

2015 -- H 5043

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES--
COVENTRY

Introduced By: Representatives Nardolillo, Roberts, Nunes, Morgan, and Chippendale

Date Introduced: January 08, 2015

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-5-11.8 of the General Laws in Chapter 44-5 entitled "Levy and
2 Assessment of Local Taxes" is hereby amended to read as follows:

3 **44-5-11.8. Tax classification.** -- (a) Upon the completion of any comprehensive
4 revaluation or any update, in accordance with § 44-5-11.6, any city or town may adopt a tax
5 classification plan, by ordinance, with the following limitations:

6 (1) The designated classes of property shall be limited to the classes as defined in
7 subsection (b) of this section.

8 (2) The effective tax rate applicable to any class, excluding class 4, shall not exceed by
9 fifty percent (50%) the rate applicable to any other class, except in the city of Providence, and the
10 town of Glocester; however, in the year following a revaluation or statistical revaluation or
11 update, the city or town council of any municipality may, by ordinance, adopt tax rates for the
12 property class for all ratable tangible personal property no greater than twice the rate applicable to
13 any other class provided that the municipality documents to, and receives written approval from,
14 the office of municipal affairs that the rate difference is necessary to ensure that the estimated tax
15 levy on the property class for all ratable tangible personal property is not reduced from the prior
16 year as a result of the revaluation or statistical revaluation.

17 (3) Any tax rate changes from one year to the next shall be applied such that the same
18 percentage rate change is applicable to all classes, excluding class 4, except in the city of

1 Providence and the town of Gloucester.

2 (4) Notwithstanding subdivisions (2) and (3) of this subsection, the tax rates applicable
3 to wholesale and retail inventory within Class 3 as defined in subsection (b) of this section are
4 governed by § 44-3-29.1.

5 (5) The tax rates applicable to motor vehicles within Class 4 as defined in subsection (b)
6 of this section are governed by § 44-34.1-1.

7 (6) The provisions of chapter 35 of this title relating to property tax and fiscal disclosure
8 applies to the reporting of and compliance with these classification restrictions.

9 (b) Classes of Property.

10 (1) Class 1: Residential real estate consisting of no more than five (5) dwelling units,
11 land classified as open space, and dwellings on leased land including mobile homes. In the city of
12 Providence, this class may also include residential properties containing partial commercial or
13 business uses and residential real estate of more than five (5) dwelling units.

14 (i) A homestead exemption provision is also authorized within this class; provided
15 however, that the actual effective rate applicable to property qualifying for this exemption shall
16 be construed as the standard rate for this class against which the maximum rate applicable to
17 another class shall be determined, except in the town of Gloucester.

18 (ii) In lieu of a homestead exemption, any city or town may divide this class into non-
19 owner and owner occupied property, and adopt separate tax rates in compliance with the within
20 tax rate restrictions.

21 (2) Class 2: Commercial and industrial real estate, residential properties containing
22 partial commercial or business uses, and residential real estate of more than five (5) dwelling
23 units. In the city of Providence, properties containing partial commercial or business uses and
24 residential real estate of more than five (5) dwelling units may be included in Class 1.

25 (3) Class 3: All ratable, tangible personal property.

26 (4) Class 4: Motor vehicles and trailers subject to the excise tax created by chapter 34 of
27 this title.

28 (c) The city council of the city of Providence and the town council of the town of
29 Gloucester may, by ordinance, provide for, and adopt, a tax rate on various classes as they shall
30 deem appropriate. Provided, that the tax rate for Class 2 shall not be more than two (2) times the
31 tax rate of Class 1; the tax rate applicable to Class 3 shall not exceed the tax rate of Class 1 by
32 more than two hundred percent (200%). Gloucester shall be able to establish homestead
33 exemptions up to fifty percent (50%) of value and the calculation provided in subsection (b)(1)(i)
34 shall not be used in setting the differential tax rates.

1 (d) Notwithstanding the provisions of subsection (a) of this section, the town council of
2 the town of Middletown may hereafter, by ordinance, adopt a tax classification plan in
3 accordance with the provisions of subsections (a) and (b) of this section, to be applicable to taxes
4 assessed on or after the assessment date of December 31, 2002.

5 (e) Notwithstanding the provisions of subsection (a) of this section, the town council of
6 the town of Little Compton may hereafter, by ordinance, adopt a tax classification plan in
7 accordance with the provisions of subsections (a) and (b) of this section and the provisions of §
8 44-5-79, to be applicable to taxes assessed on or after the assessment date of December 31, 2004.

9 (f) Notwithstanding the provisions of subsection (a) of this section, the town council of
10 the town of Scituate may hereafter, by ordinance, change its tax assessment from fifty percent
11 (50%) of value to one hundred percent (100%) of value on residential and
12 commercial/industrial/mixed-use property, while tangible property is assessed at one hundred
13 percent (100%) of cost, less depreciation; provided, however, the tax rate for Class 3 (tangible)
14 property shall not exceed the tax rate for Class 1 (residential) property by more than two hundred
15 thirteen percent (213%). This provision shall apply whether or not the fiscal year is also a
16 revaluation year.

17 (g) Notwithstanding the provisions of subsections (a) and (b) of this section, the town
18 council of the town of Coventry may hereafter, by ordinance, adopt a tax classification plan
19 providing that Class 1, as set forth in subsection (b) ('Classes of Property') of this section, may
20 also include residential properties containing commercial or business uses, such ordinance to be
21 applicable to taxes assessed on or after the assessment date of December 31, 2014.

22 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 TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES--
COVENTRY

- 1 This act would permit the town of Coventry to adopt a tax classification plan including a
- 2 class of mixed-use residential and commercial properties.
- 3 This act would take effect upon passage.

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