

2025 -- H 5911

LC001961

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY

Introduced By: Representatives Felix, Kazarian, Morales, Fogarty, Quattrocchi, Alzate, Tanzi, and Hull

Date Introduced: February 28, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 9-31-2 and 9-31-3 of the General Laws in Chapter 9-31 entitled
2 "Governmental Tort Liability" are hereby amended to read as follows:

3 **9-31-2. Limitations of damages -- State.**

4 In any tort action against the state of Rhode Island or any political subdivision thereof, any
5 damages recovered therein shall not exceed the sum of one hundred thousand dollars (\$100,000);
6 provided, however, ~~that in all instances in which the state was engaged in a proprietary function in~~
7 ~~the commission of the tort, or in any situation whereby the state has agreed to indemnify the federal~~
8 ~~government or any agency thereof for any tort liability, the limitation on damages set forth in this~~
9 ~~section shall not apply~~ that all claims of willful and malicious conduct, or extreme recklessness
10 shall not be subject to a limitation on damages. The State of Rhode Island shall not be subject to
11 the provisions of § 9-21-10.

12 **9-31-3. Limitation of damages -- Cities, towns, and fire districts.**

13 In any tort action against any city or town or any fire district, any damages recovered
14 therein shall not exceed the sum of one hundred thousand dollars (\$100,000); provided, however,
15 ~~that in all instances in which the city or town or fire district was engaged in a proprietary function~~
16 ~~in the commission of the tort, the limitation of damages set forth in this section shall not apply~~ that
17 all claims of willful and malicious conduct, or extreme recklessness shall not be subject to a
18 limitation on damages. The State of Rhode Island shall not be subject to the provisions of § 9-21-
19 10.

1 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 cap damages at \$100,000 in tort actions against Rhode Island, cities, towns,
2 or fire districts, except for willful misconduct or extreme recklessness. It also exempts them from
3 § 9-21-10.

4 This act would take effect upon passage.

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