

2023 -- H 6323 AS AMENDED

LC002848

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Representatives Tanzi, Ajello, Stewart, Morales, Cruz, Kislak, Diaz, Slater, Henries, and Speakman

Date Introduced: April 26, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-18 of the General Laws entitled "Residential Landlord and Tenant
2 Act" is hereby amended by adding thereto the following section:

3 **34-18-58. Sealing and unsealing of court files.**

4 (a) Actions arising under §§ 34-18-35, 34-18-36, and 34-18-38 may be sealed by the court
5 upon motion by any party or parties filed at least thirty (30) days after the expiration of the appeal
6 period following the conclusion of the underlying civil action.

7 (b) In ruling on the motion to seal, the court shall grant the motion and seal the record of
8 the civil action upon a finding that the underlying civil action was dismissed as a result of a motion
9 to dismiss, the action was resolved by stipulation and the terms of the stipulation have been satisfied
10 by the parties, any monetary judgment against the moving party has been satisfied in full or the
11 action has been dismissed for lack of prosecution after a five (5) year period. The court shall also
12 make a finding that the moving party notified all parties to the underlying civil action of their
13 motion to seal the record and that motion is the only request made under this section by the moving
14 party within the previous five (5) years.

15 (c) Any party to an action arising under §§ 34-18-35, 34-18-36, and 34-18-38 may file a
16 motion to seal the record of the action upon satisfaction of the requirements set forth in subsections
17 (a) and (b) of this section. Parties requesting seal of their record under this section are limited to
18 one request every five (5) years.

19 SECTION 2. This act shall take effect on January 1, 2024.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

1 This act would provide for the sealing of court files in residential eviction proceedings
2 upon the filing of a motion.

3 This act would take effect on January 1, 2024.

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