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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 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2   and Prescription" is hereby repealed.  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  
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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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