

2024 -- H 8207

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LC006004
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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 STATE AFFAIRS AND GOVERNMENT -- FARMLAND PRESERVATION
ACT

Introduced By: Representatives Lima, Cardillo, and Costantino

Date Introduced: April 25, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-82-16 of the General Laws in Chapter 42-82 entitled "Farmland
2 Preservation Act" is hereby amended to read as follows:

3 **42-82-16. Charges for utility extension.**

4 (a) No city, town, quasi-municipal corporation or public corporation may assess the owner
5 of an agricultural operation having frontage on a public roadway for the extension of ~~water and~~
6 sewer utilities past the property.

7 (b) No city, town, quasi-municipal corporation or public corporation may assess the owner
8 of an agricultural operation as defined in § 2-23-4, or agricultural land as defined in § 42-82-2(1),
9 in existence as of July 1, 2024 and having frontage on a public roadway for the extension of water
10 utilities past the property. Assessment for the extension of water utilities includes any impact fee,
11 connection fee or any other fee designed to circumvent the prohibition contained in this section.

12 (1) Agricultural operations and agricultural land eligible for the protections for the
13 exemptions in section (b) of this section, shall be listed as of July 1, 2024 on the division of
14 agriculture's list of agricultural operations pursuant to § 2-23.1-3 and shall be in compliance with
15 the provisions of § 44-27-3.

16 ~~(b)~~(c) The owner of the agricultural operation may only be charged for the extension of
17 sewer utilities if the owner has requested the utility extension. The agricultural operation may tie
18 into any sewer utility extension made past that property for the normal cost of tie-in and no cost for

1 the infrastructure improvement except for its base usable charge. The protection afforded by this
2 section shall be null and void and the assessments made if the owner of the agricultural operation
3 develops or sells to other than a qualifying agricultural operation the property or farmland within
4 twenty (20) years of the date the utility extensions were operational.

5 (d) The owner of the agricultural operation may not be charged for the extension of water
6 utilities if the owner has requested the utility extension. The agricultural operation may tie into any
7 water utility extension made past that property at no cost of tie-in and no cost for the infrastructure
8 improvement except for its base usable charge. The protection afforded by this section shall be null
9 and void and the assessments made if the owner of the agricultural operation develops or sells to
10 other than a qualifying agricultural operation the property or farmland within twenty (20) years of
11 the date the utility extensions were operational.

12 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 STATE AFFAIRS AND GOVERNMENT -- FARMLAND PRESERVATION
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1 This act would prohibit any city, town, quasi-municipal corporation or public corporation
2 from assessing any existing agricultural operation or agricultural land any water impact fee,
3 excepting base useable charges.

4 This act would take effect upon passage.

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