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LC003859

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Introduced By: Representative Alex S. Finkelman

Date Introduced: January 16, 2026

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-3-13.6 of the General Laws in Chapter 44-3 entitled "Property

2 Subject to Taxation" is hereby amended to read as follows:

3 **44-3-13.6. Jamestown — Exemption of persons 65 years and over.**

4 (a) The town council of the town of Jamestown may, by ordinance, exempt from valuation
5 for taxation, the real property situated in the town and owned and occupied by any person sixty-
6 five (65) years or over, which exemption is in addition to any and all other exemptions from taxation
7 to which the person may be otherwise entitled.

8 (b)(1) The town council of the town of Jamestown may, from time to time, by ordinance,
9 make changes in the amount of exemption granted and the rules and regulations as it deems
10 necessary to promote the purpose of this section. The schedule of exemptions is as follows:

11 (i) Taxpayers with an income of not less than two hundred twenty percent (220%) and not
12 more than two hundred forty percent (240%) of the federal poverty guideline an exemption of ten
13 percent (10%) of the assessment cap or the assessed valuation, whichever is less;

14 ~~(ii)~~(ii) Taxpayers with an income of not less than two hundred percent (200%) and not more
15 than two hundred twenty percent (220%) of the federal poverty guideline an exemption of twenty
16 percent (20%) of the assessment cap or the assessed valuation, whichever is less;

17 ~~(iii)~~(iii) Taxpayers with an income of not less than one hundred and eighty percent (180%)
18 and not more than two hundred percent (200%) of the federal poverty guideline an exemption of
19 thirty percent (30%) of the assessment cap or the assessed valuation, whichever is less;

1 ~~(iii)~~(iv) Taxpayers with an income of not less than one hundred and sixty percent (160%)
2 and not more than one hundred and eighty percent (180%) of the federal poverty guideline an
3 exemption of forty percent (40%) of the assessment cap or the assessed valuation, whichever is
4 less;

5 ~~(iv)~~(v) Taxpayers with an income of not less than one hundred and forty percent (140%)
6 and not more than one hundred and sixty percent (160%) of the federal poverty guideline an
7 exemption of fifty percent (50%) of the assessment cap or the assessed valuation, whichever is less;
8 and

9 ~~(v)~~(vi) Taxpayers with an income of not more than one hundred and forty percent (140%)
10 of the federal poverty guideline an exemption of sixty percent (60%) of the assessment cap or the
11 assessed valuation, whichever is less.

12 (2) Notwithstanding anything to the contrary contained in this section, any person receiving
13 an exemption pursuant to chapter 359 of the Public Laws January Session 1984, at the time of the
14 adoption of the ordinance contemplated in this section and whose property is assessed in excess of
15 the assessment cap and who qualifies for an exemption under the terms of any ordinance adopted
16 pursuant to this chapter shall receive an exemption based on the assessment value, not limited by
17 the assessment cap.

18 (3) For purposes of this section, the income described in subdivision (1) of this subsection
19 is that specified in the federal poverty guideline for one person for all individual owners and that
20 specified for a family of two (2) for all joint owners, including husband and wife. Only one
21 exemption is granted to cotenants, joint tenants, and tenants by the entirety, even though all the
22 cotenants, joint tenants and tenants by the entirety are sixty-five (65) years of age or over and
23 occupy the property. In addition to the requirements of domicile within the town of Jamestown at
24 the time of making application, the applicant must have been a resident of the town for a period of
25 five (5) years ending with the date of assessment for the year for which exemption is claimed;
26 provided, however, that the exemption shall not be allowed in favor of any person unless the
27 individual has presented to the assessor a true and exact account of his or her ratable estate as
28 provided for in §§ 44-5-15 and 44-5-16 for the year for which exemption is claimed, together with
29 evidence that he or she is entitled to the exemption.

30 (c) No income-bearing residential property, business or combination of business and
31 residential property, owned and occupied by any person or persons sixty-five (65) years of age or
32 over is entitled to the exemption provided in this section. It is the express purpose of this section to
33 confine the exemption to residential property exclusively used as residential property by the owners
34 of the property. Professional persons who operate and conduct their respective professions from

1 their residences are not entitled to the exemption provided for in this section. The practice of the
2 profession from any residence is deemed, for the purpose of this section, to constitute it income-
3 bearing property.

4 (d) All exemptions terminate upon the conveyance of the subject property, death of the
5 person excepted, or the moving of the person from the town of Jamestown; also when the subject
6 property is altered as to character and use that the property becomes subject to the provisions of
7 subsection (e) of this section.

8 (e) When used in this section:

9 (1) "Federal poverty guideline" means the poverty guidelines issued each year by the
10 Department of Health and Human Services and published in the federal register.

11 (2)(i) "Income" in subsection (b) of this section means annual cash receipts before taxes
12 from all sources except as provided in this section. Income includes money wages and salaries
13 before any deductions; net receipts from non-farm self-employment (receipts from a person's own
14 unincorporated business, professional enterprise, or partnership, after deductions for business
15 expenses); net receipts from farm self-employment (receipts from a farm which one operates as an
16 owner, renter, or sharecropper, after deductions for farm operating expenses); regular payments
17 from social security, railroad retirement, unemployment compensation, strike benefits from union
18 funds, workers' compensation, veterans' payments, public assistance (including aid to families with
19 dependent children or temporary assistance for needy families, supplemental security income, and
20 non-federally-funded general assistance or general relief money payments), and training stipends;
21 alimony, child support, and military family allotments or other regular support from an absent
22 family member or someone not living in the household; private pensions, government employee
23 pensions (including military retirement pay), and regular insurance or annuity payments; college
24 or university scholarships, grants, fellowships, and assistantships; and dividends, interest, net rental
25 income, net royalties, periodic receipts from estate or trusts, and net gambling or lottery winnings.

26 (ii) "Income" does not include the following types of money received; capital gains; any
27 assets drawn down as withdrawals from a bank, the sale of property, a house, or a car; or tax refunds,
28 gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury. Also
29 excluded are non-cash benefits, such as the employer-paid or union-paid portion of health insurance
30 or other employee fringe benefits, food or housing received in lieu of wages, the value of food and
31 fuel produced and consumed on farms, the imputed value of rent from own-occupied non-farm or
32 farm housing, and federal non-cash benefit programs like Medicare, Medicaid, food stamps, school
33 lunches, and housing assistance.

34 (3) "Resident" means one legally domiciled within the town of Jamestown for a period of

1 five (5) years ending with the date of assessment for a year for which the exemption is claimed.
2 Mere seasonal or temporary residence within the town, of whatever duration, does not constitute
3 domicile within the town for the purposes of this section. Absence from the town for a period of
4 twelve (12) months is *prima facie* evidence of abandonment of domicile in the town. The burden
5 of establishing legal domicile within the town is upon the applicant.

6 (4) "Due evidence": No exemption from taxation on the valuation of real property, as
7 provided in this section, is allowed, except upon the written application, which application is on a
8 form prescribed by the assessor. It is the burden of the applicant to prove his or her eligibility for
9 the exemption in this section and the tax assessor may require the applicant to produce supporting
10 information including, but not limited to, federal and/or state income tax returns and birth
11 certificate. If this information is required, the tax assessor shall maintain the confidentiality of the
12 information. The assessor may, at any time, inquire into the right of a claimant to the continuance
13 of an exemption under this section; and, for that purpose, he or she may require the filing of a new
14 application or the submission of any proof that the assessor deems necessary to determine the right
15 of the claimant to continuance of the exemption.

16 (5) "Assessment cap" means the sum of one hundred forty-two thousand dollars (\$142,000)
17 as the sum may be adjusted from time to time as provided in this section. At any times that the tax
18 assessor updates the assessments for real property in the town, the tax assessor shall adjust the
19 assessment cap by the percentage increase or decrease between the median residential property
20 value based on the aggregate residential property assessments then made under the new revaluation,
21 or statistical updates, and the median residential property value under the previous revaluation, or
22 statistical updates.

23 (6) "Median residential property value" means the assessment, which is the midpoint of
24 the frequency distribution of residential property assessments or the assessment above which and
25 below which fifty percent (50%) of the assessments lie.

26 (f) Nothing contained in this section abrogates or affects the authority conferred upon the
27 assessor by the provisions of § 44-3-4.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T

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- 1 This act would authorize the town of Jamestown to authorize, by ordinance, the expansion
- 2 of the local tax exemption ordinance for seniors.
- 3 This act would take effect upon passage.

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