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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT

Introduced By: Senators Gallo, Tikoian, Ciccone, and DiPalma

Date Introduced: January 23, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 34-37-3 and 34-37-4 of the General Laws in Chapter 34-37 entitled

2 "Rhode Island Fair Housing Practices Act" are hereby amended to read as follows:

3 **34-37-3. Definitions.**

4 When used in this chapter:

5 (1) "Age" means anyone over the age of eighteen (18).

6 (2) "Armed forces" means the Army, Navy, Marine Corps, Coast Guard, Merchant
7 Marines, Space Force, or Air Force of the United States and the Rhode Island National Guard.

8 (3) "Commission" means the Rhode Island commission for human rights created by § 28-
9 5-8.

10 (4) "Disability" means a disability as defined in § 42-87-1.

11 Provided, further, that the term "disability" does not include current, illegal use of, or
12 addiction to, a controlled substance, as defined in 21 U.S.C. § 802.

13 (5) "Discriminate" includes segregate, separate, or otherwise differentiate between or
14 among individuals because of race, color, religion, sex, sexual orientation, gender identity or
15 expression, marital status, lawful source of income, military status as a veteran with an honorable
16 discharge or an honorable or general administrative discharge, servicemember in the armed forces,
17 country of ancestral origin, disability, age, housing status, or familial status or because of the race,
18 color, religion, sex, sexual orientation, gender identity or expression, marital status, lawful source
19 of income, military status as a veteran with an honorable discharge or an honorable or general

1 administrative discharge, servicemember in the armed forces, country of ancestral origin, disability,
2 age, housing status, or familial status of any person with whom they are, or may wish to be,
3 associated.

4 (6) The term “domestic abuse” for the purposes of this chapter shall have the same meaning
5 as that set forth in § 15-15-1 and include all forms of domestic violence as set forth in § 12-29-2,
6 except that the domestic abuse need not involve a minor or parties with minor children.

7 (7) “Emotional support animal” means a dog or cat that provides emotional, cognitive, or
8 other similar support to an individual with a disability, and does not need to be trained or certified.
9 Any animal not a dog or cat shall not be considered an emotional support animal for purposes of
10 this chapter.

11 ~~(7)~~(8)(i) “Familial status” means one or more individuals who have not attained the age of
12 eighteen (18) years being domiciled with:

13 (A) A parent or another person having legal custody of the individual or individuals; or
14 (B) The designee of the parent or other person having the custody, with the written
15 permission of the parent or other person, provided that, if the individual is not a relative or legal
16 dependent of the designee, that the individual shall have been domiciled with the designee for at
17 least six (6) months.

18 (ii) The protections afforded against discrimination on the basis of familial status shall
19 apply to any person who is pregnant or is in the process of securing legal custody of any individual
20 who has not attained the age of eighteen (18) years.

21 ~~(8)~~(9) The terms, as used regarding persons with disabilities, “auxiliary aids and services,”
22 “reasonable accommodation,” and “reasonable modifications” have the same meaning as those
23 terms are defined in § 42-87-1.1.

24 ~~(9)~~(10) The term “gender identity or expression” includes a person’s actual or perceived
25 gender, as well as a person’s gender identity, gender-related self image, gender-related appearance,
26 or gender-related expression; whether or not that gender identity, gender-related self image, gender-
27 related appearance, or gender-related expression is different from that traditionally associated with
28 the person’s sex at birth.

29 ~~(10)~~(11) “Housing accommodation” includes any building or structure, or portion of any
30 building or structure, or any parcel of land, developed or undeveloped, that is occupied or is
31 intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home or
32 residence of one or more persons.

33 ~~(11)~~(12) “Otherwise qualified” includes any person with a disability who, with respect to
34 the rental of property, personally or with assistance arranged by the person with a disability, is

1 capable of performing all the responsibilities of a tenant as contained in § 34-18-24.

2 ~~(12)~~(13) “Owner” includes any person having the right to sell, rent, lease, or manage a
3 housing accommodation.

4 ~~(13)~~(14) “Person” includes one or more individuals, partnerships, associations,
5 organizations, corporations, labor organizations, mutual companies, joint stock companies, trusts,
6 receivers, legal representatives, trustees, other fiduciaries, or real estate brokers or real estate
7 salespersons as defined in chapter 20.5 of title 5.

8 ~~(14)~~(15) “Senior citizen” means a person sixty-two (62) years of age or older.

9 (16) “Service animal” means a dog that has been individually trained to do work or perform
10 tasks for an individual with disability; provided, the tasks performed by the dog are related to the
11 person’s disability.

12 ~~(15)~~(17) The term “sexual orientation” means having, or being perceived as having, an
13 orientation for heterosexuality, bisexuality, or homosexuality.

14 ~~(16)~~(18) The term “victim” means a family or household member and all other persons
15 contained within the definition of those terms as defined in § 12-29-2.

16 ~~(17)~~(19) The term “housing status” means the status of having or not having a fixed or
17 regular residence, including the status of living on the streets or in a homeless shelter or similar
18 temporary residence.

19 ~~(18)~~(20) The term “lawful source of income” means and includes any income, benefit, or
20 subsidy derived from child support; alimony; Social Security; Supplemental Security Income; any
21 other federal, state, or local public assistance program, including, but not limited to, medical or
22 veterans assistance; any federal, state, or local rental assistance or housing subsidy program,
23 including Section 8 Housing Choice Vouchers as authorized by 42 U.S.C. § 1437; and any
24 requirement associated with such public assistance, rental assistance, or housing subsidy program.

25 **34-37-4. Unlawful housing practices.**

26 (a) No owner having the right to sell, rent, lease, or manage a housing accommodation as
27 defined in § 34-37-3, or an agent of any of these, shall, directly or indirectly, make, or cause to be
28 made, any written or oral inquiry concerning the race, color, religion, sex, sexual orientation,
29 gender identity or expression, marital status, lawful source of income, military status as a veteran
30 with an honorable discharge or an honorable or general administrative discharge, servicemember
31 in the armed forces, country of ancestral origin, or disability, age, familial status nor make any
32 written or oral inquiry concerning whether a tenant or applicant or a member of the household is,
33 or has been, or is threatened with being the victim of domestic abuse, or whether a tenant or
34 applicant has obtained, or sought, or is seeking relief from any court in the form of a restraining

1 order for protection from domestic abuse, of any prospective purchaser, occupant, or tenant of the
2 housing accommodation; directly or indirectly, refuse to sell, rent, lease, let, or otherwise deny to
3 or withhold from any individual the housing accommodation because of the race, color, religion,
4 sex, sexual orientation, gender identity or expression, marital status, lawful source of income,
5 military status as a veteran with an honorable discharge or an honorable or general administrative
6 discharge, servicemember in the armed forces, country of ancestral origin, disability, age, or
7 familial status of the individual or the race, color, religion, sex, sexual orientation, gender identity
8 or expression, marital status, lawful source of income, military status as a veteran with an honorable
9 discharge or an honorable or general administrative discharge, servicemember in the armed forces,
10 country of ancestral origin or disability, age, or familial status of any person with whom the
11 individual is or may wish to be associated; or shall, or on the basis that a tenant or applicant, or a
12 member of the household, is or has been, or is threatened with being, the victim of domestic abuse,
13 or that the tenant or applicant has obtained, or sought, or is seeking, relief from any court in the
14 form of a restraining order for protection from domestic abuse. Nor shall an owner having the right
15 to sell, rent, lease, or manage a housing accommodation as defined in § 34-37-3, or an agent of any
16 of these, directly or indirectly, issue any advertisement relating to the sale, rental, or lease of the
17 housing accommodation that indicates any preference, limitation, specification, or discrimination
18 based upon race, color, religion, sex, sexual orientation, gender identity or expression, marital
19 status, lawful source of income, military status as a veteran with an honorable discharge or an
20 honorable or general administrative discharge, servicemember in the armed forces, country of
21 ancestral origin, disability, age, familial status, or on the basis that a tenant or applicant or a member
22 of the household is, or has been, or is threatened with being the victim of domestic abuse, or that
23 the tenant or applicant has obtained, or sought, or is seeking relief from any court in the form of a
24 restraining order for protection from domestic abuse, or shall, directly or indirectly, discriminate
25 against any individual because of his or her race, color, religion, sex, sexual orientation, gender
26 identity or expression, marital status, lawful source of income, military status as a veteran with an
27 honorable discharge or an honorable or general administrative discharge, servicemember in the
28 armed forces, country of ancestral origin, disability, age, familial status, or on the basis that a tenant
29 or applicant or a member of the household is, or has been, or is threatened with being the victim of
30 domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking relief from any
31 court in the form of a restraining order for protection from domestic abuse, in the terms, conditions,
32 or privileges of the sale, rental, or lease of any housing accommodation or in the furnishing of
33 facilities or services in connection with it. Nor shall an owner having the right to sell, rent, lease,
34 or manage a housing accommodation as defined in § 34-37-3, or an agent of any of these, directly

1 or indirectly, misrepresent the availability of a housing accommodation or delay the processing of
2 applications relating to the sale, rental, or lease of the housing accommodation based upon an
3 individual's race, color, religion, sex, sexual orientation, gender identity or expression, marital
4 status, lawful source of income, military status as a veteran with an honorable discharge or an
5 honorable or general administrative discharge, servicemember in the armed forces, country of
6 ancestral origin, disability, age, familial status, or on the basis that a tenant or applicant or a member
7 of the household is, or has been, or is threatened with being the victim of domestic abuse, or that
8 the tenant or applicant has obtained, or sought, or is seeking relief from any court in the form of a
9 restraining order for protection from domestic abuse.

10 Nothing in this section shall be construed to prohibit any oral or written inquiry as to
11 whether the prospective purchaser or tenant is eighteen (18) years of age or older, or to confirm the
12 source, amount, and expected duration of the lawful source of income of the prospective purchaser
13 or tenant to determine whether the prospective purchaser or tenant meets the nondiscriminatory
14 standards and preferences or terms, conditions, limitations, or specifications permitted under
15 subsection (c) of this section.

16 (b) No person to whom application is made for a loan or other form of financial assistance
17 for the acquisition, construction, rehabilitation, repair, or maintenance of any housing
18 accommodation, whether secured or unsecured, shall directly or indirectly make or cause to be
19 made any written or oral inquiry concerning the race, color, religion, sex, sexual orientation, gender
20 identity or expression, marital status, military status as a veteran with an honorable discharge or an
21 honorable or general administrative discharge, servicemember in the armed forces, country of
22 ancestral origin, disability, age, familial status, or any express written or oral inquiry into whether
23 a tenant or applicant or a member of the household is, or has been, or is threatened with being the
24 victim of domestic abuse, or whether a tenant or applicant has obtained, or sought, or is seeking
25 relief from any court in the form of a restraining order for protection from domestic abuse, of any
26 individual seeking the financial assistance, or of existing or prospective occupants or tenants of the
27 housing accommodation; nor shall any person to whom the application is made in the manner
28 provided, directly or indirectly, discriminate in the terms, conditions, or privileges relating to the
29 obtaining or use of any financial assistance against any applicant because of the race, color, religion,
30 sex, sexual orientation, gender identity or expression, marital status, military status as a veteran
31 with an honorable discharge or an honorable or general administrative discharge, servicemember
32 in the armed forces, country of ancestral origin, disability, age, familial status, or on the basis that
33 a tenant or applicant or a member of the household is, or has been, or is threatened with being the
34 victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or is seeking relief

1 from any court in the form of a restraining order for protection from domestic abuse, of the applicant
2 or of the existing or prospective occupants or tenants. Nothing in this subsection shall be construed
3 to prohibit any written or oral inquiry as to whether the applicant is over the age of eighteen (18).

4 (c) Nothing contained in this section shall be construed in any manner to prohibit or limit
5 the exercise of the privilege of every person and the agent of any person having the right to sell,
6 rent, lease, or manage a housing accommodation to establish standards and preferences and set
7 terms, conditions, limitations, or specifications in the selling, renting, leasing, or letting thereof or
8 in the furnishing of facilities or services in connection therewith that do not discriminate on the
9 basis of the race, color, religion, sex, sexual orientation, gender identity or expression, marital
10 status, lawful source of income, military status as a veteran with an honorable discharge or an
11 honorable or general administrative discharge, servicemember in the armed forces, country of
12 ancestral origin, disability, age, familial status, or on the basis that a tenant or applicant or a member
13 of the household is, or has been, or is threatened with being the victim of domestic abuse, or that
14 the tenant or applicant has obtained, or sought, or is seeking relief from any court in the form of a
15 restraining order for protection from domestic abuse, of any prospective purchaser, lessee, tenant,
16 or occupant thereof or on the race, color, religion, sex, sexual orientation, gender identity or
17 expression, marital status, lawful source of income, military status as a veteran with an honorable
18 discharge or an honorable or general administrative discharge, servicemember in the armed forces,
19 country of ancestral origin, disability, age, or familial status of any person with whom the
20 prospective purchaser, lessee, tenant, or occupant is or may wish to be associated. Nothing
21 contained in this section shall be construed in any manner to prohibit or limit the exercise of the
22 privilege of every person and the agent of any person making loans for, or offering financial
23 assistance in, the acquisition, construction, rehabilitation, repair, or maintenance of housing
24 accommodations to set standards and preferences, terms, conditions, limitations, or specifications
25 for the granting of loans or financial assistance that do not discriminate on the basis of the race,
26 color, religion, sex, sexual orientation, gender identity or expression, marital status, military status
27 as a veteran with an honorable discharge or an honorable or general administrative discharge,
28 servicemember in the armed forces, country of ancestral origin, disability, age, familial status, or
29 on the basis that a tenant or applicant or a member of the household is, or has been, or is threatened
30 with being the victim of domestic abuse, or that the tenant or applicant has obtained, or sought, or
31 is seeking relief from any court in the form of a restraining order for protection from domestic
32 abuse, of the applicant for the loan or financial assistance or of any existing or prospective owner,
33 lessee, tenant, or occupant of the housing accommodation. If a landlord requires that a prospective
34 or current tenant have a certain minimum level of income, the standard for assessing eligibility

1 shall be based only on the portion of the rent to be paid by the tenant, taking into account the value
2 of any federal, state, or local rental assistance or housing subsidy.

3 (d) An owner may not refuse to allow a person with a disability to make, at his or her
4 expense, reasonable modifications of existing premises occupied or to be occupied by the person if
5 the modifications may be necessary to afford the person full enjoyment of the premises, except that,
6 in the case of a rental, the owner may, where it is reasonable to do so, condition permission for a
7 modification on the renter agreeing to restore the interior of the premises to the condition that
8 existed before the modification, reasonable wear and tear excepted. Where it is necessary in order
9 to ensure with reasonable certainty that funds will be available to pay for the restorations at the end
10 of the tenancy, the landlord may negotiate as part of the restoration agreement a provision requiring
11 that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable
12 amount of money not to exceed the cost of the restorations. The interest in the account shall accrue
13 to the benefit of the tenant. The restoration deposition shall be exempt from § 34-18-19(a) but will
14 be subject to § 34-18-19(b) through (f) inclusive.

15 (e)(1) An owner may not refuse to make reasonable accommodations in rules, policies,
16 practices, or services when those accommodations may be necessary to afford an occupant with a
17 disability equal opportunity to use and enjoy a dwelling.

18 (2) Every person with a disability who has a ~~guide dog or other personal assistive service~~
19 animal, or who obtains a ~~guide dog or other personal assistive service~~ animal, shall be entitled to
20 full and equal access to all housing accommodations provided for in this section and shall not be
21 required to pay extra compensation for the ~~guide dog or other personal assistive service~~ animal but
22 shall be liable for any damage done to the premises by ~~a guide dog or other personal assistive the~~
23 ~~service~~ animal. ~~For the purposes of this subsection, a “personal assistive animal” is an animal~~
24 ~~specifically trained by a certified animal training program to assist a person with a disability to~~
25 ~~perform independent living tasks.~~

26 (3)(i) A tenant with a disability or disability-related need for an emotional support animal
27 may request and be approved by a landlord to keep an emotional support animal as a reasonable
28 accommodation in housing.

29 (ii) Unless otherwise prohibited by federal law, rule, or regulation, a landlord may deny a
30 reasonable accommodation request for an emotional support animal if the animal poses a direct
31 threat to the safety or health of others or poses a direct threat of physical damage to the property
32 that cannot be reduced or eliminated by another reasonable accommodation, or if allowing the
33 animal to be kept on the premises would result in the cancellation of the property insurance or a
34 substantial increase of the insurance premiums.

(iii) If a tenant's disability-related need for an emotional support animal is not readily apparent, the landlord may request supporting documentation that reasonably supports the tenant's need for the particular emotional support animal. Supporting documentation may consist of documentation from a healthcare practitioner who has personal knowledge of the tenant's disability and is acting within the scope of the practitioner's practice, and identifies the particular assistance or therapeutic value provided by the animal.

(iv) Subject to the provisions of subsection (e)(3)(ii) of this section, no landlord shall prohibit the keeping of an emotional support animal on the rented premises if:

(A) The documentation supporting the tenant's need for the emotional support animal comes from a Rhode Island licensed healthcare practitioner; and

(B) The healthcare practitioner has a physical office located within the State of Rhode Island; and

(C) The healthcare practitioner has provided a clinical evaluation of the individual regarding the need for the emotional support animal; and

(D) The healthcare practitioner has established a patient-practitioner relationship for at least thirty (30) days prior to providing the documentation requested regarding the individual's need for an emotional support animal; and

(E) The healthcare practitioner has made a written affirmation of the supporting documentation in this subsection under the pains and penalties of perjury.

(v) A tenant with a disability-related need for an emotional support animal is liable for any damage done to the premises or to another person on the premises by the tenant's emotional support animal.

(f) Any housing accommodation of four (4) units or more constructed for first occupancy after March 13, 1991, shall be designed and constructed in such a manner that:

(1) The public use and common use portions of the dwellings are readily accessible to and usable by persons with disabilities;

(2) All the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by persons with disabilities in wheelchairs;

(3) All premises within the dwellings contain the following features of adaptive design:

(i) Accessible route into and through the dwelling;

(ii) Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

(iii) Reinforcements in bathroom walls to allow later installation of grab bars; and

(iv) Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver

1 about the space. To the extent that any state or local building codes, statutes, or ordinances are
2 inconsistent with this section, they are hereby repealed. The state building code standards
3 committee is hereby directed to adopt rules and regulations consistent with this section as soon as
4 possible, but no later than September 30, 1990.

5 (g) Compliance with the appropriate requirements of the state building code 14
6 “accessibility for individuals with disabilities for residential use groups” suffices to satisfy the
7 requirements of subsection (f) of this section.

8 (h) As used in subsection (f) of this section, the term “housing accommodation of four (4)
9 units or more” means:

10 (1) Buildings consisting of four (4) or more units if those buildings have one or more
11 elevators; and

12 (2) Ground floor units in other buildings consisting of four (4) or more units.

13 (i) Nothing in subsection (f) of this section shall be construed to limit any law, statute, or
14 regulation that requires a greater degree of accessibility to persons with disabilities.

15 (j) Nothing in this section requires that a dwelling be made available to an individual whose
16 tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy
17 would result in substantial physical damage to the property of others.

18 (k) Nothing contained in this chapter shall be construed to prohibit an owner, lessee,
19 sublessee, or assignee from advertising or selecting a person of the same or opposite gender to rent,
20 lease, or share the housing unit that the owner, lessee, sublessee, or assignee will occupy with the
21 person selected.

22 (l) No person shall aid, abet, incite, compel, or coerce the doing of any act declared by this
23 section to be an unlawful housing practice; or obstruct or prevent any person from complying with
24 the provisions of this chapter or any order issued thereunder; or attempt directly or indirectly to
25 commit any act declared by this section to be an unlawful housing practice.

26 (m) No owner; person defined in § 34-37-3(13); person to whom application is made for a
27 loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair, or
28 maintenance of any housing accommodation, whether secured or unsecured; no financial
29 organization governed by the provisions of title 19 or any other credit-granting commercial
30 institution; or respondent under this chapter; or any agent of these shall discriminate in any manner
31 against any individual because he or she has opposed any practice forbidden by this chapter, or
32 because he or she has made a charge, testified, or assisted in any manner in any investigation,
33 proceeding, or hearing under this chapter.

34 (n) Nothing in this section shall prevent a landlord from proceeding with eviction action

1 against a tenant who fails to comply with § 34-18-24(7).

2 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 -- RHODE ISLAND FAIR HOUSING PRACTICES ACT

- 1 This act would allow a tenant with a disability who needs a service animal or an emotional
- 2 support animal to house the animal on the rented premises. The act would allow a landlord to
- 3 request documentation from the tenant supporting the need for the emotional support animal.
- 4 This act would take effect upon passage.

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