

2021 -- H 5025

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO TAXATION -- NORTH SMITHFIELD - HISTORIC RESIDENCE TAX
CREDIT

Introduced By: Representative Brian C. Newberry

Date Introduced: January 15, 2021

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 or for the purposes of North Smithfield "certified
8 maintenance or rehabilitation" means any maintenance or rehabilitation of a historic residence or
9 historic commercial structure consistent with the character of that property or district as determined
10 in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for
11 Restoring Historic Buildings.

12 (2) "Commission" means the Rhode Island historical preservation and heritage commission
13 created pursuant to § 42-45-2, or for purposes of the historic commercial structure property tax
14 reduction in Warren, the local historic district commission in Warren; or for purposes of the historic
15 structure property tax reduction in Narragansett, the local historic district commission in
16 Narragansett; or for purposes of the historic structure property tax reduction in Cumberland, the
17 local historic district commission in Cumberland; or for the purposes of the historic residence or
18 historic commercial structure property tax reduction in North Smithfield, the local historic district

1 [commission in North Smithfield.](#)

2 (3) "Historic residence" means a historic residential property [or historic accessory structure](#)
3 which is not of a character subject to federal depreciation allowance pursuant to 26 U.S.C. § 167
4 or 168 and which is:

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

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

8 (iii) Located in a local historic district zone as designated by a city or town under chapter
9 24.1 of title 45 and certified by the commission as contributing to the character of that historic
10 district zone; or

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

13 (4) "Historic commercial structure" means: a historic structure in Warren [or North](#)
14 [Smithfield](#) utilized for commercial purposes, whole or in part, and which is:

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

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

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

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

23 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 allow North Smithfield historic residence owners to become eligible for
- 2 state historic residence tax credits.
- 3 This act would take effect upon passage.

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