**Scheduled Hearings This Week**

Phase 2 of the legislative session begins with a flurry of activity. The following bills are scheduled for hearings this week:

**Tuesday, February 28th**

The **House Corporations Committee** will take testimony on H.5159, An Act Relating to Motor and Other Vehicles – Parking Facilities and Privileges. This bill requires large employers – defined as those with 100 employees located in a single complex – to install circuitry and other necessary equipment to support Level 2 or DC fast chargers in new parking lots as well as lots undergoing a 50% expansion renovation. The mandate also applies to big box stores, grocery stores, housing developments with more than twenty units, malls, hotels, and certain municipal buildings.

For businesses, the costs associated with compliance will depend upon the infrastructure needed, equipment desired, software and electricity cost. Electrical conduits may require an upgrade. An existing 240-volt circuit may require only a few hours of an electrician’s labor, while a 480-volt circuit could cost tens of thousands. A December, 2021 Rhode Island report estimated the cost for make-ready work for a Level 2 charging station ranges from $7000 per port to $14000 per station with two ports, and roughly $45,000 - $50,000 per port for a fast-charging station *(Electrifying Transportation: A Strategic Policy Guide for Improving Public Access to Electric Vehicle charging Infrastructure in Rhode Island).* A level 2 charging unit ranges from $4500 to $8200, but they offer a small mileage range of charging. A DC fast charging unit costs between $28,000 and $140,000 depending on the kW charging capacity. These units allow for 200 plus mileage charging. A business also will likely need to paint striping on the lot and install some type of protective posts to protect the unit. The mandated number of parking spaces dedicated to EV charging stations depends upon the number of total spaces in the parking lot. (10-25 spaces = 1 EV; 26-50 spaces = 2 EV; 51-75 spaces = 4 EV; 76-100 spaces = 5 EV; 101-150 spaces = 7 EV; 151-200 spaces = 10 EV; and 201+ spaces = 6% of the total spaces must be EV-ready) The Chamber supports efforts to encourage voluntary installation of EV chargers, but opposes a blanket mandate. If this is of interest to your company, submit testimony to the Committee at: HouseCorporations@rilegislature.gov

Senate Finance is meeting to discuss adding a new tax bracket for higher-end earners in Rhode Island. S.19 proposes to add a new income tax bracket at a rate of 11.90% on taxable income over $500,000 starting January 1, 2024. S.232 adds an additional tax of 3% on taxable income over $417,500 with the intent to adjust the tax rate for inflation each year thereafter. The Chamber opposes the passage of these bills, because many of the “individuals” affected by these tax increase proposals are small businesses. They are referred to as “pass-through’ entities that include income and expenses associated with their businesses on their personal income tax statements. Rhode Island has a budget surplus at this time. Testimony can be submitted to: SenateFinance@rilegislature.gov

**Wednesday, March 1st**

The **House Labor Committee** has a full agenda Wednesday at 4:00pm in the House Lounge. H.5370, An Act Relating to Labor and Labor Relations – RI Noncompetition Agreement Act voids any non-compete clause that restrains an employee from “engaging in a lawful profession, trade, or business of any kind.” Under current law, non-compete clauses are not enforceable against non-exemption employees, employees under 18 years of age, and low wage employees.

H.5445, An Act Relating to Labor and Labor Relations - Fair Employment Practices Act is also on the agenda. This bill creates individual liability for any person, employer, or employees who directly or indirectly commit any act declared to be an unlawful employment practice. H.5445 seems to be aimed at overturning a 2017 Rhode Island Supreme Court decision - *Mancini vs City of Providence.* The case involved a Providence Police Sergeant who alleged he was illegally denied a promotion based on discriminatory factors; and he attempted to sue then Chief of Police, Hugh Clements, Jr. personally. The Rhode Island Supreme Court stated, *“****allowing for the possibility of individual li­ability would have a predictably chilling effect on the discretionary management decisions of supervisory em­ployees.”*** The Chamber encourages members of human resource staffs to submit testimony for the Wednesday hearing.

H.5585, An Act Relating to Labor and Labor Relations – Workers’ Compensation – Benefits, addresses adverse reactions to COVID-19 vaccinations when the employer requires employees to be vaccinated. All related medical conditions would be classified as covered under the employer’s workers’ compensation insurance.

H.5592, An Act Relating to Labor and Labor Relations – Inspection of Personnel Files, proposes to change the current state law addressing an employee’s right to look at personnel files. Today, employers have seven (7) days to respond to an employee’s request for a copy of the file; H.5592 reduces the time to five (5) days. The bill expands the definition of “employee” as a current or “former employee.” Employers are required to retain the complete personnel record – without deletion or expungement of information – for three years after the termination of the employee, or longer if the individual has filed an action against the employer. Lastly, the bill increases the penalty for violation of the law from the current $100 fine, to a fine between $500 and $2,500. The Department of Labor and Training (DLT) determines the amount of the fine to be levied and may consider the size of the company, gravity of the violation, willfulness and history. Fines paid go to the DLT. A separate penalty of $500 must be paid to the employee/former employee as liquidated damages.

Testimony on these bills can be submitted to the Committee at: HouseLabor@rilegislature.gov

The **Senate Labor Committee** is also meeting on Wednesday to take testimony on a S.145, An Act Relating to Labor Relations – Rhode Island Parental and Family Medical Leave Act. S.145 increases the amount of parental or family leave available to an employee from thirteen (13) weeks to twenty-four (24) weeks in any two (2) calendar years. If an employer provides paid leave to employees for a period of time, the additional weeks added under this proposal may remain as unpaid leave. The bill calls for an effective date “upon passage.” The law, as it stands today, applies to employers with 50 or more employees. Leave is available for the care of family members, defined as “a parent, spouse, child, mother-in-law, father-in-law, or the employee himself or herself.” To submit written testimony, use the following link: SLegislation@rilegislature.gov

**Thursday, March 2nd**

The House Committee on Innovation, Internet & Technology hits the ground running with two data privacy bills. H.5354, An Act Relating to Commercial Law – General Regulatory Provisions – RI Data Transparency and Privacy Protection Act, and H.5745, An Act Relating to Commercial Law – RI Personal Data and Online Privacy Protection Act.

H.5354 requires certain entities that collect “personal data” on the web or through an online service, to post in a conspicuous place, the categories of personally identifiable information it collects along with the names of all third parties to which it may disclose the information. “Personal data” is defined as the collection of a person’s first name or first initial, the last name, and any one or more of the following items: credit card with security code, account number, social security number, driver’s license, passport number, RI ID number, medical or health insurance information, email with security code or password, or biometric data. Failure to post the information, would be a violation of Rhode Island’s Deceptive Trade Practice Law which carries with it a civil penalty of up to $10,000 per violation that can be initiated by the Attorney General. If the failure to disclose the required information is considered intentional, or if a company sets up a “shell company” to collect the data to avoid disclosure, H.5354 adds an additional penalty of $100 - $500 for each disclosure violation. The bills does exclude the following entities: (1) financial institutions or affiliates covered under Gramm-Leach-Bliley Act; (2) data subject to HIIPA rules and regulations; (3) contractors and subcontractors working with the state or a municipality; (4) Tax-exempt organizations under the IRS code; (5) data collection for sales summaries or statistical data that is aggregated and not personally identifiable; and (6) consumer reporting agencies defined by 15 U.S.C 1681a(f).

H.5745 is a 21-page consumer rights bill addressing online privacy. It broadly defines “personal data” and “any information that is linked or reasonably linkable to an identified or identifiable individual.” Businesses that process the personal data of 100,000 RI consumers or more, as well as businesses that process personal data of 25,000 RI consumers plus derive 25% of its gross revenue from the sale of personal data, are captured under this legislation. Exemptions exist for government entities, non-profits, higher education entities, businesses subject to Gramm-Leach-Bliley, Security Exchange regulations, medical research entities and HIPPA. If a business is not exempt, then consumers have various rights. A consumer can request information concerning how the person’s data is being used. The consumer can correct inaccuracies in the company’s record and require the company to delete personal data. A consumer can opt-out of direct targeted advertising efforts. An interesting twist in this bill allows a consumer to designate an agent to act on its behalf. In this case, if an agent requests any action on behalf of the consumer, the business must first confirm the agent’s designation with reasonable efforts prior to acting on the request. Businesses have 45 days to respond to requests from consumers and their agents, and can extend the timeframe for another 45 days if the request is complex or the business is overwhelmed with requests. The Attorney General has sole enforcement authority. For the first two years after passage, the Attorney General can give violators sixty (60) days to cure the problem if that is possible. After the first two years, the Attorney General can prosecute under the Deceptive Trade Practices Act – up to $10,000 per violation.

Testimony on either bill should be sent to: HouseInnovationInternetandTechnology@rilegislature.gov

The following new bills have been filed:

House Bill No. [5592](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5592.pdf)   Batista, Potter, Alzate, Felix**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- INSPECTION OF PERSONNEL FILES (Amends the definitions of the inspection of personnel files. The act would also amend the penalties by increasing them to not less than five hundred dollars ($500) nor more than twenty-five hundred dollars ($2,500).) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5592.pdf>

House Bill No. [5593](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5593.pdf)  Morales, Fellela, McEntee, Felix, Kislak, Cortvriend, McNamara, Henries, Speakman, Cruz**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- CONSUMER CREDIT HISTORY EMPLOYMENT PROTECTION ACT -- DECEPTIVE TRADE PRACTICES (Prohibits employers from seeking/using credit reports in making hiring decisions concerning prospective employees/ asking questions about the applicant's financial past during its interviews/including credit history questions within the job applications.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5593.pdf>

House Bill No. [5644](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5644.pdf)  Handy, Giraldo, Stewart, Boylan, Cruz, Potter, Slater, Diaz, Morales, Kazarian**,**AN ACT RELATING TO HUMAN SERVICES -- THE RHODE ISLAND WORKS PROGRAM (Amends the Rhode Island Works Program to expand and increase benefits under the program.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5644.pdf>

House Bill No. [5664](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5664.pdf)  Place, Rea, Chippendale, Nardone**,**AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED-LIABILITY COMPANY ACT (Permits a member or members of a limited-liability company to avoid dissolution by buying the units owned by the other member or members seeking dissolution.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5644.pdf>

House Bill No. [5684](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5684.pdf)  Cortvriend, Fogarty, Tanzi, Phillips, Edwards, Solomon, Speakman**,**AN ACT RELATING TO CRIMINAL OFFENSES -- IDENTITY THEFT PROTECTION ACT OF 2015 (Provides identity theft protections by requiring reporting of breaches by certain municipal and state agencies, and requires notice to collective bargaining agents where required and requires an explanation of remediation services.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5684.pdf>

House Bill No. [5707](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5707.pdf)  Giraldo, Alzate, Morales, Cruz, Potter**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Requires employer to furnish items and conditions of employment and a pay stub explaining how wages were calculated/reasons for deductions/allows the employee to file a court action against employer for violation.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5707.pdf>

House Bill No. [5708](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5708.pdf)  Morales, Giraldo, Potter, Stewart, Slater, Sanchez, McGaw, McNamara, Felix, Fogarty**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Requires employers in Rhode Island with thirty (30) or more employees would be required to list competitive salary ranges on their job postings on the company's hiring page or third-party websites like Glassdoor, LinkedIn, Indeed or other job boards.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5708.pdf>

House Bill No. [5732](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5732.pdf)  Casimiro, Noret, Morales**,**AN ACT RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS -- GIFT CARD FRAUD (Requires sellers of gift cards to post notice warning of scams/instructing consumers what to do as victims/train employees to identify/respond to fraud/violations punishable by a civil fine of $500.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5732.pdf>

House Bill No. [5745](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5745.pdf)  McNamara**,**AN ACT RELATING TO COMMERCIAL LAW -- RHODE ISLAND PERSONAL DATA AND ONLINE PRIVACY PROTECTION ACT (Establishes the Rhode Island personal data and online privacy protection act.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5745.pdf>

House Bill No. [5753](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5753.pdf)  Rea, Costantino, Edwards, Casey, Chippendale, Hull, Roberts, Fellela, Place**,**AN ACT RELATING TO TAXATION -- SMALL BUSINESS TANGIBLE PROPERTY TAX RELIEF ACT (Exempts from taxation up to a maximum of $250,000 of tangible personal property of small businesses. Allows cities, towns, fire districts to increase tax rates on property assessed over excess $250,000.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5753.pdf>

House Bill No. [5781](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5781.pdf)  Kazarian, Giraldo, Carson, Cotter, Donovan, Serpa, Batista, O'Brien, Shanley, Casimiro**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE -- GENERAL PROVISIONS (Includes siblings/grandchildren/care recipient for temporary caregiver benefits of 12 weeks/Increases weekly dependent's allowances from $10 to $20 or 7% of benefit rate whichever is greater. Effective January 1, 2024.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5781.pdf>

House Bill No. [5808](http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5808.pdf)  Donovan, Kazarian, Speakman, Alzate, Fenton-Fung, Casimiro, Carson, Caldwell, Tanzi, Messier**,**AN ACT RELATING TO TAXATION -- RHODE ISLAND WOMEN'S EQUITY INCENTIVE ACT OF 2023 (Creates the Rhode Island Women’s Equity Incentive Act of 2023 to address the inequalities experienced by women in the workforce by offering tax credits up to $2,500 per year to eligible businesses which create full-time jobs for women.) <http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5808.pdf>

Senate Bill No. [350](http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0350.pdf)  de la Cruz, Rogers, F. Lombardi, Ciccone, Paolino, E Morgan, Raptakis, DeLuca**,**AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION (Provides for a cause of action against an individual or entity that prohibits the possession of firearms on real property, except residences, by an individual that is authorized and licensed to carry a firearm.) <http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0350.pdf>

Senate Bill No. [425](http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0425.pdf)  DiPalma, Zurier, Burke, Sosnowski, Kallman, Euer, Acosta, Britto, de la Cruz, Ujifusa**,**AN ACT RELATING TO CRIMINAL OFFENSES -- IDENTITY THEFT PROTECTION ACT OF 2015 (Provides identity theft protections by requiring reporting of breaches by certain municipal and state agencies, and requires notice to collective bargaining agents where required and requires an explanation of remediation services.) <http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0425.pdf>

Senate Bill No. [430](http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0430.pdf)  Quezada, Euer, Cano, DiMario, Acosta, Lawson, Miller, Pearson, Valverde, Kallman**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES (Creates new definition for the term "employee", for purposes of wages, workers' compensation, temporary disability and unemployment insurance benefits, which deems a worker to be an employee, as opposed to an independent contractor.) <http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0430.pdf>

Senate Bill No. [447](http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0447.pdf)  LaMountain, Tikoian, Britto, Euer, F. Lombardi, Felag, Burke, Murray, Ciccone**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- LABOR RELATIONS ACT <http://webserver.rilegislature.gov/BillText/BillText23/SenateText23/S0447.pdf>