STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO PROPERTY - CONSERVATION AND PRESERVATION RESTRICTION ON REAL PROPERTY

Introduced By: Representatives Walsh, Handy, Tanzi, and Ruggiero

Date Introduced: February 12, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 34-39 of the General Laws entitled “Conservation and Preservation Restrictions on Real Property” is hereby amended by adding thereto the following section:

34-39-6. Use of eminent domain against conservation restrictions. -- Any state or local agency that is exercising a right of eminent domain over any land which is protected with a conservation restriction or preservation restriction, shall notify the agency or organization that holds the conservation or preservation restriction and the Rhode Island department of environmental management at the same time they are notifying fee property owners of their intentions to condemn the properties. Such notification shall include an explanation of the public purpose for which the land protected by the conservation or preservation restriction is being condemned.

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

BY THE LEGISLATIVE COUNCIL

OF

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1 This act would require notification requirements relating to the use of eminent domain over any land which is protected with a conservation or preservation restriction.

2 This act would take effect upon passage.

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