

2013 -- H 6239

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LC02792  
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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 PUBLIC UTILITIES AND CARRIERS -- WATER SUPPLY

Introduced By: Representatives Gallison, Marshall, Malik, and Hearn

Date Introduced: June 13, 2013

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 39-15-12 of the General Laws in Chapter 39-15 entitled "Water  
2 Supply" is hereby amended to read as follows:

3           **39-15-12. Liability of landowner for water charges -- Lien. --** ~~The (a)~~ Except as  
4 provided in subsection (b) herein, the owner of any house, building, tenement, or estate shall be  
5 liable for the payment of the price or rent or rates fixed by any town, city, or incorporated fire  
6 district or water district for the use of water furnished by such town, city, fire district, or water  
7 district to the owner or occupant of the house, building, tenement, or estate; and the price, rent, or  
8 rates shall be a lien upon the house, building, tenement, and estate in the same way and manner as  
9 taxes assessed on real estate are liens, and, if not paid as required by the town, city, fire district, or  
10 water district, shall be collected in the same manner that taxes assessed on real estate are by law  
11 collected; provided, however, that the city of Cranston or any agency thereof may charge interest  
12 on delinquent payments at a rate of not more than twelve percent (12%) per annum; provided,  
13 however, that the city of Woonsocket or any agency thereof may charge interest on delinquent  
14 payments at a rate of not more than eighteen percent (18%) per annum.

15           (b) Notwithstanding the provisions of subsection (a), the Bristol County Water Authority  
16 shall be prohibited from issuing bills directly to and in the name of property owners for use of  
17 authority facilities and/or for water furnished directly to a tenant or lessee of the property owner,  
18 when the property owner is not a party to any agreement or contract between the authority and the  
19 tenant or lessee. No lien shall be created against the property solely because of the use of

1 authority facilities and/or for water furnished to a tenant or lessee of the property when the  
2 property owner is not a party to any agreement or contract between the authority and the tenant or  
3 lessee. Any lien that arises pursuant to this section against any real property serviced by the  
4 Bristol County Water Authority shall not include the cost of facilities used and/or water furnished  
5 to tenants or lessees of the property when the property owner is not a party to any agreement or  
6 contract between the authority and the tenant or lessee. Provided, that this subsection shall not  
7 limit any cause or right of action of the authority against the tenant, lessee, or any party with  
8 whom the authority has contracted with. As used herein, the term "Bristol County Water  
9 Authority" includes any successor entity to the authority.

10 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 prohibit the Bristol County Water Authority from issuing bills to a  
2 property owner for a tenant's use of facilities and for the provision of water directly to a tenant.  
3 This act would also provide that the authority would also be prohibited from foreclosing on a lien  
4 against the property owner for charges arising out of water and services provided only to a tenant.  
5           This act would take effect upon passage.

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