

2023 -- H 5190 SUBSTITUTE A

LC000660/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- CODE OF ETHICS

Introduced By: Representatives Cardillo, Costantino, Casey, Solomon, Kazarian,
Chippendale, J. Brien, Azzinaro, Perez, and Craven

Date Introduced: January 19, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-14-17 of the General Laws in Chapter 36-14 entitled "Code of
2 Ethics" is hereby amended to read as follows:

3 **36-14-17. Content of financial statement.**

4 (a) The financial statement required herein shall be on a form prescribed by the commission
5 and shall include the account of the financial activity of the person required to file the statement by
6 this chapter, the financial activity of his or her spouse (if not estranged), and any dependent children
7 for the preceding calendar year.

8 (b) The account of financial activity referred to in subsection (a) of this section shall consist
9 of:

10 (1) If he or she or any person enumerated in subsection (a) of this section or a business
11 entity in which he or she or any person enumerated as aforesaid held a ten percent (10%) or greater
12 equity interest or five thousand dollars (\$5,000) or greater cash value interest at any time during
13 the calendar year for which the statement is required has done business with a state or municipal
14 agency or a business which is subject to direct regulation greater than of a de minimus nature by a
15 state or municipal agency, and if so, the date and nature of the business;

16 (2) A list of all sources of occupational income identified by employer or, if self employed,
17 by the nature of occupation or profession, and if income was received from a state or municipal
18 agency, the name and address of the agency and the nature of the services rendered; however,
19 general officers, as defined in section 17-2-1, shall list all sources and amounts of income in excess

1 of two hundred dollars (\$200) according to the following categories:

- 2 (i) not more than \$1000
- 3 (ii) greater than \$1000 but no more than \$10,000
- 4 (iii) greater than \$10,000 but no more than \$25,000
- 5 (iv) greater than \$25,000 but no more than \$50,000
- 6 (v) greater than \$50,000 but no more than \$100,000
- 7 (vi) greater than \$100,000 but no more than \$200,000
- 8 (vii) greater than \$200,000 but no more than \$500,000
- 9 (viii) greater than \$500,000 but no more than \$1,000,000
- 10 (ix) greater than \$1,000,000

11 (3) A listing of all real property in which a financial interest was held; however, this section
12 shall not apply to real property used exclusively as his or her principal residence;

13 (4) Identification of any interested person from whom the person or his or her spouse (if
14 not estranged) or any dependent child received a gift or contribution of money or property in excess
15 of one hundred dollars (\$100) in value or a series of gifts or contributions of money or property,
16 the total of which exceeds one hundred dollars (\$100) in value received from the same source, and
17 a description of each gift or contributions, except those received from persons related to the person
18 at any time within the third degree of consanguinity or affinity and campaign contributions which
19 were reported as required by law, for purposes of this subsection, "interested person", means a
20 person or a representative of a person or business that has a direct financial interest in a decision
21 that the person subject to the Code of Ethics is authorized to make, or to participate in the making
22 of, as part of his or her official duties;

23 (5) Identification of the source of all income received as beneficiary of a trust and
24 identification of each asset, if known to the beneficiary, from which income was received by the
25 beneficiary in excess of one thousand dollars (\$1,000);

26 (6) A list of all boards of directors of which the person is a member and executive positions
27 which he or she holds in any business entity, stating the name and address of each business entity;

28 (7) The name and address of any business entity in which he or she or any person
29 enumerated in subsection (a) of this section held a ten percent (10%) or greater equity interest or
30 five thousand dollars (\$5,000) or greater cash value interest in at any time during the calendar year
31 for which the statement is required; and

32 (8)(i) Identification of any person, business entity, financial institution or other
33 organization to whom the person was indebted at any time during the calendar year for which the
34 statement is required in an amount in excess of one thousand dollars (\$1,000) other than:

1 (A) Any person related to the person at any time within the third degree of consanguinity
2 or affinity; ~~or~~

3 (B) Any transactions involving credit cards, with the exception of any and all unsatisfied
4 default judgments; or

5 (C) Any indebtedness to a financial institution, licensed and regulated by any state or by
6 the United States, which is secured solely by a mortgage of record on real property used exclusively
7 as the principal residence of the person required to file the statement.

8 (ii) This section does not require the reporting of the amount or amounts of the indebtedness
9 or the payment record of the loans.

10 (c) The financial statement shall be sworn to under oath.

11 SECTION 2. This act shall take effect on January 1, 2024.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require a public official or employee to disclose any and all unsatisfied
2 default judgments of credit card debt, in excess of one thousand dollars (\$1,000), on their financial
3 statement.

4 This act would take effect on January 1, 2024.

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