

ARTICLE 12 SUBSTITUTE A

RELATING TO LICENSES AND FEES

SECTION 1. Section 19-14-4 of the General Laws in Chapter 19-14 entitled "Licensed Activities" is hereby amended to read as follows:

19-14-4. Annual fee. [Effective December 31, 2008.] -- (a) Each licensee shall pay an annual license fee as follows:

(1) Each small loan lender license and each branch certificate, the sum of five hundred fifty dollars (\$550);

(2) Each loan broker license and each branch certificate, the sum of five hundred fifty dollars (\$550);

(3) Each lender license and each branch certificate, the sum of one thousand one hundred dollars (\$1,100);

(4) Each sale of checks license, the sum of ~~three hundred dollars (\$300)~~ three hundred sixty dollars (\$360);

(5) Each check cashing license, the sum of ~~three hundred dollars (\$300)~~ three hundred sixty dollars (\$360);

(6) Each electronic money transfer license, the sum of ~~three hundred dollars (\$300)~~ three hundred sixty dollars (\$360);

(7) Each registration to provide debt-management services, the sum of two hundred dollars (\$200); and

(8) Each mortgage loan originator license, the sum of one hundred dollars (\$100).

(b) Any licensee who shall not pay the annual fee by December 31 of each year shall be subject to a daily penalty of twenty-five dollars (\$25) per day, subject to a maximum of seven hundred fifty dollars (\$750). The penalty shall be paid to the director to and for the use of the state. The penalty may be waived for good cause by the director or the director's designee, upon written request.

SECTION 2. Section 19-28.1-29 of the General Laws in Chapter 19-28.1 entitled "Franchise Investment Act" is hereby amended to read as follows:

19-28.1-29. Fees. -- (a) The director shall charge and collect the fees fixed by this section. The director shall not refund fees.

1 (b) The fee for filing an application for initial registration of a franchise under section
2 19-28.1-9 is ~~five hundred dollars (\$500)~~ six hundred dollars (\$600).

3 (c) The fee for filing a notice of exemption under section 19-28.1-6 is ~~three hundred~~
4 ~~dollars (\$300)~~ three hundred sixty dollars (\$360).

5 (d) The fee for filing an application for renewal of a registration under section 19-28.1-9
6 is ~~two hundred fifty dollars (\$250)~~ three hundred dollars (\$300).

7 (e) The fee for filing a request for an amendment to an application under section 19-
8 28.1-11 is ~~one hundred dollars (\$100)~~ one hundred twenty dollars (\$120).

9 (f) The fee for filing a request for an interpretive opinion under section 19-28.1-27(c) is
10 three hundred dollars (\$300).

11 (g) The fee for filing advertising is ten dollars (\$10.00) per item.

12 SECTION 3. Section 7-11-206 of the General Laws in Chapter 7-11 entitled "Rhode
13 Island Uniform Securities Act" is hereby amended to read as follows:

14 **7-11-206. Licensing and notice fees; and filing requirements for federal covered**

15 **advisers.** -- (a) A federal covered adviser or an applicant for licensing shall pay an annual fee as
16 follows:

17 (1) Broker dealer ~~two hundred and fifty dollars (\$250)~~ three hundred dollars (\$300) and
18 for each branch office one hundred dollars (\$100);

19 (2) Sales representative ~~fifty dollars (\$50.00)~~ sixty dollars (\$60);

20 (3) Investment adviser ~~two hundred and fifty dollars (\$250)~~ three hundred dollars
21 (\$300); and

22 (4) Investment adviser representative ~~fifty dollars (\$50.00)~~ sixty dollars (\$60); and

23 (5) Federal covered adviser two hundred and fifty dollars (\$250).

24 (b) Except with respect to federal covered advisers whose only clients are those
25 described in section 7-11-204(1)(i), a federal covered adviser shall file any documents filed with
26 the U.S. Securities and Exchange Commission with the director, that the director requires by rule
27 or order, together with any notice fee and consent to service of process that the director requires
28 by rule or order. The notice filings under this subsection expire annually on December 31, unless
29 renewed.

30 (c) A notice filing under this section is effective from receipt until the end of the
31 calendar year. A notice filing may be renewed by filing any documents that have been filed with
32 the U.S. Securities and Exchange Commission as required by the director along with a renewal
33 fee of two hundred fifty dollars (\$250).

34 (d) A federal covered adviser may terminate a notice filing upon providing the director

1 notice of the termination, which is effective upon receipt by the director.

2 (e) Notwithstanding the provisions of this section, until October 11, 1999, the director
3 may require the registration as an investment adviser of any federal covered adviser who has
4 failed to promptly pay the fees required by this section after written notification from the director
5 of the non-payment or underpayment of the fees. A federal covered adviser is considered to have
6 promptly paid the fees if they are remitted to the director within fifteen (15) days following the
7 federal covered adviser's receipt of written notice from the director.

8 (f) For purposes of this section, "branch office" means any location where one or more
9 associated persons of a broker-dealer regularly conducts the business of effecting any transactions
10 in, or inducing or attempting to induce the purchase or sale of any security, or is held out as such,
11 excluding:

12 (1) Any location that is established solely for customer service and/or back office type
13 functions where no sales activities are conducted and that is not held out to the public as a branch
14 office;

15 (2) Any location that is the associated person's primary residents; provided that:

16 (i) Only one associated person, or multiple associated persons who reside at that location
17 and are members of the same immediate family, conduct business at the location;

18 (ii) The location is not held out to the public as an office and the associated person does
19 not meet with customers at the location;

20 (iii) Neither customer funds nor securities are handled at that location;

21 (iv) The associated person is assigned to a designated branch office, and such designated
22 branch office is reflected on all business cards, stationery, advertisements and other
23 communications to the public by such associated person;

24 (v) The associated person's correspondence and communications with the public are
25 subject to the firm's supervision in accordance with Rule 3010 of the Financial Industry
26 Regulatory Authority;

27 (vi) Electronic communications are made through the broker-dealer's electronic system;

28 (vii) All orders are entered through the designated branch office or an electronic system
29 established by the broker-dealer that is reviewable at the branch office;

30 (viii) Written supervisory procedures pertaining to supervision of sales activities
31 conducted at the residence are maintained by the broker-dealer; and

32 (ix) A list of the residence locations is maintained by the broker-dealer;

33 (3) Any location, other than a primary residence, that is used for securities business for
34 less than thirty (30) business days in any one calendar year, provided the broker-dealer complies

1 with the provisions of paragraph (f)(2)(i) through (ix) above;

2 (4) Any office of convenience, where associated person occasionally and exclusively by
3 appointment meet with customers, which is not held out to the public as an office.

4 (5) Any location that is used primarily to engage in non-securities activities and from
5 which the associated person(s) effects no more than twenty-five (25) securities transactions in any
6 one calendar year; provided that any advertisement or sales literature identifying such location
7 also sets forth the address and telephone number of the location from which the associated
8 person(s) conducting business at the non-branch locations are directly supervised;

9 (6) The floor of a registered national securities exchange where a broker-dealer conducts
10 a direct access business with public customers.

11 (7) A temporary location established in response to the implementation of a business
12 continuity plan.

13 (8) Notwithstanding the exclusions in paragraph (f), any location that is responsible for
14 supervising the activities of persons associated with the broker-dealer at one or more non-branch
15 locations of the broker-dealer is considered to be a branch office.

16 (9) The term "business day" as used in subsection 7-11-206(f) shall not include any
17 partial business day provided that the associated person spends at least four (4) hours on such
18 business day at his or her designated branch office during the hours that such office is normally
19 open for business.

20 (10) Where such office of convenience is located on bank premises, signage necessary to
21 comply with applicable federal and state laws, rules and regulations and applicable rules and
22 regulations of the New York Stock Exchange, other self-regulatory organizations, and securities
23 and banking regulators may be displayed and shall not be deemed "holding out" for purposes of
24 subdivision 7-11-206(f)(iv).

25 (g) If an application is denied or withdrawn or the license is revoked, suspended, or
26 withdrawn, the director is not required to refund the fee paid.

27 (h) The director may issue a stop order suspending the activities of a federal covered
28 adviser in this state if the director reasonably believes there has been a violation of the provisions
29 of this section.

30 SECTION 4. Sections 5-53.1-2 and 5-53.1-8 of the General Laws in Chapter 5-53.1
31 entitled "Solicitation by Charitable Organizations" are hereby amended to read as follows:

32 **5-53.1-2. Registration of charitable organizations.** -- (a) Every charitable organization,
33 except as otherwise provided in section 5-53.1-3, which acts, operates, transacts business in this
34 state or which intends to solicit contributions from persons in this state by any means whatsoever,

1 shall, prior to any solicitation, file with the director upon forms prescribed by the department, the
2 following information:

3 (1) The name of the charitable organization and the name or names under which it
4 intends to solicit contributions;

5 (2) The names and addresses where each can regularly be found of the officers, directors,
6 trustees, partners and senior level executive employees and, for a limited liability company or
7 limited liability partnership, also the members, partners and managers, for the charitable
8 organization, as the case may be, as well as the person or persons responsible for the day to day
9 operations of the charitable organization;

10 (3) The addresses of the charitable organization and the addresses of any offices in this
11 state. If the charitable organization does not maintain an office, the name and address of the
12 person having custody of its financial records;

13 (4) Where and when the charitable organization was established, the form of its
14 organization and its tax exempt status, if any, issued by the United States Internal Revenue
15 Service;

16 (5) A general description of all the uses for which the contribution to be solicited will be
17 applied;

18 (6) The date on which the fiscal year of the charitable organization ends;

19 (7) Whether the charitable organization is authorized by any other governmental agency
20 to solicit contributions and whether it or any of its present officers, directors, members (if a
21 limited liability company), trustees, partners or the senior level executive employees are or have
22 ever been enjoined by any court from soliciting contributions or have been found by a final
23 judgment to have engaged in unlawful practices regarding solicitation of contributions or
24 administration of charitable assets and whether its registration or license has been suspended or
25 canceled by any governmental agency together with the reasons for the suspension or
26 cancellation;

27 (8) The names and addresses of any professional fund raisers or fund raising counsels
28 who are acting or have agreed to act in this state on behalf of the charitable organization along
29 with a copy of the contract for the services;

30 (9) The charitable organization's most recent annual report, if any, in accordance with the
31 requirements of section 5-53.1-4;

32 (10) The names and addresses of any chapters, branches, affiliates or other organizations
33 that during the immediately preceding fiscal year of the charitable organization share the
34 contributions or other revenue raised in this state. Provided, that any contribution to another

1 organization which is merely transferred by or through a United Way, a federated fund, or an
2 incorporated community appeal, which transferee organization is selected by the donor, does not
3 need to be included;

4 (11) The percentage of contributions received in the immediately preceding fiscal year
5 that was spent for fund raising and for administration;

6 (12) A listing of the names and the compensation of the charitable organization's five (5)
7 most highly compensated individuals in excess of the amount specified as requiring disclosure on
8 United States Internal Revenue Service (IRS) Form 990 (or the appropriate successor form by
9 whatever name or number it may be called or designated), including, without limitation, directors,
10 officers, members (if a limited liability company), trustees, partners, employees or agents, for the
11 immediately preceding fiscal year, and the total number of individuals, including, without
12 limitation, directors, officers, members (if a limited liability company), trustees, partners,
13 employees, and agents of the charitable organization, earning annual compensation in excess of
14 the amount referred to above for the immediately preceding fiscal year;

15 (13) Whether any director, officer, member (if a limited liability company), trustee,
16 partner, employee or agent or senior level executive employee of the charitable organization has
17 been convicted of a felony, or pled nolo contendere to a felony charge, or is held liable in a civil
18 action by final judgment if the felony or civil action involved fraud, embezzlement, fraudulent
19 conversion or misappropriation of property; and

20 (b) A charitable organization shall be deemed to have met the filing requirements in this
21 section by submitting a copy or duplicate original of IRS Form 990 (or the appropriate successor
22 form by whatever name it may be called); provided, that the organization responds to
23 subdivisions (a)(3), (a)(7), (a)(8), (a)(11), and (a)(13) of this section.

24 (c) The registration form shall be signed under penalty of perjury by two (2) authorized
25 officials of the charitable organization, one of whom shall be a director or trustee.

26 (d) For filing the registration, the department shall receive a fee of ~~seventy-five dollars~~
27 ~~(\$75.00)~~, ninety dollars (\$90), to be paid at the time of registration.

28 (e) Registration under this section shall expire one year following the approval of the
29 application by the department, unless the director prescribes a different period by rule or order.
30 Re-registration shall also be for a similar period of one year and may be effected by filing an
31 application on forms prescribed by the director no later than thirty (30) days prior to the
32 expiration of the prior registration.

33 (f) Every registered charitable organization shall notify the director within thirty (30)
34 days of any material change, of which it has actual knowledge, in the information required to be

1 furnished by the charitable organization under this section. For the purposes of this section, the
2 requirement to notify the director of a material change applies only with respect to subdivisions
3 (a)(1), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9) and (a)(13) of this section.

4 (g) Registration statements, financial reports, professional fund raisers' contracts, and all
5 other documents required to be filed pursuant to this chapter shall become public records in the
6 office of the director, except as may be otherwise specifically prohibited by this chapter or by the
7 provisions of chapter 2 of title 38.

8 (h) No charitable organization, professional fund raiser or fund raising counsel shall use
9 or exploit the fact of registration, in any manner whatsoever, so as to lead the public to believe
10 that registration in any manner constitutes an endorsement or approval by the state.

11 (i) The department may enter into reciprocal agreements with the appropriate authorities
12 of any other state or the United States for the purpose of exchanging complaint and investigative
13 information under this chapter.

14 **5-53.1-8. Professional fund raisers and fund raising counsel.** -- (a) No person shall act,
15 operate or transact business as a professional fund raiser or fund raising counsel in this state
16 before he, she or it has registered with the director or after the expiration or cancellation of such
17 registration. Applications for registration and re-registration shall be in writing, under oath and
18 penalty of perjury, in the form prescribed by the director and shall be accompanied by an annual
19 fee in the sum of ~~two hundred dollars (\$200)~~ two hundred forty dollars (\$240). A professional
20 fund raiser who has access or the ability to access or control funds that are being solicited shall at
21 the time of making application for registration or re-registration, file with, and have approved by,
22 the director a bond. In the bond, the filer shall be the principal obligor, in the sum of ten thousand
23 dollars (\$10,000), with one or more sureties whose liability in the aggregate as sureties will at
24 least equal that sum. The bond which may be in the form of a rider to a larger blanket liability
25 bond shall run to the director for the use of the state and to any person who may have a cause of
26 action against the obligor of the bond for any malfeasance or misfeasance in the conduct of the
27 solicitation. Registration or re-registration when effected shall be for a period of one year, or a
28 part thereof, expiring on the thirtieth (30th) day of June. An application for re-registration shall be
29 filed no more than thirty (30) days prior to the expiration of the registration. Applications for
30 registration and re-registration and bonds when filed with the director, shall become public
31 records in the office of the director. If there is any material change in the information provided in
32 any application for registration and re-registration, the applicant or registrant shall notify the
33 director, in writing, within twenty (20) days of the change.

34 (b) A professional fund raiser and fund raising counsel shall maintain accurate and

1 current books and records of all activities while required to be registered under subsection (a) of
2 this section; and, until at least three (3) years shall have elapsed after the end of the effective
3 period of the registration to which they relate, the books and records shall be maintained in an
4 office available for inspection and examination by the director; provided, that any books and
5 records obtained by the director shall not be available to the public for inspection. The
6 professional fund raiser or fund raising counsel shall not be required to make available to the
7 director the names and addresses of members and donors, except with their consent or the consent
8 of the organization or through legal process where good cause has been shown by the director to
9 question compliance with this chapter and access to the information is necessary to determine
10 compliance. Nothing contained in this section shall be construed to limit an organization's ability
11 to challenge the process on constitutional grounds.

12 SECTION 5. Sections 27-2.1-1 and 27-2.1-2 of the General Laws in Chapter 27-2.1
13 entitled "Additional Fees for Foreign Insurance Companies" are hereby amended to read as
14 follows:

15 **27-2.1-1. New application fee.** -- Any foreign insurance company applying for licensure
16 within the state of Rhode Island to transact insurance business must upon filing of an application
17 submit to the insurance commissioner a non-refundable application fee of one thousand dollars
18 (\$1,000). Any foreign insurance company that has previously filed an application for licensure
19 within the state of Rhode Island and whose application is currently pending must also submit a
20 non-refundable filing fee of ~~one thousand dollars (\$1,000)~~ one thousand two hundred dollars
21 (\$1,200) to keep the application current.

22 **27-2.1-2. Review of application fee.** -- Whenever any foreign insurance company has
23 made application to transact insurance business within the state and the application is to be
24 reviewed by the insurance division, as a condition precedent to the review, the company shall pay
25 to the insurance commissioner a non-refundable fee of ~~one thousand five hundred dollars~~
26 ~~(\$1,500)~~ one thousand eight hundred dollars (\$1,800) to cover the costs of the review by the
27 insurance division.

28 SECTION 6. Sections 27-10-3 and 27-10-7 of the General Laws in Chapter 27-10
29 entitled "Claim Adjusters" are hereby amended to read as follows:

30 **27-10-3. Issuance of license.** -- (a) The insurance commissioner may, upon the payment
31 of a fee ~~established by the commissioner, of one hundred twenty dollars (\$120)~~, issue to any
32 person a license to act as an insurance claims adjuster once that person satisfies the reasonable
33 requirements for the issuance of the license, as established by the commissioner.

34 (b) A Rhode Island resident business entity acting as an insurance adjuster may elect to

1 obtain an insurance adjusters license. Application shall be made using the uniform business entity
2 application. Prior to approving the application, the commissioner shall find both of the following:

3 (1) The business entity has paid the appropriate fees.

4 (2) The business entity has designated a licensed adjuster responsible for the business
5 entity's compliance with the insurance laws and rules of this state.

6 **27-10-7. Term of license -- Renewal -- Suspension or revocation.** -- The insurance
7 commissioner shall promulgate rules and regulations mandating the term of licensure for any
8 claim adjuster license. No license shall remain in force for a period in excess of four (4) years.
9 Nothing in this section shall be construed to limit the authority of the insurance commissioner to
10 sooner suspend or revoke any claim adjuster license. Any action for suspension or revocation of
11 any claim adjuster license shall be in accordance with the Administrative Procedures Act, chapter
12 35 of title 42, upon proof that the license was obtained by fraud or misrepresentation, or that the
13 interests of the insurer or the interests of the public are not properly served under the license, or
14 for cause. No claim adjuster license shall be issued by the commissioner to a person whose
15 license has been suspended or revoked within three (3) years from the date of that revocation or
16 suspension. Each license shall be renewed upon payment of a fee assessed at an annual rate of
17 ~~fifty dollars (\$50.00).~~ sixty dollars (\$60). The fee for the total term of licensure shall be payable
18 at the time of renewal.

19 SECTION 7. Section 27-10.1-1 of the General Laws in Chapter 27-10.1 entitled "Motor
20 Vehicle Damage Appraisers" is hereby amended to read as follows:

21 **27-10.1-1. Purpose of chapter -- Issuance of license -- Penalties -- Renewal --**
22 **Revocation or suspension.** -- (a) The purpose of this chapter is to subject certain individuals to
23 the jurisdiction of the insurance commissioner. The legislature declares that it is concerned with
24 the business of appraising damaged automobiles and to this end authorizes the insurance
25 commissioner to regulate that business. No person shall act as an appraiser for motor vehicle
26 physical damage claims on behalf of any insurance company or firm or corporation engaged in
27 the adjustment or appraisal of motor vehicle claims unless that person has first secured a license
28 from the insurance commissioner and has paid a license fee of ~~fifty dollars (\$50.00)~~ sixty dollars
29 (\$60.00) for each fiscal year or fraction of a year. The license shall be issued only upon the
30 successful passage of the examination that shall be administered at the discretion of the insurance
31 commissioner, but in no event less than quarterly. Each person applying for a physical damage
32 appraisers license shall pay an application fee of fifty dollars (\$50.00) to and for the use of the
33 state. The commissioner may prescribe reasonable regulations concerning standards for
34 qualifications, suspension, or revocation, and the methods with which licensees conduct their

1 business, in addition to the requirements specifically delineated within this chapter. The
2 commissioner shall submit an annual report on his or her findings and recommendations to the
3 governor and the general assembly on January 30 of each year.

4 (b) Any person who violates any provision of this chapter shall be fined not more than
5 five hundred dollars (\$500) or imprisoned not more than one year, or both.

6 (c) The insurance commissioner shall promulgate rules and regulations mandating the
7 term of license for each category of license issued pursuant to this chapter; and no license shall
8 remain in force for a period in excess of four (4) years.

9 (d) Any mandated license fee shall be determined by multiplying the number of years of
10 the license by the fee described in subsection (a). A license shall be renewed upon the payment of
11 the appropriate renewal fee. The fee for the total term of the licensure or renewal shall be paid at
12 the time of initial application or renewal.

13 (e) Nothing in this section shall be construed to limit the authority of the insurance
14 commissioner to sooner suspend or revoke any license issued pursuant to this chapter. Any action
15 for suspension or revocation of any license shall be in accordance with Administrative Procedures
16 Act, chapter 35 of title 42, upon proof that the license was obtained by fraud or misrepresentation,
17 or that the interests of the insurer or the interests of the public are not properly served under the
18 license, or for cause.

19 SECTION 8. Section 27-3.2-9 of the General Laws in Chapter 27-3.2 entitled
20 "Continuing Education Requirements" is hereby amended to read as follows:

21 **27-3.2-9. Fees.** -- (a) Notwithstanding any provision of the general laws to the contrary,
22 there is established a fee of fifteen dollars (\$15.00) per annum for the period commencing July 1,
23 2002, and ending on June 30, 2003, which shall be paid by all persons licensed pursuant to
24 chapter 2.4 of this title, and shall be deposited as general revenues.

25 (b) Notwithstanding any provision of the general laws to the contrary, for the period
26 commencing July 1, 2003, the fee shall be five dollars (\$5.00) per annum, which shall be paid by
27 all persons licensed pursuant to chapter 2.4 of this title, and shall be deposited as general
28 revenues.

29 (c) The fee for approval of a course or program to qualify as a course of continuing
30 education shall be sixty dollars (\$60), which shall be paid at the time of application and shall be
31 deposited as general revenues.

32 SECTION 9. Section 23-26-12 and 23-26-31 of the General Laws in Chapter 23-26
33 entitled "Bedding and Upholstered Furniture" are hereby amended to read as follows:

34 **23-26-12. Sterilization permits.** -- Any sterilization process, before being used in

1 connection with this chapter, must receive the approval of the director. Every person, firm, or
2 corporation desiring to operate the sterilization process shall first obtain a numbered permit from
3 the director and shall not operate the process unless the permit is kept conspicuously posted in the
4 establishment. Fee for original permit shall be ~~seventy dollars (\$70.00)~~ eighty-four dollars (\$84).
5 Application for the permit shall be accompanied by specifications in duplicate, in such form as
6 the director shall require. Each permit shall expire one year from date of issue. Fee for annual
7 renewal of a sterilizing permit shall be one-half (1/2) the original fee.

8 **23-26-31. Fees.** – (a) The per annum fees imposed for licenses issued pursuant to section
9 23-26-30 shall be as follows:

10 (1) Every applicant classified as a manufacturer of articles of bedding for sale at
11 wholesale or retail or as a supply dealer shall pay, prior to the issuance of a general license, a per
12 annum fee of ~~one hundred and seventy-five dollars (\$175)~~ two hundred ten dollars (\$210) and
13 the licensee may be engaged in any or all of the following:

- 14 (i) Manufacture of articles of bedding for sale at wholesale;
- 15 (ii) Manufacture of articles of bedding for sale at retail;
- 16 (iii) Supply dealer;
- 17 (iv) Repairer-renovator.

18 (2) Every applicant classified as a repairer-renovator or retailer of second-hand articles of
19 bedding shall pay, prior to the issuance of a limited license, a per annum fee of ~~forty dollars~~
20 ~~(\$50.00)~~ sixty dollars (\$60), and the licensee may be engaged in any or all of the following:

- 21 (i) Repairer-renovator;
- 22 (ii) Retailer of second-hand articles of bedding; provided, however, that if a license is
23 reclassified from one category to another which calls for a higher license fee, he or she shall pay a
24 pro rate share of the higher license fee for the unexpired period and shall be issued a new license
25 to expire on the expiration date of the original license.

26 (b) If, through error, a licensee has been improperly classified as of the date of issue of
27 his or her current license, the proper fee for the entire period shall be payable. Any overpayment
28 shall be refunded to the licensee. No refunds shall be allowed to any licensee who has
29 discontinued business, or whose license has been revoked or suspended or who has been
30 reclassified to a category calling for a greater or lesser license fee, except as provided herein. The
31 fee shall be paid to the director of business regulation. For reissuing a revoked or expired license
32 the fee shall be the same as for an original license.

33 (c) All payments for registration fees, sterilization process, permits, fines and penalties,
34 and other money received under this chapter shall constitute inspection fees for the purpose of

1 enforcing this chapter.

2 SECTION 10. Sections 5-8-15 and 5-8-24 of the General Laws in Chapter 5-8 entitled
3 "Engineers" are hereby amended to read as follows:

4 **5-8-15. Expiration and renewal of certificates of registration.** -- (a) Certificates of
5 registration shall expire on the last day of the month of June following their issuance and become
6 invalid after that date unless renewed. It is the duty of the board to notify every person registered
7 under this chapter of the date of the expiration of his or her certificate, and the amount of the fee
8 required for its renewal. The notice shall be mailed to the registrant at his or her last known
9 address at least one month in advance of the date of the expiration of the certificate.

10 (b) Renewal may be effected at any time prior to or during the month of June by the
11 payment of a fee set by the board in an amount not less than ~~one hundred twenty five dollars~~
12 ~~(\$125)~~ one hundred fifty dollars (\$150), but not to exceed ~~one hundred fifty dollars (\$150)~~ one
13 hundred eighty dollars (\$180). Renewal of an expired certificate may be effected within a period
14 of three (3) years, provided evidence is submitted to the board attesting to the continued
15 competence and good character of the applicant. In the event renewal is not made before the end
16 of the third year, the board may require any reexamination that it deems appropriate. The amount
17 to be paid for that renewal is the annual fee set by the board in an amount not to exceed ~~one~~
18 ~~hundred fifty dollars (\$150)~~ one hundred eighty dollars (\$180) times the number of years the
19 applicant has been delinquent, plus a penalty of sixty dollars (\$60.00) per delinquent year.

20 **5-8-24. Sole proprietorship, partnership, limited liability partnership, corporate and**
21 **limited liability company.** -- (a) The practice or offer to practice engineering as defined by this
22 chapter by a sole proprietorship, partnership, limited liability partnership, corporation or a limited
23 liability company subsequently referred to as the "firm", through individuals is permitted;
24 provided, that the individuals: (1) are in direct control of the practice; (2) exercise personal
25 supervision of all personnel who act in behalf of the firm in professional and technical matters;
26 and (3) are registered under the provisions of this chapter; and provided, that the firm has been
27 issued a certificate of authorization by the board of engineers.

28 (b) (1) Within one year after enactment of this chapter, every firm must obtain a
29 certificate of authorization from the board and those individuals in direct control of the practice
30 and who exercise direct supervision of all personnel who act in behalf of the firm in professional
31 and technical matters must be registered with the board. The certificate of authorization shall be
32 issued by the board upon satisfaction of the provisions of this chapter and the payment of a fee
33 not to exceed ~~one hundred twenty five dollars (\$125)~~ one hundred fifty dollars (\$150). This fee is
34 waived if the firm consists of only one person who is the person in responsible charge.

1 (2) Every firm desiring a certificate of authorization must file with the board an
2 application for a certificate of authorization on a form to be provided by the board. A separate
3 form provided by the board shall be filed with each renewal of the certificate of authorization and
4 within thirty (30) days of the time any information previously filed with the board has changed, is
5 no longer true or valid, or has been revised for any reason. If, in its judgment, the information
6 contained on the application and renewal form is satisfactory and complete, the board will issue a
7 certificate of authorization for the firm to practice engineering in this state.

8 (3) No firm that has been granted a certificate of authorization by the board shall be
9 relieved of responsibility for modification or derivation of the certificate, unless the board has
10 issued for the applicant a certificate of authorization or a letter indicating the eligibility of the
11 applicant to receive the certificate. The firm applying shall supply the certificate or letter from the
12 board with its application for incorporation, organization or registration as a foreign corporation.

13 SECTION 11. Sections 58.1-11 and 58.1-13 of the General Laws in Chapter 58.1
14 entitled "Land Surveyors" are hereby amended to read as follows:

15 **5-8.1-11. Board of registration for professional land surveyors -- Fees -- Payment**

16 **and disposition.** -- (a) The fees paid by an applicant for filing an application for examination, for
17 renewal, or for issuance of a duplicate certificate shall be determined by the board and shall not
18 exceed ~~one hundred fifty dollars (\$150)~~ one hundred eighty dollars (\$180) per year plus any
19 administrative costs associated with an application for examination, reexamination, annual
20 renewal, or duplicate certificate. The administrative costs shall be determined by the board. All
21 revenues received pursuant to this section shall be deposited as general revenues.

22 (b) The fees paid by an applicant for the examination, for reexamination, or for renewal
23 of any expired certificate shall be determined by the board to cover the direct expenses associated
24 with administering the examination, reexamination, or the renewal of an expired certificate.

25 **5-8.1-13. Board of registration for professional land surveyors -- Permitted**

26 **practices.** -- (a) Exemption clause. - This chapter shall not be construed to prevent or to affect:

27 (1) Employees and subordinates. - The work of an employee or subordinate of a person
28 holding a certificate of registration under this chapter; provided, that the work does not include
29 final land surveying work or decisions and is done under the direct supervision of, or checked by,
30 a person holding a certificate of registration issued under this chapter.

31 (2) Federal employees. - The practice by officers and employees of the government of
32 the United States while engaged within this state in the practice of land surveying for the
33 government on property owned by the federal government; provided, that no right to practice land
34 surveying accrues to those persons as to any other land surveying work. The right to registration

1 after government employment shall not be granted except under the provisions prescribed under
2 section 5-8.1-11.

3 (3) Other professions. - The practice of engineering, architecture, or landscape
4 architecture.

5 (b) Sole proprietorship, partnership, limited liability partnership, corporate and limited
6 liability company practice.

7 (1) The practice or offer to practice land surveying as defined by this chapter by sole
8 proprietorship, partnership, limited liability partnership, corporation or limited liability company,
9 subsequently referred to as the "firm", through individuals is permitted; provided, that the
10 individuals are in direct control of that practice; exercise personal supervision of all personnel
11 who act in behalf of the firm in professional and technical matters; and are registered under the
12 provisions of this chapter; and provided, that the firm has been issued a certificate of
13 authorization by the board of land surveyors.

14 (2) Within one year after the enactment of this chapter [July 12, 1990] every firm must
15 obtain a certificate of authorization from the board and those individuals in direct control of the
16 practice and who exercise direct supervision of all personnel who act in behalf of the firm in
17 professional and technical matters must be registered with the board. The certificate of
18 authorization shall be issued by the board upon satisfaction of the provisions of this chapter and
19 the payment of an annual fee not to exceed ~~forty dollars (\$40.00)~~ sixty dollars (\$60).

20 (3) It is the intent of the board of registration to establish that the professional land
21 surveyor is responsible for land surveying services.

22 (4) Every firm desiring a certificate of authorization must file with the board an
23 application for the certificate on a form provided by the board. A separate form provided by the
24 board shall be filed with each renewal of the certificate of authorization and within thirty (30)
25 days of the time any information previously filed with the board has changed, is no longer true or
26 valid, or has been revised for any reason. If, in its judgment, the information contained on the
27 application and renewal form is satisfactory and complete, the board shall issue a certificate of
28 authorization for the firm to practice land surveying in this state.

29 (5) No firm that has been granted a certificate of authorization by the board of land
30 surveyors is relieved of responsibility for the conduct or acts of its agents, employees, partners (if
31 a partnership or a limited liability partnership), officers or directors (if a corporation), or members
32 or managers (if a limited liability company) because of its compliance with the provisions of this
33 section. No individual practicing land surveying under the provisions of this chapter is relieved of
34 responsibility for land surveying services performed by reason of his or her employment or other

1 relationship with a firm holding a certificate of authorization as subsequently described. In the
2 event of unexpected death, retirement, dismissal or any other occasion where an entity has one
3 person who is a registered land surveyor, and that person no longer can continue in the operation
4 of the entity, then the board of registration may waive certain requirements for a certificate of
5 authorization, for a period of not longer than forty-five (45) days, provided that the entity retains
6 a person who is a registered professional land surveyor to review and pursue the duties of
7 surveying that are required under this chapter.

8 (6) A land surveyor may not, for the purposes of this section, be designated as being in
9 responsible charge on more than two (2) certificates of authorization.

10 (7) Certificates of authorization shall be treated for all purposes hereunder, including, but
11 not limited to, renewal, expiration and lapsing, as previously provided for certificates of
12 registration in section 58.1-10; provided, however, that renewal may be effected at any time
13 prior to or during the month of June of each even-numbered year (meaning biennially)
14 commencing in year 2004.

15 (8) Limited liability partnerships, corporations and limited liability companies shall
16 submit a copy of their articles of incorporation, articles of organization or certificate of
17 registration in order to obtain a certificate of authorization from the board of land surveyors.

18 (9) Corporations other than those organized under chapter 5.1 of title 7, partnerships and
19 sole proprietorships practicing in this state prior to July 12, 1990, shall fully comply with the
20 provisions of this section within one year of that date.

21 (10) Effective one year from July 1, 1990, the secretary of state shall not issue a
22 certificate of incorporation or certificate of organization or certificate of registration to any
23 applicant, or a registration as a foreign corporation, limited liability partnership or limited liability
24 company, to any firm, which includes among the objectives for which it is being established any
25 of the words "surveyor", "surveying" or any modification or derivation of those words, unless the
26 board of land surveyors has issued for the applicant a certificate of authorization or a letter
27 indicating the eligibility of the applicant to receive the certificate. The firm applying shall supply
28 the certificate or letter from the board with its application for incorporation or registration as a
29 foreign corporation, limited liability partnership or limited liability company.

30 (c) Land surveyor previously registered. - Each land surveyor holding a certificate of
31 registration and each land surveyor-in-training under the laws of this state as previously in effect
32 shall be deemed registered as a land surveyor or land surveyor-in-training as appropriate under
33 this chapter.

34 (d) This section does not exempt the political subdivisions of the state, such as county,

1 city, or town, or legally constituted boards, districts, or commissions, from obtaining a certificate
2 of authorization from the board of registration when applicable.

3 SECTION 12. Section 5-1-11 of the General Laws in Chapter 5-1 entitled "Architects" is
4 hereby amended to read as follows:

5 **5-1-11. Fees – Payment and disposition.** -- (a) The fees paid by an applicant for filing
6 an application for examination, for the examination, for re-examination, for registration pursuant
7 to section 5-1-9, for annual renewal, for renewal of an expired certificate, or for issuance of a
8 duplicate certificate of registration shall be ~~in accordance with section 12, entitled "Fees", of the~~
9 ~~bylaws of the board, as amended~~ sixty dollars (\$60).

10 (b) All fees or other monies collected under the provisions of this chapter shall be
11 deposited as general revenues. The controller is authorized and directed to draw his or her orders
12 upon the general treasurer for payment from the fund, upon receipt by the controller of vouchers
13 authenticated by the chairperson or secretary of the board.

14 (c) The fees paid by an applicant for a certificate of authorization pursuant to this section
15 for annual renewal, for renewal of an expired certificate of authorization, or for issuance of a
16 duplicate certificate of authorization, shall be ~~in accordance with section 12, entitled "Fees", of~~
17 ~~the bylaws of the board, as amended~~ sixty dollars (\$60).

18 SECTION 13. Section 5-51-14 of the General Laws in Chapter 5-51 entitled "Rhode
19 Island State Board of Examiners of Landscape Architects" is hereby amended to read as follows:

20 **5-51-14. Fees.** -- The following is the schedule of fees to be charged by the board:

21 (1) The fees to be paid by an applicant for examination or reexamination to determine his
22 or her fitness to receive a certificate of registration shall be determined by the board so as to cover
23 expenses associated with administering and evaluating the examination or reexamination.

24 (2) The fee to be paid for the restoration of an expired certificate of registration shall not
25 exceed ~~one hundred twenty-five dollars (\$125)~~ one hundred fifty dollars (\$150) for every year or
26 portion of a year the applicant has been delinquent, plus a penalty of twenty-five dollars (\$25.00).

27 (3) The fee to be paid upon the renewal of a certificate of registration shall not exceed
28 ~~one hundred twenty-five dollars (\$125)~~ one hundred fifty dollars (\$150).

29 (4) The fee to be paid by an applicant for a certificate of registration who is a landscape
30 architect registered or licensed under the laws of another state under section 5-51-7, shall not
31 exceed ~~one hundred fifty dollars (\$150)~~ one hundred eighty dollars (\$180).

32 (5) The fee to be paid by an applicant for a certificate of registration who qualifies and is
33 a resident of this state is ~~thirty dollars (\$30.00)~~ thirty-six dollars (\$36).

34 (6) The fee to be paid for a duplicate certificate is ~~thirty dollars (\$30.00)~~ thirty-six

1 dollars (\$36).

2 (7) The initial fee for a certificate of authorization shall not exceed ~~one hundred twenty-~~
3 ~~five dollars (\$125)~~ one hundred fifty dollars (\$150).

4 (8) The annual renewal fee for a certificate of authorization is ~~fifty dollars (\$50.00)~~ sixty
5 dollars (\$60).

6 (9) The fee to be paid for the reinstatement of an expired certificate of authorization is
7 ~~fifty dollars (\$50.00)~~ sixty dollars (\$60) for every year or portion of a year the applicant has been
8 delinquent, plus a penalty of twenty-five dollars (\$25.00).

9 (10) All fees received by the board shall be deposited as general revenues.

10 SECTION 14. This article shall take effect upon passage.

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