

2026 -- H 7215

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LC003860

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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 COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --
GOVERNMENTAL TORT LIABILITY**

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

Date Introduced: January 21, 2026

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. Any city or town or any fire district shall not be subject to the provisions of~~

1 [§ 9-21-10.](#)

2 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 COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --
GOVERNMENTAL TORT LIABILITY

- 1 This act would cap damages at \$100,000 in tort actions against Rhode Island, cities, towns, or fire districts, except for willful misconduct or extreme recklessness. It also exempts them from § 9-21-10.
- 4 This act would take effect upon passage.

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