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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE-- PROCEDURE GENERALLY --  
MUNICIPAL EMERGENCY RESPONSE COST RECOVERY

Introduced By: Representative Charlene Lima

Date Introduced: February 26, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings and purpose.

2 The general assembly hereby finds and declares as follows:

3 (1) A mass casualty shooting event recently occurred on the campus of a private institution  
4 of higher education within the state, resulting in death, serious bodily injury, and significant  
5 emotional trauma to students, faculty, families, and the broader community.

6 (2) Municipal police departments, fire departments, and emergency medical services from  
7 multiple cities and towns responded to the incident and expended substantial public funds in  
8 emergency response, investigation, suspect apprehension, mutual aid coordination, and related  
9 public safety operations.

10 (3) Municipal emergency response costs arising from large-scale violent incidents may  
11 substantially exceed ordinary operating budgets and may result in significant unanticipated burdens  
12 on local taxpayers.

13 (4) Private property owners, including institutions of higher education, have a  
14 responsibility to implement reasonable safety measures appropriate to the size, use, and risk profile  
15 of their premises.

16 (5) Concerns have been publicly raised regarding whether reasonable safety measures —  
17 including secure building access controls, qualified security leadership, modern surveillance  
18 systems, and appropriate response to credible safety warnings — were adequately implemented or

1 maintained prior to the incident.

2 (6) It is not the intent of the general assembly by this act to determine civil liability for any  
3 specific event or entity, but to establish a uniform and prospective judicial mechanism under which  
4 municipalities may seek reimbursement of extraordinary emergency response costs when such  
5 costs are proven in a court of law to have been proximately caused by negligent failure to implement  
6 reasonable safety measures.

7 (7) The purpose of this act is to protect taxpayers from bearing extraordinary public safety  
8 costs when such costs are attributable to proven negligence, while preserving due process and  
9 judicial determination of fault.

10 SECTION 2. Title 9 of the General Laws entitled "COURTS AND CIVIL PROCEDURE  
11 — PROCEDURE GENERALLY" is hereby amended by adding thereto the following chapter:

12 CHAPTER 1.5

13 MUNICIPAL EMERGENCY RESPONSE COST RECOVERY ACT

14 **9-1.5-1. Definitions.**

15 As used in this chapter:

16 (1) "Extraordinary emergency response costs" means documented and reasonable costs  
17 incurred by a municipality for police, fire, emergency medical services, mutual aid assistance,  
18 overtime compensation, specialized equipment deployment, and investigation directly attributable  
19 to a mass casualty event.

20 (2) "Mass casualty event" means an incident occurring on private property resulting in  
21 death or serious bodily injury to three (3) or more individuals.

22 (3) "Private property owner" means any private nonprofit or for-profit entity that owns or  
23 controls real property within the state.

24 **9-1.5-2. Civil cause of action.**

25 (a) A municipality that incurs extraordinary emergency response costs arising from a mass  
26 casualty event may bring a civil action in the superior court to recover such costs from a private  
27 property owner.

28 (b) In order to recover under this chapter, the municipality shall prove by a preponderance  
29 of the evidence that:

30 (1) The private property owner owed a duty under the circumstances to maintain reasonable  
31 safety measures;

32 (2) The private property owner negligently failed to implement or maintain reasonable  
33 safety measures; and

34 (3) Such negligence was a proximate cause of the mass casualty event and the resulting

1 [extraordinary emergency response costs.](#)

2 [\(c\) Nothing in this chapter shall be construed to create strict liability.](#)

3 **9-1.5-3. Damages.**

4 [\(a\) Recovery under this chapter shall be limited to documented and reasonable](#)  
5 [extraordinary emergency response costs.](#)

6 [\(b\) The court may award reasonable attorneys' fees and costs to a prevailing municipality.](#)

7 [\(c\) Prejudgment and post-judgment interest shall be awarded in accordance with § 9-21-](#)  
8 [10.](#)

9 **9-1.5-4. Applicability.**

10 [This chapter shall apply to any mass casualty event occurring on or after January 1, 2024.](#)

11 [Any action brought pursuant to this chapter shall be commenced within three \(3\) years of the date](#)  
12 [of the event.](#)

13 SECTION 3. This act shall take effect upon passage and shall apply to any mass casualty  
14 event occurring on or after January 1, 2024.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would create a civil cause of action for any municipality that incurs extraordinary  
2 emergency response costs arising from a mass casualty event may bring a civil action in the superior  
3 court to recover such costs from a private property owner.

4           This act would take effect upon passage and would apply to any mass casualty event  
5 occurring on or after January 1, 2024.

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