

2023 -- S 0026

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO HEALTH AND SAFETY -- HARM REDUCTION CENTER ADVISORY
COMMITTEE AND PILOT PROGRAM

Introduced By: Senator Joshua Miller

Date Introduced: January 18, 2023

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-12.10-1 and 23-12.10-5 of the General Laws in Chapter 23-12.10
2 entitled "Harm Reduction Center Advisory Committee and Pilot Program. [Expires March 1,
3 2024.]" are hereby amended to read as follows:

4 ~~23-12.10-1. Purpose and creation — Municipal authorization required. [Expires~~
5 ~~March 1, 2024.] Purpose and creation — Municipal authorization required. [Expires March~~
6 ~~1, 2026.]~~

7 (a) The purpose of this chapter is to authorize a ~~two-year (2)~~ four (4) year pilot program to
8 prevent drug overdoses through the establishment of "harm reduction centers," which, as used in
9 this chapter, shall be defined as a community-based resource for health screening, disease
10 prevention, and recovery assistance where persons may safely consume pre-obtained substances.
11 Smoking of pre-obtained substances shall also be permitted within the harm reduction center.

12 (b) Each harm reduction center shall provide the necessary healthcare professionals to
13 prevent overdose, and shall provide referrals for counseling or other medical treatment that may be
14 appropriate for persons utilizing the harm reduction center.

15 (c) The director of the department of health shall promulgate regulations to authorize the
16 program established by this chapter, and in accordance with § 23-12.10-5. Nothing contained in
17 this section authorizes a harm reduction center without approval of the municipality in which the
18 center is proposed.

1 (d)(1) Any harm reduction center proposed to be operated pursuant to the provisions of this
2 chapter shall require municipal authorization and approval prior to opening or operating in any
3 community within this state.

4 (2) As used in this chapter, the term “municipal authorization and approval” means an
5 express affirmative vote by the city or town council, or the equivalent governing body, of any
6 municipality where a harm reduction center is proposed to be located, which affirmative vote
7 approves:

8 (i) The opening and operation of the proposed harm reduction center;

9 (ii) The exact location of the proposed harm reduction center, which shall include street
10 address and plat and lot number or other applicable number as used by the municipality’s tax
11 assessor; and

12 (iii) An express authorization as to the hours of operation of the proposed harm reduction
13 center.

14 (e) Each harm reduction center approved for operation pursuant to the provisions of this
15 chapter shall cease operations on or before March 1, ~~2024~~ 2026, unless an act of the general
16 assembly expressly authorizes the continuation of the operation of the harm reduction center.

17 **23-12.10-5. Promulgation of regulations. [Expires March 1, 2024.] Promulgation of**
18 **regulations. [Expires March 1, 2026.]**

19 The director of the department of health shall promulgate regulations authorized by this
20 chapter no later than March 1, 2022. Provided, the director shall amend these regulations to the
21 extent the director deems necessary after March 1, 2022, to address the smoking of pre-obtained
22 substances.

23 SECTION 2. Chapter 23-12.10 of the General Laws entitled "Harm Reduction Center
24 Advisory Committee and Pilot Program. [Effective March 1, 2022, and Expires March 1, 2024.]"
25 is hereby amended by adding thereto the following section:

26 **23-12.10-6. Sunset.**

27 On or before January 31, 2026, the director of the department of health and the attorney
28 general shall submit to the governor, the speaker of the house and the president of the senate,
29 recommendations as to continuation of the provisions of this chapter, and unless extended by the
30 general assembly, the provisions of this chapter shall sunset and expire on March 1, 2026.

31 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- HARM REDUCTION CENTER ADVISORY
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1 This act would extend the expiration date of the Harm Reduction Center Advisory
2 Committee and Pilot Program by two years, from March 1, 2024, to March 1, 2026. Each harm
3 reduction center would have to cease operations on or before March 1, 2026. The act would also
4 permit the smoking of pre-obtained substances within a harm reduction center.

5 This act would take effect upon passage.

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