days for each month's compliance with the terms and conditions of their
16 probation.

17 (ii) For each month that a violation of probation is pending the probationer shall not be
18 eligible to earn probation compliance credits. In the event there is a judicial determination that the
19 probationer did not violate his or her terms and conditions of probation, credit will be awarded
20 retroactive to the date of the filing of the probation violation. In the event there is a judicial
21 determination that the probationer did violate his or her terms and conditions of
22 probation, the probationer shall not be awarded compliance credits for the time during which the
23 violation was pending, and further, the court may order revocation of prior
24 earned compliance credits.

25 (iii) The probation department of the department of corrections shall keep a record of the
26 probationer's sentence to include the person's end of sentence date based on earned credits for
27 compliance with their terms and conditions of probation.

28 (iv) This section shall apply to all individuals sentenced to probation, including those
29 sentenced prior to enactment of the statute. However, the award of probation compliance
30 credits shall be prospective only from the date of enactment of the statute.

31 **42-56-38. Assessment of costs.**

32 (a) Each sentenced offender committed to the care, custody or control of the department of
33 corrections shall reimburse the state for the cost or the reasonable portion of the cost incurred by
34 the state relating to that commitment; provided, however, that a person committed, awaiting trial

1 and not convicted, shall not be liable for the reimbursement. Items of cost shall include physical
2 services and commodities such as food, medical, clothing and specialized housing, as well as social
3 services such as specialized supervision and counseling. Costs shall be assessed by the director of
4 corrections, or his or her designee, based upon each person's ability to pay, following a public
5 hearing of proposed fee schedules. Each offender's family income and number of dependents shall
6 be among the factors taken into consideration when determining ability to pay. Moneys received
7 under this section shall be deposited as general revenues. The director shall promulgate rules and
8 regulations necessary to carry out the provisions of this section. The rules and regulations shall
9 provide that the financial situation of persons, financially dependent on the person, be considered
10 prior to the determination of the amount of reimbursement. This section shall not be effective until
11 the date the rules and regulations are filed with the office of the secretary of state.

12 (b) Notwithstanding the provision of subsection (a), or any rule or regulation promulgated
13 by the director, any sentenced offender who is ordered or directed to the work release program,
14 shall pay no less than thirty percent (30%) of his or her ~~gross~~ net salary for room and board.

15 SECTION 9. This article shall take effect upon passage.

ARTICLE 14 AS AMENDED

RELATING TO HOUSING

SECTION 1. Chapter 42-51 of the General Laws entitled "Governor's Commission on Disabilities" is hereby amended by adding thereto the following section:

42-51-13. Livable home modification program.

(a) There is hereby established the livable home modification program for home modification and accessibility enhancements to construct, retrofit, and/or renovate residences to allow individuals with significant disabilities to remain in community settings.

(b) Any eligible resident who retrofits or hires an individual to retrofit an existing residence; provided that, such retrofitting meets the qualification criteria and guidelines as established by the commission, shall be eligible for a livable home modification grant of fifty percent (50%) of the total amount spent, not to exceed an amount annually appropriated by the commission in accordance with § 35-3-24.

(c) The commission is authorized and directed to issue regulations regarding:

(1) Income eligibility and other qualifications for a grant;

(2) Application guidelines;

(3) The maximum reimbursement;

(4) Filing claims for reimbursement; and

(5) Appeal procedures for applicants who are determined to be ineligible.

(d) By August 15 of each year, the commission shall submit an annual report to the governor, speaker of the house, senate president and chairpersons of the house and senate finance committees for the period from July 1 to June 30 on the actual;

(1) Number of grants issued to qualifying individuals;

(2) Number of applications which did not qualify;

(3) Total dollar amount of grants issued;

(4) Average dollar amount of the grants issued;

(5) Number of retrofits by accessibility features; and

(6) Prognosis for the individual if the retrofit had not been made which shall determine:

(i) Increased likelihood of falls and other related emergency room, hospital and/or rehabilitation expenses;

- 1 [\(ii\) Loss of independence; and](#)
2 [\(iii\) Move into a long-term care facility.](#)

3 SECTION 2. Section 42-64.19-3 of the General Laws in Chapter 42-64.19 entitled
4 "Executive Office of Commerce" is hereby amended to read as follows:

5 **42-64.19-3. Executive office of commerce.**

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

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

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

15 (3) On or before September 1, 2015, to provide to the Senate and the House of
16 Representatives a comprehensive study and review of the roles, functions, and programs of the
17 department of administration and the department of labor and training to devise recommendations
18 and a business plan for the integration of these entities with the office of the secretary of commerce.
19 The governor may include such recommendations in the Fiscal Year 2017 budget proposal; [and](#)

20 [\(4\) On or before July 1, 2021, to provide for the hiring of a deputy secretary of commerce](#)
21 [and housing, who shall report directly to the secretary of commerce. The deputy secretary of](#)
22 [commerce and housing shall:](#)

23 [\(i\) Prior to hiring, have completed and earned a minimum of a master's graduate degree in](#)
24 [the field of urban planning, economics, or a related field of study or possess a juris doctor law](#)
25 [degree. Preference shall be provided to candidates having earned an advanced degree consisting of](#)
26 [an L.L.M. Law degree or Ph.D in urban planning or economics. Qualified candidates must have](#)
27 [documented five \(5\) years full-time experience employed in the administration of housing policy](#)
28 [and/or development.](#)

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

32 [\(iii\) Coordinate with all agencies directly related to any housing initiatives including, but](#)
33 [not limited to, the Rhode Island housing and mortgage finance corporation, coastal resources](#)
34 [management council \(CRMC\), and state departments including, but not limited to, the department](#)

1 of environmental management (DEM), the department of business regulation (DBR), the
2 department of transportation (DOT) and statewide planning; and

3 (iv) Coordinate with the housing resources commission to formulate an integrated housing
4 report to include findings and recommendations to the governor, speaker of the house, senate
5 president, each chambers' finance committee, and any committee whose purview is reasonably
6 related, including, but not limited to, issues of housing, municipal government, and health on or
7 before December 31, 2021, and annually thereafter which report shall include, but not be limited
8 to, the following:

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

11 (B) The occupancy and vacancy rate of the units referenced in (A).

12 (C) The change in the number of units referenced in (A), for each of the prior three (3)
13 years in figures and as a percentage.

14 (D) The number of net new units in development and number of units completed since the
15 prior report.

16 (E) For each municipality the number of single family, two (2) family, and three (3) family
17 units, and multi-unit housing delineated sufficiently to provide the lay reader a useful description
18 of current conditions, including a statewide sum of each unit type.

19 (F) The total number of units by income type.

20 (G) A projection of the number of status quo units.

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

22 (I) A comparison of regional and other similarly situated state funding sources which
23 support housing development including a percentage of private, federal, and public support.

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

26 (I) Single family units;

27 (II) Accessory dwelling units;

28 (III) Two (2) family units;

29 (IV) Three (3) family units;

30 (V) Multi-unit sufficiently delineated units;

31 (VI) Mixed use sufficiently delineated units; and

32 (VII) Occupancy and Vacancy rates for the prior three (3) years.

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

34 (I) Single family units;

- 1 (II) Accessory dwelling units;
- 2 (III) Two (2) family units;
- 3 (IV) Three (3) family units;
- 4 (V) Multi-unit sufficiently delineated units;
- 5 (VI) Mixed use sufficiently delineated units; and
- 6 (VII) Occupancy and Vacancy rates for the prior three (3) years.
- 7 (L) A reporting of the number of applications submitted or filed for each community
8 according to unit type and an accounting of action taken with respect to each application to include,
9 approved, denied, appealed, approved upon appeal, and if approved, the justification for each
10 approval.
- 11 (M) A reporting of permits for each community according to affordability level that were
12 sought, approved, denied, appealed, approved upon appeal, and if approved, the justification for
13 each approval.
- 14 (N) A reporting of affordability by municipality which shall include the following:
- 15 (I) The percent and number of units of extremely low, very low, low, moderate, fair market
16 rate, and above market rate units; including the average and median costs of those units.
- 17 (II) The percent and number of units of extremely low, very low, low and moderate income
18 housing units required to satisfy the ten percent (10%) requirement pursuant to chapter 24 of title
19 45; including the average and median costs of those units.
- 20 (III) The percent and number of units for the affordability levels above moderate income
21 housing, including a comparison to fair market rent and fair market homeownership; including the
22 average and median costs of those units.
- 23 (IV) The percentage of cost burden by municipality with population equivalent.
- 24 (V) The percentage and number of home financing sources, including all private, federal,
25 state, or other public support.
- 26 (VI) The cost growth for each of the previous five (5) years by unit type at each
27 affordability level, by unit type.
- 28 (O) A reporting of municipal healthy housing stock by unit type and number of bedrooms
29 and provide an assessment of the state's existing housing stock and enumerate any risks to the public
30 health from that housing stock, including, but not limited to, the presence of lead, mold, safe
31 drinking water, disease vectors (insects and vermin), and other conditions which are an identifiable
32 health detriment. Additionally, the report shall provide the percentage of the prevalence of health
33 risks by age of the stock for each community by unit type and number of bedrooms.
- 34 (P) A recommendation shall be included with the report required under this section which

1 shall provide consideration to any and all populations, ethnicities, income levels, and other relevant
2 demographic criteria determined by the deputy secretary, and with regard to any and all of the
3 criteria enumerated elsewhere in the report separately or in combination, provide recommendations
4 to resolve any issues which provide an impediment to the development of housing, including
5 specific data and evidence in support for the recommendation. All data and methodologies used to
6 present evidence are subject to review and approval of the chief of revenue analysis, and that
7 approval shall include an attestation of approval by the chief to be included in the report.

8 (b) In this capacity, the office shall:

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

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

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

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

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

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

21 (2) Provide oversight and coordination of all housing initiatives in the state of Rhode
22 Island.

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

26 SECTION 3. Chapter 42-128 of the General Laws entitled "Housing Resources Act of
27 1998" is hereby amended by adding thereto the following sections:

28 **42-128-2.1. Housing Production Fund.**

29 (a) There is hereby established a restricted receipt account within the general fund of the
30 state, to be known as the housing production fund. Funds from this account shall be administered
31 by the Rhode Island housing and mortgage finance corporation, subject to program and reporting
32 guidelines adopted by the coordinating committee of the Rhode Island housing resources
33 commission for housing production initiatives, including:

34 (1) Financial assistance by loan, grant, or otherwise, for the planning, production, or

1 preservation of affordable housing in Rhode Island for households earning not more than eighty
2 percent (80%) of area median income; and

3 (2) Technical and financial assistance for cities and towns to support increased local
4 housing production, including by reducing regulatory barriers and through the housing incentives
5 for municipalities program; and

6 (b) In administering the housing production fund, the Rhode Island housing and mortgage
7 finance corporation shall give priority to households either exiting homelessness or earning not
8 more than thirty percent (30%) of area median income.

9 SECTION 4. Sections 42-128-2 and 42-128-11 Chapter 42-128 of the General Laws
10 entitled "Housing Resources Act of 1998" are hereby amended to read as follows.

11 **42-128-2. Rhode Island housing resources agency created.**

12 There is created within the executive department a housing resources agency with the
13 following purposes, organization, and powers:

14 (1) Purposes:

15 (i) To provide coherence to the housing programs of the state of Rhode Island and its
16 departments, agencies, commissions, corporations, and subdivisions.

17 (ii) To provide for the integration and coordination of the activities of the Rhode Island
18 housing and mortgage finance corporation and the Rhode Island housing resources commission.

19 (2) Coordinating committee – Created – Purposes and powers:

20 (i) The coordinating committee of the housing resources agency shall be comprised of the
21 chairperson of the Rhode Island housing and mortgage finance corporations; the chairperson of the
22 Rhode Island housing resources commission; the director of the department of administration, or
23 the designee of the director; and the executive director of the Rhode Island housing and mortgage
24 finance corporation. The chairperson of the Rhode Island housing resources commission shall be
25 chairperson of the coordinating committee.

26 (ii) The coordinating committee shall:

27 (a) develop and shall implement, with the approval of the Rhode Island housing and
28 mortgage finance corporation and the Rhode Island housing resources commission, a memorandum
29 of agreement describing the fiscal and operational relationship between the Rhode Island housing
30 and mortgage finance corporation and the Rhode Island housing resources commission and shall
31 define which programs of federal assistance will be applied for on behalf of the state by the Rhode
32 Island housing and mortgage finance corporation and the Rhode Island housing resources
33 commission.

34 (b) is authorized and empowered to negotiate and to enter into contracts and cooperative

1 agreements with agencies and political subdivisions of the state, not-for-profit corporations, for
2 profit corporations, and other partnerships, associations and persons for any lawful purpose
3 necessary and desirable to effect the purposes of this chapter, subject to the provisions of chapter 2
4 of title 37 as applicable.

5 (3) There is hereby established a restricted receipt account within the general fund of the
6 state. Funds from this account shall be used to provide for housing and homelessness initiatives
7 including housing production, the lead hazard abatement program, housing rental subsidy, housing
8 retention assistance, and homelessness services and prevention assistance ~~with priority given to~~
9 ~~homeless veterans and homeless prevention assistance and housing retention assistance~~ with
10 priority to veterans.

11 **42-128-11. Executive director – Employees.**

12 The ~~commission~~ governor shall appoint from qualified candidates, with the advice of the
13 coordinating committee, an executive director, who shall not be subject to the provisions of chapter
14 4 of title 36, and who shall serve as the state housing commissioner and may also serve in the
15 executive office of commerce as the deputy secretary of housing. ~~The commission shall set the~~
16 ~~compensation and the terms of employment of the executive director.~~ The commission shall also
17 cause to be employed such staff and technical and professional consultants as may be required to
18 carry out the powers and duties set forth in this chapter. All staff, including the executive director,
19 may be secured through a memorandum of agreement with the Rhode Island housing and mortgage
20 finance corporation, or any other agency or political subdivision of the state with the approval of
21 the relevant agency or political subdivision, as provided for in § 42-128-2(2)(ii). Any person who
22 is in the civil service and is transferred to the commission may retain civil service status.

23 SECTION 5. Title 42 of the General Laws entitled "State Affairs and Government" is
24 hereby amended by adding thereto the following chapter:

25 CHAPTER 42-128.4

26 HOUSING INCENTIVES FOR MUNICIPALITIES

27 **42-128.4. Short title.**

28 This chapter shall be known as "Housing Incentives for Municipalities."

29 **42-128.4-2. Establishment of program.**

30 There is hereby established a housing incentive for municipalities program to be
31 administered as set forth in section 42-128-2.1, in consultation with the division of statewide
32 planning and the Rhode Island housing and mortgage finance corporation.

33 **42-128.4-4. Purposes.**

34 The coordinating committee is authorized and empowered to carry out the program for the

1 following purposes:

2 (a) To foster and maintain strong collaborations with municipalities in the state.

3 (b) To support and assist municipalities in promoting housing production that adequately
4 meets the needs of Rhode Island's current and future residents.

5 (c) To make diverse, high-quality, and accessible housing options readily available to
6 residents within their local communities.

7 (d) To enable residents to live near convenient public transit and other commercial and
8 cultural resources.

9 (e) To make development decisions fair, predictable, and cost effective.

10 (f) To foster distinctive, attractive, and resilient communities, while preserving the state's
11 open space, farmland, and natural beauty.

12 **42-128.4-4. Definitions.**

13 As used in this chapter:

14 (1) "The coordinating committee" means the Rhode Island housing resources coordinating
15 committee established pursuant to § 42-128-2(2).

16 (2) "Eligible locations" means an area designated by the coordinating committee as a
17 suitable site for a housing incentive district by virtue of its infrastructure, existing underutilized
18 facilities, or other advantageous qualities, including (i) proximity to public transit centers, including
19 commuter rail, bus, and ferry terminals; or (ii) proximity to areas of concentrated development,
20 including town and city centers or other existing commercial districts.

21 (3) "Eligible student" means an individual that (i) lives in a newly constructed dwelling
22 unit within a housing incentive district, to the extent that the unit could not have been realized under
23 the underlying zoning, and (ii) attends a school in the city or town.

24 (4) "School impact offset payments" means a payment to a city or town to help offset
25 increased municipal costs of educating eligible students.

26 (5) "Housing incentive district" means an overlay district adopted by a city or town
27 pursuant to this chapter. A housing incentive district is intended to encourage residential
28 development and must permit minimum residential uses. A housing incentive district may
29 accommodate uses complimentary to the primary residential uses, as deemed appropriate by the
30 adopting city or town; however, the majority of development on lots within a housing incentive
31 district must be residential. Land development plans within a housing incentive district shall be
32 treated as minor land development plans, as defined by § 45-23-32, unless otherwise specified by
33 ordinance.

34 **42-128.4-5. Adoption of housing incentive districts.**

1 (a) In its zoning ordinance, a city or town may adopt a housing incentive district in any
2 eligible location.

3 (b) The adoption, amendment, or repeal of such ordinance shall be in accordance with the
4 provisions of chapter 45-24.

5 (c) A housing incentive district shall comply with this chapter and any minimum
6 requirements established by the coordinating committee.

7 (d) The zoning ordinance for each housing incentive district shall specify the procedure for
8 land development and subdivision review within the district in accordance with this chapter and
9 the regulations of the coordinating committee.

10 (e) Nothing in this chapter shall affect a city or town's authority to amend its zoning
11 ordinances under chapter 45-24.

12 **42-128.4-6. Assistance to municipalities.**

13 (a) The coordinating committee is authorized and empowered, at its discretion, to provide
14 all manner of support and assistance to municipalities in connection with fostering local housing
15 production, including, but not limited to:

16 (1) Providing technical assistance for the preparation, adoption, or implementation of laws,
17 regulations, or processes related to residential development; and

18 (2) Authorizing the Rhode Island housing and mortgage finance corporation to issue school
19 impact offset payments to participating municipalities.

20 **42-128.4-7. Rules and regulations - Reports.**

21 (a) The coordinating committee is hereby authorized to promulgate such rules and
22 regulations as are necessary to fulfill the purposes of this chapter, including, but not limited to,
23 provisions relating to: application criteria; eligible locations for housing incentive districts;
24 minimum requirements for housing incentive districts; eligible students for the calculation
25 of school impact offset payments; and the amount and method of payment to cities and towns
26 for school impact offset payments.

27 (b) The coordinating committee shall include in its annual report information on the
28 commitment and disbursement of funds allocated under the program. The report shall be provided
29 to the governor, the secretary of commerce, speaker of the house of representatives and the
30 president of the senate.

31 **42-128.4-8. Program integrity.**

32 Program integrity being of paramount importance, the coordinating committee shall
33 establish procedures to ensure ongoing compliance with the terms and conditions of the program
34 established herein, including procedures to safeguard the expenditure of public funds and to ensure

1 that the funds further the purposes of the program.

2 **42-128.4-9. Cooperation.**

3 Any department, agency, council, board, or other public instrumentality of the state shall
4 cooperate with the coordinating committee in relation to the implementation, execution and
5 administration of the program created under this chapter.

6 SECTION 6. Section 44-25-1 of the General Laws in Chapter 44-25 entitled "Real Estate
7 Conveyance Tax" is hereby amended to read as follows:

8 **44-25-1. Tax imposed – Payment – Burden.**

9 (a) There is imposed, on each deed, instrument, or writing by which any lands, tenements,
10 or other realty sold is granted, assigned, transferred, or conveyed to, or vested in, the purchaser or
11 purchasers, or any other person or persons, by his or her or their direction, or on any grant,
12 assignment, transfer, or conveyance or such vesting, by such persons which has the effect of making
13 any real estate company an acquired real estate company, when the consideration paid exceeds one
14 hundred dollars (\$100), a tax at the rate of two dollars and thirty cents (\$2.30) for each five hundred
15 dollars (\$500), or fractional part of it, ~~that~~ that is paid for the purchase of property or the interest in an
16 acquired real estate company (inclusive of the value of any lien or encumbrance remaining at the
17 time of the sale, grant, assignment, transfer or conveyance or vesting occurs, or in the case of an
18 interest in an acquired real estate company, a percentage of the value of such lien or encumbrance
19 equivalent to the percentage interest in the acquired real estate company being granted, assigned,
20 transferred, conveyed or vested), ~~which.~~ The tax is payable at the time of making, the execution,
21 delivery, acceptance or presentation for recording of any instrument affecting such transfer grant,
22 assignment, transfer, conveyance or vesting. In the absence of an agreement to the contrary, the tax
23 shall be paid by the grantor, assignor, transferor or person making the conveyance or vesting.

24 (b) In addition to the tax imposed by paragraph (a), there is imposed, on each deed,
25 instrument, or writing by which any residential real property sold is granted, assigned, transferred,
26 or conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or
27 her or their direction, or on any grant, assignment, transfer, or conveyance or such vesting, by such
28 persons which has the effect of making any real estate company an acquired real estate company,
29 when the consideration paid exceeds eight hundred thousand dollars (\$800,000), a tax at the rate of
30 two dollars and thirty cents (\$2.30) for each five hundred dollars (\$500), or fractional part of it, of
31 the consideration in excess of eight hundred thousand dollars (\$800,000) that is paid for the
32 purchase of property or the interest in an acquired real estate company (inclusive of the value of
33 any lien or encumbrance remaining at the time of the sale, grant, assignment, transfer or conveyance
34 or vesting occurs, or in the case of an interest in an acquired real estate company, a percentage of

1 the value of such lien or encumbrance equivalent to the percentage interest in the acquired real
2 estate company being granted, assigned, transferred, conveyed or vested). The tax imposed by this
3 paragraph shall be paid at the same time and in the same manner as the tax imposed by paragraph
4 (a).

5 (b) In the event no consideration is actually paid for the lands, tenements, or realty, the
6 instrument or interest in an acquired real estate company of conveyance shall contain a statement
7 to the effect that the consideration is such that no documentary stamps are required.

8 ~~(c) The tax administrator shall contribute~~

9 (d) The tax shall be distributed as follows:

10 (i) With respect to the tax imposed by paragraph (a): the tax administrator shall contribute
11 to the distressed community relief program the sum of thirty cents (\$.30) per two dollars and thirty
12 cents (\$2.30) of the face value of the stamps to be distributed pursuant to § 45-13-12, and to the
13 housing resources commission restricted receipts account the sum of thirty cents (\$.30) per two
14 dollars and thirty cents (\$2.30) of the face value of the stamps. Funds will be administered by the
15 office of housing and community development, through the housing resources commission. The
16 state shall retain sixty cents (\$.60) for state use. The balance of the tax shall be retained by the
17 municipality collecting the tax.

18 (ii) With respect to the tax imposed by paragraph (b): the tax administrator shall contribute
19 the entire tax to the housing production fund established pursuant to § 42-128-2.1.

20 (iii) Notwithstanding the above, in the case of the tax on the grant, transfer, assignment or
21 conveyance or vesting with respect to an acquired real estate company, the tax shall be collected
22 by the tax administrator and shall be distributed to the municipality where the real estate owned by
23 the acquired real estate company is located provided, however, in the case of any such tax collected
24 by the tax administrator, if the acquired real estate company owns property located in more than
25 one municipality, the proceeds of the tax shall be allocated amongst said municipalities in the
26 proportion the assessed value of said real estate in each such municipality bears to the total of the
27 assessed values of all of the real estate owned by the acquired real estate company in Rhode Island.
28 Provided, however, in fiscal years 2004 and 2005, from the proceeds of this tax, the tax
29 administrator shall deposit as general revenues the sum of ninety cents (\$.90) per two dollars and
30 thirty cents (\$2.30) of the face value of the stamps. The balance of the tax on the purchase of
31 property shall be retained by the municipality collecting the tax. The balance of the tax on the
32 transfer with respect to an acquired real estate company, shall be collected by the tax administrator
33 and shall be distributed to the municipality where the property for which interest is sold is
34 physically located. Provided, however, that in the case of any tax collected by the tax administrator

1 with respect to an acquired real estate company where the acquired real estate company owns
2 property located in more than one municipality, the proceeds of the tax shall be allocated amongst
3 the municipalities in proportion that the assessed value in any such municipality bears to the
4 assessed values of all of the real estate owned by the acquired real estate company in Rhode Island.

5 (d) For purposes of this section, the term "acquired real estate company" means a real estate
6 company that has undergone a change in ownership interest if (i) such change does not affect the
7 continuity of the operations of the company; and (ii) the change, whether alone or together with
8 prior changes has the effect of granting, transferring, assigning or conveying or vesting, transferring
9 directly or indirectly, 50% or more of the total ownership in the company within a period of three
10 (3) years. For purposes of the foregoing subsection (ii) hereof, a grant, transfer, assignment or
11 conveyance or vesting, shall be deemed to have occurred within a period of three (3) years of
12 another grant(s), transfer(s), assignment(s) or conveyance(s) or vesting(s) if during the period the
13 granting, transferring, assigning or conveying or party provides the receiving party a legally binding
14 document granting, transferring, assigning or conveying or vesting said realty or a commitment or
15 option enforceable at a future date to execute the grant, transfer, assignment or conveyance or
16 vesting.

17 (e) A real estate company is a corporation, limited liability company, partnership or other
18 legal entity which meets any of the following:

19 (i) Is primarily engaged in the business of holding, selling or leasing real estate, where 90%
20 or more of the ownership of said real estate is held by 35 or fewer persons and which company
21 either (a) derives 60% or more of its annual gross receipts from the ownership or disposition of real
22 estate; or (b) owns real estate the value of which comprises 90% or more of the value of the entity's
23 entire tangible asset holdings exclusive of tangible assets which are fairly transferrable and actively
24 traded on an established market; or

25 (ii) 90% or more of the ownership interest in such entity is held by 35 or fewer persons and
26 the entity owns as 90% or more of the fair market value of its assets a direct or indirect interest in
27 a real estate company. An indirect ownership interest is an interest in an entity 90% or more of
28 which is held by 35 or fewer persons and the purpose of the entity is the ownership of a real estate
29 company.

30 (f) In the case of a grant, assignment, transfer or conveyance or vesting which results in a
31 real estate company becoming an acquired real estate company, the grantor, assignor, transferor, or
32 person making the conveyance or causing the vesting, shall file or cause to be filed with the division
33 of taxation, at least five (5) days prior to the grant, transfer, assignment or conveyance or vesting,
34 notification of the proposed grant, transfer, assignment, or conveyance or vesting, the price, terms

1 and conditions of thereof, and the character and location of all of the real estate assets held by real
2 estate company and shall remit the tax imposed and owed pursuant to subsection (a) hereof. Any
3 such grant, transfer, assignment or conveyance or vesting which results in a real estate company
4 becoming an acquired real estate company shall be fraudulent and void as against the state unless
5 the entity notifies the tax administrator in writing of the grant, transfer, assignment or conveyance
6 or vesting as herein required in subsection (f) hereof and has paid the tax as required in subsection
7 (a) hereof. Upon the payment of the tax by the transferor, the tax administrator shall issue a
8 certificate of the payment of the tax which certificate shall be recordable in the land evidence
9 records in each municipality in which such real estate company owns real estate. Where the real
10 estate company has assets other than interests in real estate located in Rhode Island, the tax shall
11 be based upon the assessed value of each parcel of property located in each municipality in the state
12 of Rhode Island.

13 SECTION 7. Section 44-25-2 of the General Laws in Chapter 44-25 entitled "Real Estate
14 Conveyance Tax" is hereby amended to read as follows:

15 **44-25-2. Exemptions.**

16 (a) The tax imposed by this chapter does not apply to any instrument or writing given to
17 secure a debt.

18 (b) The tax imposed by this chapter does not apply to any deed, instrument, or writing
19 wherein the United States, the state of Rhode Island, or its political subdivisions are designated the
20 grantor.

21 (c) The tax imposed by this chapter does not apply to any deed, instrument, or writing that
22 has or shall be executed, delivered, accepted, or presented for recording in furtherance of, or
23 pursuant to, that certain master property conveyance contract dated December 29, 1982, and
24 recorded in the land evidence records of the city of Providence on January 27, 1983, at 1:30 p.m.
25 in book 1241 at page 849, and relating to the capital center project in the city of Providence.

26 (d) The qualified sale of a mobile or manufactured home community to a resident-owned
27 organization as defined in § 31-44-1 is exempt from the real estate conveyance tax imposed under
28 this chapter.

29 (e) No transfer tax or fee shall be imposed by a land trust or municipality upon the
30 acquisition of real estate by the state of Rhode Island or any of its political subdivisions.

31 (f) Nothing in § 44-25-1 shall be construed to impose a tax upon any grant, assignment,
32 transfer, conveyance or vesting of any interest, direct or indirect, among owners, members or
33 partners in any real estate company with respect to an affordable housing development where:

34 (i) The housing development has been financed in whole or in part with federal low-income

1 housing tax credits pursuant to § 42 of the Internal Revenue Code; or
2 (ii) At least one of the owners, members or partners of the company is a Rhode Island
3 nonprofit corporation or an entity exempt from tax under § 501(c)(3) of the Internal Revenue Code,
4 or is owned by a Rhode Island nonprofit corporation or an entity that is exempt from tax under §
5 501(c)(3) of the Internal revenue Code, and the housing development is subject to a recorded deed
6 restriction or declaration of land use restrictive covenants in favor of the Rhode Island housing and
7 mortgage finance corporation, the state of Rhode Island housing resources commission, the federal
8 home loan bank or any of its members, or any other state or local government instrumentality under
9 an affordable housing program. No such real estate company shall be an acquired real estate
10 company under this section.

11 SECTION 8. Title 42 of the General Laws entitled "STATE AFFAIRS AND
12 GOVERNMENT" is hereby amended by adding thereto the following chapter:

13 CHAPTER 160

14 RHODE ISLAND PAY FOR SUCCESS ACT

15 **42-160-1. Short title.**

16 This act shall be known and may be cited as the "Rhode Island Pay for Success Act."

17 **42-160-2. Legislative findings.**

18 The general assembly hereby finds and declares as follows:

19 (1) Pay for success contracts are executed detailing the outcomes, associated repayment
20 and evaluation process to be conducted by a third party. The proceeds are disbursed to a nonprofit
21 organization(s) that will execute the intervention delivering services and other resources, such as
22 housing, to the target population. An independent evaluator monitors the outcomes of the
23 intervention to determine if success was met. If the intervention improves financial and social
24 outcomes in accordance with established metrics, the government, as outcome payor, pays back the
25 investors with interest using a portion of the savings accrued from the successful outcomes. If the
26 evaluator determines that success was not met, meaning there is no improvement in financial or
27 social outcomes, the investors lose money.

28 (2) In 2016 the United States Department of Justice (DOJ) and the United States
29 Department of Housing and Urban Development (HUD) awarded funding to the Rhode Island
30 Coalition to End Homelessness to pursue a pay for success social impact bond in Rhode Island
31 focusing on housing and supportive services for persons experiencing homelessness who are high
32 utilizers of the health care and justice systems. The pilot program will leverage eight hundred
33 seventy-five thousand dollars (\$875,000) in outcome payment funding from the HUD/DOJ grant
34 as well as the intervention and independent evaluation process described in the grant agreement.

1 **42-160-3. Annual reporting.**

2 (1) The executive office, in collaboration with the Rhode Island Coalition to End
3 Homelessness, shall provide yearly progress reports to the general assembly beginning no later than
4 January 30, 2022, and annually thereafter until January 30, 2027. These reports will include
5 recommendations on a proposed structure for entering into pay for success contracts, for
6 administering the program, and for any and all matters related thereto that the executive office
7 deems necessary to administer future pay for success projects at the conclusion of the pilot program
8 in 2026. As a condition of this project, HUD requires that a third party conduct a transparent and
9 rigorous evaluation of the intervention to determine whether the outcomes have indeed achieved
10 success. The evaluation results will be reported yearly to the governor and general assembly.

11 **42-160-4. Definitions.**

12 For the purpose of this chapter:

13 (a) "Performance targets" means the level of performance, as measured by an independent
14 evaluator, which represent success. Success is defined in the pay for success contract.

15 (b) "Independent evaluator" means an independent entity selected by the state whose role
16 includes assessing and reporting on the achievement of performance targets at the frequency
17 required in the pay for success contract.

18 (c) "Success payments" refer to the payments that the state will make only if contractual
19 performance targets are achieved as determined by the independent evaluator and approved by the
20 office of management and budget.

21 (d) "Pay for success contracts" are contracts designed to improve outcomes and lower costs
22 for contracted government services that are subject to the following requirements:

23 (1) A determination that the contract will result in significant performance improvements
24 and budgetary savings across all impacted agencies if the performance targets are achieved;

25 (2) A requirement that a substantial portion of any payment be conditioned on the
26 achievement of specific outcomes based on defined performance targets;

27 (3) An objective process by which an independent evaluator will determine whether the
28 performance targets have been achieved;

29 (4) A calculation of the amount and timing of payments that would be earned by the service
30 provider during each year of the agreement if performance targets are achieved as determined by
31 the independent evaluator; and

32 (5) Payments shall only be made if performance targets are achieved. Additionally, the
33 success payment made pursuant to this chapter shall not exceed ten percent (10%) more than actual
34 costs incurred by program intermediary.

1 (1) "Coordinated entry system (CES)" means the partnership of all homeless service
2 providers in the state through this initiative of the Rhode Island continuum of care. CES manages
3 all diversion/entry to the shelter system through the coordinated entry hotline and manages the
4 permanent housing placement part of the program, once persons are in a shelter or are living on the
5 street.

6 (2) "Executive office" means the Rhode Island executive office of health and human
7 services.

8 (3) "Homeless management information system (HMIS)" means the database used to
9 collect information in order to track and report on the scope of homelessness prevention/assistance
10 and human service needs across the Rhode Island continuum of care (COC) as well as individually
11 at each organization. The Rhode Island Coalition to End Homelessness is the current HMIS state
12 lead.

13 (4) "Homelessness" means the category 1 and category 4 definitions outline by HUD:

14 (i) Category 1-Literally homeless: the situation of an individual or family lacking a fixed,
15 regular, and adequate nighttime residence, meaning:

16 (A) Has a primary nighttime residence that is a public or private place not meant for human
17 habitation;

18 (B) Is living in a publicly or privately operated shelter designated to provide temporary
19 living arrangements (including congregate shelters, transitional housing, and hotels and motels paid
20 for by charitable organizations or by federal, state and local government programs); or

21 (C) Is exiting an institution where he or she has resided for ninety (90) days or less and
22 who resided in an emergency shelter or place not meant for human habitation immediately before
23 entering that institution.

24 (ii) Category 4-Fleeing/attempting to flee domestic violence: Any individual or family
25 who:

26 (A) Is fleeing, or is attempting to flee, domestic violence;

27 (B) Has no other residence; and

28 (C) Lacks the resources or support networks to obtain other permanent housing.

29 (5) "Nonprofit organization" means a nonprofit organization that is exempt from federal
30 taxation pursuant to § 501(c)(3) of the federal internal revenue code, 26 U.S.C. § 501(c)(3).

31 (6) "Outcome payor" means the the Rhode Island state government.

32 (7) "Permanent supportive housing (PSH)" means a permanent deeply subsidized unit,
33 tenant or project based subsidy, with supportive services, generally for persons experiencing
34 homelessness for long periods of time who also have other significant challenges such as disability

1 or mental illness.

2 (8) "Social impact bond", "pay for success bond" or "bond" means a contract between the
3 public and private sectors in which a commitment is made to pay for improved financial and social
4 outcomes that result in public sector savings. These contract agreements are funded by
5 appropriation.

6 (9) "Target population" means highly vulnerable persons that experience long-term
7 homelessness and incur significant costs within the criminal justice, shelter, and/or health care
8 systems, likely related to their housing instability, with an estimated average per person cost of
9 Medicaid claims for adults in shelter, top twenty-five (25) clients, totaling two hundred twenty-
10 nine thousand, six hundred ninety-five dollars and forty-four cents (\$229,695.44), as per the Rhode
11 Island Medicaid and HMIS data match for adults in shelter. Eligibility will be confirmed by data
12 matching, case conferencing, and coordination with health care providers and the coordinated entry
13 system (CES); data sources will be provided by the department of corrections, executive office of
14 health and human services, and the Rhode Island homeless management information system.

15 (10) "Program intermediary" means a firm that contracts with a state agency to establish
16 and delivery a service or program intervention by doing any of the following:

17 (i) Delivering or contracting for relevant services or outcomes;

18 (ii) Raising capital to finance the delivery of services or outcomes;

19 (iii) Providing ongoing project management and investor relations for the social impact
20 funding instrument.

21 **42-160-5. Pilot program established.**

22 There is established a five (5) year pay for success pilot program to be administered by the
23 Rhode Island executive office of health and human services. The pilot will follow the proposal
24 outlined in the 2016 pay for success grant proposal to HUD and 2017 feasibility study. The pay for
25 success project will provide a housing and supportive services intervention (PSH) for one hundred
26 twenty-five (125) persons in Rhode Island experiencing homelessness who are high utilizers of the
27 health care and justice systems. The pilot program will leverage eight hundred seventy-five
28 thousand dollars (\$875,000) of HUD/DOJ grant funds. Contract agreements with the executive
29 office of health and human services pursuant to this chapter shall not exceed one million five
30 hundred thousand dollars (\$1,500,000) per fiscal year or six million dollars (\$6,000,000) in the
31 aggregate over the five (5) years of the pilot program, as determined by the department; provided,
32 no agreements shall be entered by the department after July 1, 2026, without further authorization
33 by the general assembly.

34 **42-160-6. Establishment of restricted receipt account.**

1 There is hereby created within the general fund of the state a restricted receipt account
2 entitled or to be known as "Pay for Success." The account shall be housed within the budget of the
3 executive office of health and human services and shall be utilized to record all receipts and
4 program expenditures associated with this chapter. All such monies deposited shall be exempt from
5 the indirect cost recovery provisions of § 35-4-27.

6 SECTION 9. Section 6 of this article shall take effect on January 1, 2022. All other sections
7 of this article shall take effect upon passage.

1

ARTICLE 15

2

RELATING TO EFFECTIVE DATE

3

SECTION 1. This act shall take effect as of July 1, 2021, except as otherwise provided

4

herein.

5

SECTION 2. This article shall take effect upon passage.