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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMINENT DOMAIN

Introduced By: Senators LaMountain, and Vargas

Date Introduced: March 14, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-64.12-6 of the General Laws in Chapter 42-64.12 entitled
2 "Eminent Domain" is hereby amended to read as follows:

3 **42-64.12-6. Permissible uses of eminent domain powers.**

4 All entities delegated eminent domain powers under the laws of this state may exercise
5 such powers consistent with other restrictions and limitations established by law, rule, regulation,
6 or ordinance, to acquire property for the following purposes:

7 (1) Providing for public ownership and use including, but not limited to, the department of
8 environmental management acquiring established foot paths, providing the public with access to
9 streams, lakes and ponds. The department may allow local community groups to care for and
10 maintain said foot paths;

11 (2) Providing for transportation infrastructure including, but not limited to, roads,
12 highways, bridges, and associated ramps;

13 (3) Providing for public utilities, including telecommunications, and for common carriers;

14 (4) Eliminating an identifiable public harm and/or correcting conditions adversely affecting
15 public health, safety, morals, or welfare, including, but not limited to, the elimination and
16 prevention of blighted and substandard areas, as defined by chapter 31 of title 45, and correcting
17 conditions of environmental contamination that pose a significant risk to the public health,
18 correcting and repairing facilities, and correcting conditions from damages that result from a
19 declared disaster;

1 (5) Providing good and marketable title that is free and clear of liens and encumbrances
2 when property is to be acquired or is to be conveyed for any of the purposes set forth in subsections
3 (1) — (4) of this section.

4 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 STATE AFFAIRS AND GOVERNMENT -- EMINENT DOMAIN

- 1 This act would allow the department of environmental management to acquire established
- 2 foot paths by eminent domain in order to provide public access to streams, rivers, lakes and ponds.
- 3 This act would take effect upon passage.

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