

2019 -- H 5303

=====  
LC000665  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

—————  
A N A C T

RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION-VETERANS'  
EXEMPTIONS

Introduced By: Representatives Casey, Morin, Vella-Wilkinson, Azzinaro, and Tobon

Date Introduced: February 06, 2019

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 44-3-4 of the General Laws in Chapter 44-3 entitled "Property  
2 Subject to Taxation" is hereby amended to read as follows:

3           **44-3-4. Veterans' exemptions.**

4           (a)(1) The property of each person who served in the military or naval service of the  
5 United States in the war of the rebellion, the Spanish-American war, the insurrection in the  
6 Philippines, the China-relief expedition, or World War I, and the property of each person who  
7 served in the military or naval service of the United States in World War II at any time during the  
8 period beginning December 7, 1941, and ending on December 31, 1946, and the property of each  
9 person who served in the military or naval services of the United States in the Korean conflict at  
10 any time during the period beginning June 27, 1950, and ending January 31, 1955, or in the  
11 Vietnam conflict at any time during the period beginning February 28, 1961, and ending May 7,  
12 1975, or who actually served in the Grenada or Lebanon conflicts of 1983-1984, or the Persian  
13 Gulf conflict, the Haitian conflict, the Somalian conflict, and the Bosnian conflict, at any time  
14 during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or  
15 undeclared war and who was honorably discharged from the service, or who was discharged  
16 under conditions other than dishonorable, or who, if not discharged, served honorably, or the  
17 property of the unmarried widow or widower of that person, is exempted from taxation to the  
18 amount of one thousand dollars (\$1,000), except in:

- 1 (i) Burrillville, where the exemption is four thousand dollars (\$4,000);
- 2 (ii) Cumberland, where the town council may, by ordinance, provide for an exemption of  
3 a maximum of twenty-three thousand seven hundred seventy-two dollars (\$23,772);
- 4 (iii) Cranston, where the exemption shall not exceed three thousand dollars (\$3,000);
- 5 (iv) Jamestown, where the town council may, by ordinance, provide for an exemption for  
6 veterans, and a tax credit for one hundred percent (100%) service-related disabled veterans at the  
7 discretion of the council;
- 8 (v) Lincoln, where the exemption shall not exceed ten thousand dollars (\$10,000); and  
9 where the town council may also provide for a real estate tax exemption not exceeding ten  
10 thousand dollars (\$10,000) for those honorably discharged active duty veterans who served in  
11 Operation Desert Storm;
- 12 (vi) Newport, where the exemption is four thousand dollars (\$4,000);
- 13 (vii) New Shoreham, where the town council may, by ordinance, provide for an  
14 exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);
- 15 (viii) North Kingstown, where the exemption is ten thousand dollars (\$10,000);
- 16 (ix) North Providence, where the town council may, by ordinance, provide for an  
17 exemption of a maximum of five thousand dollars (\$5,000);
- 18 (x) [As amended by P.L. 2015, ch. 168, § 1]. Smithfield, where the exemption is ten  
19 thousand dollars (\$10,000);
- 20 (x) [As amended by P.L. 2015, ch. 179, § 1]. Smithfield, where the exemption is four  
21 thousand dollars (\$4,000). Provided, effective July 1, 2016, the Smithfield town council may, by  
22 ordinance, provide for an exemption of a maximum of ten thousand dollars (\$10,000);
- 23 (xi) Warren, where the exemption shall not exceed five thousand five hundred dollars  
24 (\$5,500) on motor vehicles, or ten thousand one hundred seventy-five dollars (\$10,175) on real  
25 property;
- 26 (xii) Westerly, where the town council may, by ordinance, provide an exemption of the  
27 total value of the veterans' real and personal property to a maximum of forty thousand five  
28 hundred dollars (\$40,500);
- 29 (xiii) Barrington, where the town council may, by ordinance, provide for an exemption of  
30 six thousand dollars (\$6,000) for real property;
- 31 (xiv) Exeter, where the exemption is five thousand dollars (\$5,000);
- 32 (xv) Gloucester, where the exemption shall not exceed thirty thousand dollars (\$30,000);
- 33 (xvi) West Warwick, where the city council may, by ordinance, provide for an exemption  
34 of up to ten thousand dollars (\$10,000);

1 (xvii) Warwick, where the city council may, by ordinance, provide for an exemption of a  
2 maximum of four thousand dollars (\$4,000);

3 (xviii) [As added by P.L 2016, ch. 238, § 1]. Charlestown, where the town council may,  
4 by ordinance, provide for an additional exemption to any veteran of the United States armed  
5 services, regardless of the veteran's qualified service dates, who was honorably discharged, or to  
6 the unmarried widow or widower of that person who is not currently receiving this statutory  
7 exemption;

8 (xix) [As added by P.L 2016, ch. 268, § 1]. Charlestown, where the town council may, by  
9 ordinance, provide for an additional tax credit to any veteran of the United States armed services,  
10 regardless of the veteran's qualified service dates, who was honorably discharged, or to the  
11 unmarried widow or widower of that person who is not currently receiving this statutory  
12 exemption;

13 (xx) Narragansett, where the town council may, by ordinance, provide for an exemption  
14 of a maximum of twenty thousand dollars (\$20,000) from the assessed value of real property, or  
15 twelve thousand dollars (\$12,000) from the assessed value of a motor vehicle; and

16 (xxi) Tiverton, where the town council may provide, by ordinance as may be amended  
17 from time to time, a tax credit of two hundred dollars (\$200) or greater.

18 (2) The exemption is applied to the property in the municipality where the person resides,  
19 and if there is not sufficient property to exhaust the exemption, the person may claim the balance  
20 in any other city or town where the person may own property; provided, that the exemption is not  
21 allowed in favor of any person who is not a legal resident of the state, or unless the person  
22 entitled to the exemption has presented to the assessors, on or before the last day on which sworn  
23 statements may be filed with the assessors for the year for which exemption is claimed, evidence  
24 that he or she is entitled, which evidence shall stand so long as his or her legal residence remains  
25 unchanged; provided, however, that in the town of South Kingstown, the person entitled to the  
26 exemption shall present to the assessors, at least five (5) days prior to the certification of the tax  
27 roll, evidence that he or she is entitled to the exemption; and, provided, further, that the  
28 exemption provided for in this subdivision to the extent that it applies in any city or town, shall be  
29 applied in full to the total value of the person's real and tangible personal property located in the  
30 city or town; and, provided, that there is an additional exemption from taxation in the amount of  
31 one thousand dollars (\$1,000), except in:

32 (i) Central Falls, where the city council may, by ordinance, provide for an exemption of a  
33 maximum of seven thousand five hundred dollars (\$7,500);

34 (ii) Cranston, where the exemption shall not exceed three thousand dollars (\$3,000);

- 1 (iii) Cumberland, where the town council may, by ordinance, provide for an exemption of  
2 a maximum of twenty-two thousand five hundred dollars (\$22,500);
- 3 (iv) Lincoln, where the exemption shall not exceed ten thousand dollars (\$10,000);
- 4 (v) Newport, where the exemption is four thousand dollars (\$4,000);
- 5 (vi) New Shoreham, where the town council may, by ordinance, provide for an  
6 exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);
- 7 (vii) North Providence, where the town council may, by ordinance, provide for an  
8 exemption of a maximum of five thousand dollars (\$5,000);
- 9 (viii) Smithfield, where the exemption is four thousand dollars (\$4,000);
- 10 (ix) Warren, where the exemption shall not exceed eleven thousand dollars (\$11,000);
- 11 (x) Barrington, where the town council may, by ordinance, provide for an exemption of  
12 six thousand dollars (\$6,000) for real property; of the property of every honorably discharged  
13 veteran of World War I or World War II, Korean or Vietnam, Grenada or Lebanon conflicts, the  
14 Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict at any  
15 time during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or  
16 undeclared war who is determined by the Veterans Administration of the United States of  
17 America to be totally disabled through service-connected disability and who presents to the  
18 assessors a certificate from the veterans administration that the person is totally disabled, which  
19 certificate remains effectual so long as the total disability continues; and
- 20 (xi) Charlestown, where the town council may, by ordinance, create a tax dollar credit  
21 reduction to replace the tax assessment exemption, as so stated in all sections herein.
- 22 (3) Provided, that:
- 23 (i) Burrillville may exempt real property of the totally disabled persons in the amount of  
24 six thousand dollars (\$6,000);
- 25 (ii) Cumberland town council may, by ordinance, provide for an exemption of a  
26 maximum of twenty-two thousand five hundred dollars (\$22,500);
- 27 (iii) Little Compton may, by ordinance, exempt real property of each of the totally  
28 disabled persons in the amount of six thousand dollars (\$6,000);
- 29 (iv) Middletown may exempt the real property of each of the totally disabled persons in  
30 the amount of five thousand dollars (\$5,000);
- 31 (v) New Shoreham town council may, by ordinance, provide for an exemption of a  
32 maximum of thirty-six thousand four hundred fifty dollars (\$36,450);
- 33 (vi) North Providence town council may, by ordinance, provide for an exemption of a  
34 maximum of five thousand dollars (\$5,000);

1 (vii) The Tiverton town council may, by ordinance which may be amended from time to  
2 time, provide for a four-hundred-dollar (\$400) tax credit or greater on the real property of each of  
3 the totally disabled persons;

4 (viii) West Warwick town council may exempt the real property of each of the totally  
5 disabled persons in an amount of two hundred dollars (\$200); and

6 (ix) Westerly town council may, by ordinance, provide for an exemption on the total  
7 value of real and personal property to a maximum of forty-six thousand five hundred dollars  
8 (\$46,500).

9 (4) There is an additional exemption from taxation in the town of:

10 Warren, where its town council may, by ordinance, provide for an exemption not  
11 exceeding eight thousand two hundred fifty dollars (\$8,250), of the property of every honorably  
12 discharged veteran of World War I or World War II, or Vietnam, Grenada or Lebanon conflicts,  
13 the Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict, at  
14 any time during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict  
15 or undeclared war who is determined by the Veterans' Administration of the United States of  
16 America to be partially disabled through a service-connected disability and who presents to the  
17 assessors a certificate that he or she is partially disabled, which certificate remains effectual so  
18 long as the partial disability continues. Provided, however, that the Barrington town council may  
19 exempt real property of each of the above named persons in the amount of three thousand dollars  
20 (\$3,000); Warwick city council may, by ordinance, exempt real property of each of the above-  
21 named persons and to any person who served in any capacity in the military or naval service  
22 during the period of time of the Persian Gulf conflict, whether or not the person served in the  
23 geographical location of the conflict, in the amount of four thousand dollars (\$4,000).

24 (5) Lincoln . There is an additional exemption from taxation in the town of Lincoln for  
25 the property of each person who actually served in the military or naval service of the United  
26 States in the Persian Gulf conflict and who was honorably discharged from the service, or who  
27 was discharged under conditions other than dishonorable, or who, if not discharged, served  
28 honorably, or of the unmarried widow or widower of that person. The exemption shall be  
29 determined by the town council in an amount not to exceed ten thousand dollars (\$10,000).

30 (b) In addition to the exemption provided in subsection (a) of this section, there is a ten-  
31 thousand dollar (\$10,000) exemption from local taxation on real property for any veteran and the  
32 unmarried widow or widower of a deceased veteran of the military or naval service of the United  
33 States who is determined, under applicable federal law by the Veterans Administration of the  
34 United States, to be totally disabled through service-connected disability and who, by reason of

1 the disability, has received assistance in acquiring "specially adopted housing" under laws  
2 administered by the veterans' administration; provided, that the real estate is occupied as his or  
3 her domicile by the person; and, provided, that if the property is designed for occupancy by more  
4 than one family, then only that value of so much of the house as is occupied by the person as his  
5 or her domicile is exempted; and, provided, that satisfactory evidence of receipt of the assistance  
6 is furnished to the assessors except in:

7 (1) Cranston, where the exemption shall not exceed thirty thousand dollars (\$30,000);

8 (2) Cumberland, where the town council may provide for an exemption not to exceed  
9 seven thousand five hundred dollars (\$7,500);

10 (3) Newport, where the exemption is ten thousand dollars (\$10,000) or ten percent (10%)  
11 of assessed valuation, whichever is greater;

12 (4) New Shoreham, where the town council may, by ordinance, provide for an exemption  
13 of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);

14 (5) North Providence, where the town council may, by ordinance, provide for an  
15 exemption not to exceed twelve thousand five hundred dollars (\$12,500);

16 (6) Westerly, where the town council may, by ordinance, provide for an exemption of a  
17 maximum of forty thousand five hundred dollars (\$40,500);

18 (7) Lincoln, where the town council may, by ordinance, provide for an exemption of a  
19 maximum of fifteen thousand dollars (\$15,000);

20 (8) Narragansett, where the town council may, by ordinance, provide for an exemption of  
21 a maximum of fifty thousand dollars (\$50,000); and

22 (9) Tiverton, where the town council may, by ordinance, provide for a tax credit of two  
23 hundred dollars (\$200) or greater, as may be amended from time to time.

24 (c) In addition to the previously provided exemptions, any veteran of the military or  
25 naval service of the United States who is determined, under applicable federal law by the  
26 Veterans' Administration of the United States to be totally disabled through service-connected  
27 disability may, by ordinance, passed in the city or town where the veteran's property is assessed,  
28 receive a ten thousand dollar (\$10,000) exemption from local taxation on his or her property  
29 whether real or personal and if the veteran owns real property may be exempt from taxation by  
30 any fire and/or lighting district; provided, that in the town of: North Kingstown, where the  
31 amount of the exemption shall be eleven thousand dollars (\$11,000) commencing with the  
32 December 31, 2002, assessment; and for the town of Westerly, where the amount of the  
33 exemption shall be thirty-nine thousand dollars (\$39,000) commencing with the December 31,  
34 2005, assessment; and in the town of Cumberland, where the amount of the exemption shall not

1 exceed forty-seven thousand five hundred forty-four dollars (\$47,544); and the town of  
2 Narragansett, where the amount of the exemption shall not exceed twenty thousand dollars  
3 (\$20,000) from the assessed value of real property or twelve thousand dollars (\$12,000) from the  
4 assessed value of a motor vehicle; and in the city of Cranston, commencing with the December  
5 31, 2016, assessment, where the exemption will not exceed two hundred fifty thousand dollars  
6 (\$250,000) and be extended to the unmarried widow or widower of such veteran, and in the town  
7 of Tiverton, where, by ordinance, a tax credit of two hundred dollars (\$200) or greater shall be  
8 applied to the qualified veteran's property assessment tax bill.

9 (d) In determining whether or not a person is the widow or widower of a veteran for the  
10 purposes of this section, the remarriage of the widow or widower shall not bar the furnishing of  
11 the benefits of the section if the remarriage is void, has been terminated by death, or has been  
12 annulled or dissolved by a court of competent jurisdiction.

13 (e) In addition to the previously provided exemptions, there may by ordinance passed in  
14 the city or town where the person's property is assessed, be an additional fifteen thousand dollars  
15 (\$15,000) exemption from local taxation on real and personal property for any veteran of military  
16 or naval service of the United States or the unmarried widow or widower of person who has been  
17 or shall be classified as, or determined to be, a prisoner of war by the Veterans' Administration of  
18 the United States, except in:

19 (1) Westerly, where the town council may, by ordinance, provide for an exemption of a  
20 maximum of sixty-eight thousand dollars (\$68,000);

21 (2) Cumberland, where the town council may by ordinance provide for an exemption of a  
22 maximum of forty-seven thousand five hundred forty-four dollars (\$47,544);

23 (3) Narragansett, where the town council may, by ordinance, provide for an exemption of  
24 a maximum of forty thousand dollars (\$40,000); and

25 (4) Tiverton, where the town council may, by ordinance, provide for a tax credit of six  
26 hundred dollars (\$600) or greater.

27 (f) Cities and towns granting exemptions under this section shall use the eligibility dates  
28 specified in this section.

29 (g) The several cities and towns not previously authorized to provide an exemption for  
30 those veterans who actually served in the Persian Gulf conflict may provide that exemption in the  
31 amount authorized in this section for veterans of other recognized conflicts.

32 (h) Bristol, where the town council of Bristol may, by ordinance, provide for an  
33 exemption for any veteran and the unmarried widow or widower of a deceased veteran of military  
34 or naval service of the United States who is determined, under applicable federal law by the

1 Veterans' Administration of the United States to be partially disabled through service-connected  
2 disability.

3 (i) In addition to the previously provided exemption, any veteran who is discharged from  
4 the military or naval service of the United States under conditions other than dishonorable, or an  
5 officer who is honorably separated from military or naval service, who is determined, under  
6 applicable federal law by the Veterans Administration of the United States to be totally and  
7 permanently disabled through a service-connected disability, who owns a specially adapted  
8 homestead that has been acquired or modified with the assistance of a special adaptive housing  
9 grant from the Veteran's Administration and that meets Veteran's Administration and Americans  
10 with disability act guidelines from adaptive housing or that has been acquired or modified using  
11 proceeds from the sale of any previous homestead that was acquired with the assistance of a  
12 special adaptive housing grant from the veteran's administration, the person or the person's  
13 surviving spouse is exempt from all taxation on the homestead. Provided, that in the town of  
14 Westerly where the amount of the above referenced exemption shall be forty-six thousand five  
15 hundred dollars (\$46,500).

16 (j) The town of Coventry may provide, by ordinance, a one-thousand-dollar (\$1,000)  
17 exemption for any person who is an active member of the armed forces of the United States.

18 (k) The town of Scituate may provide, by ordinance, in lieu of a tax exemption that grants  
19 to all disabled veterans with a one hundred percent (100%) service-connected disability, a tax  
20 credit in an amount to be determined from time to time by the town council.

21 (l) In addition to the exemptions previously provided, the several cities and towns may  
22 provide by ordinance for the total exemption from local taxation of the homestead of a veteran, or  
23 their surviving spouse, who was honorably discharged or separated from the military under the  
24 conditions set forth in subsection (a)(1) of this section, provided that the veteran has been  
25 determined by the Veterans' Administration to have a service connected disability of one hundred  
26 percent (100%).

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

=====  
LC000665  
=====



EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION-VETERANS'  
EXEMPTIONS

\*\*\*

- 1           This act would give cities and towns the option of entirely exempting the homestead of a
- 2 disabled veteran or their surviving spouse from taxation.
- 3           This act would take effect upon passage.

=====  
LC000665  
=====