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## 2015 Rhode Island General Assembly Wrap-Up

The Rhode Island General Assembly recessed their 2015 session on Thursday, June 25th shortly before 11:00pm. In departing, a number of bills were left on the House and Senate calendars, as well as in committee, without any action having been taken on them.

During the 2015 session, nearly twenty four hundred bills were introduced. Of all of these bills, the five hundred seventy-nine (579) page state budget legislation was, by far, the most significant piece of legislation introduced and enacted. As in 2014, both the House and Senate leadership were again focused on improving the business and economic climate in Rhode Island. As you will note below, nowhere was this focus more evident than in Articles 11, 14 and 19 of the state budget legislation. Health care was also an important topic during the 2015 session.

As of this writing, it's still unclear whether both the House and the Senate will return specifically to resolve outstanding issues before the end of the year. The House has publicly indicated that it will likely return in the fall to discuss financing of a new Pawtucket Red Sox stadium as well as Governor Raimondo's truck toll plan for financing bridge repairs, while the Senate may return to confirm any judicial appointments made by the Governor.

Below are the highlights of those business and health care related bills passed by the General Assembly in the 2015 session. Under the description of each bill is a link to the public law version found on the Rhode Island General Assembly's website should you wish to review the entire legislation.

## Business Related Legislation

**Alcohol/Cigarette Taxes** (H 5900 Sub A As Amended) – Article 11 of the state budget bill increased the state cigarette tax from \$3.50 to \$3.75 per pack, while the June 30, 2015 sunset date of the pilot alcohol taxes program was eliminated, thereby making permanent the exempting of retail sales of wine and spirits from Rhode Island state sales tax. Beer and malt beverages, however, will remain taxable. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**Corporate Tax Reduction** (H 5900 Sub A As Amended) – Article 11 reduced the minimum corporate tax from \$500 to \$450 per year. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**Social Security Taxes** (H 5900 Sub A As Amended) – Article 11 exempts Social Security benefits from state personal income tax for single and head of household filers who have reached full Social Security retirement age and who have federal adjusted gross incomes of \$80,000 or less, and, for married joint and qualified widow or widower filers with federal adjusted gross incomes of \$100,000 or less. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**Commercial Energy Sales Tax** (H 5900 Sub A As Amended) – Article 11 amends current state law to exempt electricity, gas and heating fuels purchased by commercial or business users. Previously, sales of electricity, natural gas, and heating fuels were exempt only for residential purchasers. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**Earned Income Tax Credit** (H 5900 Sub A As Amended) – Under Article 11, for tax years beginning on or after January 1, 2016, a taxpayer entitled to a federal earned income credit will be allowed a Rhode Island earned income credit equal to 12.5% of the federal earned income credit. However, such credit is not to exceed the amount of the Rhode Island income tax. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**Rhode Island Infrastructure Bank** (H 5900 Sub A As Amended) – Article 14 renames the Clean Water Finance Agency as the "Rhode Island Infrastructure Bank," expands the Agency's oversight to include efficiency projects, and authorizes the Bank to create an Efficient Buildings Fund. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-14.htm>

**Commerce Corporation and Economic Development** (H 5900 Sub A As Amended) – Article 19 contains a number of initiatives, tax credits, grants and incentives to spur economic growth and job development in Rhode Island. (Included in budget legislation signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15141-19.htm>

**Employer Unemployment Insurance Contributions** (H 6001/S 813) – These companion acts allow employers to make voluntary contributions to their unemployment account in order to lower their unemployment insurance tax rate for the following calendar year. (Signed by Governor.)

<http://webservice.rilin.state.ri.us/PublicLaws/law15/law15221.htm>

**Unemployment Insurance** (H 5957 Sub A As Amended/S 759 Sub A) – Introduced on behalf of the Department of Labor & Training, these acts: (1) exempt services performed by self-employed individuals from the definitions of employment for employment security benefit purposes; (2) allow unemployment

benefit checks to be directly deposited to an account or through the use of an electronic payment card; and, (3) render employees who are suspended without pay from work at the time of their discharge from being eligible for unemployment benefits. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15101.htm>

**Minimum Wage Increase** (H 5074 Sub A/S 194 Sub A) – Effective January 1, 2016, Rhode Island's minimum wage increases from \$9.00 per hour to \$9.60 per hour. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15072.htm>

**Minimum Wage Increase for Tipped Workers** (H 5364 Sub A) – Effective January 1, 2016, the minimum wage for tipped workers will increase to \$3.39 per hour, and, effective January 1, 2017, will increase to \$3.89 per hour. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15228.htm>

**Reasonable Accommodations for Pregnant Workers** (H 5674 Sub A As Amended/S 276 Sub A As Amended) – These companion acts prohibit Rhode Island employers from discriminating against and from failing to provide reasonable accommodations for employees due to pregnancy or medical conditions related to pregnancy or childbirth. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15129.htm>

**Twin River Hotel** (H 5798 As Amended/S 649 Sub A) – These companion acts allow for the construction of a hotel on the premises of Twin River in Lincoln. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15019.htm>

**Unmanned Aerial Vehicle (“Drone”) Study Commission** (H 5293) – This House Resolution creates an eleven (11) member special legislative study commission to study and make recommendations for the regulation of drones and unmanned aerial vehicles in Rhode Island. The commission is to report back to the House no later than January 6, 2016, and will expire on April 6, 2016.  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/res15/res15433.htm>

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## Health Care Related Legislation

**Outpatient and Imaging Services Surcharge** (H 5900 Sub A As Amended) – Article 11 eliminates the two percent (2%) surcharge that has been applied to the net patient revenues of both outpatient and imaging service facilities. (Included in budget legislation signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15141-11.htm>

**HealthSource RI** (H 5900 Sub A As Amended) – After much debate about the future of Rhode Island's health care exchange, HealthSource RI, Article 18 amends current law to establish HealthSource RI as a division of the Department of Administration and authorizes an assessment on insurers offering qualified health plans and qualified dental plans. The revenue raised through this assessment cannot exceed the revenue able to be raised through the federal government assessment and is to be established in accordance and conformity with the federal government assessment upon those insurers offering products on the Federal Health Benefit exchange. (Included in budget legislation signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15141-18.htm>

**Pharmacist Performance of Laboratory Tests** (H 5497 Sub A/S 320 Sub A) – Under these companion acts, Rhode Island licensed pharmacists will now be able to perform “limited function tests” such as blood glucose, hemoglobin, cholesterol, etc. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15157.htm>

**Treatment of Opioid Overdoses in Schools** (H 5047 Sub A/S 154 Sub A) – Rhode Island schools educating pupils in grades six (6) through twelve (12) are now required to maintain opioid antagonists on the school premises for administration by nurse-teachers, in an emergency, to pupils suspected of having an opioid-related drug overdose. These acts provide immunity to school personnel for the administration of an opioid antagonist in a school setting. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15204.htm>

**Caregiver Advise, Record and Enable Act** (H 6150 Sub A/S 481 Sub A As Amended) – These companion acts create the “Caregiver Advise, Record and Enable Act” to provide support and assistance to individuals with post-hospital care, and to provide caregivers with proper training. These acts take effect on March 1, 2016. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15095.htm>

**Substance Use Disorder Treatment** (H 5837 Sub A/S 490 Sub A) – These companion acts amend the state's mental health parity statute to require that health plans utilize the criteria of the American Society of Addiction Medicine when developing coverage for substance use disorder treatment. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15209.htm>

**Health Insurer Discrimination of Health Care Providers** (H 5046/S 168) – Under these companion acts, health insurers doing business in Rhode Island are not to discriminate, with respect to participation in a health plan or for coverage, against any health care provider who is acting within the scope of his/her license or certification under applicable state law. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15205.htm>

**Achieving a Better Life Experience (“ABLE”) Accounts** (H 5564 Sub A/S 465 Sub A) -- These companion acts will allow for “ABLE” accounts to be established for qualifying disabled persons in Rhode Island. Under these accounts, annual earnings will be exempt from state taxes until withdrawn or distributed. These acts are to take effect on January 1, 2016, or upon adoption of federal regulations by the Secretary of the Treasury regarding the Achieving a Better Life Experience Program (as provided in 26 U.S.C. § 529A), whichever is later. (Signed by Governor.)  
<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15158.htm>

**Rare Disease Council Resolution** (H 5297 Sub A) -- This House Resolution creates a special legislative commission to make a comprehensive study and to proffer recommendations for coordinating the efforts of state resources, private entities, and social services in order to efficiently provide care for Rhode Islanders living with rare diseases and their caregivers. The commission is to report its findings to the House of Representatives no later than March 24, 2016, and is to expire on June 24, 2016.

<http://webserver.rilin.state.ri.us/PublicLaws/law15/res15/res15408.htm>

**Oriental Medicine** (H 5381 Sub A As Amended/S 234 Sub B) -- These companion acts add the term "Oriental Medicine" to the Rhode Island General Laws which define the scope and technique of acupuncture. (Signed by Governor.)

<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15140.htm>

**Rhode Island Cesspool Act** (H 5668 Sub A/S 369 Sub A) – Effective January 1, 2016, these companion acts amend the Rhode Island Cesspool Act of 2007 to require that cesspools located in close proximity to tidal water areas and public drinking water supplies be replaced with onsite wastewater treatment systems. Additionally, under certain circumstances, cesspools are to be removed and replaced upon the transfer of a property where the cesspool is located. (Signed by Governor.)

<http://webserver.rilin.state.ri.us/PublicLaws/law15/law15163.htm>

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