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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 CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE
ISLAND NONPROFIT CORPORATION ACT**

Introduced By: Representative Lauren H. Carson

Date Introduced: January 28, 2026

Referred To: House Corporations

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 7-6-5 of the General Laws in Chapter 7-6 entitled "Rhode Island
2 Nonprofit Corporation Act" is hereby amended to read as follows:

3 **7-6-5. General powers.**

4 (a) Each corporation has power to:

5 (1) Have perpetual succession by its corporate name unless a limited period of duration is
6 stated in its articles of incorporation;

7 (2) Sue and be sued, complain and defend, in its corporate name;

8 (3) Have a corporate seal that may be altered at pleasure, and to use that seal by causing it,
9 or a facsimile of it, to be impressed or affixed or in any other manner reproduced;

10 (4) Purchase, take, receive, lease, take by gift, devise, or bequest, or otherwise acquire,
11 own, hold, improve, use, and otherwise deal in and with real or personal property, or any interest
12 in real or personal property, wherever situated, and without restriction as to amount;

13 (5) Sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all
14 or any part of its property and assets;

15 (6) Lend money to and use its credit to assist its employees (other than employees who are
16 also directors) and otherwise assist its employees;

17 (7) Purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, use,
18 employ, sell, mortgage, lend, pledge, or otherwise dispose of, and otherwise use and deal in and

1 with, shares or other interests in, or obligations of, other domestic or foreign corporations, whether
2 for profit or not for profit, associations, partnerships, or individuals, or direct or indirect obligations
3 of the United States, or of any other government, state, territory, governmental district or
4 municipality, or of any instrumentality of those entities;

5 (8) Make contracts and guarantees and incur liabilities; borrow money at the rates of
6 interest that the corporation determines; issue its notes, bonds, and other obligations; guarantee
7 debts and secure any of its obligations by mortgage or pledge of all or any of its property, franchises,
8 and income;

9 (9) Lend money for its corporate purposes; invest and reinvest its funds; and take and hold
10 real and personal property as security for the payments of funds loaned or invested in that manner;

(10) Conduct its affairs, carry on its operations, have offices, and exercise the powers granted by this chapter within or without this state;

15 (12) Make and alter bylaws, not inconsistent with its articles of incorporation or with the
16 laws of this state, for the administration and regulation of the affairs of the corporation;

17 (13) Unless otherwise provided in the articles of incorporation, make donations for the
18 public welfare or for charitable, scientific, or educational purposes;

19 (14) Pay pensions and establish pension plans or pension trusts for any or all of its directors,
20 officers, and employees;

(15) Have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is organized.

23 (b) Notwithstanding the provisions of subsection (a) of this section, no corporation acting
24 as a condominium association or homeowners association shall prohibit or ban the installation of
25 electric vehicle (EV) charging stations; provided, however, the owner installing the EV charging
26 station shall be solely responsible for all costs of:

(1) Installation, maintenance, repair and replacement of the charging station;

28 (2) Any required structural modifications to the property and necessary upgrades to utility
29 or electrical service;

30 (3) Electricity used to charge the vehicle to include installation of a separate meter, if
31 necessary; and

32 (4) Any damage to the common area resulting from the installation or removal.

33 SECTION 2. Sections 34-36-10 and 34-36-16 of the General Laws in Chapter 34-36
34 entitled "Condominium Ownership" are hereby amended to read as follows:

1 **34-36-10. Declaration — Recording.**

2 (a) The owner or developer of a condominium project shall, prior to the conveyance of any
3 unit, record a declaration containing covenants, conditions, and restrictions relating to the project,
4 which shall be enforceable equitable servitudes where reasonable, and shall run with the land. Such
5 servitudes unless otherwise provided, may be enforced by any unit owner, and his or her successors
6 in interest, and may contain, among other things, the following particulars:

7 (1) A description of the land on which the building and improvements are or are to be
8 located.

9 (2) A description of the building, stating the number of stories and basements and the
10 number of units and the principal materials of which it is or is to be constructed.

11 (3) The unit number of each unit, and a statement of its location, approximate areas, number
12 of rooms, and immediate common area to which it has access, and any other data necessary to its
13 proper identification.

14 (4) A description of the common areas and facilities.

15 (5) A description of the limited common areas and facilities, if any, stating to which units
16 such use is reserved.

17 (6) The value of the property and of each unit, and the percentage of undivided interest in
18 the common areas and facilities appurtenant to each unit and its owner for all purposes, including
19 voting.

20 (7) A statement of the purposes for which the building and each of its units are intended
21 and restricted as to use.

22 (8) The name of a person to receive service of process, in the cases described in this chapter,
23 together with the residence or place of business of the person which shall be within the city or
24 county in which the building is located.

25 (9) Provisions, not inconsistent with this chapter, as to the percentage of votes by the unit
26 owners which shall be determinative of whether to rebuild, repair, restore, or sell the property in
27 the event of damage or destruction of all or part of the property, or of any other question.

28 (10) The method by which the declaration may be amended consistent with the provisions
29 of this chapter.

30 (11) Any further matters in connection with the property which the person or persons
31 executing the declaration may deem desirable to set forth consistent with this chapter.

32 (b) Notwithstanding the provisions of subsection (a) of this section, no declaration shall
33 prohibit or ban the installation of electric vehicle (EV) charging stations as provided pursuant to
34 the provisions of § 7-6-5(b); provided, however, reasonable restrictions may be imposed on

1 [installation pursuant to the provisions of § 34-36-16\(b\).](#)

2 **34-36-16. Bylaw provisions.**

3 [\(a\) The bylaws may provide for the following:](#)

4 (1) The establishment of a management committee, the number of persons constituting the
5 committee and the method of selecting the members of the committee; the powers and duties of the
6 management committee; and whether or not the management committee may engage the services
7 of a manager.

8 (2) The method of calling meetings of the unit owners; what percentage of the unit owners
9 shall constitute a quorum, and be authorized to transact business.

10 (3) The maintenance, repair, and replacement of the common areas and facilities and
11 payment therefor.

12 (4) The manner of collecting from the unit owners their share of the common expenses.

13 (5) The designation and removal of personnel necessary for the maintenance, repair, and
14 replacement of the common areas and facilities.

15 (6) The method of adopting and of amending administrative rules and regulations
16 governing the details of the operation and use of the common areas and facilities.

17 (7) Restrictions on and requirements respecting the use and maintenance of the units and
18 the use of the common areas and facilities as are designed to prevent unreasonable interference
19 with the use of their respective units and of the common areas and facilities by the several unit
20 owners.

21 (8) The percentage of votes required to amend the bylaws.

22 (9) Other provisions as may be deemed necessary for the administration of the property
23 consistent with this chapter.

24 [\(b\) Notwithstanding the provisions of subsection \(a\) of this section, no bylaw shall prohibit](#)
25 [or ban the installation of electric vehicle \(EV\) charging stations as provided pursuant to the](#)
26 [provisions of § 7-6-5\(b\); provided, however, the bylaws may provide for reasonable restrictions to](#)
27 [include:](#)

28 [\(1\) Charging equipment for an individual owner shall be:](#)

29 [\(i\) Installed at the owner's expense;](#)

30 [\(ii\) Installed by a licensed contractor or electrician;](#)

31 [\(iii\) Conform to applicable national, state, and local health and safety standards; and](#)

32 [\(iv\) Conform to applicable fire codes, zoning, land use, or other ordinances and land use](#)
33 [permits.](#)

34 [\(2\) An application process for individual owners to gain approval from the association for](#)

1 the charger. Provided, however;

2 (i) The approval process shall be the same as the one adopted for applications for any
3 architectural modification.

4 (A) Fees shall be reasonable and not exceed any adopted architectural modification
5 application fees.

6 (B) The application for the charger cannot be denied if it complies with adopted
7 architectural standards and the provisions of the law.

8 (ii) The application shall be approved or denied in writing.

9 (iii) The management committee cannot willfully avoid or delay the application process
10 and approval.

11 (iv) If the management committee or association does not issue a denial of the application
12 in writing within sixty (60) days, the application shall be deemed approved, unless the delay has
13 been for a reasonable request for more information.

14 (3) After EV chargers are installed, individual owners are responsible for alerting
15 prospective buyers of the residence about certain aspects of ownership related to the chargers,
16 including:

17 (i) The existence of the chargers and whether or not they will remain or be removed upon
18 sale;

19 (ii) The costs to maintain, repair, remove, or replace it; and
20 (iii) The applicable laws, regulations and bylaws.

21 (4) The installation and use shall comply with all applicable state and municipal safety and
22 fire codes, regulations and ordinances.

23 (c) Nothing in subsection (b) of this section shall be construed as a prohibition or restriction
24 on the condominium association or the management committee, in accordance with the declaration
25 and bylaws, from establishing and installing EV charging stations in common areas for general use
26 by residents.

27 SECTION 3. Sections 34-36.1-2.01, 34-36.1-3.02 and 34-36.1-3.06 of the General Laws
28 in Chapter 34-36.1 entitled "Condominium Law" are hereby amended to read as follows:

29 **34-36.1-2.01. Creation of condominium.**

30 (a) A condominium may be created pursuant to this chapter only by recording a declaration
31 in the municipal land evidence records. The declaration must be recorded in every municipality in
32 which any portion of the condominium is located, and must be indexed in the grantee's index in
33 the name of the condominium and the association and in the grantor's index in the name of each
34 person executing the declaration.

9 (c) A declaration or an amendment to a declaration creating land only units shall set forth
10 restrictions on the development of such land only units which address at a minimum the following
11 items:

- 12 (1) Floor area square footage,
- 13 (2) Lot coverage,
- 14 (3) Height,
- 15 (4) Set backs from unit boundaries,
- 16 (5) Use, and
- 17 (6) Architectural and design standards.

18 (d) Notwithstanding any other provisions of this section, no declaration shall prohibit or
19 ban the installation of electric vehicle (EV) charging stations as provided pursuant to the provisions
20 of § 7-6-5(b); provided, however, reasonable restrictions may be imposed on installation pursuant
21 to the provisions of § 34-36.1-3.06(e).

34-36.1-3.02. Powers of unit owners' association.

23 (a) Except as provided in subsection (b), and subject to the provisions of the declaration,
24 the association, even if unincorporated, may:

- 25 (1) Adopt and amend bylaws and rules and regulations;
- 26 (2) Adopt and amend budgets for revenues, expenditures, and reserves and collect
- 27 assessments for common expenses from unit owners;
- 28 (3) Hire and discharge managing agents and other employees, agents and independent
- 29 contractors;

31 name on behalf of itself or two (2) or more unit owners on matters affecting the condominium;

32 (5) Make contracts and incur liabilities;

33 (6) Regulate the use, maintenance, repair, replacement and modification of common
34 elements;

- (7) Cause additional improvements to be made as a part of the common elements;
- (8) Acquire, hold, encumber, and convey in its own name any right, title or interest to real or personal property, but common elements may be conveyed or subjected to a security interest or mortgage only pursuant to § 34-36.1-3.12;
- (9) Grant easements, leases, licenses and concessions through or over the common elements;
- (10) Impose and receive any payments, fees, or charges for the use, rental, or operation of the common elements other than limited common elements described in § 34-36.1-2.02(2) and (4) and for services provided to unit owners;
- (11) Impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association as provided in § 34-36.1-3.20;
- (12) Impose reasonable charges for the preparation and recordation of amendments to the declaration, resale certificates required by § 34-36.1-4.09 or statements of unpaid assessments;
- (13) Provide for the indemnification of its officers and executive board and maintain directors' and officers' liability insurance;
- (14) Borrow funds including the right to assign and/or pledge its right to future income, including the right to receive common expense assessments;
- (15) Exercise any other powers conferred by the declaration or bylaws;
- (16) Exercise all other powers that may be exercised in this state by legal entities of the same type as the association; and
- (17) Exercise any other powers necessary and proper for the governance and operation of the association.

24 (b) The declaration may not impose limitations on the powers of the association to deal
25 with the declarant that are more restrictive than the limitations imposed on the power of the
26 association to deal with other persons.

27 (c) Notwithstanding the provisions of subsection (a) of this section, no association shall
28 prohibit or ban the installation of electric vehicle (EV) charging stations pursuant to the provisions
29 of § 7-6-5(b); provided, however, reasonable restrictions may be imposed pursuant to the provisions
30 of § 34-36.1-3.06(e).

34-36.1-3.06. Bylaws.

32 (a) The bylaws of the association must provide for:

33 (1) The number of members of the executive board and the titles of the officers of the

34 association:

(2) Election by the executive board of a president, treasurer, secretary, and any other officers of the association the bylaws specify;

(3) The qualifications, powers and duties, terms of office, and manner of electing and removing executive board members and officers and filling vacancies;

(4) Which, if any, of its powers the executive board or officers may delegate to other persons or to a managing agent;

(5) Which of its officers may prepare, execute, certify, and record amendments to the declaration on behalf of the association; and

(6) The method of amending the bylaws.

10 (b) Subject to the provisions of the declaration, the bylaws may provide for any other
11 matters the association deems necessary and appropriate.

12 (c) The bylaws of the association and rules referenced in the declaration or bylaws, and
13 any amendments thereof, shall be recorded in the municipal land evidence records in every
14 municipality in which any portion of the condominium is located.

15 (d) Bylaws and rules recorded subsequent to the recording of the declaration shall be
16 certified by two (2) members of the executive board, unless a greater certification is required by
17 the declaration or bylaws.

18 (e) Notwithstanding the other provisions of this section, no bylaw shall prohibit or ban the
19 installation of electric vehicle (EV) charging stations as provided pursuant to the provisions of § 7-
20 6-5(b); provided, however, the bylaws may provide for reasonable restrictions to include:

21 (1) Charging equipment for an individual owner shall be:

22 (i) Installed at the owner's expense;

23 (ii) Installed by a licensed contractor or electrician;

25 (iv) Conform to applicable fire codes, zoning, land use, or other ordinances and land use
26 permits.

27 (2) An application process for individual owners to gain approval from the association for
28 the charger. Provided, however;

29 (i) The approval process shall be the same as the one adopted for applications for any
30 architectural modification.

31 (A) Fees shall be reasonable and not exceed any adopted architectural modification
32 application fees.

33 (B) The application for the charger cannot be denied if it complies with adopted
34 architectural standards and the provisions of the law.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE
ISLAND NONPROFIT CORPORATION ACT

- 1 This act would prevent condominium associations and home owner associations from
- 2 prohibiting the installation of EV charging stations to be installed at the owner's expenses.
- 3 This act would take effect upon passage.

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