

Via Electronic Mail

March 28, 2025

The Honorable Representative Robert E. Craven, Sr. Chair, House Committee on Judiciary Rhode Island State House Providence, RI 02903

RE: Letter Regarding House Bill 5892 Substitute A – An Act Relating to Courts and Civil Procedure – Courts – Court Administration

Dear Chair Craven:

I am writing on behalf of the Rhode Island Department of Revenue, Division of Taxation ("Division"), to: i) explain the background and current statutory context for this bill and ii) request your support to amend this bill as explained below. The purpose of House Bill 5892 is to protect judicial officers' and their immediate family members' personal information who serve or have served the Rhode Island unified judicial system and the personal information of judicial officers who reside in Rhode Island who serve or have served in the various federal courts.

This letter is not intended as a position in support of or opposition to the bill, but only as recommendations on drafting to provide clarity in the bill and to aid tax administration and compliance.

As you know, this bill would prohibit any state, county, or municipal agency from publicly posting or displaying the personal information of a protected individual after receiving the protected individual's written request without first obtaining the written permission of that individual. Per the bill's proposed language, "[p]rotected individual" means "a retired, recalled, or current justice, judge, or magistrate of the Rhode Island unified judicial system, as defined in § 8-15-1, and retired, recalled, or current justices, judges and magistrates of the United States Supreme Court, United States Courts of Appeal, United States District Courts and United States Bankruptcy Courts who reside in the State of Rhode Island."

As Governor Daniel J. McKee's March 11, 2025, letter of support indicates, this bill provides measures at the state level to protect and ensure the safety of state and federal members of the judiciary and their families who have seen increasing risks to their safety in recent years. The Division concurs with Governor McKee that this bill would aid in providing additional protection for judicial officers and their family members.

Without diminishing the purpose of this bill, the Division would respectfully request that a Substitute A be introduced to include the following language:

(b)(4) This subsection (b) shall not prohibit the list of delinquent taxpayers published pursuant to § 44-1-34 from containing the name of any protected

individual or immediate family member, the type of tax levied, and the amount of the delinquency, including interest and penalty. Addresses, including the city or town and zip code, of any protected individual or immediate family member shall not be disclosed on such list once the division of taxation receives a written notice filed in accordance with subsection (b)(2).

This amendment would allow the Division to comply with the statutory requirement in R.I. Gen. Laws § 44-1-34 to publicly list delinquent taxpayers that would otherwise not be listed due to the bill's prohibition, without jeopardizing the goal of the bill to protect the safety of judicial officers and their family members because those individuals will not have their addresses publicly posted and provides a process to ensure that the purpose of the bill is administered effectively. The Division worked collaboratively on the proposed language with the Judiciary, which has indicated that it has no objection to the inclusion of this language in a Substitute A.

For the reasons above, and to aid in tax compliance and administration, the Division requests that House Bill 5892 be modified per this letter's request and believes it maintains the important purpose of the bill, while also allowing the Division to continue its essential tax collections work.

I look forward to working with you and appreciate your consideration.

Very truly yours,

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Neena S. Savage Tax Administrator

 cc: The Honorable Members of the House Committee on Judiciary (via: <u>HouseJudiciary@rilegislature.gov</u>) The Honorable Carol Hagan McEntee (via: <u>rep-mcentee@rilegislature.gov</u>) Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House Kathleen Kelly, Esquire, General Counsel, Rhode Island Supreme Court Lynne Urbani, Director of House Policy Thomas A. Verdi, Director, Department of Revenue