

**2026 -- S 2135**

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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**

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**A N   A C T**

**RELATING TO PROPERTY -- BY POSSESSION AND PRESCRIPTION**

Introduced By: Senators Gu, LaMountain, DiMario, McKenney, Burke, Bissaillon, and Quezada

Date Introduced: January 16, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1        SECTION 1. Section 34-7-4 of the General Laws in Chapter 34-7 entitled "By Possession  
2        and Prescription" is hereby repealed.

3        **34-7-4. Right of footway denied.**

4        ~~No right of footway, except claimed in connection with a right to pass with carriages, shall~~  
5        ~~be acquired by prescription or adverse use for any length of time.~~

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROPERTY -- BY POSSESSION AND PRESCRIPTION

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- 1        This act would repeal the provisions of § 34-7-4 which provides that no right of footway,
- 2        except claimed in connection with a right to pass with carriages, could be acquired by prescription
- 3        or adverse use for any length of time. This act would effectively eliminate the statutory prohibition
- 4        against acquiring a right of footway by adverse possession.

- 5        This act would take effect upon passage.

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