

2023 -- H 5035

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- WATER SUPPLY

Introduced By: Representatives Perez, Batista, Vella-Wilkinson, Lima, Costantino, and  
Cardillo

Date Introduced: January 11, 2023

Referred To: House Corporations

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.**

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

15 SECTION 2. Section 44-9-3 of the General Laws in Chapter 44-9 entitled "Tax Sales" is  
16 hereby amended to read as follows:

17 **44-9-3. Lien of fire district, lighting district, water district, sewer district and road**  
18 **district.**

19 (a) All taxes, charges, assessments, assessed against any person in any fire district, water

1 district, sewer district, road district and lighting district within this state, pursuant to the act of  
2 incorporation of the district, for either real or personal estate, shall constitute a lien upon that  
3 person's real estate in the district for the space of three (3) years after the assessment, and, if the  
4 real estate is not alienated, then until the taxes or fees are collected.

5 (b) Notwithstanding any rule, regulation, general or special law to the contrary, the  
6 provisions of this tax sales chapter shall not be used to force the sale of real estate owned by persons  
7 who owe any fire district, water district, sewer district, road district, or lighting district charges.

8 SECTION 3. Section 46-25-22 of the General Laws in Chapter 46-25 entitled  
9 "Narragansett Bay Commission" is hereby amended to read as follows:

10 **46-25-22. Payment of sewer user fees, charges and assessments.**

11 The commission shall proceed under the provisions of this chapter to collect the fees,  
12 charges, and assessments from any person so assessed. Each person so assessed shall pay the fees,  
13 charges, or assessments within the time frame prescribed by the rules and regulations of the  
14 commission. ~~The commission may collect the fees, charges, and assessments in the same manner~~  
15 ~~in which taxes are collected by municipalities, with no additional fees, charges, assessments, or~~  
16 ~~penalties other than those provided for in chapter 9 of title 44. Provided, however, that such fees,~~  
17 ~~charges and assessments against residential condominium occupants or residential condominium~~  
18 ~~associations shall be set at a residential rate and not at a business, commercial, or other rate. All~~  
19 unpaid charges shall be a lien upon the real estate of the person.

20 SECTION 4. 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 prevent the forced sale of real estate owned by persons who owe fire, water,
- 2 sewer, road or lighting district charges.
- 3           This act would take effect upon passage.

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