

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

ETHICS COMMISSION

Title of Rule: Code of Ethics (520-RICR-00-00-1)

Rule Identifier: 520-RICR-00-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: June 26, 2025

Hearing Date: September 9, 2025

End of Public Comment: September 16, 2025

Rulemaking Authority:

R.I. Constitution

art. III

sec. 8

R.I. Gen. Laws § R.I. Gen. Laws § 36-14-9(a)(3)

Summary of Rulemaking Action:

There are two proposed amendments to the Code of Ethics' gift rule at 520-RICR-00-00-1.4.2. Each proposed amendment is independent of the other.

A.As to Gift Limits: The Code of Ethics' gift rule has, since 2005, prohibited gifts from interested persons to public officials that are valued in excess of \$25 per gift or \$75 in aggregate from the same source. This proposed amendment to subsection (B) of 520-RICR-00-00-1.4.2 raises those limits to \$50 per gift or \$150 in aggregate to acknowledge increases in inflation over the last twenty years and moving forward.

B.As to Definition of "Interested Person" to include Lobbyists: The gift rule prohibits public officials from accepting expensive gifts from an "interested person," which is defined to mean a person or entity with a direct financial interest in decisions made by the public official. While this definition has historically been understood to include gifts from lobbyists to the public officials they lobby, lobbyists for not-for-profit entities may not fit neatly into this definition. This amendment to subsections (C) and (D) of 520-RICR-00-00-1.4.2 seeks to expressly prohibit expensive gifts from all lobbyists to the public officials they are lobbying.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until September 16, 2025 by contacting the appropriate party at the address listed below:

Jason Gramitt, Director
Ethics Commission
Rhode Island Ethics Commission
40 Fountain Street
Providence, RI 02903
ethics.comment@ethics.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: September 9, 2025

Time: 9:00 A.M.

Location: Rhode Island Ethics Commission
40 Fountain St.
Providence, RI, 02903

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-222-3790 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

These proposed amendments to the gift rule are consistent with the constitutional and statutory authority provided to the Ethics Commission to adopt a Code of Ethics. See R.I. Const. art. III, sec. 8; R.I. Gen. Laws § 36-14-9(a)(3), and in light of the standards of public office-holding set forth in the Rhode Island Constitution: "The people of the State of Rhode Island believe that public officials and employees must adhere to the highest standards of ethical conduct, respect the public trust and the rights of all persons, be open, accountable and responsive, avoid the appearance of impropriety and not use their position for private gain or advantage." R.I. Const. art. III, sec. 7.

A.As to Gift Limits: The Ethics Commission has historically considered both higher and lower gift limits, including zero tolerance and \$150 per gift and a \$450 aggregate in gifts from the same source. The current limits of \$25 per gift and \$75 aggregate adopted in 2005 have proven to be fair and effective, and the proposed increase of these limits to \$50 per gift/\$150 aggregate is consistent with the rate of inflation and the gift limits established in other jurisdictions.

B.As to Definition of "Interested Person" to include Lobbyists: Most lobbyists for for-profit entities are already considered to be "interested persons" under the current definition contained within the gift rule, so that the rule applies to gifts given by such lobbyists to the public officials they lobby. However, lobbyists for non-profit entities may not fit within the current definition because their clients may have more of a policy-based interest rather than a financial-based interest in the issue being lobbied. This proposed amendment closes this "loophole" by applying the gift rule to gifts given by any lobbyist to the public official being lobbied, regardless of whether the lobbyist's or lobbyists' clients' interests are financial-based or policy-based. Closing this loophole is consistent with the authority granted to the Ethics Commission by the Rhode Island Constitution.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.