

2024 -- H 7750

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LC005290  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO PROPERTY -- BY POSSESSION AND PRESCRIPTION

Introduced By: Representatives Cortvriend, Fogarty, McNamara, Handy, Edwards, and  
McGaw

Date Introduced: February 28, 2024

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 34-7-4 of the General Laws in Chapter 34-7 entitled "By Possession  
2 and Prescription" is hereby repealed.

3           **34-7-4. Right of footway denied.**

4           ~~No right of footway, except claimed in connection with a right to pass with carriages, shall~~  
5 ~~be acquired by prescription or adverse use for any length of time.~~

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would repeal the provisions of § 34-7-4 which provides that no right of footway,  
2           except claimed in connection with a right to pass with carriages, could be acquired by prescription  
3           or adverse use for any length of time. This act would effectively eliminate the statutory prohibition  
4           against acquiring a right of footway by adverse possession.

5           This act would take effect upon passage.

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