

2026 -- H 7295

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LC004161

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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 -- LOW AND MODERATE INCOME HOUSING

Introduced By: Representative John G. Edwards

Date Introduced: January 23, 2026

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-53 of the General Laws entitled "Low and Moderate Income
2 Housing" is hereby amended by adding thereto the following section:

3 **45-53-17. Well testing for private or public wells in the town of Tiverton.**

4 (a)(1) In the town of Tiverton, prior to the commencement of any proposed construction of
5 low- or moderate-income housing, the town may require testing to be performed by and at the
6 expense of the proposed developer or builder to establish whether any existing or newly proposed
7 private or public wells shall be adversely affected to include, but not be limited to, dewatering or
8 loss of effective recharge.

9 (2) The test results shall be submitted to the town engineer with a copy to the department
10 of public works.

11 (3) Any adverse consequences identified pursuant to the testing completed pursuant to the
12 provisions of subsection (a)(1) of this section shall be eliminated or mitigated at the sole expense
13 of the proposed developer or builder to the extent necessary to prevent serious harm or loss of water
14 service to existing wells. The town engineer and/or other town personnel appointed by the town
15 council shall approve the proposal submitted by the developer or builder to eliminate or mitigate
16 the adverse consequence in accordance with the requirements of this subsection. All costs related
17 to elimination or mitigation of the adverse consequences shall be the responsibility of the developer
18 or builder.

19 (b) The testing shall comply with all regulations issued by the department of environmental

1 management and the department of health.

2 (c) The department of environmental management may promulgate rules and regulations

3 to implement the requirements of this section.

4 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 -- LOW AND MODERATE INCOME HOUSING

- 1 This act would permit the town of Tiverton to require additional testing, to be performed
- 2 by and at the expense of the developer or builder, to ensure that there is no dewatering or loss of
- 3 effective recharge to surrounding wells within close proximity of the new construction and to
- 4 eliminate or mitigate any adverse consequences at the sole expense of the developer or builder.
- 5 This act would take effect upon passage.

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