

2015 -- H 5767

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LC001527
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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 PROPERTY - FORM OF CONVEYANCES

Introduced By: Representative Donald J. Lally

Date Introduced: February 26, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-11 of the General Laws entitled "Form and Effect of
2 Conveyances" is hereby amended by adding thereto the following sections:

3 **34-11-43. Effect of special warranty deed. --** A deed entitled "special warranty deed"
4 shall, when duly executed, have the force and effect of a deed in fee simple to the grantee and his
5 or her heirs and assigns, to his, her and their own use, with covenants on the part of the grantor,
6 for himself or herself and for his or her heirs, executors and administrators, with the grantee and
7 his or her heirs and assigns, that he or she will, and his or her heirs, executors and administrators
8 shall, warrant and defend the granted premises to the grantee and his or heirs, and assigns forever
9 against the lawful claims and demands of all persons claiming by, through or under the grantor.

10 **34-11-44. Meaning of special warranty covenants. --** In any deed of conveyance of real
11 estate, the use of the words "special warranty" in the title of said deed, and/or use of the words
12 "special warranty covenants" in the body of said deed shall have the full force, meaning, and
13 effect of the following words: "The grantor, for himself or herself and for his or her heirs,
14 executors and administrators, covenants with the grantee and his or her heirs and assigns, that he
15 or she will, and his or her heirs, executors and administrators shall, warrant and defend the
16 granted premises to the grantee and his or her heirs and assigns forever against the lawful claims
17 and demands of all persons claiming, by, through or under the grantor."

1 SECTION 2. This act shall take effect upon passage and shall apply to all deeds with the
2 words "special warranty" in their title, and/or the words "special warranty covenants" in the body
3 thereof.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would allow for the use of the terms "special warranty deed" and "special
2 warranty covenants" in any deed of conveyance, whereby the grantor will warrant and defend the
3 granted premises to the grantee forever against lawful claims.

4 This act would take effect upon passage and would apply to all deeds with the words
5 "special warranty" in their title, and/or the words "special warranty covenants" in the body
6 thereof.

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