



1 to be self-supporting, including that all faculty provide timely and accurate copies of booklists for  
2 required textbooks to the public higher educational institution's bookstore.

3 (e) The additional costs to achieve self-supporting status shall be by the implementation of  
4 a fee schedule of all housing, dining, and other auxiliary facilities, including but not limited to,  
5 operating expenses, principal, and interest on debt services, and overhead expenses.

6 (f) The board of education is authorized to establish a restricted-receipt account for the  
7 higher education and industry centers established throughout the state to collect lease payments  
8 from occupying companies, and fees from room and service rentals, to support the operation and  
9 maintenance of the facilities. All such revenues shall be deposited to the restricted-receipt account.

10 The board of education is further authorized to establish a restricted receipt account within the  
11 general fund of the state to account for the receipt and expenditure of any funds donated,  
12 bequeathed, or otherwise granted in support of the construction, maintenance, or general operations  
13 of the higher education and industry centers established throughout the state.

14 (g) Notwithstanding subsections (a) and (d) of this section or any provisions of this title, to  
15 the extent necessary to comply with the provisions of any outstanding bonds issued by the Rhode  
16 Island health and educational building corporation or outstanding lease certificates of participation,  
17 in either case, issued for the benefit of the university of Rhode Island, the community college of  
18 Rhode Island, and/or Rhode Island college, to the extent necessary to comply with the provisions  
19 of any such bonds or certificates of participation, the general assembly shall annually appropriate  
20 any such sums it deems necessary from educational and general revenues (including, but not limited  
21 to, tuition) and auxiliary enterprise revenues derived from the university of Rhode Island, the  
22 community college of Rhode Island and Rhode Island college, to be allocated by the council on  
23 postsecondary education or by the board of trustees of the university of Rhode Island, as  
24 appropriate, in accordance with the terms of the contracts with such bondholders or certificate  
25 holders.

26 (h) The board of education is authorized to establish a restricted receipt account within the  
27 general fund of the state for income generated by the Rhode Island nursing education center through  
28 the rental of classrooms, laboratories, or other facilities located on the Providence campus of the  
29 nursing education center. All such revenues shall be deposited to the restricted receipt account.

30 SECTION 2. Sections 21-28.10-8 and 21-28.10-10 of the General Laws in Chapter 21-  
31 28.10 entitled, "Opioid Stewardship Act" are hereby amended to read as follows:

32 **21-28.10-8. Departmental annual reporting.**

33 By January of each calendar year, the department of behavioral healthcare, developmental  
34 disabilities and hospitals (BHDDH), the executive office of health and human services (EOHHS),

1 the department of children, youth and families (DCYF), the Rhode Island department of education  
2 (RIDE), the Rhode Island office of veterans' services, the department of corrections (DOC), ~~and~~  
3 the department of labor and training (DLT), and any other department or agency receiving opioid  
4 stewardship funds shall report annually to the governor, the speaker of the house, and the senate  
5 president which programs in their respective departments were funded using monies from the  
6 opioid stewardship fund and the total amount of funds spent on each program.

7 **21-28.10-10. Creation of opioid stewardship fund.**

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

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

12 (c) The opioid stewardship fund shall consist of monies appropriated for the purpose of  
13 such account, monies transferred to such account pursuant to law, contributions consisting of  
14 promises or grants of any money or property of any kind or value, or any other thing of value,  
15 including grants or other financial assistance from any agency of government and monies required  
16 by the provisions of this chapter or any other law to be paid into or credited to this account.

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

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

24 SECTION 3. Section 35-3-24 of the General Laws in Chapter 35-3 entitled “State Budget”  
25 is hereby amended to read as follows:

26 **35-3-24. Control of state spending.**

27 (a) All department and agency heads and their employees are responsible for ensuring that  
28 financial obligations and expenditures for which they have responsibility do not exceed amounts  
29 appropriated and are spent in accordance with state laws.

30 (b) Persons with the authority to obligate the state contractually for goods and services  
31 shall be designated in writing by department and agency heads.

32 (c) In the event of an obligation, encumbrance, or expenditure in excess of general revenue  
33 amounts appropriated, the department or agency head with oversight responsibility shall make a  
34 written determination of the amount and the cause of the overobligation or overexpenditure, the

1 person(s) responsible, and corrective actions taken to prevent reoccurrence. The plan of corrective  
2 actions contained within the report shall detail an appropriate plan to include, but not limited to,  
3 such issues as the implementation of waiting lists, pro-rata reduction in payments and changes in  
4 eligibility criteria as methods to address the shortfall. The report will be filed within thirty (30)  
5 days of the discovery of the overobligation or overexpenditure with the budget officer, the  
6 controller, the auditor general, and the chairpersons of the house and senate finance committees.

7 (d) In the event a quarterly report demonstrates an obligation, encumbrance, or expenditure  
8 in excess of [general revenue](#) amounts appropriated [in total to the department](#), the department or  
9 agency head with oversight responsibility shall file monthly budget reports with the chairpersons  
10 of the house and senate finance committees for the remainder of the fiscal year. The monthly budget  
11 reports shall detail steps taken towards corrective actions and other measures to bring spending in  
12 line with appropriations. In addition, the budget officer and controller shall ensure that the  
13 department's or agency's obligations, encumbrances, and expenditures for the remainder of the  
14 fiscal year result in the department or agency ending the fiscal year within amounts appropriated.

15 (e) The controller shall not authorize payments [from general revenue](#) for additional staff,  
16 contracts, or purchases [beyond service levels provided in the previous fiscal year or one-time](#)  
17 [purchases of equipment or supplies](#) for any department or agency not projected to end a fiscal year  
18 within amounts appropriated unless [the payments are](#) necessitated by immediate health and safety  
19 reasons [or to be consistent with a corrective action plan](#), which shall be documented upon discovery  
20 and reported, along with anticipated or actual expenditures, to the chairpersons of the house and  
21 senate finance committees within fifteen (15) days.

22 (f) A state employee who has knowingly and willingly encumbered, obligated, or  
23 authorized the expenditure of state funds in excess of amounts appropriated for those purposes or  
24 entered into contracts without proper authorization may be placed on disciplinary suspension  
25 without pay for up to thirty (30) days in accordance with § 36-4-36.

26 (g) A state employee who knowingly, willfully, and repeatedly authorizes actions resulting  
27 in encumbrances or spending of state funds in excess of amounts appropriated may be fined up to  
28 one thousand dollars (\$1,000) and/or terminated from employment.

29 (h) Upon receipt of any budgetary information indicating an obligation, encumbrance, or  
30 expenditure in excess of the amounts appropriated, the chairperson of the house or senate finance  
31 committee may request a written report to be submitted by the director of administration within ten  
32 (10) calendar days. The report shall indicate if the obligation, encumbrance, or expenditure in  
33 excess of the amounts appropriated resulted in any disciplinary action or other penalty in

1 accordance with subsection (f) or (g) of this section. If not, the report shall explain why no  
2 disciplinary action or other penalty was imposed in accordance with subsection (f) or (g).

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

5 **35-4-22.1. Legislative appropriation authority.**

6 (a) An appropriation is an enactment by the General Assembly authorizing the withdrawal  
7 of money from the State treasury. An enactment by the General Assembly that authorizes, specifies,  
8 or otherwise provides that funds may be used for a particular purpose is not an appropriation.

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

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

16 (d) Additional general revenue shall be deemed to be appropriated in order to:

17 (i) Comply with a court order,

18 (ii) Respond to a declared state of emergency, \_\_\_\_\_

19 (iii) Finance programs covered under the caseload estimating conference process set forth  
20 in chapter 35-17 up to the officially adopted estimates in the current fiscal year when the current  
21 appropriations act does not meet the revised estimate subject to the following conditions:

22 (1) Appropriations are made up to current fiscal year revenue availability as agreed to in  
23 the revenue estimating conference process.

24 (2) If there is less revenue availability than the additional caseload need, Medical  
25 Assistance and Federally mandated programs are prioritized for additional appropriations and the  
26 remainder of the additional availability is proportionally assigned to the remaining caseload  
27 programs.

28 (e) If the General Assembly enacts changes to the current year appropriations act, those changes  
29 shall override subdivision (iii) of subsection (d) of this section.

30 **35-4-22.2. Use of restricted or special revenue funds.**

31 (a) Any restricted or special revenue funds which are received by a state agency which is  
32 not otherwise appropriated to that state agency by the annual appropriation acts of the regular  
33 session of the general assembly are hereby appropriated for that state agency for the purpose set  
34 forth, except that no expenditure shall be made from and no obligation shall be incurred against

1 any restricted receipts or special revenue fund which has not been previously appropriated or  
2 reappropriated or approved by the governor, the speaker of the house, and the president of the  
3 senate, until that authorization has been transmitted to the state agency to make expenditure  
4 therefrom.

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

9 (c) Notwithstanding any law to the contrary, the budget officer is hereby authorized to  
10 create restricted receipt accounts within the budget of any state agency to account for the receipt  
11 and expenditure of either privately donated funds from individuals or corporate entities, funds  
12 received from any nonprofit charitable organization qualifying for exemption under section 501 (c)  
13 (3) of the internal revenue code, the proceeds of a multistate settlement administered by the office  
14 of the attorney general, and funds received pursuant to a contract or memorandum of agreement  
15 with a department of another state that are restricted to a specific, time-limited purpose.  
16 Expenditures from these accounts shall remain subject to the provisions of §§ 35-4-22, 35-4-22.1,  
17 35-4-22.2 and 35-4-27.

18 (d) There are hereby established within the general fund of the state five (5) restricted  
19 receipt accounts, three (3) of which are designated as "UHIP Recovery" and two (2) of which are  
20 designated as "UHIP Recovery: Non-UHIP Expenses" for the express purpose of the collection and  
21 disbursement of all cash settlements received by the state from any business concern engaged in  
22 the information technology project known as the Unified Health Infrastructure Project ("UHIP").  
23 Accounts designated as "UHIP Recovery" shall each be housed within the budgets of the  
24 department of administration, the department of human services, and the executive office of health  
25 and human services. Accounts designated as "UHIP Recovery: Non-UHIP Expenses" shall be  
26 housed in the budget of the department of human services. All restricted-receipt accounts  
27 established in this subsection shall be exempt from the indirect cost recovery provisions of § 35-4-  
28 27.

29 (e) Upon the directive of the controller, with the consent of the auditor general, the budget  
30 officer is hereby authorized to convert any escrow liability account to a restricted receipt account  
31 whenever such conversion has been deemed prudent and appropriate by both the auditor general  
32 and the controller according to generally accepted governmental accounting principles and/or  
33 specific pronouncements of the governmental accounting standards board (GASB).

34 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

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

- 9 Executive Office of Health and Human Services
- 10 Organ Transplant Fund
- 11 HIV Care Grant Drug Rebates
- 12 Health System Transformation Project
- 13 [Health Spending Transparency and Containment Account](#)
- 14 Department of Human Services
- 15 Veterans' home – Restricted account
- 16 Veterans' home – Resident benefits
- 17 Pharmaceutical Rebates Account
- 18 Demand Side Management Grants
- 19 Veteran's Cemetery Memorial Fund
- 20 Donations – New Veterans' Home Construction
- 21 Department of Health
- 22 Pandemic medications and equipment account
- 23 Miscellaneous Donations/Grants from Non-Profits
- 24 State Loan Repayment Match
- 25 Healthcare Information Technology
- 26 [State-Control Adult Use Marijuana](#)
- 27 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
- 28 Eleanor Slater non-Medicaid third-party payor account
- 29 Hospital Medicare Part D Receipts
- 30 RICLAS Group Home Operations
- 31 [State-Control Adult Use Marijuana](#)
- 32 Commission on the Deaf and Hard of Hearing
- 33 Emergency and public communication access account
- 34 Department of Environmental Management

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

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

- 1 School Construction Services
- 2 Office of the Postsecondary Commissioner
- 3 Higher Education and Industry Center
- 4 Department of Labor and Training
- 5 Job Development Fund

6 SECTION 5. Section 42-75-8 of the General Laws in Chapter 42-75 entitled “Council on  
7 the Arts” is hereby amended to read as follows:

8 **42-75-8. Authority of commission.**

9 The commission is authorized and empowered to hold public and private hearings, to enter  
10 into contracts, within the limit of funds available for these contracts, with individuals,  
11 organizations, and institutions for services furthering the objectives of the commission's programs;  
12 to enter into contracts, within the limit of funds available for these contracts, with local and regional  
13 associations for co-operative endeavors furthering the objectives of the commission's programs; to  
14 accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations,  
15 corporations, and other organizations or institutions ~~which shall be deposited as general revenues;~~  
16 to make and sign any agreements and to do and perform any acts that may be necessary to carry  
17 out the purposes of this act. The commission may request and shall receive from any department,  
18 division, board, bureau, commission, or agency of the state any assistance and data that will enable  
19 it properly to carry out its powers and duties. The commission may empanel any advisors that it  
20 deems necessary.

21 SECTION 6. This article shall take effect upon passage.