

2020 -- H 7915 SUBSTITUTE A

LC005024/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO TAXATION -- HISTORIC RESIDENCE--TAX CREDIT

Introduced By: Representatives Ackerman, Phillips, McLaughlin, and Marszalkowski

Date Introduced: February 26, 2020

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-4.1-2 of the General Laws in Chapter 44-4.1 entitled "Historic
2 Residence - Tax Credit" is hereby amended to read as follows:

3 **44-4.1-2. Definitions.**

4 As used in this chapter:

5 (1) "Certified maintenance or rehabilitation" means any maintenance or rehabilitation of a
6 historic residence consistent with the character of that property or district as determined in
7 accordance with commission guidelines.

8 (2) "Commission" means the Rhode Island historical preservation and heritage commission
9 created pursuant to § 42-45-2, or for purposes of the historic commercial structure property tax
10 reduction in Warren, the local historic district commission in Warren; or for purposes of the historic
11 structure property tax reduction in Narragansett, the local historic district commission in
12 Narragansett; [or for purposes of the historic structure property tax reduction in Cumberland, the](#)
13 [local historic district commission in Cumberland.](#)

14 (3) "Historic residence" means a historic residential property which is not of a character
15 subject to federal depreciation allowance pursuant to 26 U.S.C. § 167 or 168 and which is:

16 (i) Listed individually in the state register of historic places; or

17 (ii) Located in a district listed in the state register of historic places and certified by the
18 commission as contributing to the historic character of that district; or

19 (iii) Located in a local historic district zone as designated by a city or town under chapter

1 24.1 of title 45 and certified by the commission as contributing to the character of that historic
2 district zone; or

3 (iv) Designated by a city or town as an individual structure subject to regulation by a local
4 historic district commission under chapter 24.1 of title 45.

5 (4) "Historic commercial structure" means: a historic structure in Warren utilized for
6 commercial purposes, whole or in part, and which is:

7 (i) Listed individually in the state register of historic places; or

8 (ii) Located in a district listed in the state register of historic places and certified by the
9 commission as contributing to the historic character of that district; or

10 (iii) Located in a local historic district zone as designated by the town under chapter 24.1
11 of title 45 and certified by the commission as contributing to the character of that historic district
12 zone; or

13 (iv) Designated by the town as an individual structure subject to regulation by a local
14 historic district commission under chapter 24.1 of title 45.

15 SECTION 2. Chapter 45-24.1 of the General Laws entitled "Historical Area Zoning" is
16 hereby amended by adding thereto the following section:

17 **45-24.1-23. Preservation of historic structures in Cumberland.**

18 In addition to all other powers granted by the provisions of this chapter, the town of
19 Cumberland is authorized by ordinance to establish, upon recommendation of its historic district
20 commission, a list of specified buildings or structures which are deemed to be of historic or
21 architectural value, and, from time to time, to add or delete from the list by ordinance, and to require
22 that demolition of properties on said list be delayed for a period of time as authorized by ordinance
23 to provide time to evaluate prescribed alternatives to demolition.

24 SECTION 3. 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 amend the definition of "Commission" for the purposes of the state
2 historical residence tax credits to include the Cumberland local historic district commission, which
3 local commission would be authorized to compile a list of buildings and structures for town council
4 approval as having historic or architectural value. This act would also provide that demolition of
5 properties on this list would be delayed to provide time to evaluate alternatives to demolition.
6 This act would take effect upon passage.

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