

2012 -- S 2985

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LC02617
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PROPERTY - COMMERCIAL TENANCY

Introduced By: Senator Michael J. McCaffrey

Date Introduced: May 17, 2012

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Chapter 34-18.1 of the General Laws entitled "Commercial Leasing and
2 Other Estates" is hereby amended by adding thereto the following section:
- 3 **34-18.1-9.1. Payment of moving costs required.** – In a tenancy governed by this
4 chapter, whenever the personal property of any tenant is removed from the premises the tenant
5 occupies by mandate of an execution from a court of competent jurisdiction, the tenant shall pay
6 the entire amount of the cost of moving the personal property and any prepaid storage charges to
7 the sheriff, constable, or other person who lawfully caused the personal property to be so moved
8 before the personal property may be released to the tenant by the person, firm, partnership,
9 company, association, or corporation having lawful possession of the property. Further, the
10 sheriff, constable, or other person who lawfully caused the personal property to be so moved shall
11 prepare and deliver a release in writing stating that the costs of moving and any prepaid storage
12 charges have been paid in full and authorizing the release of the personal property to the
13 commercial tenant. This amount shall be paid to the landlord as reimbursement for the costs of
14 removing the personal property.
- 15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require commercial tenants who are evicted, to pay the landlord's moving
2 costs of their personal property, before their seized personal property can be returned to them
3 from storage.

4 This act would take effect upon passage.

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