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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO CRIMINAL OFFENSES -- FRAUD AND FALSE DEALING

Introduced By: Representatives Kennedy, Solomon, Kazarian, Azzinaro, Edwards,  
Corvese, Ackerman, McEntee, Serpa, and Cotter

Date Introduced: February 06, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 11-18 of the General Laws entitled "Fraud and False Dealing" is hereby amended by adding thereto the following sections:

**11-18-35. Real estate title fraud -- Suspicious documents and instruments.**

(a) For the purpose of this section, the following definitions shall apply:

(1) "Document" means information inscribed on a tangible medium or stored in an electronic or other medium and retrievable in perceivable form.

(2) "Instrument" means a deed, to secure debt, security deed, mortgage, security interest, deed of trust, promissory note, or any other document representing a security interest or lien upon any interest property including the renewal, modification, or refinancing of any such loan.

(3) "Pattern of real estate title fraud" means one or more violations of subsection (d) of this section and that have the same or similar interests, results, accomplices or methods of commission or otherwise results from comparable actions or omissions.

(4) "Person" means an individual, corporation, company, limited liability company, partnership, trustee, association, or any other entity.

(5) "Sufficient documentation" means a driver's license, passport, military identification card, an attorney registration or bar association identification card, or other government issued identification that established positive identification.

(6) "Suspicious document" means a document submitted for recording for which the recorder has found any one of the following:

1           (i) The name or commission information of a notarial officer who has purported to  
2 acknowledge or verify the document does not match official records;

3           (ii) The document purports not to be subject to the laws of the United States or this state;

4           (iii) The document does not conform to recording standards established by other laws of  
5 this state, including chapter 30.1 of title 42; or

6           (iv) The document has not been submitted for recording by a trusted submitter or an  
7 authorized representative of a trusted submitter and the document is materially false, fictitious, or  
8 fraudulent.

9           (7) “Trusted submitter” means:

10           (i) A title insurer, title company or title agent or escrow agent as defined by chapter 2.6 of  
11 title 27;

12           (ii) An attorney licensed to practice in this state; and

13           (iii) A regulated financial institution as defined by § 19-1-1.

14           (8) “Victim” means a person who experienced personal loss including, but not limited to,  
15 monetary loss, due to violation of this section.

16           (b) On and after September 1, 2027, no municipality shall authorize or accept for filing any  
17 real estate deed, mortgage, or other instrument by electronic filing from a remote location unless  
18 the filing is accompanied with sufficient documentation to identify the individual making the filing  
19 or the document is being submitted by a trusted submitter. In addition, a municipal recorder may:

20           (1) Temporarily delay a suspicious document, unless a court of competent jurisdiction finds  
21 that the recorder’s finding that the document is a suspicious document is erroneous;

22           (2) Report a suspicious document to any appropriate law enforcement agency; or

23           (3) Notify a notarial officer who has purported to acknowledge or verify a suspicious  
24 document of the reason for the recorder’s finding that the document is a suspicious document.

25           (c) Any filing in violation of the provisions of subsection (b) of this section shall be  
26 voidable upon a finding by a court of competent jurisdiction. Nothing in this section shall be  
27 construed to apply to an in person filing of a deed in the appropriate municipal department or office.

28           (d) A person commits real estate title fraud when such person, with intent to defraud:

29           (1) Knowingly offers for recording or records any real estate deed in which the transferor’s  
30 signature is forged;

31           (2) Knowingly offers for recording or records a fraudulently created instrument or title to  
32 the real estate;

33           (3) Knowingly offers for recording or records a fraudulent mortgage, lien or instrument  
34 claiming an interest in real estate for either themselves or another person or entity;

1           (4) Knowingly falsely encumbering the real estate of another; or  
2           (5) Knowingly attempts or transfers an interest, encumbrance, lien or mortgage in the  
3           property of a third party by means of a known forgery or false document or instrument.

4           (e) In an action authorized by this subsection, an injured person is entitled to appropriate  
5           declaratory or injunctive relief against the document submitter, and not the recorder acting in good  
6           faith. A recorder shall not be liable for damages or any other claim for monetary relief in an action  
7           brought under this subsection.

8           (f) Any person violating the provisions of subsection (d) of this section shall for a first  
9           offense be guilty of a felony and be subject to imprisonment for not more than ten (10) years, and  
10          a fine of not more than fifty thousand dollars (\$50,000), or both. A person violating the provisions  
11          of subsection (d) of this section by a pattern of real estate title fraud shall be guilty of a felony and  
12          be subject to imprisonment for not more than twenty (20) years, and a fine of not more than one  
13          hundred thousand dollars (\$100,000), or both, and/or an order of restitution to any victim.

14          (g) Any owner of real estate who is a victim of a person violating the provisions of  
15          subsection (d) of this section, in addition to any other remedy that may be available at law or equity,  
16          may bring an action against an individual who has knowingly filed, entered, or recorded, or caused  
17          to be filed, entered, or recorded, in any public record a false or forged deed or other instrument  
18          purporting to convey the owner's interest to such real property to such individual or a third party  
19          or purporting to encumber the owners interest in such real property to:

20               (1) Recover the owner's actual damages caused by the filing, entering, or recording of such  
21               false or forged deed or other instrument or five thousand dollars (\$5,000), whichever is greater; and

22               (2) Recover the owner's costs incurred in bringing such action, including reasonable  
23               attorneys' fees.

24          (h) Nothing in this section shall be construed as creating a cause of action against any  
25          public official or employee, including without limitation, a municipal clerk or any employee or  
26          agent of a clerk of a municipality for actions taken good faith on this section or on information  
27          provided by a third-party system or vendor in the performance of the clerk's duties.

28               **11-18-36. Property alert notifications – Property owners.**

29          (a) Not later than January 1, 2028, each municipality shall establish a property alert  
30          notification system that allows a person to enroll real property owned by the person in the system.

31          (b) A property alert notification system established under this section shall:

32               (1) Notify the enrolled owner within ten (10) business days of the recording of any  
33               document describing, affecting, or purporting to affect the enrolled property; and

34               (2) In the notification required by subsection (a) of this section identify the nature of the

1 document recorded, identify the subject property by address or tax identification number, and  
2 provide the recording information of the document.

3 (c) A property owner may elect to receive any notification provided under this section by  
4 mail, text message, call, or email.

5 (d) There shall be no charge to a property owner for enrolling in the property alert  
6 notification system required by this section.

7 (e) A municipality may by mail notification, website notification, newspaper  
8 advertisement, or other media provide property owners with:

9 (1) Educational information on deed fraud; and

10 (2) Information about the property alert notification system established under this section.

11 (f)(1) A municipality may index or by other means create a searchable log that includes the  
12 following information for each document recorded in the land records:

13 (i) Information identifying real property described in or purported to be affected by the  
14 document;

15 (ii) The name and commission number, if applicable, of any notarial officer described in  
16 or identified in the document, along with commissioning jurisdiction of such officer; or

17 (iii) The name of the person that submitted the document for recording;

18 (2) A recorder shall not be liable for any violation of subsections (e) and (f) of this section.

19 (g) An index or log created under subsection (f) of this section may be made available for  
20 public search and examination in the same manner as any other index for the land records required  
21 by other law of this state.

22 (h) A municipality shall not be liable for a violation of this section. No person shall have a  
23 right or cause of action and a municipality shall not be liable with respect to the establishment,  
24 maintenance, or operation of a property alert notification system required by this section.

25 SECTION 2. Section 42-30.1-7 of the General Laws in Chapter 42-30.1 entitled "Uniform  
26 Law on Notarial Acts" is hereby amended to read as follows:

27 **42-30.1-7. Authority to refuse to perform notarial act.**

28 (a) A notarial officer may refuse to perform a notarial act if the notarial officer is not  
29 satisfied that:

30 (1) The individual executing the record is competent or has the capacity to execute the  
31 record; or

32 (2) The individual's signature is knowingly and voluntarily made.

33 (b) A notarial officer may refuse to perform a notarial act if an individual does not provide  
34 the notarial officer information sufficient to conduct identity proofing under § 42-30.1-6 or if the

- 1 [individual does not consent to pay for identity proofing.](#)
- 2 ~~(b)~~(c) A notarial officer may refuse to perform a notarial act unless refusal is prohibited by
- 3 law other than this chapter.
- 4 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would establish the criminal offense of real estate title fraud. Additionally, this act  
2   would allow municipalities to refuse to record “suspicious documents” from persons who are not  
3   trusted submitters. The act would also create penalties for real estate title fraud.  
4           This act would take effect upon passage.

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