

2016 -- H 7140

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - LEVY
AND SALE ON EXECUTION

Introduced By: Representatives Ackerman, Shekarchi, Solomon, Craven, and
DeSimone

Date Introduced: January 13, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-26-15 of the General Laws in Chapter 9-26 entitled "Levy and
2 Sale on Execution" is hereby amended to read as follows:

3 **9-26-15. Recording effective as levy.** – (a) The filing of the copy of the execution with
4 the recorder of deeds, if any, or with the town clerk or city clerk, as provided in § 9-26-14, shall
5 constitute and be deemed a good and sufficient levy upon the real estate or any interest therein so
6 described upon the copy of the execution.

7 (b) In order for a recorded execution to be effective as a levy against real estate or any
8 interest therein, the execution must contain a description by either using an assessor's plat and lot
9 number, a metes and bounds description of the property or the description based on a recorded lot
10 and plat.

11 (c) No execution shall be effective as a levy against any property of a debtor unless it is
12 described in the manner as set forth above.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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1 This act would require attachments and executions to describe real estate with
2 particularity by using the recorded legal description, or metes and bounds, or assessors plat and
3 lot number.

4 This act would take effect upon passage.

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