

2026 -- H 7212

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LC003857

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO TOWNS AND CITIES -- ACTIONS BY AND AGAINST TOWNS

Introduced By: Representatives Felix, Kazarian, Morales, Quattrocchi, Handy, Fogarty, Noret, Corvese, Kislak, and Alzate

Date Introduced: January 21, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-15-8 of the General Laws in Chapter 45-15 entitled "Actions by
2 and Against Towns" is hereby amended to read as follows:

3 **45-15-8. Recovery against town for damages from neglect to maintain highway or**
4 **bridge.**

5 **(a)** If any person receives or suffers bodily injury or damage to that person's property by
6 reason of defect, want of repair, or insufficient railing, in or upon a public highway, causeway, or
7 bridge, in any town which is by law obliged to repair and keep the same in a condition safe and
8 convenient for travelers with their vehicles, which injury or damage might have been prevented by
9 reasonable care and diligence on the part of the town, the person may recover, in the manner
10 provided in this chapter, from the town, the amount of damages, sustained by the aggrieved person,
11 if the town had reasonable notice of the defect, or might have had notice of the defect by the exercise
12 of proper care and diligence on its part.

13 **(b) This cause of action is exempt from the provisions of chapter 31 of title 9.**

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T

RELATING TO TOWNS AND CITIES -- ACTIONS BY AND AGAINST TOWNS

- 1 This act would exempt recovery claims for damages due to a town's neglect in maintaining
- 2 highways or bridges from the provisions of chapter 31 of title 9 on governmental tort liability.
- 3 This act would take effect upon passage.

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