

2021 -- S 0059 SUBSTITUTE A

LC000672/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

**RELATING TO STATE AFFAIRS AND GOVERNMENT - STATEWIDE PUBLIC SAFETY
COMPUTER AIDED RECORDS MANAGEMENT SYSTEM**

Introduced By: Senators Ruggerio, Coyne, Seveney, DiPalma, and Burke

Date Introduced: January 19, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 28.10

4 STATEWIDE PUBLIC SAFETY COMPUTER AIDED RECORDS MANAGEMENT SYSTEM

5 **42-28.10-1. Statewide records management system.**

6 (a) The director of the department of public safety in his/her capacity as superintendent of
7 the division of state police is hereby authorized and empowered to provide for the installation,
8 operation, and maintenance of a statewide dispatch and records management system (RMS). The
9 statewide records management system shall provide for the storage, exchange, retrieval, retention,
10 manipulation, archiving, and viewing of information, records, documents, or files pertaining to law
11 enforcement operations. Such records may include, but not be limited to, incident and accident
12 reports, arrests, citations, warrants, case management, field contacts, final dispositions and other
13 operations-oriented records.

14 (b) State and local sworn law enforcement agencies are authorized to interface, at their own
15 expense, with the RMS for the exchange of information provided by the system.

16 (c) The department of public safety is authorized to promulgate rules and regulations
17 necessary to implement the provisions of this chapter. All rules, regulations and policies authorized
18 under this chapter shall be promulgated in accordance with chapter 35 of title 42, the administrative

1 procedures act, and shall be in effect prior to an implementation of the RMS.

2 **42-28.10-2. Record management system board of advisors - Established.**

3 (a) There is hereby established a board of advisors for the Rhode Island records
4 management system. The board's purpose shall be to advise the department of public safety on the
5 implementation of this chapter.

6 (b) The board shall include the following: One member who shall be a representative of
7 the Rhode Island Association of Fire Chiefs or designee; one member who shall be the Rhode
8 Island attorney general or designee; one member who shall be the chief of the Providence police
9 department or designee; one member of a law enforcement agency from a city or town with fewer
10 than twenty-five thousand (25,000) residents to be appointed by the Rhode Island Police Chiefs
11 Association; one member of a law enforcement agency from a city or town with twenty-five
12 thousand (25,000) residents or more, to be appointed by the Rhode Island Police Chiefs
13 Association; one member who shall be the President of the Rhode Island Police Chiefs Association
14 or designee; one member who shall be the director of the Rhode Island department of
15 transportation's office on highway safety or designee; one member who shall be the superintendent
16 of the state police or designee; and one member from a sworn law enforcement agency within the
17 department of public safety. The director of public safety shall also appoint members to the board
18 from state agencies with an interest in law enforcement records management.

19 (c) A majority of the board shall elect the chair of the board on an annual basis.

20 **42-28.10-3. Privacy policy and protections.**

21 (a) The RMS shall be responsible for safeguarding all collected information and shall
22 comply with all state and federal privacy laws in order to protect privacy rights, civil rights, and
23 civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of
24 information. Information gathered and retained by the RMS may only be accessed, stored or
25 disseminated for the specific purpose of administering the provisions of this chapter and shall only
26 be accessed by authorized users to have such access and only for those uses or purposes specified
27 by law.

28 (b) The RMS shall not retain personal information for a period longer than is reasonably
29 required to carry out the purposes of this chapter.

30 (c) The department of public safety is hereby directed to develop and maintain a privacy
31 policy which shall ensure safeguards are in place to protect personal information from unlawful
32 access, sharing and/or second party dissemination. The privacy policy shall include maintaining an
33 access log.

34 (d) Any request for access to public records pursuant to the provisions of chapter 2 of title

1 38 shall be made to the agency that created the record.

2 **42-28.10-4. Collection of fees.**

3 Any participating law enforcement agency shall be required to pay a user fee to be
4 determined by the department of public safety in consultation with the board. Fees paid pursuant
5 to this section shall be maintained in a restricted receipt account pursuant to this chapter for the
6 exclusive purpose of implementing the provisions of this chapter.

7 **42-28.10-5. Restricted receipt account.**

8 There is hereby created a restricted receipt account within the general fund of the state to
9 be known as the statewide records management system account. Fees collected pursuant to § 42-
10 28.10-4 shall be deposited into this account and be used for costs associated with the system. The
11 restricted receipt account shall be included in the budget of the division of the state police. All
12 expenditures from the account shall be subject to appropriation by the general assembly. Any other
13 available grants or funds from a public or private source may be deposited in the account and used
14 for associated costs. This restricted receipt account shall not be subject to the provisions of § 35-4-
15 27.

16 **42-28.10-6. Annual reporting.**

17 The director of public safety shall annually provide a report to the speaker of the house and
18 the president of the senate. The report shall include and document the systems annual activity
19 including, but not limited to, the data reported and the number of reports entered into the system.

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

22 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

31 Executive Office of Health and Human Services

32 Organ Transplant Fund

33 HIV Care Grant Drug Rebates

34 Health System Transformation Project

1 Department of Human Services
2 Veterans' home -- Restricted account
3 Veterans' home -- Resident benefits
4 Pharmaceutical Rebates Account
5 Demand Side Management Grants
6 Veteran's Cemetery Memorial Fund
7 Donations -- New Veterans' Home Construction
8 Department of Health
9 Pandemic medications and equipment account
10 Miscellaneous Donations/Grants from Non-Profits
11 State Loan Repayment Match
12 Healthcare Information Technology
13 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
14 Eleanor Slater non-Medicaid third-party payor account
15 Hospital Medicare Part D Receipts
16 RICLAS Group Home Operations
17 Commission on the Deaf and Hard of Hearing
18 Emergency and public communication access account
19 Department of Environmental Management
20 National heritage revolving fund
21 Environmental response fund II
22 Underground storage tanks registration fees
23 De Coppet Estate Fund
24 Rhode Island Historical Preservation and Heritage Commission
25 Historic preservation revolving loan fund
26 Historic Preservation loan fund -- Interest revenue
27 Department of Public Safety
28 E-911 Uniform Emergency Telephone System
29 Forfeited property -- Retained
30 Forfeitures -- Federal
31 Forfeited property -- Gambling
32 Donation -- Polygraph and Law Enforcement Training
33 Rhode Island State Firefighter's League Training Account
34 Fire Academy Training Fees Account

1 Attorney General
2 Forfeiture of property
3 Federal forfeitures
4 Attorney General multi-state account
5 Forfeited property -- Gambling
6 Department of Administration
7 OER Reconciliation Funding
8 Health Insurance Market Integrity Fund
9 RI Health Benefits Exchange
10 Information Technology Investment Fund
11 Restore and replacement -- Insurance coverage
12 Convention Center Authority rental payments
13 Investment Receipts -- TANS
14 OPEB System Restricted Receipt Account
15 Car Rental Tax/Surcharge-Warwick Share
16 Executive Office of Commerce
17 Housing Resources Commission Restricted Account
18 Department of Revenue
19 DMV Modernization Project
20 Jobs Tax Credit Redemption Fund
21 Legislature
22 Audit of federal assisted programs
23 Department of Children, Youth and Families
24 Children's Trust Accounts -- SSI
25 Military Staff
26 RI Military Family Relief Fund
27 RI National Guard Counterdrug Program
28 Treasury
29 Admin. Expenses -- State Retirement System
30 Retirement -- Treasury Investment Options
31 Defined Contribution -- Administration - RR
32 Violent Crimes Compensation -- Refunds
33 Treasury Research Fellowship
34 Business Regulation

- 1 Banking Division Reimbursement Account
- 2 Office of the Health Insurance Commissioner Reimbursement Account
- 3 Securities Division Reimbursement Account
- 4 Commercial Licensing and Racing and Athletics Division Reimbursement Account
- 5 Insurance Division Reimbursement Account
- 6 Historic Preservation Tax Credit Account
- 7 Judiciary
- 8 Arbitration Fund Restricted Receipt Account
- 9 Third-Party Grants
- 10 RI Judiciary Technology Surcharge Account
- 11 Department of Elementary and Secondary Education
- 12 Statewide Student Transportation Services Account
- 13 School for the Deaf Fee-for-Service Account
- 14 School for the Deaf -- School Breakfast and Lunch Program
- 15 Davies Career and Technical School Local Education Aid Account
- 16 Davies -- National School Breakfast & Lunch Program
- 17 School Construction Services
- 18 Office of the Postsecondary Commissioner
- 19 Higher Education and Industry Center
- 20 Department of Labor and Training
- 21 Job Development Fund
- 22 [Statewide records management system account](#)
- 23 SECTION 3. This act shall take effect upon passage.
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - STATEWIDE PUBLIC SAFETY
COMPUTER AIDED RECORDS MANAGEMENT SYSTEM

- 1 This act would establish a statewide public safety computer aided records management
- 2 system.
- 3 This act would take effect upon passage.

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