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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 HEALTH AND SAFETY - STATE BUILDING CODE

Introduced By: Representatives McKiernan, Carnevale, O'Brien, Almeida, and Williams

Date Introduced: April 29, 2015

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-27.3-122.3 of the General Laws in Chapter 23-27.3 entitled  
2 "State Building Code" is hereby amended to read as follows:

3 **23-27.3-122.3. Penalties.** -- Every person who shall violate any provision of this code  
4 shall be punished by imprisonment in the adult correctional institution for not more than one year,  
5 or by a fine of not more than five hundred dollars (\$500), or both, for each violation. Each day  
6 during which any portion of a violation continues shall constitute a separate offense. Any fine  
7 issued and accruing pursuant to this section shall be charged against the real estate upon which  
8 the violation arose and shall constitute a lien upon such real estate. The lien shall have the same  
9 priority, force and effect as a tax lien on real estate, as provided in § 44-9-1, except that the lien  
10 shall continue in perpetuity until satisfied and shall not be subject to termination pursuant to § 44-  
11 9-1(b). The total of any and all such fines shall be added to the amount of taxes due on the real  
12 estate. The tax collector of the city or town shall have the same powers and duties with respect to  
13 such claims as afforded with respect to annual taxes due upon real estate and the provisions of  
14 law relative to the collection of annual taxes, the sale or taking of land for the nonpayment thereof  
15 and the redemption of land so sold or taken shall apply to such liens.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

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1           This act would provide super-priority lien status to fines issued in connection with  
2 violations of the state building code, and the state property maintenance code, in the same manner  
3 as already provided for boarding and demolition liens.

4           This act would take effect upon passage.

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