

2022 -- S 2962

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LC005814  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N A C T

IN AMENDMENT OF SECTION 4 OF CHAPTER 1321 OF THE PUBLIC LAWS, 1915, ENTITLED "AN ACT FIXING THE TIME FOR THE ELECTION OF OFFICERS IN THE TOWN OF SCITUATE" AS PREVIOUSLY AMENDED BY CHAPTER 3777 OF THE PUBLIC LAWS OF 1956 AND AUTHORIZING THE TOWN OF SCITUATE TO CHANGE THE DATE OF ITS FISCAL YEAR AND ALLOWING THE TAX LEVY FOR A TRANSITIONAL FISCAL YEAR TO EXCEED THE MAXIMUM SET FORTH IN § 44-5-2.

Introduced By: Senator Gordon E. Rogers

Date Introduced: May 19, 2022

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1           WHEREAS, The qualified electors of the Town of Scituate adopted the following  
2 resolution at its annual financial town meeting held on April 5, 2022:  
3           RESOLVED, That the qualified electors of the Town of Scituate, in meeting of the 5th day  
4 of April, 2022, in order to facilitate the adoption of a fiscal year commencing on July 1st of each  
5 year do hereby consent to and authorize the forwarding of legislation to the General Assembly of  
6 the State of Rhode Island for its consideration and adoption providing the Town of Scituate shall  
7 conduct its annual town meeting in the calendar year 2024 on the first Tuesday in the month of  
8 June at 7:00 P.M. and thereafter annually on the first Tuesday in June in each year at 7:00 P.M. and  
9 the Town of Scituate shall be authorized to adopt a budget for the period of April 1, 2023 to June  
10 30, 2024 and to levy such taxes on the rate-able property of the Town of Scituate and its inhabitants  
11 for the payment of Town debt and interest, for the payment of the Town's proportion of State Tax,  
12 if any, for the support of Schools, for the support and maintenance of the Poor, for the building,  
13 repairing and amending of Highways, for the building, repairing and amending of Bridges, for the  
14 improvement in any manner deemed fit of any property belonging to the Town, whether incidental  
15 or not to the above and for any and all other purposes authorized by law; provided that, any such  
16 budget authorized thereunder shall be approved by the electors of the Town of Scituate and that

1 such budget for the period of April 1, 2023 to June 30, 2024 may exceed the maximum increase in  
2 levy of 4.0%, pursuant to R.I. General Laws § 44-5-2.

3 SECTION 1. Section 4 of Chapter 1321 of the Public Laws Of, 1915, entitled "An Act  
4 Fixing The Time For The Election Of Officers In The Town Of Scituate" as previously amended  
5 by Chapter 3777 of the Public Laws of 1956, is hereby amended to read as follows:

6 ~~"Sec. 4. The town meeting for the ordering and disposing of the taxes and consideration of  
7 all matters relating to the finances of said town, shall be held at the town house where it is now  
8 held, on the first Tuesday next after the first Monday in April in each year, at which meeting the  
9 moderator of district number one shall preside. The town meeting to be held on the first Tuesday  
10 next after the first Monday in April, 1957, and annually thereafter, shall be held in the auditorium  
11 of the new junior-senior high school in said town."~~

12 "Sec. 4. The town meeting for the ordering and disposing of taxes and consideration of all  
13 matters relating to the finances of said town, shall be held in the calendar year 2023 on the first  
14 Tuesday next after the first Monday in April at 7:00 P.M., and in the calendar year 2024 and  
15 thereafter on the first Tuesday in the month of June at 7:00 P.M., at which meeting the town  
16 moderator shall preside. Said meeting shall be held in the Town of Scituate at such location as the  
17 Town Council shall determine by resolution from time to time, unless the alternative provisions of  
18 § 45-3-4, are invoked by the Town Council."

19 SECTION 2. The Town of Scituate is authorized to adopt an annual appropriation/budget  
20 for the period of April 1, 2023 to June 30, 2024 and to levy such taxes on the rateable property of  
21 the Town of Scituate and its inhabitants for any and all purposes authorized by law, to fund such  
22 annual appropriation/budget, provided that any such annual appropriation/budget shall be approved  
23 by the electors of the Town of Scituate and that the tax levy to fund such annual appropriation/  
24 budget for the period of April 1, 2023 to June 30, 2024 may exceed the maximum increase in levy  
25 of 4.0% set by § 44-5-2.

26 SECTION 3. Chapter 44-5 of the General Laws entitled "Levy and Assessment of Local  
27 Taxes" is hereby amended by adding thereto the following section:

28 **44-5-2.3. Scituate - Maximum levy.**

29 (a) Notwithstanding any other provisions of this chapter, in connection with the change of  
30 Scituate's fiscal year from April 1 to June 30, the town may levy a tax for its extended fiscal year  
31 in excess of four percent (4.0%) in excess of the amount levied and certified by the town for the  
32 prior year, and such tax levy may cover a period of sixteen (16) months.

33 (b) "Extended fiscal year" means the period April 1, 2023 to June 30, 2024.

34 (c) Notwithstanding the requirements of § 44-5-7(a), persons assessed pursuant to the

1 [provisions of this section have the option to pay their taxes in quarterly installments, for the](#)  
2 [extended fiscal year; provided that, the town is authorized to permit taxes to be paid in five \(5\)](#)  
3 [equal installments.](#)

4 SECTION 4. This act shall take effect upon passage and all acts and parts of acts  
5 inconsistent herewith are hereby repealed.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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IN AMENDMENT OF SECTION 4 OF CHAPTER 1321 OF THE PUBLIC LAWS, 1915, ENTITLED "AN ACT FIXING THE TIME FOR THE ELECTION OF OFFICERS IN THE TOWN OF SCITUATE" AS PREVIOUSLY AMENDED BY CHAPTER 3777 OF THE PUBLIC LAWS OF 1956 AND AUTHORIZING THE TOWN OF SCITUATE TO CHANGE THE DATE OF ITS FISCAL YEAR AND ALLOWING THE TAX LEVY FOR A TRANSITIONAL FISCAL YEAR TO EXCEED THE MAXIMUM SET FORTH IN § 44-5-2.

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1           This act would change the annual financial town meeting date for the Town of Scituate to  
2 the first Tuesday in the month of June starting in the calendar year 2024.

3           This act would confirm that the meeting can be held anywhere in the Town of Scituate  
4 unless there is a public health emergency.

5           This act would also authorize the Town of Scituate to adopt a budget for the period of April  
6 1, 2023 to June 30, 2024 and to levy such taxes on the rate-able property of the Town of Scituate  
7 and its inhabitants for any and other purposes authorized by law; provided that, any such budget  
8 authorized thereunder shall be approved by the electors of the Town of Scituate and that such  
9 budget for the period of April 1, 2023 to June 30, 2024 may exceed the maximum increase in levy  
10 of 4.0%, pursuant to § 44-5-2, which is needed as such budget will consist of five (5) calendar  
11 quarters.

12           This act would take effect upon passage. The provisions of this act have been approved by  
13 the electors of the Town at the financial town meeting held on April 5, 2022 and by the Town  
14 Council by resolution adopted March 24, 2022.

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