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LC01054/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO PROPERTY - CONSERVATION AND PRESERVATION RESTRICTION ON
REAL PROPERTY

Introduced By: Representatives Walsh, Handy, Tanzi, and Ruggiero

Date Introduced: February 12, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-39 of the General Laws entitled "Conservation and Preservation
2 Restrictions on Real Property" is hereby amended by adding thereto the following section:

3 **34-39-6. Use of eminent domain against conservation restrictions.** -- Any state or
4 local agency that is exercising a right of eminent domain over any land which is protected with a
5 conservation restriction or preservation restriction, shall notify the agency or organization that
6 holds the conservation or preservation restriction and the Rhode Island department of
7 environmental management at the same time they are notifying fee property owners of their
8 intentions to condemn the properties. Such notification shall include an explanation of the public
9 purpose for which the land protected by the conservation or preservation restriction is being
10 condemned.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PROPERTY - CONSERVATION AND PRESERVATION RESTRICTION ON
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- 1 This act would require notification requirements relating to the use of eminent domain
- 2 over any land which is protected with a conservation or preservation restriction.
- 3 This act would take effect upon passage.

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