The General Assembly will observe April break next week (April 18-22).

**Last Week at the State House**

The full Senate voted 31-4 to pass S.2243, An Act Relating to Labor and Labor Relations – Rhode Island Parental Leave Act, which increases employee parental leave from thirteen weeks to twenty-four weeks over a two-year period. (voting against were Senators de la Cruz, Morgan, Paolino and Rogers). Under current law, employers with fifty or more employees fall under parental leave; and employees become eligible for the leave after working for one year with the employer. S.2243 does not change the thresholds for number of employees or time of work required for eligibility.

The Senate Labor Committee passed S.2816, An Act Related to Labor and Labor Relations – Employment Security, a bill that extends the partial unemployment insurance benefits put into place during the pandemic. S.2816 extends the increase in the total amount of earnings a partial -unemployment insurance claimant can receive before being disqualified for benefits. It also extends the increase in the amount of earnings that is disregarded when calculating the claimant’s weekly benefit. These additional benefits are set to expire June 30, 2022. S.2816 extends the benefits to June 30, 2023. The full Senate will vote on S.2816 Tuesday, April 12th

The remainder of the bills reported in last week’s UTD were held for further study.

**This Week at the State House**

**Tuesday, April 12th**

The Senate Finance Committee will meet Tuesday at the Rise (approximately 4:30 pm) to take testimony on the Governor’s proposal to give $13 million to the Small Business Financial and Technical Assistance Program for items such as upgrading point-of-sale systems, developing e-commerce platforms, and improving technology. The Committee will also hear testimony on S.2455, An Act Relating to Corporations, Associations and Partnerships, that calls for the elimination of the minimum tax upon corporations, nonprofit corporations, and limited liability companies for the tax year in which the secretary of state certifies the entity's dissolution; and S.2850, An Act Relating to Taxation, that increases the corporate tax rate to 7.5% (from 7%) and decreases the corporate minimum tax to $200 (from $400). Written testimony can be submitted at the following address: jplume@rilegislature.gov

**Wednesday, April 13th**

Senate Labor will meet at 4:00 pm in Room 211 to consider whether to change the definition of “employee” for the purposes of workers’ compensation, unemployment insurance and TDI qualification. S.2861, An Act Relating to Labor and Labor Relations – Minimum Wages, proposes to adopt what is sometimes referred to as the “ABC” test. A person would be deemed an “employee” unless the person can meet all three tests: (1) the person is free from control and direction of the hiring entity (2) *the person performs work that is outside the usual course of the hiring entity’s business*; AND (3) the person is customarily engaged in an independently established trade, occupation or business of the same nature as that involved in the work performed. Use of the ABC test would make it very difficult for some professions to work as an independent contractor. For example, an independent computer technology person could not work as an independent contractor for a business that has an IT person already on staff, since it would not qualify as outside the usual course of business. Any business with a government affairs staff person, would likely not be able to hire an independent lobbyist. It is difficult to imagine all of the possible contractors that may get swept up and reclassified as an employee of multiple businesses. If you have concerns about this bill, please contact your Senator and submit written testimony to SLegislation@rilegislature.gov

The House Judiciary Committee will meet at the Rise (approximately 4:30 pm) to consider H.7677, An Act Relating to Labor and Labor Relations – Payment of Wages. H.7677, submitted at the request of the Attorney General, creates a felony offense for knowing and willfully failing to pay an employee on the designated pay day, or for failing to pay an employee the amount of wages owed at the next pay day following termination. If the value of the wages owed is between $1500 and $5000 the penalty is up to three years imprisonment or a fine of twice the value of the wages, or both. If the value is between $5000 and $10,000, the penalty is up to six years in prison and a fine of twice the wages, or both. If the value is over $10,000, the penalty is up to ten years in prison and a fine of twice the wages, or both. The bill also creates a felony penalty for employers that knowing and willfully misclassify an employee as an independent contractor. The first knowing or willful violation brings a penalty of up to three years in prison or a fine of up to two times the value of the wages or $10,000, whichever is greater, or both. The second knowing or willful offense carries a penalty of up to five years in prison or a fine of up to three times the value of the wages or $20,000, whichever is greater, or both. Testimony can be emailed to **HouseJudiciary@rilegislature.gov** Please include the bill number, your name, position and company in the subject line. The other bill of interest in H.8014, An Act Relating to Labor and Labor Relations – Labor Disputes. H.8014 bans employers from contacting the police “for the purpose of harassing or otherwise disrupting participants of a labor dispute.” The penalty for violating this provision would be a fine of up to $500 “for each person harassed.”

The House Finance Committee is also meeting Wednesday at the Rise. H.6658, An Act Relating to Taxation, changes the interest rate for underpayments of taxes to prime plus six percent with a maximum rate of 18% instead of 21%. The current law calls for a rate between 18% and 21%. H.7444, An Act Relating to Labor and Labor Relations – Temporary Disability Insurance, proposes numerous changes to the TDI system. The bill allows self-employed individuals to participate in TDI. Self-employed individuals become eligible to collect benefits after financially contributing to the program for 12 months. H.7444 also changes the contributions made by employees. For each calendar year prior to 2023, the taxable wage is the greater of $38,000 or the annual earnings needed to qualify for the maximum weekly benefit amount. Starting January 1, 2023, the wage base would jump to the greater of $250,000 or the annual earning needed by the individual to qualify for the maximum weekly benefit amount AND the maximum duration allow under law. Benefits to be paid are tiered. Individual whose average wage is minimum wage would receive a benefit of 90% of that average weekly wage. For individuals whose average wage is two times the minimum wage the benefit payable would be 75% of the weekly wage. All other claimants remain at the current benefit rate: 4.62% of the wages paid in the highest quarter of the claimant’s base period. At this time, claims with a benefit year begin date effective 1/2/22 or later, $978.00 is the maximum benefit rate and the minimum benefit rate is $114.  Testimony for this hearing can be emailed to: **HouseFinance@rilegislature.gov**

Please include the bill number, your name, position on the bill, and company in the subject line.

The following new bill has been filed:

House Bill No. [8096](http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8096.pdf) Phillips, McEntee, Hawkins, Costantino, Corvese, Solomon, Cardillo, Cortvriend, Filippi, Fenton-Fung**,**AN ACT RELATING TO TAXATION -- STATE TAX OFFICIALS (Waives interest and penalties on the taxable portion of loans taxed or forgiven under the Paycheck Protection Program during tax years 2020 and 2021, provided any tax due is paid by March 31, 2022 and March 31, 2023, respectively.)

<http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8096.pdf>

Senate Bill No. [2837](http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2837.pdf) Quezada**,**AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- FILING OF ASSUMED NAME (Makes amendments necessary to use the term "trade name" rather than "assumed name", for purposes of the commercial law chapter on filing an assumed name, and provides for the administration and regulation of the use of trade names.)

<http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2837.pdf>

Senate Bill No. [2845](http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2845.pdf) Lombardo, Pearson, Ciccone, McCaffrey, Goodwin, Lombardi, Picard, Gallo, Sosnowski, Felag**,**AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL TAX (Suspends the tax on fuel or manufactured biodiesel fuel sold or used from April 1, 2022 to June 30, 2022, and requires the seller to reduce the per-gallon price of fuel or manufactured biodiesel fuel by a sum equal to the tax abatement.)

<http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2845.pdf>

Senate Bill No. [2850](http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2850.pdf) Zurier**,**AN ACT RELATION TO TAXATION -- BUSINESS CORPORATION TAX (Increases the amount each corporation pays on state tax to seven and one half percent (7.5%) of net income beginning on or after January 1, 2023, and reduce the minimum tax to two hundred dollars ($200).)

<http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2850.pdf>

Senate Bill No. [2861](http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2861.pdf) Quezada, Euer**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES (For proposed wages, workers' compensation, temporary disability and unemployment benefits this act creates a new definition for "employee")

<http://webserver.rilin.state.ri.us/BillText/BillText22/SenateText22/S2861.pdf>

House Bill No. [8119](http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8119.pdf) Morales, Henries, Felix, Giraldo, McGaw, Potter, Lombardi, Batista, Ranglin-Vassell, Tanzi**,**AN ACT RELATING TO HEALTH AND SAFETY -- COMPREHENSIVE HEALTH INSURANCE PROGRAM (Establishes a universal, comprehensive, affordable single-payer health care insurance program and helps control health care costs, which would be referred to as, "the Rhode Island Comprehensive Health Insurance Program" (RICHIP).) <http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8119.pdf>

House Bill No. [8120](http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8120.pdf) Alzate, Kazarian, Henries, Giraldo, Morales, Felix, Potter, McEntee, Williams, Batista**,**AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES (Mandates insurance policies, provides coverage to diagnose & treat infertility for women between 25 & 42 years, including pre-implantation genetic diagnosis (PGD) in conjunction with in vitro fertilization (IVF).) <http://webserver.rilin.state.ri.us/BillText/BillText22/HouseText22/H8120.pdf>