

**2016 -- H 8001 SUBSTITUTE A**

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LC005575/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2016**

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A N A C T

RELATING TO PROPERTY - FORM AND EFFECT OF CONVEYANCES

Introduced By: Representatives Craven, and Ackerman

Date Introduced: March 25, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 34-11 of the General Laws entitled "Form and Effect of  
2           Conveyances" is hereby amended by adding thereto the following sections:

3           **34-11-43. Effect of special warranty deed.** – A deed entitled "special warranty deed"  
4           shall, when duly executed, have the force and effect of a deed in fee simple to the grantee and his  
5           or her heirs and assigns, to his, her, and their own use, with covenants on the part of the grantor,  
6           for himself or herself and for his or her heirs, executors and administrators, with the grantee and  
7           his or her heirs and assigns, that he or she will, and his or her heirs, executors and administrators  
8           shall, warrant and defend the granted premises to the grantee and his or her heirs and assigns  
9           forever against the lawful claims and demands of all persons claiming by, through, or under the  
10           grantor.

11           **34-11-44. Meaning of special warranty covenants.** – In any deed of conveyance of real  
12           estate, the use of the words "special warranty" in the title of said deed, and/or use of the words  
13           "special warranty covenants" in the body of said deed shall have the full force, meaning, and  
14           effect of the following words: "The grantor, for himself or herself and for his or her heirs,  
15           executors and administrators, covenants with the grantee and his or her heirs and assigns, that he  
16           or she will, and his or her heirs, executors and administrators shall, warrant and defend the  
17           granted premises to the grantee and his or her heirs and assigns forever against the lawful claims  
18           and demands of all persons claiming, by, through, or under the grantor."

19           SECTION 2. This act shall take effect upon passage, and shall apply to all deeds with the

- 1 words "special warranty" in their title, and/or the words "special warranty covenants" in the body
- 2 thereof.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would authorize the filing of a "Special Warranty Deed" containing "special  
2 warranty covenants" that would require grantors, their heirs, executors, and administrators to  
3 defend against the lawful claims and demands of persons claiming by, through, or under the  
4 grantor against grantees, their heirs, and assigns.

5           This act would take effect upon passage, and would apply to all deeds with the words  
6 "special warranty" in their title, and/or the words "special warranty covenants" in the body  
7 thereof.

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