

**2026 -- H 7351**

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LC003593

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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**

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**A N   A C T**

**RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMINENT DOMAIN**

Introduced By: Representatives McNamara, and Cortvriend

Date Introduced: January 28, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1        SECTION 1. Section 42-64.12-6 of the General Laws in Chapter 42-64.12 entitled

2        "Eminent Domain" is hereby amended to read as follows:

3        **42-64.12-6. Permissible uses of eminent domain powers.**

4        All entities delegated eminent domain powers under the laws of this state may exercise

5        such powers consistent with other restrictions and limitations established by law, rule, regulation,

6        or ordinance, to acquire property for the following purposes:

7            (1) Providing for public ownership and use including, but not limited to, the department of  
8        environmental management acquiring established foot paths, providing the public with access to  
9        streams, lakes and ponds. The department may allow local community groups to care for and  
10      maintain said foot paths;

11           (2) Providing for transportation infrastructure including, but not limited to, roads,  
12        highways, bridges, and associated ramps;

13           (3) Providing for public utilities, including telecommunications, and for common carriers;

14           (4) Eliminating an identifiable public harm and/or correcting conditions adversely affecting  
15        public health, safety, morals, or welfare, including, but not limited to, the elimination and  
16        prevention of blighted and substandard areas, as defined by chapter 31 of title 45, and correcting  
17        conditions of environmental contamination that pose a significant risk to the public health,  
18        correcting and repairing facilities, and correcting conditions from damages that result from a  
19        declared disaster;

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 STATE AFFAIRS AND GOVERNMENT -- EMINENT DOMAIN

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- 1        This act would allow the department of environmental management to acquire established
- 2        foot paths by eminent domain, to provide public access to streams, rivers, lakes and ponds.
- 3        This act would take effect upon passage.

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