

2023 -- S 0924

=====
LC001799
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Introduced By: Senator Frank A. Ciccone

Date Introduced: March 30, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-3-3 of the General Laws in Chapter 44-3 entitled "Property
2 Subject to Taxation" is hereby amended to read as follows:

3 **44-3-3. Property exempt.**

4 (a) The following property is exempt from taxation:

5 (1) Property belonging to the state, except as provided in § 44-4-4.1;

6 (2) Lands ceded or belonging to the United States;

7 (3) Bonds and other securities issued and exempted from taxation by the government of
8 the United States or of this state;

9 (4) Real estate, used exclusively for military purposes, owned by chartered or incorporated
10 organizations approved by the adjutant general and composed of members of the national guard,
11 the naval militia, or the independent, chartered-military organizations;

12 (5) Buildings for free public schools, buildings for religious worship, and the land upon
13 which they stand and immediately surrounding them, to an extent not exceeding five (5) acres so
14 far as the buildings and land are occupied and used exclusively for religious or educational
15 purposes;

16 (6) Dwellings houses and the land on which they stand, not exceeding one acre in size, or
17 the minimum lot size for zone in which the dwelling house is located, whichever is the greater,
18 owned by, or held in trust for, any religious organization and actually used by its officiating clergy;
19 provided, further, that in the town of Charlestown, where the property previously described in this

1 paragraph is exempt in total, along with dwelling houses and the land on which they stand in
2 Charlestown, not exceeding one acre in size, or the minimum lot size for zone in which the dwelling
3 house is located, whichever is the greater, owned by, or held in trust for, any religious organization
4 and actually used by its officiating clergy, or used as a convent, nunnery, or retreat center by its
5 religious order;

6 (7) Intangible personal property owned by, or held in trust for, any religious or charitable
7 organization, if the principal or income is used or appropriated for religious or charitable purposes;

8 (8) Buildings and personal estate owned by any corporation used for a school, academy, or
9 seminary of learning, and of any incorporated public charitable institution, and the land upon which
10 the buildings stand and immediately surrounding them to an extent not exceeding one acre, so far
11 as they are used exclusively for educational purposes, but no property or estate whatever is hereafter
12 exempt from taxation in any case where any part of its income or profits, or of the business carried
13 on there, is divided among its owners or stockholders; provided, however, that unless any private
14 nonprofit corporation organized as a college or university located in the town of Smithfield reaches
15 a memorandum of agreement with the town of Smithfield, the town of Smithfield shall bill the
16 actual costs for police, fire, and rescue services supplied, unless otherwise reimbursed, to said
17 corporation commencing March 1, 2014;

18 (9) Estates, persons, and families of the president and professors for the time being of
19 Brown University for not more than ten thousand dollars (\$10,000) for each officer, the officer's
20 estate, person, and family included, but only to the extent that any person had claimed and utilized
21 the exemption prior to, and for a period ending, either on or after December 31, 1996;

22 (10) Property especially exempt by charter unless the exemption has been waived in whole
23 or in part; provided that, notwithstanding any provision of a charter or act of incorporation or other
24 law to the contrary, any real and personal property (or portion thereof) of a health care facility,
25 and/or any parent corporation, operator, manager or subsidiary thereof, or of an institution of higher
26 education, that would otherwise be exempted from property taxation that is leased to, subleased to,
27 occupied or used by an entity, organization, or individual that is not itself exempted from property
28 taxation shall be taxed to the tenant, who, for the purposes of taxation is deemed the owner;

29 (11) Lots of land exclusively for burial grounds;

30 (12) Property, real and personal, held for, or by, an incorporated library, society, or any
31 free public library, or any free public library society, so far as the property is held exclusively for
32 library purposes, or for the aid or support of the aged poor, or poor friendless children, or the poor
33 generally, or for a nonprofit hospital for the sick or disabled;

34 (13) Real or personal estate belonging to, or held in trust for, the benefit of incorporated

1 organizations of veterans of any war in which the United States has been engaged, the parent body
2 of which has been incorporated by act of Congress, to the extent of four hundred thousand dollars
3 (\$400,000) if actually used and occupied by the association; provided, that the city council of the
4 city of Cranston may by ordinance exempt the real or personal estate as previously described in
5 this subdivision located within the city of Cranston to the extent of five hundred thousand dollars
6 (\$500,000);

7 (14) Property, real and personal, held for, or by, the fraternal corporation, association, or
8 body created to build and maintain a building or buildings for its meetings or the meetings of the
9 general assembly of its members, or subordinate bodies of the fraternity, and for the
10 accommodation of other fraternal bodies or associations, the entire net income of which real and
11 personal property is exclusively applied or to be used to build, furnish, and maintain an asylum or
12 asylums, a home or homes, a school or schools, for the free education or relief of the members of
13 the fraternity, or the relief, support, and care of worthy and indigent members of the fraternity, their
14 wives, widows, or orphans, and any fund given or held for the purpose of public education,
15 almshouses, and the land and buildings used in connection therewith;

16 (15) Real estate and personal property of any incorporated volunteer fire engine company
17 or incorporated volunteer ambulance or rescue corps in active service;

18 (16) The estate of any person who, in the judgment of the assessors, is unable from infirmity
19 or poverty to pay the tax; provided, that in the towns of Burrillville and West Greenwich, the tax
20 shall constitute a lien for five (5) years on the property where the owner is entitled to the exemption.
21 At the expiration of five (5) years, the lien shall be abated in full. Provided, if the property is sold
22 or conveyed, or if debt secured by the property is refinanced during the five-year (5) period, the
23 lien immediately becomes due and payable; any person claiming the exemption aggrieved by an
24 adverse decision of an assessor shall appeal the decision to the local board of tax review and
25 thereafter according to the provisions of § 44-5-26;

26 (17) Household furniture and family stores of a housekeeper in the whole, including
27 clothing, bedding, and other white goods, books, and all other tangible personal property items that
28 are common to the normal household;

29 (18) Improvements made to any real property to provide a shelter and fallout protection
30 from nuclear radiation, to the amount of one thousand five hundred dollars (\$1,500); provided, that
31 the improvements meet applicable standards for shelter construction established, from time to time,
32 by the Rhode Island emergency management agency. The improvements are deemed to comply
33 with the provisions of any building code or ordinance with respect to the materials or the methods
34 of construction used and any shelter or its establishment is deemed to comply with the provisions

1 of any zoning code or ordinance;

2 (19) Aircraft for which the fee required by § 1-4-6 has been paid to the tax administrator;

3 (20) **Manufacturer's inventory.**

4 (i) For the purposes of §§ 44-4-10, 44-5-3, 44-5-20, and 44-5-38, a person is deemed to be
5 a manufacturer within a city or town within this state if that person uses any premises, room, or
6 place in it primarily for the purpose of transforming raw materials into a finished product for trade
7 through any or all of the following operations: adapting, altering, finishing, making, and
8 ornamenting; provided, that public utilities; non-regulated power producers commencing
9 commercial operation by selling electricity at retail or taking title to generating facilities on or after
10 July 1, 1997; building and construction contractors; warehousing operations, including distribution
11 bases or outlets of out-of-state manufacturers; and fabricating processes incidental to warehousing
12 or distribution of raw materials, such as alteration of stock for the convenience of a customer; are
13 excluded from this definition;

14 (ii) For the purposes of this section and §§ 44-4-10 and 44-5-38, the term "manufacturer's
15 inventory," or any similar term, means and includes the manufacturer's raw materials, the
16 manufacturer's work in process, and finished products manufactured by the manufacturer in this
17 state, and not sold, leased, or traded by the manufacturer or its title or right to possession divested;
18 provided, that the term does not include any finished products held by the manufacturer in any retail
19 store or other similar selling place operated by the manufacturer whether or not the retail
20 establishment is located in the same building in which the manufacturer operates the manufacturing
21 plant;

22 (iii) For the purpose of § 44-11-2, a "manufacturer" is a person whose principal business
23 in this state consists of transforming raw materials into a finished product for trade through any or
24 all of the operations described in paragraph (i) of this subdivision. A person will be deemed to be
25 principally engaged if the gross receipts that person derived from the manufacturing operations in
26 this state during the calendar year or fiscal year mentioned in § 44-11-1 amounted to more than
27 fifty percent (50%) of the total gross receipts that person derived from all the business activities in
28 which that person engaged in this state during the taxable year. For the purpose of computing the
29 percentage, gross receipts derived by a manufacturer from the sale, lease, or rental of finished
30 products manufactured by the manufacturer in this state, even though the manufacturer's store or
31 other selling place may be at a different location from the location of the manufacturer's
32 manufacturing plant in this state, are deemed to have been derived from manufacturing;

33 (iv) Within the meaning of the preceding paragraphs of this subdivision, the term
34 "manufacturer" also includes persons who are principally engaged in any of the general activities

1 coded and listed as establishments engaged in manufacturing in the Standard Industrial
2 Classification Manual prepared by the Technical Committee on Industrial Classification, Office of
3 Statistical Standards, Executive Office of the President, United States Bureau of the Budget, as
4 revised from time to time, but eliminating as manufacturers those persons, who, because of their
5 limited type of manufacturing activities, are classified in the manual as falling within the trade
6 rather than an industrial classification of manufacturers. Among those thus eliminated, and
7 accordingly also excluded as manufacturers within the meaning of this paragraph, are persons
8 primarily engaged in selling, to the general public, products produced on the premises from which
9 they are sold, such as neighborhood bakeries, candy stores, ice cream parlors, shade shops, and
10 custom tailors, except, that a person who manufactures bakery products for sale primarily for home
11 delivery, or through one or more non-baking retail outlets, and whether or not retail outlets are
12 operated by the person, is a manufacturer within the meaning of this paragraph;

13 (v) The term "Person" means and includes, as appropriate, a person, partnership, or
14 corporation; and

15 (vi) The department of revenue shall provide to the local assessors any assistance that is
16 necessary in determining the proper application of the definitions in this subdivision;

17 (21) Real and tangible personal property acquired to provide a treatment facility used
18 primarily to control the pollution or contamination of the waters or the air of the state, as defined
19 in chapter 12 of title 46 and chapter 25 of title 23, respectively, the facility having been constructed,
20 reconstructed, erected, installed, or acquired in furtherance of federal or state requirements or
21 standards for the control of water or air pollution or contamination, and certified as approved in an
22 order entered by the director of environmental management. The property is exempt as long as it is
23 operated properly in compliance with the order of approval of the director of environmental
24 management; provided, that any grant of the exemption by the director of environmental
25 management in excess of ten (10) years is approved by the city or town in which the property is
26 situated. This provision applies only to water and air pollution control properties and facilities
27 installed for the treatment of waste waters and air contaminants resulting from industrial
28 processing; furthermore, it applies only to water or air pollution control properties and facilities
29 placed in operation for the first time after April 13, 1970;

30 (22) Manufacturing machinery and equipment acquired or used by a manufacturer after
31 December 31, 1974. Manufacturing machinery and equipment is defined as:

32 (i) Machinery and equipment used exclusively in the actual manufacture or conversion of
33 raw materials or goods in the process of manufacture by a manufacturer, as defined in subdivision
34 (20), and machinery, fixtures, and equipment used exclusively by a manufacturer for research and

1 development or for quality assurance of its manufactured products;

2 (ii) Machinery and equipment that is partially used in the actual manufacture or conversion
3 of raw materials or goods in process of manufacture by a manufacturer, as defined in subdivision
4 (20), and machinery, fixtures, and equipment used by a manufacturer for research and development
5 or for quality assurance of its manufactured products, to the extent to which the machinery and
6 equipment is used for the manufacturing processes, research and development, or quality assurance.
7 In the instances where machinery and equipment is used in both manufacturing and/or research and
8 development and/or quality assurance activities and non-manufacturing activities, the assessment
9 on machinery and equipment is prorated by applying the percentage of usage of the equipment for
10 the manufacturing, research and development, and quality-assurance activity to the value of the
11 machinery and equipment for purposes of taxation, and the portion of the value used for
12 manufacturing, research and development, and quality assurance is exempt from taxation. The
13 burden of demonstrating this percentage usage of machinery and equipment for manufacturing and
14 for research and development and/or quality assurance of its manufactured products rests with the
15 manufacturer; and

16 (iii) Machinery and equipment described in §§ 44-18-30(7) and 44-18-30(22) that was
17 purchased after July 1, 1997; provided that the city or town council of the city or town in which the
18 machinery and equipment is located adopts an ordinance exempting the machinery and equipment
19 from taxation. For purposes of this subsection, city councils and town councils of any municipality
20 may, by ordinance, wholly or partially exempt from taxation the machinery and equipment
21 discussed in this subsection for the period of time established in the ordinance and may, by
22 ordinance, establish the procedures for taxpayers to avail themselves of the benefit of any
23 exemption permitted under this section; provided, that the ordinance does not apply to any
24 machinery or equipment of a business, subsidiary, or any affiliated business that locates or relocates
25 from a city or town in this state to another city or town in the state;

26 (23) Precious metal bullion, meaning any elementary metal that has been put through a
27 process of melting or refining, and that is in a state or condition that its value depends upon its
28 content and not its form. The term does not include fabricated precious metal that has been
29 processed or manufactured for some one or more specific and customary industrial, professional,
30 or artistic uses;

31 (24) Hydroelectric power-generation equipment, which includes, but is not limited to,
32 turbines, generators, switchgear, controls, monitoring equipment, circuit breakers, transformers,
33 protective relaying, bus bars, cables, connections, trash racks, headgates, and conduits. The
34 hydroelectric power-generation equipment must have been purchased after July 1, 1979, and

1 acquired or used by a person or corporation who or that owns or leases a dam and utilizes the
2 equipment to generate hydroelectric power;

3 (25) Subject to authorization by formal action of the council of any city or town, any real
4 or personal property owned by, held in trust for, or leased to an organization incorporated under
5 chapter 6 of title 7, as amended, or an organization meeting the definition of “charitable trust” set
6 out in § 18-9-4, as amended, or an organization incorporated under the not-for-profits statutes of
7 another state or the District of Columbia, the purpose of which is the conserving of open space, as
8 that term is defined in chapter 36 of title 45, as amended, provided the property is used exclusively
9 for the purposes of the organization;

10 (26) Tangible personal property, the primary function of which is the recycling, reuse, or
11 recovery of materials (other than precious metals, as defined in § 44-18-30(24)(ii) and (iii)), from,
12 or the treatment of “hazardous wastes,” as defined in § 23-19.1-4, where the “hazardous wastes”
13 are generated primarily by the same taxpayer and where the personal property is located at, in, or
14 adjacent to a generating facility of the taxpayer. The taxpayer may, but need not, procure an order
15 from the director of the department of environmental management certifying that the tangible
16 personal property has this function, which order effects a conclusive presumption that the tangible
17 personal property qualifies for the exemption under this subdivision. If any information relating to
18 secret processes or methods of manufacture, production, or treatment is disclosed to the department
19 of environmental management only to procure an order, and is a “trade secret” as defined in § 28-
20 21-10(b), it shall not be open to public inspection or publicly disclosed unless disclosure is
21 otherwise required under chapter 21 of title 28 or chapter 24.4 of title 23;

22 (27) Motorboats as defined in § 46-22-2 for which the annual fee required in § 46-22-4 has
23 been paid;

24 (28) Real and personal property of the Providence Performing Arts Center, a non-business
25 corporation as of December 31, 1986;

26 (29) Tangible personal property owned by, and used exclusively for the purposes of, any
27 religious organization located in the city of Cranston;

28 (30) Real and personal property of the Travelers Aid Society of Rhode Island, a nonprofit
29 corporation, the Union Mall Real Estate Corporation, and any limited partnership or limited liability
30 company that is formed in connection with, or to facilitate the acquisition of, the Providence YMCA
31 Building;

32 (31) Real and personal property of Meeting Street Center or MSC Realty, Inc., both not-
33 for-profit Rhode Island corporations, and any other corporation, limited partnership, or limited
34 liability company that is formed in connection with, or to facilitate the acquisition of, the properties

1 designated as the Meeting Street National Center of Excellence on Eddy Street in Providence,
2 Rhode Island;

3 (32) The buildings, personal property, and land upon which the buildings stand, located on
4 Pomham Island, East Providence, currently identified as Assessor's Map 211, Block 01, Parcel
5 001.00, that consists of approximately twenty-one thousand three hundred (21,300) square feet and
6 is located approximately eight hundred sixty feet (860'), more or less, from the shore, and limited
7 exclusively to these said buildings, personal estate and land, provided that said property is owned
8 by a qualified 501(c)(3) organization, such as the American Lighthouse Foundation, and is used
9 exclusively for a lighthouse;

10 (33) The Stadium Theatre Performing Arts Centre building located in Monument Square,
11 Woonsocket, Rhode Island, so long as said Stadium Theatre Performing Arts Center is owned by
12 the Stadium Theatre Foundation, a Rhode Island nonprofit corporation;

13 (34) Real and tangible personal property of St. Mary Academy — Bay View, located in
14 East Providence, Rhode Island;

15 (35) Real and personal property of East Bay Community Action Program and its
16 predecessor, Self Help, Inc; provided, that the organization is qualified as a tax-exempt corporation
17 under § 501(c)(3) of the United States Internal Revenue Code;

18 (36) Real and personal property located within the city of East Providence of the Columbus
19 Club of East Providence, a Rhode Island charitable nonprofit corporation;

20 (37) Real and personal property located within the city of East Providence of the Columbus
21 Club of Barrington, a Rhode Island charitable nonprofit corporation;

22 (38) Real and personal property located within the city of East Providence of Lodge 2337
23 BPO Elks, a Rhode Island nonprofit corporation;

24 (39) Real and personal property located within the city of East Providence of the St.
25 Andrews Lodge No. 39, a Rhode Island charitable nonprofit corporation;

26 (40) Real and personal property located within the city of East Providence of the Trustees
27 of Methodist Health and Welfare service a/k/a United Methodist Elder Care, a Rhode Island
28 nonprofit corporation;

29 (41) Real and personal property located on the first floor of 90 Leonard Avenue within the
30 city of East Providence of the Zion Gospel Temple, Inc., a religious nonprofit corporation;

31 (42) Real and personal property located within the city of East Providence of the Cape
32 Verdean Museum Exhibit, a Rhode Island nonprofit corporation;

33 (43) The real and personal property owned by a qualified 501(c)(3) organization that is
34 affiliated and in good standing with a national, congressionally chartered organization and thereby

1 adheres to that organization's standards and provides activities designed for recreational,
2 educational, and character building purposes for children from ages six (6) years to seventeen (17)
3 years;

4 (44) Real and personal property of the Rhode Island Philharmonic Orchestra and Music
5 School; provided, that the organization is qualified as a tax-exempt corporation under § 501(c)(3)
6 of the United States Internal Revenue Code;

7 (45) The real and personal property located within the town of West Warwick at 211
8 Cowesett Avenue, Plat 29-Lot 25, which consists of approximately twenty-eight thousand seven
9 hundred fifty (28,750) square feet and is owned by the Station Fire Memorial Foundation of East
10 Greenwich, a Rhode Island nonprofit corporation;

11 (46) Real and personal property of the Comprehensive Community Action Program, a
12 qualified tax-exempt corporation under § 501(c)(3) of the United States Internal Revenue Code;

13 (47) Real and personal property located at 52 Plain Street, within the city of Pawtucket of
14 the Pawtucket Youth Soccer Association, a Rhode Island nonprofit corporation;

15 (48) Renewable energy resources, as defined in § 39-26-5, used in residential systems and
16 associated equipment used therewith in service after December 31, 2015;

17 (49) Renewable energy resources, as defined in § 39-26-5, if employed by a manufacturer,
18 as defined in subsection (a) of this section, shall be exempt from taxation in accordance with
19 subsection (a) of this section;

20 (50) Real and personal property located at 415 Tower Hill Road within the town of North
21 Kingstown, of South County Community Action, Inc., a qualified tax-exempt corporation under §
22 501(c)(3) of the United States Internal Revenue Code;

23 (51) As an effort to promote business growth, tangible business or personal property, in
24 whole or in part, within the town of Charlestown's community limits, subject to authorization by
25 formal action of the town council of the town of Charlestown;

26 (52) All real and personal property located at 1300 Frenchtown Road, within the town of
27 East Greenwich, identified as assessor's map 027, plat 019, lot 071, and known as the New England
28 Wireless and Steam Museum, Inc., a qualified tax-exempt corporation under § 501(c)(3) of the
29 United States Internal Revenue Code;

30 (53) Real and tangible personal property of Mount Saint Charles Academy located within
31 the city of Woonsocket, specifically identified as the following assessor's plats and lots: Logee
32 Street, plat 23, lot 62, Logee Street, plat 24, lots 304 and 305; Welles Street, plat 23, lot 310;
33 Monroe Street, plat 23, lot 312; and Roberge Avenue, plat 24, lot 47;

34 (54) Real and tangible personal property of Steere House, a Rhode Island nonprofit

1 corporation, located in Providence, Rhode Island;

2 (55) Real and personal property located within the town of West Warwick of Tides Family
3 Services, Inc., a Rhode Island nonprofit corporation;

4 (56) Real and personal property of Tides Family Services, Inc., a Rhode Island nonprofit
5 corporation, located in the city of Pawtucket at 242 Dexter Street, plat 44, lot 444;

6 (57) Real and personal property located within the town of Middletown of Lucy’s Hearth,
7 a Rhode Island nonprofit corporation;

8 (58) Real and tangible personal property of Habitat for Humanity of Rhode Island—
9 Greater Providence, Inc., a Rhode Island nonprofit corporation, located in Providence, Rhode
10 Island;

11 (59) Real and personal property of the Artic Playhouse, a Rhode Island nonprofit
12 corporation, located in the town of West Warwick at 1249 Main Street;

13 (60) Real and personal property located at 321 Main Street, within the town of South
14 Kingstown, of the Contemporary Theatre Company, a qualified, tax-exempt corporation under §
15 501(c)(3) of the United States Internal Revenue Code;

16 (61) Real and personal property of The Samaritans, Inc., a Rhode Island nonprofit §
17 501(c)(3) corporation located at 67 Park Place, Pawtucket, Rhode Island, to the extent the city
18 council of Pawtucket may from time to time determine;

19 (62) Real and personal property of North Kingstown, Exeter Animal Protection League,
20 Inc., dba “Pet Refuge,” 500 Stony Lane, a Rhode Island nonprofit corporation, located in North
21 Kingstown, Rhode Island;

22 (63) Real and personal property located within the city of East Providence of Foster
23 Forward (formerly the Rhode Island Foster Parents Association), a Rhode Island charitable
24 nonprofit corporation;

25 (64) Real and personal property located at 54 Kelly Avenue within the town of East
26 Providence, of the Associated Radio Amateurs of Southern New England, a Rhode Island nonprofit
27 corporation;

28 (65) Real and tangible personal property of Providence Country Day School, a Rhode
29 Island nonprofit corporation, located in East Providence, Rhode Island and further identified as plat
30 406, block 6, lot 6, and plat 506, block 1, lot 8;

31 (66) As an effort to promote business growth, tangible business or personal property, in
32 whole or in part, within the town of Bristol’s community limits, subject to authorization by formal
33 action of the town council of the town of Bristol;

34 (67) Real and tangible personal property of the Heritage Harbor Foundation, a Rhode

1 Island nonprofit corporation, located at 1445 Wampanoag Trail, Suites 103 and 201, within the city
2 of East Providence;

3 (68) Real property of Ocean State Community Wellness, Inc., a qualified tax-exempt
4 corporation under § 501(c)(3) of the United States Internal Revenue Code, located in North
5 Kingstown, Rhode Island, with a physical address of 7450 Post Road, and further identified as plat
6 108, lot 83;

7 (69) Real and tangible personal property of St. John Baptist De La Salle Institute, d/b/a La
8 Salle Academy, a Rhode Island domestic nonprofit corporation, located in Providence, Rhode
9 Island denominated at the time this subsection was adopted as Plat 83 Lot 276 by the tax assessor
10 for the city of Providence comprising approximately 26.08 acres of land along with all buildings
11 and improvements that have been or may be made;

12 (70) Real and tangible personal property of The Providence Community Health Centers,
13 Inc., a Rhode Island domestic nonprofit corporation, located in Providence, Rhode Island;

14 (71) In the city of Central Falls and the city of Pawtucket, real property and tangible
15 personal property located on or in the premise acquired or leased by a railroad entity and for the
16 purpose of providing boarding and disembarking of railroad passengers and the supporting
17 passenger railroad operations and services. For the purpose of this section, a railroad entity shall be
18 any incorporated entity that has been duly authorized by the Rhode Island public utilities
19 commission to provide passenger railroad services;

20 (72) Real and tangible personal property of the American Legion Riverside Post Holding
21 Company, d/b/a American Legion Post 10, a Rhode Island nonprofit corporation, located at 830
22 Willet Avenue, within the city of East Providence on Map 513, Block 27, Parcel 001.00 as long as
23 said property is owned by American Legion Post 10;

24 (73) Real and tangible personal property of the Holy Rosary Band Society, a Rhode Island
25 nonprofit corporation, located at 328 Taunton Avenue, within the city of East Providence on Map
26 306, Block 01, Parcel 012.00;

27 (74) Real and tangible personal property of Foster Forward, a Rhode Island domestic
28 nonprofit corporation, located within the city of Pawtucket, at 16 North Bend Street, and further
29 identified as assessor's plat 21, lot 312;

30 (75) Real and tangible personal property of the Old and Ancient Rowers Society of Rhode
31 Island, a Rhode Island domestic nonprofit corporation, located at 166 Walmsley Lane, within the
32 town of North Kingstown on Plat 004/Lot 019;

33 (76) Real and tangible personal property of the Rhode Island Public Health Foundation, a
34 domestic nonprofit corporation or any other entity formed by the Rhode Island Public Health

1 Foundation in connection with, or to facilitate the acquisition of, one property to be owned by the
2 Rhode Island Public Health Foundation or such entity, located in the city of Providence;

3 (77) Real and tangible personal property of the Manissean Tribal Council, a Rhode Island
4 nonprofit corporation, located in the town of New Shoreham, Rhode Island;

5 (78) Real and tangible personal property of Sophia Academy located at 582 Elmwood
6 Avenue, the San Miguel Education Center located at 525 Branch Avenue, and the Community
7 Preparatory School, Inc. located at 135 Prairie Avenue, all of which are domestic nonprofit
8 corporations, and all of which are located within the city of Providence; and

9 (79) Real and tangible personal property of Cape Verdean Museum Exhibit, a Rhode Island
10 domestic nonprofit corporation, located at 617 Prospect Street, within the city of Pawtucket on
11 Assessors' Plat 37, Lot 434.

12 (b) Except as provided below, when a city or town taxes a for-profit hospital facility, the
13 value of its real property shall be the value determined by the most recent full revaluation or
14 statistical property update performed by the city or town; provided, however, in the year a nonprofit
15 hospital facility converts to or otherwise becomes a for-profit hospital facility, or a for-profit
16 hospital facility is initially established, the value of the real property and personal property of the
17 for-profit hospital facility shall be determined by a valuation performed by the assessor for the
18 purpose of determining an initial assessed value of real and personal property, not previously taxed
19 by the city or town, as of the most recent date of assessment pursuant to § 44-5-1, subject to a right
20 of appeal by the for-profit hospital facility which shall be made to the city or town tax assessor with
21 a direct appeal from an adverse decision to the Rhode Island superior court business calendar.

22 A "for-profit hospital facility" includes all real and personal property affiliated with any
23 hospital as identified in an application filed pursuant to chapter 17 or 17.14 of title 23.
24 Notwithstanding the above, a city or town may enter into a stabilization agreement with a for-profit
25 hospital facility under § 44-3-9 or other laws specific to the particular city or town relating to
26 stabilization agreements. In a year in which a nonprofit hospital facility converts to, or otherwise
27 becomes, a for-profit hospital facility, or a for-profit hospital facility is otherwise established, in
28 that year only the amount levied by the city or town and/or the amount payable under the
29 stabilization agreement for that year related to the for-profit hospital facility shall not be counted
30 towards determining the maximum tax levy permitted under § 44-5-2.

31 (c) Notwithstanding any other provision of law to the contrary, in an effort to provide relief
32 for businesses, including small businesses, and to promote economic development, a city, town, or
33 fire district may establish an exemption for tangible personal property within its geographic limits
34 by formal action of the appropriate governing body within the city, town, or fire district, which

1 exemptions shall be uniformly applied and in compliance with local tax classification requirements.
2 Exemptions established pursuant to this subsection shall conform to the requirements of § 44-5-
3 12.2.

4 SECTION 2. Provisions of charters, general, and special laws granted by the general
5 assembly are hereby repealed, prospectively, to the extent inconsistent with this act.

6 SECTION 3. This act shall take effect upon passage.

=====
LC001799
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

1 This act would subject to taxation, real property owned by nonprofit institutions of higher
2 education and nonprofit hospitals, but leased or occupied by for-profit persons and entities. The act
3 would also amend charters issued by the general assembly to such nonprofit institutions and
4 hospitals, and would take effect prospectively only, upon the date of passage.

5 This act would take effect upon passage.

=====
LC001799
=====