

2026 -- H 8106

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PROPERTY -- ESTATES IN REAL PROPERTY

Introduced By: Representative Stephen M. Casey

Date Introduced: February 27, 2026

Referred To: House Judiciary

(Lieutenant Governor)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-4 of the General Laws entitled "Estates in Real Property" is
2 hereby amended by adding thereto the following section:

3 **34-4-31. Prohibition of restrictive covenants related to grocery stores.**

4 (a) A covenant or restriction concerning the use of land designated as a retail establishment
5 where fresh food is regularly and customarily sold in a bona fide manner for off-premises
6 consumption including, but not limited to, grocery stores and supermarkets, shall be void and
7 unenforceable, except under circumstances as set forth in subsection (b) of this section.

8 (b) The prohibition in this section shall not apply to covenants or restrictions on concerning
9 the use of land if all of the following conditions are met:

10 (1) The land subject to restriction has been used by the seller within the six (6) months
11 prior to the date of the agreement for the operation of a retail establishment for the sale of fresh
12 food for off-premises consumption including, but not limited to, a grocery store or supermarket
13 (hereafter known as the "discontinued site");

14 (2) The seller has identified and purchased land to be used for the operation of a new retail
15 establishment for the sale of fresh food for off-premises consumption including, but not limited to,
16 a grocery store or supermarket (hereafter known as the "relocated store");

17 (3) The relocated store is similar in size and scope of products sold when compared to the
18 discontinued site;

19 (4) The relocated store is located within one-half (1/2) mile of the discontinued site;

1 (5) Relocation and commencement of operations of the relocated store at the new site
2 occurs within one year following closure; and

3 (6) The restrictive covenant imposed on the discontinued site does not have a term in excess
4 of eighteen months from the date of closure.

5 (c) The prohibitions set forth in this section do not apply to restrictive covenants or other
6 agreements entered into prior to the effective date of this section.

7 (d) If any portion of this section is found by a court of competent jurisdiction to be
8 unlawful, such finding shall not affect any other portion of this section not specifically so found.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PROPERTY -- ESTATES IN REAL PROPERTY

- 1 This act would prohibit restrictive covenants related to grocery stores.
- 2 This act would take effect upon passage.

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