# 2018 -- H 7559

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dollars (\$1,000), except in:

#### STATE OFRHODE ISLAND

## IN GENERAL ASSEMBLY

#### **JANUARY SESSION, A.D. 2018**

## AN ACT

## RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Introduced By: Representatives Canario, and Edwards

Date Introduced: February 09, 2018

Referred To: House Finance

It is enacted by the General Assembly as follows:

SECTION 1. Sections 44-3-4, 44-3-5 and 44-3-12 of the General Laws in Chapter 44-3 1

entitled "Property Subject to Taxation" are hereby amended to read as follows:

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

(a) (1) The property of each person who served in the military or naval service of the United States in the war of the rebellion, the Spanish-American war, the insurrection in the Philippines, the China-relief expedition, or World War I, and the property of each person who 6 served in the military or naval service of the United States in World War II at any time during the period beginning December 7, 1941, and ending on December 31, 1946, and the property of each 8 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 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 for which a campaign ribbon or expeditionary medal was earned, and who was honorably discharged from the service, or who was discharged under conditions other than 16 dishonorable, or who, if not discharged, served honorably, or the property of the unmarried 18 widow or widower of that person, is exempted from taxation to the amount of one thousand

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) Glocester, 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 of a maximum of one hundred fifty dollars
5	(\$150) to any veteran of the United States armed services, regardless of their qualified services
6	dates, who was honorably discharged, or to the unmarried widow or widower of that person who
7	is not currently receiving this statutory 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 of one hundred fifty dollars (\$150) to any veteran
10	of the United States armed services, regardless of their qualified service dates, who was
11	honorably discharged, or to the unmarried widow or widower of that person who is not currently
12	receiving this statutory exemption; and
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);

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

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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	and
12	(x) Barrington, where the town council may, by ordinance, provide for an exemption of
13	six thousand dollars (\$6,000) for real property; of the property of every honorably discharged
14	veteran of World War I or World War II, Korean or Vietnam, Grenada or Lebanon conflicts, the
15	Persian Gulf conflict, the Haitian conflict, the Somalian conflict and the Bosnian conflict at any
16	time during the period beginning August 2, 1990, and ending May 1, 1994, or in any conflict or
17	undeclared war for which a campaign ribbon or expeditionary medal was earned, who is
18	determined by the Veterans Administration of the United States of America to be totally disabled
19	through service connected disability and who presents to the assessors a certificate from the
20	veterans administration that the person is totally disabled, which certificate remains effectual so
21	long as the total disability continues.
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);

(vii) Tiverton town council may, by ordinance, exempt real property of each of the totally disabled persons in the amount of five thousand dollars (\$5,000), subject to voters' approval at the financial town meeting The Tiverton town council may, by ordinance which may be amended from time to time, provide for a four hundred dollars (\$400) tax credit or greater on the real property of each of the totally disabled persons;

- (viii) West Warwick town council may exempt the real property of each of the totally disabled persons in an amount of two hundred dollars (\$200); and
- (ix) Westerly town council may, by ordinance, provide for an exemption on the total value of real and personal property to a maximum of forty-six thousand five hundred dollars (\$46,500).
  - (4) There is an additional exemption from taxation in the town of:

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

- (5) Lincoln. There is an additional exemption from taxation in the town of Lincoln for the property of each person who actually served in the military or naval service of the United States in the Persian Gulf conflict and who was honorably discharged from the service, or who was discharged under conditions other than dishonorable, or who, if not discharged, served honorably, or of the unmarried widow or widower of that person. The exemption shall be determined by the town council in an amount not to exceed ten thousand dollars (\$10,000).
- (b) In addition to the exemption provided in subsection (a) of this section, there is a tenthousand dollar (\$10,000) exemption from local taxation on real property for any veteran and the

- 1 unmarried widow or widower of a deceased veteran of the military or naval service of the United 2 States who is determined, under applicable federal law by the Veterans Administration of the 3 United States, to be totally disabled through service-connected disability and who, by reason of 4 the disability, has received assistance in acquiring "specially adopted housing" under laws 5 administered by the veterans' administration; provided, that the real estate is occupied as his or her domicile by the person; and, provided, that if the property is designed for occupancy by more 6 7 than one family, then only that value of so much of the house as is occupied by the person as his 8 or her domicile is exempted; and, provided, that satisfactory evidence of receipt of the assistance 9 is furnished to the assessors except in: 10
  - (1) Cranston, where the exemption shall not exceed thirty thousand dollars (\$30,000);
  - (2) Cumberland, where the town council may provide for an exemption not to exceed seven thousand five hundred dollars (\$7,500);

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- 13 (3) Newport, where the exemption is ten thousand dollars (\$10,000) or ten percent (10%) 14 of assessed valuation, whichever is greater;
  - (4) New Shoreham, where the town council may, by ordinance, provide for an exemption of a maximum of thirty-six thousand four hundred fifty dollars (\$36,450);
  - (5) North Providence, where the town council may, by ordinance, provide for an exemption not to exceed twelve thousand five hundred dollars (\$12,500);
  - (6) Westerly, where the town council may, by ordinance, provide for an exemption of a maximum of forty thousand five hundred dollars (\$40,500);
  - (7) Lincoln, where the town council may, by ordinance, provide for an exemption of a maximum of fifteen thousand dollars (\$15,000); and
- 23 (8) Narragansett, where the town council may, by ordinance, provide for an exemption of 24 a maximum of fifty thousand dollars (\$50,000); and
  - (9) Tiverton, where the town council may, by ordinance, provide for a tax credit of two hundred dollars (\$200) or greater, as may be amended from time to time.
    - (c) In addition to the previously provided exemptions, any veteran of the military or naval service of the United States who is determined, under applicable federal law by the Veterans' Administration of the United States to be totally disabled through service-connected disability may, by ordinance, passed in the city or town where the veteran's property is assessed, receive a ten thousand dollar (\$10,000) exemption from local taxation on his or her property whether real or personal and if the veteran owns real property may be exempt from taxation by any fire and/or lighting district; provided, that in the town of: North Kingstown, where the amount of the exemption shall be eleven thousand dollars (\$11,000) commencing with the

1	December 31, 2002, assessment; and for the town of Westerly, where the amount of the
2	exemption shall be thirty-nine thousand dollars (\$39,000) commencing with the December 31,
3	2005, assessment; and in the town of Cumberland, where the amount of the exemption shall not
4	exceed forty-seven thousand five hundred forty-four dollars (\$47,544); and the town of
5	Narragansett, where the amount of the exemption shall not exceed twenty thousand dollars
6	(\$20,000) from the assessed value of real property or twelve thousand dollars (\$12,000) from the
7	assessed value of a motor vehicle; and in the city of Cranston, commencing with the December
8	31, 2016, assessment, where the exemption will not exceed two hundred fifty thousand dollars
9	(\$250,000) and be extended to the unmarried widow or widower of such veteran, and in the town
10	of Tiverton, where by ordinance, a tax credit of two hundred dollars (\$200) or greater shall be
11	applied to the qualified veteran's property assessment tax bill.
12	(d) In determining whether or not a person is the widow or widower of a veteran for the
13	purposes of this section, the remarriage of the widow or widower shall not bar the furnishing of
14	the benefits of the section if the remarriage is void, has been terminated by death, or has been
15	annulled or dissolved by a court of competent jurisdiction.
16	(e) In addition to the previously provided exemptions, there may by ordinance passed in
17	the city or town where the person's property is assessed, be an additional fifteen thousand dollars
18	(\$15,000) exemption from local taxation on real and personal property for any veteran of military
19	or naval service of the United States or the unmarried widow or widower of person who has been
20	or shall be classified as, or determined to be, a prisoner of war by the Veterans' Administration of
21	the United States, except in:
22	(1) Westerly, where the town council may, by ordinance, provide for an exemption of a
23	maximum of sixty-eight thousand dollars (\$68,000);
24	(2) Cumberland, where the town council may by ordinance provide for an exemption of a
25	maximum of forty-seven thousand five hundred forty-four dollars (\$47,544); and
26	(3) Narragansett, where the town council may, by ordinance, provide for an exemption of
27	a maximum of forty thousand dollars (\$40,000); and
28	(4) Tiverton, where the town council may by ordinance provide for a tax credit of six
29	hundred dollars (\$600) or greater.
30	(f) Cities and towns granting exemptions under this section shall use the eligibility dates
31	specified in this section.
32	(g) The several cities and towns not previously authorized to provide an exemption for

amount authorized in this section for veterans of other recognized conflicts.

those veterans who actually served in the Persian Gulf conflict may provide that exemption in the

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(h) Bristol, where the town council of Bristol may, by ordinance, provide for an exemption for any veteran and the unmarried widow or widower of a deceased veteran of military or naval service of the United States who is determined, under applicable federal law by the Veterans' Administration of the United States to be partially disabled through service connected disability.

- (i) In addition to the previously provided exemption, any veteran who is discharged from the military or naval service of the United States under conditions other than dishonorable, or an officer who is honorably separated from military or naval service, who is determined, under applicable federal law by the Veterans Administration of the United States to be totally and permanently disabled through a service-connected disability, who owns a specially adapted homestead that has been acquired or modified with the assistance of a special adaptive housing grant from the Veteran's Administration and that meets Veteran's Administration and Americans with disability act guidelines from adaptive housing or that has been acquired or modified using proceeds from the sale of any previous homestead that was acquired with the assistance of a special adaptive housing grant from the veteran's administration, the person or the person's surviving spouse is exempt from all taxation on the homestead. Provided, that in the town of Westerly where the amount of the above referenced exemption shall be forty-six thousand five hundred dollars (\$46,500).
- (j) The town of Coventry may provide by ordinance a one thousand dollars (\$1,000) exemption for any person who is an active member of the armed forces of the United States.
  - (k) The town of Scituate may provide by ordinance, in lieu of a tax exemption that grants to all disabled veterans with a one hundred percent (100%) service-connected disability, a tax credit in an amount to be determined from time to time by the town council.

## 44-3-5. Gold star parents' exemption.

- (a) The property of every person whose son or daughter has served with the armed forces of the United States of America and has lost his or her life as a result of his or her service with the armed forces of the United States of America, providing the death was determined to be in the line of duty, shall be exempted from taxation to the amount of three thousand dollars (\$3,000) in accordance with similar provisions of § 44-3-4 applying to honorably discharged veterans of the armed forces; provided, that there shall be but one exemption granted where both parents of the deceased son or daughter are living; provided:
- (1) Cranston. The city of Cranston may provide, by ordinance, an exemption from taxation not to exceed forty-five hundred dollars (\$4,500);
  - (2) Warren. The town of Warren may provide, by ordinance, an exemption from taxation

2	(3) Cumberland. The town of Cumberland may provide, by ordinance, an exemption not
3	to exceed twenty-three thousand seven hundred seventy-two dollars (\$23,772) for persons
4	receiving a gold star exemption;
5	(4) North Providence. The town of North Providence may provide, by ordinance, an
6	exemption not to exceed five thousand dollars (\$5,000) for persons receiving a gold star
7	exemption;
8	(5) Smithfield. The town of Smithfield may provide, by ordinance, an exemption not to
9	exceed six thousand dollars (\$6,000) for persons receiving a gold star exemption;
.0	(6) Westerly. The town of Westerly may provide, by ordinance, an exemption on the total
1	value of real and personal property not to exceed forty-six thousand five hundred dollars
2	(\$46,500);
.3	(7) Barrington. The town of Barrington may provide, by ordinance, an exemption not to
4	exceed six thousand dollars (\$6,000) for real property for persons receiving a gold star
.5	exemption;
6	(8) Jamestown. The town of Jamestown may provide, by ordinance, an exemption on the
.7	total value of real and personal property not to exceed five thousand dollars (\$5,000);
.8	(9) Lincoln. The town of Lincoln may provide, by ordinance, an exemption not to exceed
9	five thousand dollars (\$5,000) for persons receiving a gold star exemption;
20	(10) West Warwick. The town of West Warwick may provide by ordinance, an
21	exemption not to exceed two hundred twenty-five dollars (\$225) for persons receiving a gold star
22	exemption; and
23	(11) Narragansett. The town of Narragansett may provide, by ordinance, an exemption
24	not to exceed twenty thousand dollars (\$20,000) from the assessed value of real property, or
25	twelve thousand dollars (\$12,000) from the assessed value of a motor vehicle, for persons
26	receiving a gold star exemption; and
27	(12) Tiverton. The town of Tiverton may provide, by ordinance, a tax credit of one
28	hundred twenty dollars (\$120) or greater for persons receiving a gold star exemption.
29	(b) The adjustment shall be made to reflect the same monetary savings that appeared on
80	the property tax bill that existed for the year prior to reevaluation of the real property. If any
31	provision of this section is held invalid, the remainder of this section and the application of its
32	provisions shall not be affected by that invalidity.
33	44-3-12. Visually impaired persons Exemption.

not to exceed nine thousand seven hundred eighty-three dollars (\$9,783);

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(a) The property of each person who is legally blind according to federal standards as

•	continued by a meanised physician of as continued by the range issuad services for the continued and
2	visually impaired shall be exempted from taxation to the amount of six thousand dollars (\$6,000)
3	except for the towns of:
4	Tiverton. Which exemption shall be seven thousand five hundred dollars (\$7,500
5	provided by town ordinance as a tax credit of three hundred dollars (\$300) or greater; and
6	Warren. Which exemption shall be up to forty thousand eight hundred ninety-five dollars
7	(\$40,895); and
8	Barrington. Which exemption shall be sixteen thousand dollars (\$16,000) for rea
9	property. The exemption shall apply to the property in the municipality where the person resides
10	and if there is not sufficient property to exhaust the exemption, the person may proclaim the
11	balance in any city or town where he or she may own property; except for the town o
12	Cumberland, which exemption shall be up to forty-seven thousand five hundred forty-four dollars
13	(\$47,544); and
14	Westerly. Which may provide, by ordinance, an exemption on the total value of real and
15	personal property not to exceed twenty-nine thousand dollars (\$29,000). The city or town council
16	of any city or town may, by ordinance, increase the exemption within the city or town to an
17	amount not to exceed twenty-two thousand five hundred dollars (\$22,500). The exemption shall
18	not be allowed in favor of any person who is not a legal resident of the state, or unless the person
19	entitled to the exemption shall have presented to the assessors, on or before the last day on which
20	sworn statements may be filed with the assessors for the year for which exemption is claimed
21	due evidence that he or she is so entitled, which evidence shall stand so long as his or her legal
22	residence remains unchanged. The exemption provided for in this section, to the extent that i
23	shall apply to any city or town, shall be applied in full to the total value of the person's real and
24	tangible personal property located in the city or town and shall be applied to intangible personal
25	property only to the extent that there is not sufficient real property or tangible personal property
26	to exhaust the exemption. This exemption shall be in addition to any other exemption provided by
27	law except as provided in § 44-3-25.
28	West Warwick. Which exemption shall be equal to three hundred thirty-five dollars
29	(\$335).
30	(b) In each city or town that has not increased the exemption provided by subsection (a
31	above the minimum of six thousand dollars (\$6,000), except for the towns town of:
32	Tiverton. Which exemption shall be seven thousand five hundred dollars (\$7,500); and
33	Barrington. Which exemption shall be sixteen thousand dollars (\$16,000) for rea
34	property. The exemption shall increase automatically each year by the same percentage as the

1	percentage increase in the total amount of taxes levied by the city or town. The automatic
2	increase shall not apply to cities or towns that have increased the exemption provided by
3	subsection (a) above the minimum of six thousand dollars (\$6,000), except for the towns town of:
4	Tiverton. Which exemption shall be seven thousand five hundred dollars (\$7,500); and
5	Barrington. Which exemption shall be sixteen thousand dollars (\$16,000) for real
6	property. If the application of the automatic increase to an exemption of six thousand dollars
7	(\$6,000) on a continuous basis from December 31, 1987, to any subsequent assessment date
8	would result in a higher exemption than the exemption enacted by the city or town council, then
9	the amount provided by the automatic increase applies.
10	SECTION 2. This act shall take effect upon passage.

LC004651

# EXPLANATION

## BY THE LEGISLATIVE COUNCIL

OF

# AN ACT

# RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

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This act would allow the Tiverton town council to grant, by ordinance, property tax credits and would remove the current property assessment value-based tax exemptions for veterans, gold star parents and visually impaired persons.

This act would take effect upon passage.