

2016 -- S 2359

LC004639

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO PROPERTY -- FORM AND EFFECT OF CONVEYANCES

Introduced By: Senators Jabour, Lombardi, Archambault, and McCaffrey

Date Introduced: February 10, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Sections 34-11-17 and 34-11-18 of the General Laws in Chapter 34-11 entitled "Form and Effect of Conveyances" are hereby amended to read as follows:

**34-11-17. Effect of quitclaim deed. --** A deed substantially following the form entitled "Quitclaim Deed" or "Special Warranty Deed" shall, when duly executed, have the force and effect of a deed in fee simple to the grantee and his or her heirs and assigns, to his, her, and their own use, with covenants on the part of the grantor, for himself or herself and for his or her heirs, executors, and administrators, with the grantee and his or her heirs and assigns, that he or she will, and his or her heirs, executors, and administrators shall, warrant and defend the granted premises to the grantee and his or her heirs and assigns forever against the lawful claims and demands of all persons claiming by, through, or under the grantor.

**34-11-18. Meaning of quitclaim covenants. --** In any conveyance of real estate the words "with quitclaim covenants" or with "special warranty covenants" either in the title or in the body of said deed, shall have the full force, meaning, and effect of the following words: "The grantor, for himself or herself and for his or her heirs, executors and administrators, covenants with the grantee and his or her heirs and assigns, that he or she will, and his or her heirs, executors and administrators shall, warrant and defend the granted premises to the grantee and his or her heirs and assigns forever against the lawful claims and demands of all persons claiming by, through, or under the grantor."

SECTION 2. This act shall take effect upon passage, and shall apply to all deeds, whether

- 1 recorded or unrecorded, with the words "special warranty" in their title, and/or the words "special
- 2 warranty covenants" in the body thereof.

=====  
LC004639  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROPERTY -- FORM AND EFFECT OF CONVEYANCES

\*\*\*

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, whether recorded  
5   or unrecorded, with the words "special warranty" in their title, and/or the words "special warranty  
6   covenants" in the body thereof.

=====  
LC004639  
=====