

2013 -- H 5265

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LC00851
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Introduced By: Representatives Mattiello, Marcello, Ackerman, Lima, and Tomasso

Date Introduced: February 06, 2013

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-17.1-2.5 of the General Laws in Chapter 42-17.1 entitled
2 "Department of Environmental Management" is hereby amended to read as follows:

3 **42-17.1-2.5. Tolling of expiration periods.** -- (a) Notwithstanding any other provision
4 set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued
5 pursuant to any state statute or any regulation promulgated thereto pertaining to the development
6 of property shall be tolled until June 30, ~~2013~~ 2015. For the purposes of this section, "tolling"
7 means the suspension or temporary stopping of the running of the applicable permit or approval
8 period.

9 (b) Said tolling need not be recorded in the land evidence records to be valid; however, a
10 notice of the tolling must be posted in the municipal planning department and near the land
11 evidence records.

12 (c) The tolling shall apply only to approvals or permits in effect on November 9, 2009
13 and those issued between November 9, 2009 and June 30, ~~2013~~ 2015 and shall not revive expired
14 approvals or permits.

15 (d) The expiration dates for all permits and approvals issued before the tolling period
16 began will be recalculated as of July 1, ~~2013~~ 2015 by adding thereto the number of days between
17 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
18 The expiration dates for all permits and approvals issued during the tolling period will be

1 recalculated as of July 1, ~~2013~~ [2015](#) by adding thereto the number of days between the day the
2 permit or approval was issued and the day the permit or approval otherwise would have expired.

3 SECTION 2. Section 45-23-63.1 of the General Laws in Chapter 45-23 entitled
4 "Subdivision of Land" is hereby amended to read as follows:

5 **45-23-63.1. Procedure -- Tolling of expiration periods.** -- (a) Notwithstanding any
6 other provision set forth in this chapter, all periods pertaining to the expiration of any approval
7 issued pursuant to the local regulations promulgated under this chapter shall be tolled until June
8 30, ~~2013~~ [2015](#). For the purposes of this section, "tolling" shall mean the suspension or temporary
9 stopping of the running of the applicable permit or approval period.

10 (b) Said tolling need not be recorded in the land evidence records to be valid; however, a
11 notice of the tolling must be posted in the municipal planning department and near the land
12 evidence records.

13 (c) The tolling shall apply only to approvals or permits in effect on November 9, 2009
14 and those issued between November 9, 2009 and June 30, ~~2013~~ [2015](#), and shall not revive expired
15 approvals.

16 (d) The expiration dates for all permits and approvals issued before the tolling period
17 began will be recalculated as of July 1, ~~2013~~ [2015](#) by adding thereto the number of days between
18 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
19 The expiration dates for all permits and approvals issued during the tolling period will be
20 recalculated as of July 1, ~~2013~~ [2015](#) by adding thereto the number of days between the day the
21 permit or approval was issued and the day the permit or approval otherwise would have expired.

22 SECTION 3. Section 46-23-6.3 of the General Laws in Chapter 46-23 entitled "Coastal
23 Resources Management Council" is hereby amended to read as follows:

24 **46-23-6.3. Tolling of expiration periods.** -- (a) Notwithstanding any other provision set
25 forth in this chapter, all periods pertaining to the expiration of any approval or permit issued
26 pursuant to any state statute or any regulation promulgated thereto pertaining to the development
27 of property shall be tolled until June 30, ~~2013~~ [2015](#). For the purposes of this section, "tolling"
28 means the suspension or temporary stopping of the running of the applicable permit or approval
29 period.

30 (b) Said tolling need not be recorded in the land evidence records to be valid, however, a
31 notice of the tolling must be posted in the municipal planning department and near the land
32 evidence records.

33 (c) The tolling shall apply only to approvals or permits in effect on November 9, 2009
34 and those issued between November 9, 2009 and June 30, ~~2013~~ [2015](#), and shall not revive expired

1 approvals or permits.

2 (d) The expiration dates for all permits and approvals issued before the tolling period
3 began will be recalculated as of July 1, ~~2013~~ 2015 by adding thereto the number of days between
4 November 9, 2009 and the day on which the permit or approval would otherwise have expired.

5 The expiration dates for all permits and approvals issued during the tolling period will be
6 recalculated as of July 1, ~~2013~~ 2015 by adding thereto the number of days between the day the
7 permit or approval was issued and the day the permit or approval otherwise would have expired.

8 SECTION 4. This act shall take effect upon passage and shall apply to approvals and
9 permits in effect on November 9, 2009, and those issued between November 9, 2009, and June
10 30, 2015, but shall not revive any expired approval or permit.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

1 This act would extend the expiration dates pertaining to any approval or permit pursuant
2 to any state law or pursuant to the local ordinances promulgated under state law.

3 This act would take effect upon passage, and would apply to those approvals and permits
4 in effect on November 9, 2009, and those issued between November 9, 2009, and June 30, 2015,
5 but would not revive any expired approval or permit.

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