

2023 -- H 5951

LC002187

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Introduced By: Representative Samuel A. Azzinaro

Date Introduced: March 01, 2023

Referred To: House Municipal Government & Housing

(Office of Veterans Services)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-3-4 of the General Laws in Chapter 44-3 entitled "Property
2 Subject to Taxation" is hereby amended to read as follows:

3 **44-3-4. Veterans' exemptions.**

4 (a)(1) The property of each person who served in the military, [national guard](#) or naval
5 service of the United States in the war of the rebellion, the Spanish-American war, the insurrection
6 in the Philippines, the China-relief expedition, or World War I, and the property of each person
7 who served in the military, [national guard](#) or naval service of the United States in World War II at
8 any time during the period beginning December 7, 1941, and ending on December 31, 1946, and
9 members who served in uniform during the Cold War between 1947 through 1991, including those
10 members who did not serve in a declared war or conflict and the property of each person who
11 served in the military, [national guard](#) or naval services of the United States in the Korean conflict
12 at any time during the period beginning June 27, 1950, and ending January 31, 1955, or in the
13 Vietnam conflict at any time during the period beginning February 28, 1961, and ending May 7,
14 1975, or who actually served in the Grenada or Lebanon conflicts of 1983-1984, or the Persian Gulf
15 conflict, the Haitian conflict, the Somalian conflict, and the Bosnian conflict, at any time during
16 the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or undeclared war
17 and who was honorably discharged from the service, or who was discharged under conditions other
18 than dishonorable, or who, if not discharged, served honorably, or the property of the unmarried
19 widow or widower of that person, is exempted from taxation to the amount of one thousand dollars

- 1 (\$1,000), except in:
- 2 (i) *Burrillville*, where the exemption is four thousand dollars (\$4,000);
- 3 (ii) *Cumberland*, where the town council may, by ordinance, provide for an exemption of
4 a maximum of twenty-three thousand seven hundred seventy-two dollars (\$23,772);
- 5 (iii) *Cranston*, where the exemption shall not exceed three thousand dollars (\$3,000);
- 6 (iv) *Jamestown*, where the town council may, by ordinance, provide for a tax credit or
7 exemption to any veteran of the United States armed services regardless of their qualified service
8 dates, who was honorably discharged or who was discharged under conditions other than
9 dishonorable;
- 10 (v) *Lincoln*, where the exemption shall not exceed ten thousand dollars (\$10,000); and
11 where the town council may also provide for a real estate tax exemption not exceeding ten thousand
12 dollars (\$10,000) for those honorably discharged active duty veterans who served in Operation
13 Desert Storm;
- 14 (vi) *Newport*, where the exemption is four thousand dollars (\$4,000);
- 15 (vii) *New Shoreham*, where the town council may, by ordinance, provide for an exemption
16 of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);
- 17 (viii) *North Kingstown*, where the exemption is ten thousand dollars (\$10,000);
- 18 (ix) *North Providence*, where the town council may, by ordinance, provide for an
19 exemption of a maximum of five thousand dollars (\$5,000);
- 20 (x) **[As amended by P.L. 2015, ch. 168, § 1]**. *Smithfield*, where the exemption is ten
21 thousand dollars (\$10,000);
- 22 (x) **[As amended by P.L. 2015, ch. 179, § 1]**. *Smithfield*, where the exemption is four
23 thousand dollars (\$4,000). Provided, effective July 1, 2016, the Smithfield town council may, by
24 ordinance, provide for an exemption of a maximum of ten thousand dollars (\$10,000);
- 25 (xi) *Warren*, where the exemption shall not exceed five thousand five hundred dollars
26 (\$5,500) on motor vehicles, or ten thousand one hundred seventy-five dollars (\$10,175) on real
27 property;
- 28 (xii) *Westerly*, where the town council may, by ordinance, provide an exemption of the
29 total value of the veterans' real and personal property to a maximum of forty thousand five hundred
30 dollars (\$40,500);
- 31 (xiii) *Barrington*, where the town council may, by ordinance, provide for an exemption of
32 six thousand dollars (\$6,000) for real property;
- 33 (xiv) *Exeter*, where the exemption is five thousand dollars (\$5,000);
- 34 (xv) *Glocester*, where the exemption shall not exceed thirty thousand dollars (\$30,000);

1 (xvi) *West Warwick*, where the city council may, by ordinance, provide for an exemption
2 of up to ten thousand dollars (\$10,000);

3 (xvii) *Warwick*, where the city council may, by ordinance, provide for an exemption of a
4 maximum of four thousand dollars (\$4,000);

5 (xviii) [As added by P.L. 2016, ch. 238, § 1]. *Charlestown*, where the town council may,
6 by ordinance, provide for an additional exemption to any veteran of the United States armed
7 services, regardless of the veteran's qualified service dates, who was honorably discharged, or to
8 the unmarried widow or widower of that person who is not currently receiving this statutory
9 exemption;

10 (xix) [As added by P.L. 2016, ch. 268, § 1]. *Charlestown*, where the town council may, by
11 ordinance, provide for an additional tax credit to any veteran of the United States armed services,
12 regardless of the veteran's qualified service dates, who was honorably discharged, or to the
13 unmarried widow or widower of that person who is not currently receiving this statutory exemption;

14 (xx) *Narragansett*, where the town council may, by ordinance, provide for an exemption
15 of a maximum of twenty thousand dollars (\$20,000) from the assessed value of real property, or
16 twelve thousand dollars (\$12,000) from the assessed value of a motor vehicle;

17 (xxi) *Tiverton*, where the town council may provide, by ordinance as may be amended from
18 time to time, a tax credit of two hundred dollars (\$200) or greater; and

19 (xxii) *North Smithfield*, where the town council may provide, by ordinance, as may be
20 amended from time to time, a tax dollar credit reduction of three hundred and fifty dollars (\$350)
21 or greater to any veteran as defined in subsection (a)(1) of this section, or a tax dollar credit
22 reduction of two hundred dollars (\$200) or greater to the unmarried widow or widower of any
23 veteran as defined in subsection (a)(1) of this section.

24 (2) The exemption is applied to the property in the municipality where the person resides,
25 and if there is not sufficient property to exhaust the exemption, the person may claim the balance
26 in any other city or town where the person may own property; provided, that the exemption is not
27 allowed in favor of any person who is not a legal resident of the state, or unless the person entitled
28 to the exemption has presented to the assessors, on or before the last day on which sworn statements
29 may be filed with the assessors for the year for which exemption is claimed, evidence that he or
30 she is entitled, which evidence shall stand so long as his or her legal residence remains unchanged;
31 provided, however, that in the town of *South Kingstown*, the person entitled to the exemption shall
32 present to the assessors, at least five (5) days prior to the certification of the tax roll, evidence that
33 he or she is entitled to the exemption; and, provided, further, that the exemption provided for in
34 this subdivision to the extent that it applies in any city or town, shall be applied in full to the total

1 value of the person's real and tangible personal property located in the city or town; and, provided,
2 that there is an additional exemption from taxation in the amount of one thousand dollars (\$1,000),
3 except in:

4 (i) *Central Falls*, where the city council may, by ordinance, provide for an exemption of a
5 maximum of seven thousand five hundred dollars (\$7,500);

6 (ii) *Cranston*, where the exemption shall not exceed three thousand dollars (\$3,000);

7 (iii) *Cumberland*, where the town council may, by ordinance, provide for an exemption of
8 a maximum of twenty-two thousand five hundred dollars (\$22,500);

9 (iv) *Lincoln*, where the exemption shall not exceed ten thousand dollars (\$10,000);

10 (v) *Newport*, where the exemption is four thousand dollars (\$4,000);

11 (vi) *New Shoreham*, where the town council may, by ordinance, provide for an exemption
12 of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

13 (vii) *New Shoreham*, where the town council may, by ordinance, provide for an exemption
14 of a maximum of five thousand dollars (\$5,000);

15 (viii) *Smithfield*, where the exemption is four thousand dollars (\$4,000);

16 (ix) *Warren*, where the exemption shall not exceed eleven thousand dollars (\$11,000);

17 (x) *Barrington*, where the town council may, by ordinance, provide for an exemption of
18 six thousand dollars (\$6,000) for real property; of the property of every honorably discharged
19 veteran of World War I or World War II, Korean or Vietnam, Grenada or Lebanon conflicts, the
20 Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict at any
21 time during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or
22 undeclared war who is determined by the Veterans Administration of the United States of America
23 to be totally disabled through service-connected disability and who presents to the assessors a
24 certificate from the veterans administration that the person is totally disabled, which certificate
25 remains effectual so long as the total disability continues;

26 (xi) *Charlestown*, where the town council may, by ordinance, create a tax dollar credit
27 reduction to replace the tax assessment exemption, as so stated in all sections herein; and

28 (xii) *Jamestown*, where the town council may, by ordinance, provide for an exemption to
29 any veteran of the United States armed services regardless of their qualified service dates, who was
30 honorably discharged or who was discharged under conditions other than dishonorable, or to the
31 unmarried widow or widower of that person who is not currently receiving this statutory exemption.

32 (3) Provided, that:

33 (i) *Burrillville* may exempt real property of the totally disabled persons in the amount of
34 six thousand dollars (\$6,000);

1 (ii) *Cumberland* town council may, by ordinance, provide for an exemption of a maximum
2 of twenty-two thousand five hundred dollars (\$22,500);

3 (iii) *Little Compton* may, by ordinance, exempt real property of each of the totally disabled
4 persons in the amount of six thousand dollars (\$6,000);

5 (iv) *Middletown* may exempt the real property of each of the totally disabled persons in the
6 amount of five thousand dollars (\$5,000);

7 (v) *New Shoreham* town council may, by ordinance, provide for an exemption of a
8 maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

9 (vi) *North Providence* town council may, by ordinance, provide for an exemption of a
10 maximum of five thousand dollars (\$5,000);

11 (vii) The *Tiverton* town council may, by ordinance which may be amended from time to
12 time, provide for a four-hundred-dollar (\$400) tax credit or greater on the real property of each of
13 the totally disabled persons;

14 (viii) *West Warwick* town council may exempt the real property of each of the totally
15 disabled persons in an amount of two hundred dollars (\$200);

16 (ix) *Westerly* town council may, by ordinance, provide for an exemption on the total value
17 of real and personal property to a maximum of forty-six thousand five hundred dollars (\$46,500);
18 and

19 (x) *Jamestown*, where the town council may, by ordinance, provide for an additional tax
20 credit or exemption on real and personal property to any veteran of the United States armed services
21 regardless of their qualified service dates, who is considered one hundred percent (100%) totally
22 disabled through a service connected disability and who was honorably discharged or who was
23 discharged under conditions other than dishonorable, or to the unmarried widow or widower of that
24 person who is not currently receiving this statutory exemption.

25 (4) There is an additional exemption from taxation in the town of:

26 *Warren*, where its town council may, by ordinance, provide for an exemption not exceeding
27 eight thousand two hundred fifty dollars (\$8,250), of the property of every honorably discharged
28 veteran of World War I or World War II, or Vietnam, Grenada or Lebanon conflicts, the Persian
29 Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict, at any time
30 during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or
31 undeclared war who is determined by the Veterans' Administration of the United States of America
32 to be partially disabled through a service-connected disability and who presents to the assessors a
33 certificate that he or she is partially disabled, which certificate remains effectual so long as the
34 partial disability continues. Provided, however, that the *Barrington* town council may exempt real

1 property of each of the above named persons in the amount of three thousand dollars (\$3,000);
2 *Warwick* city council may, by ordinance, exempt real property of each of the above-named persons
3 and to any person who served in any capacity in the military or naval service during the period of
4 time of the Persian Gulf conflict, whether or not the person served in the geographical location of
5 the conflict, in the amount of four thousand dollars (\$4,000).

6 (5) *Lincoln*. There is an additional exemption from taxation in the town of Lincoln for the
7 property of each person who actually served in the military or naval service of the United States in
8 the Persian Gulf conflict and who was honorably discharged from the service, or who was
9 discharged under conditions other than dishonorable, or who, if not discharged, served honorably,
10 or of the unmarried widow or widower of that person. The exemption shall be determined by the
11 town council in an amount not to exceed ten thousand dollars (\$10,000).

12 (b) In addition to the exemption provided in subsection (a) of this section, there is a ten-
13 thousand dollar (\$10,000) exemption from local taxation on real property for any veteran and the
14 unmarried widow or widower of a deceased veteran of the military or naval service of the United
15 States who is determined, under applicable federal law by the Veterans Administration of the
16 United States, to be totally disabled through service-connected disability and who, by reason of the
17 disability, has received assistance in acquiring "specially adopted housing" under laws
18 administered by the veterans' administration; provided, that the real estate is occupied as his or her
19 domicile by the person; and, provided, that if the property is designed for occupancy by more than
20 one family, then only that value of so much of the house as is occupied by the person as his or her
21 domicile is exempted; and, provided, that satisfactory evidence of receipt of the assistance is
22 furnished to the assessors except in:

23 (1) *Cranston*, where the exemption shall not exceed thirty thousand dollars (\$30,000);

24 (2) *Cumberland*, where the town council may provide for an exemption not to exceed seven
25 thousand five hundred dollars (\$7,500);

26 (3) *Newport*, where the exemption is ten thousand dollars (\$10,000) or ten percent (10%)
27 of assessed valuation, whichever is greater;

28 (4) *New Shoreham*, where the town council may, by ordinance, provide for an exemption
29 of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

30 (5) *North Providence*, where the town council may, by ordinance, provide for an exemption
31 not to exceed twelve thousand five hundred dollars (\$12,500);

32 (6) *Westerly*, where the town council may, by ordinance, provide for an exemption of a
33 maximum of forty thousand five hundred dollars (\$40,500);

34 (7) *Lincoln*, where the town council may, by ordinance, provide for an exemption of a

1 maximum of fifteen thousand dollars (\$15,000);

2 (8) *Narragansett*, where the town council may, by ordinance, provide for an exemption of
3 a maximum of fifty thousand dollars (\$50,000);

4 (9) *Tiverton*, where the town council may, by ordinance, provide for a tax credit of two
5 hundred dollars (\$200) or greater, as may be amended from time to time;

6 (10) *Jamestown*, where the town council may, by ordinance, provide for a tax credit; and

7 (11) *North Smithfield*, where the town council may, by ordinance, as may be amended from
8 time to time, provide for a tax dollar credit reduction of three hundred and fifty dollars (\$350) or
9 greater.

10 (c) In addition to the previously provided exemptions, any veteran of the military or naval
11 service of the United States who is determined, under applicable federal law by the Veterans'
12 Administration of the United States to be totally disabled through service-connected disability may,
13 by ordinance, passed in the city or town where the veteran's property is assessed, receive a ten
14 thousand dollar (\$10,000) exemption from local taxation on his or her property whether real or
15 personal and if the veteran owns real property may be exempt from taxation by any fire and/or
16 lighting district; provided, that in the town of: *North Kingstown*, where the amount of the exemption
17 shall be eleven thousand dollars (\$11,000) commencing with the December 31, 2002, assessment;
18 and for the town of *Westerly*, where the amount of the exemption shall be thirty-nine thousand
19 dollars (\$39,000) commencing with the December 31, 2005, assessment; and in the town of
20 *Cumberland*, where the amount of the exemption shall not exceed forty-seven thousand five
21 hundred forty-four dollars (\$47,544); and the town of *Narragansett*, where the amount of the
22 exemption shall not exceed twenty thousand dollars (\$20,000) from the assessed value of real
23 property or twelve thousand dollars (\$12,000) from the assessed value of a motor vehicle; and in
24 the city of *Cranston*, commencing with the December 31, 2016, assessment, where the exemption
25 will not exceed two hundred fifty thousand dollars (\$250,000) and be extended to the unmarried
26 widow or widower of such veteran, and in the town of *Tiverton*, where, by ordinance, a tax credit
27 of two hundred dollars (\$200) or greater shall be applied to the qualified veteran's property
28 assessment tax bill.

29 (d) In determining whether or not a person is the widow or widower of a veteran for the
30 purposes of this section, the remarriage of the widow or widower shall not bar the furnishing of the
31 benefits of the section if the remarriage is void, has been terminated by death, or has been annulled
32 or dissolved by a court of competent jurisdiction.

33 (e) In addition to the previously provided exemptions, there may by ordinance passed in
34 the city or town where the person's property is assessed, be an additional fifteen thousand dollars

1 (\$15,000) exemption from local taxation on real and personal property for any veteran of military
2 or naval service of the United States or the unmarried widow or widower of person who has been
3 or shall be classified as, or determined to be, a prisoner of war by the Veterans' Administration of
4 the United States, except in:

5 (1) *Westerly*, where the town council may, by ordinance, provide for an exemption of a
6 maximum of sixty-eight thousand dollars (\$68,000);

7 (2) *Cumberland*, where the town council may by ordinance provide for an exemption of a
8 maximum of forty-seven thousand five hundred forty-four dollars (\$47,544);

9 (3) *Narragansett*, where the town council may, by ordinance, provide for an exemption of
10 a maximum of forty thousand dollars (\$40,000);

11 (4) *Tiverton*, where the town council may, by ordinance, provide for a tax credit of six
12 hundred dollars (\$600) or greater;

13 (5) *Jamestown*, where the town council may, by ordinance, provide for an exemption
14 greater than fifteen thousand dollars (\$15,000) of value or a tax credit that would offer an equivalent
15 relief or benefit; and

16 (6) *North Smithfield*, where the town council may, by ordinance, as may be amended from
17 time to time, provide for a tax dollar credit reduction of three hundred and fifty dollars (\$350) or
18 greater.

19 (f) Cities and towns granting exemptions under this section shall use the eligibility dates
20 specified in this section.

21 (g) The several cities and towns not previously authorized to provide an exemption for
22 those veterans who actually served in the Persian Gulf conflict may provide that exemption in the
23 amount authorized in this section for veterans of other recognized conflicts.

24 (h) *Bristol*, where the town council of Bristol may, by ordinance, provide for an exemption
25 for any veteran and the unmarried widow or widower of a deceased veteran of military or naval
26 service of the United States who is determined, under applicable federal law by the Veterans'
27 Administration of the United States to be partially disabled through service-connected disability.

28 (i) In addition to the previously provided exemption, any veteran who is discharged from
29 the military or naval service of the United States under conditions other than dishonorable, or an
30 officer who is honorably separated from military or naval service, who is determined, under
31 applicable federal law by the Veterans Administration of the United States to be totally and
32 permanently disabled through a service-connected disability, who owns a specially adapted
33 homestead that has been acquired or modified with the assistance of a special adaptive housing
34 grant from the Veteran's Administration and that meets Veteran's Administration and Americans

1 with disability act guidelines from adaptive housing or that has been acquired or modified using
2 proceeds from the sale of any previous homestead that was acquired with the assistance of a special
3 adaptive housing grant from the veteran's administration, the person or the person's surviving
4 spouse is exempt from all taxation on the homestead. Provided, that in the town of *Westerly* where
5 the amount of the above referenced exemption shall be forty-six thousand five hundred dollars
6 (\$46,500).

7 (j) The town of *Coventry* may provide, by ordinance, a one-thousand-dollar (\$1,000)
8 exemption for any person who is an active member of the armed forces of the United States.

9 (k) The town of *Scituate* may provide, by ordinance, in lieu of a tax exemption that grants
10 to all disabled veterans with a one hundred percent (100%) service-connected disability, a tax credit
11 in an amount to be determined from time to time by the town council.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

1 This act would include the national guard in the definition of who is eligible for veterans'
2 exemptions.

3 This act would take effect upon passage.

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