

2015 -- S 0348 SUBSTITUTE A

LC001313/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO PROPERTY - CONDOMINIUM OWNERSHIP

Introduced By: Senators Miller, and Goldin

Date Introduced: February 12, 2015

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 34-37 of the General Laws entitled "Rhode Island Fair Housing  
2 Practices Act" is hereby amended by adding thereto the following section:

3 **34-37-5.5. Freedom of condominium owners and apartment renters to display**  
4 **certain religious items.** – (a) Except as otherwise provided by this section, a landlord or owner,  
5 as defined in § 34-18-11, a management committee, as defined in § 34-36-3, or an association of  
6 unit owners, as defined in § 34-36.1-1.03 (hereinafter "property owners"), may not enforce or  
7 adopt a restrictive covenant or otherwise prohibit a unit owner or tenant from displaying or  
8 affixing on the entry to the unit owner's or tenant's dwelling one or more religious items, the  
9 display of which is motivated by the unit owner's or tenant's sincere religious belief.

10 (b) This section does not prohibit the enforcement or adoption of a covenant that, to the  
11 extent allowed by the constitutions of this state and the United States, prohibits the display or  
12 affixing of a religious item on the entry to the unit owner's or tenant's dwelling that:

13 (1) Threatens the public health or safety;

14 (2) Violates the provisions of chapter 37 of title 34 or any other state or federal law  
15 barring discrimination in housing, or any other law;

16 (3) Is in a location other than the entry door or door frame or extends past the outer edge  
17 of the door frame of the unit owner's or resident's dwelling; or

18 (4) Individually or in combination with each other religious item displayed or affixed on  
19 the entry door or door frame has a total size of greater than twenty-five (25) square inches.

1           (c) Except as otherwise provided by this section does not authorize a unit owner or tenant  
2 to use a material or color for an entry door or door frame of the owner's or resident's dwelling or  
3 make an alteration to the entry door or door frame that is not authorized by the restrictive  
4 covenant governing the dwelling.

5           (d) A property owner's association may remove an item displayed in violation of a  
6 restrictive covenant permitted by this section.

7           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 allow the display of religion-related items on the front doors of
- 2           condominiums and apartments despite restrictive covenants banning such displays.
- 3           This act would take effect upon passage.

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