

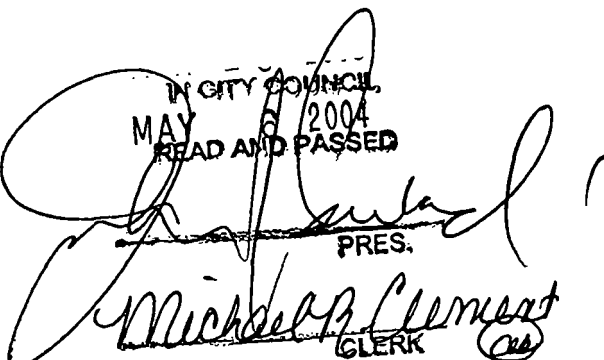
THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 211

*Approved* May 13, 2004

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-S 2725 and House Bill 2004-H 8250, Relative to Motor Vehicles—Abandoned Cars.

IN CITY COUNCIL  
MAY 6 2004  
READ AND PASSED  
  
PRES.  
Michael P. Clement  
CLERK

**APPROVED**

  
MAYOR 5/13/04

IN CITY COUNCIL  
APR 15 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION

Michael Clement CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval

Claire E. Bell  
April 21, 2004 CLERK

Councilman Sponte, Jackson, Luna, Mancini and Councilwoman Romanos (By Request)

2004 -- S 2725

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LC02241  
=====**STATE OF RHODE ISLAND****IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2004**

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**A N A C T**  
**RELATING TO MOTOR VEHICLES - ABANDONED CARS****Introduced By:** Senators Ciccone, Pichardo, DaPonte, Goodwin, and Ruggerio**Date Introduced:** February 11, 2004**Referred To:** Senate Commerce, Housing & Municipal Government

It is enacted by the General Assembly as follows:

- 1-1       SECTION 1. Section 31-42-4 of the General Laws in Chapter 31-42 entitled "Abandoned  
1-2       Motor Vehicles" is hereby amended to read as follows:
- 1-3       **31-42-4. Auction of abandoned motor vehicles.** -- (a) If an abandoned motor vehicle  
1-4       has not been reclaimed as provided for in section 31-42-3, the police department shall sell the  
1-5       abandoned motor vehicle at a public auction. The purchaser of the motor vehicle shall take title to  
1-6       the motor vehicle free and clear of all liens and claims of ownership, shall receive a sales receipt  
1-7       and bill of sale from the police department, and shall be entitled to register the purchased vehicle.  
1-8       The sales receipt at a sale shall be sufficient title only for purposes of transferring the vehicle to a  
1-9       demolisher for demolition, wrecking, or dismantling, and, in that case no further registration of  
1-10      the vehicle shall be necessary.
- 1-11      (b) From the proceeds of the sale of an abandoned motor vehicle, the police department  
1-12      shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing  
1-13      the vehicle which resulted from placing the abandoned registered motor vehicle in custody, and  
1-14      all notices and publication costs incurred pursuant to section 31-42-3. Any remainder from the  
1-15      proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety (90)  
1-16      days, and then shall be deposited in a special abandoned motor vehicle fund which shall remain

1-17 available for the payment of auction, towing, preserving, storage, and all notice and publication  
1-18 costs which result from placing other abandoned vehicles in custody, whenever the proceeds from  
1-19 a sale of the other abandoned motor vehicles are insufficient to meet these expenses and costs.

2-1 (c) Whenever the chief finance officer of the city or town finds that moneys in the  
2-2 abandoned motor vehicle fund are in excess of reserves likely to be needed, he or she may  
2-3 transfer the excess to the general fund. But in the event there are additional claims against the  
2-4 abandoned motor vehicle fund, if the abandoned motor vehicle fund is temporarily exhausted,  
2-5 these claims shall be met from the general fund to the limit of any transfers previously made to it  
2-6 pursuant to this section.

2-7 SECTION 2. Section 31-22-13 of the General Laws in Chapter 31-22 entitled  
2-8 "Miscellaneous Rules" is hereby amended to read as follows:

2-9 **31-22-13. Abandoned vehicles.** -- The owner, or person having custody and control as  
2-10 authorized by the owner, of any registered motor vehicle who abandons it as defined by section  
2-11 31-42-1 on any public or private property other than his or her own, without the permission of the  
2-12 owner or lessee of the property in cases of private property, shall be liable for all costs and  
2-13 expenses incurred by the owner, lessee, or the state or any municipality in the removal of the  
2-14 vehicle from public or private property. Failure to pay the expenses within thirty (30) days of  
2-15 written notice shall be punished by a fine upon conviction, not in excess of two hundred dollars  
2-16 (\$200). Upon conviction the administrator of the division of motor vehicles shall be notified and  
2-17 shall suspend the license and registration of the last registered owner of the abandoned vehicle  
2-18 until these expenses are paid.

2-19 SECTION 3. This act shall take effect upon passage.

=====  
LC02241  
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**EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF**

**A N A C T  
RELATING TO MOTOR VEHICLES - ABANDONED CARS**

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3-1 This act would add the word "registered" to two sections of the law dealing with

3-2 abandoned vehicles, and would provide for the auction of such vehicles.

3-3 This act would take effect upon passage.

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LC02241  
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2004 -- H 8250

=====  
LC02240  
=====**STATE OF RHODE ISLAND****IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2004**

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**A N A C T**  
**RELATING TO MOTOR VEHICLES - ABANDONED CARS****Introduced By:** Representatives Slater, and Ajello**Date Introduced:** March 09, 2004**Referred To:** House Finance

It is enacted by the General Assembly as follows:

- 1-1       SECTION 1. Section 31-42-4 of the General Laws in Chapter 31-42 entitled "Abandoned  
1-2       Motor Vehicles" is hereby amended to read as follows:
- 1-3       **31-42-4. Auction of abandoned motor vehicles.** -- (a) If an abandoned motor vehicle  
1-4       has not been reclaimed as provided for in section 31-42-3, the police department shall sell the  
1-5       abandoned motor vehicle at a public auction. The purchaser of the motor vehicle shall take title to  
1-6       the motor vehicle free and clear of all liens and claims of ownership, shall receive a sales receipt  
1-7       and bill of sale from the police department, and shall be entitled to register the purchased vehicle.  
1-8       The sales receipt at a sale shall be sufficient title only for purposes of transferring the vehicle to a  
1-9       demolisher for demolition, wrecking, or dismantling, and, in that case no further registration of  
1-10      the vehicle shall be necessary.
- 1-11      (b) From the proceeds of the sale of an abandoned motor vehicle, the police department  
1-12      shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing  
1-13      the vehicle which resulted from placing the abandoned registered motor vehicle in custody, and  
1-14      all notices and publication costs incurred pursuant to section 31-42-3. Any remainder from the  
1-15      proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety (90)  
1-16      days, and then shall be deposited in a special abandoned motor vehicle fund which shall remain

1-17 available for the payment of auction, towing, preserving, storage, and all notice and publication  
1-18 costs which result from placing other abandoned vehicles in custody, whenever the proceeds from  
1-19 a sale of the other abandoned motor vehicles are insufficient to meet these expenses and costs.

2-1 (c) Whenever the chief finance officer of the city or town finds that moneys in the  
2-2 abandoned motor vehicle fund are in excess of reserves likely to be needed, he or she may  
2-3 transfer the excess to the general fund. But in the event there are additional claims against the  
2-4 abandoned motor vehicle fund, if the abandoned motor vehicle fund is temporarily exhausted,  
2-5 these claims shall be met from the general fund to the limit of any transfers previously made to it  
2-6 pursuant to this section.

2-7 SECTION 2. Section 31-22-13 of the General Laws in Chapter 31-22 entitled  
2-8 "Miscellaneous Rules" is hereby amended to read as follows:

2-9 **31-22-13. Abandoned vehicles.** -- The owner, or person having custody and control as  
2-10 authorized by the owner, of any registered motor vehicle who abandons it as defined by section  
2-11 31-42-1 on any public or private property other than his or her own, without the permission of the  
2-12 owner or lessee of the property in cases of private property, shall be liable for all costs and  
2-13 expenses incurred by the owner, lessee, or the state or any municipality in the removal of the  
2-14 vehicle from public or private property. Failure to pay the expenses within thirty (30) days of  
2-15 written notice shall be punished by a fine upon conviction, not in excess of two hundred dollars  
2-16 (\$200). Upon conviction the administrator of the division of motor vehicles shall be notified and  
2-17 shall suspend the license and registration of the last registered owner of the abandoned vehicle  
2-18 until these expenses are paid.

2-19 SECTION 3. This act shall take effect upon passage.

=====  
LC02240  
=====

**EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF**

**A N A C T  
RELATING TO MOTOR VEHICLES - ABANDONED CARS**

\*\*\*

3-1 This act would add the word "registered" to two sections of the law dealing with

3-2 abandoned vehicles, and would provide for the auction of such vehicles.

3-3 This act would take effect upon passage.

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LC02240  
=====



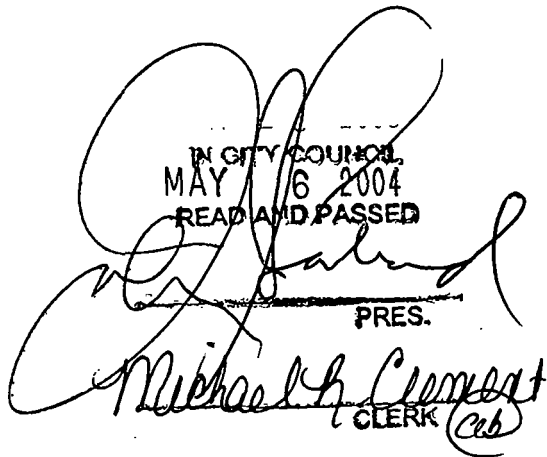
THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 212

Approved May 13, 2004

RESOLVED, That the Members of the Providence City Council  
hereby Endorse and Urge Passage by the General Assembly of House Bill  
2004-H 8319, Relative to Towns and Cities—Redevelopment Agencies.

IN CITY COUNCIL  
MAY 16 2004  
READ AND PASSED  
  
PRES.  
Michael H. Clement  
CLERK *cb*

APPROVED  
  
5/13/04  
MAYOR

IN CITY COUNCIL  
APR 15 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION  
*Michael J. Conmont* CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval  
*Claire Butterfield*  
April 21, 2004 CLERK

*Sup. Mancini and Councilwoman Bonaro (By Request)*



2004 -- H 8319

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LC02950  
=====**STATE OF RHODE ISLAND****IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2004**

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**A N A C T****RELATING TO TOWNS AND CITIES -- REDEVELOPMENT AGENCIES****Introduced By:** Representatives DeSimone, Moura, Tejada, McCauley, and Williams**Date Introduced:** March 18, 2004**Referred To:** House Corporations

It is enacted by the General Assembly as follows:

- 1-1       SECTION 1. Section 45-31-8 of the General Laws in Chapter 45-31 entitled
- 1-2       "Redevelopment Agencies" is hereby amended to read as follows:
- 1-3       **45-31-8. Definitions.** -- The following definitions and general provisions govern the
- 1-4       construction of chapters 31 -- 33 of this title:
- 1-5       (1) "Agency" means a redevelopment agency created by this chapter.
- 1-6       (2) "Arrested blighted area" means any area which, by reason of the existence of
- 1-7       physical conditions including, but not by way of limitation, the existence of unsuitable soil
- 1-8       conditions, the existence of dumping or other insanitary or unsafe conditions, the existence of
- 1-9       ledge or rock, the necessity of unduly expensive excavation, fill or grading, or the necessity of
- 1-10      undertaking unduly expensive measures for the drainage of the area or for the prevention of
- 1-11      flooding or for making the area appropriate for sound development, or by reason of obsolete,
- 1-12      inappropriate, or otherwise faulty platting or subdivision, deterioration of site improvements,
- 1-13      inadequacy of utilities, diversity of ownership of plots, or tax delinquencies, or by reason of any
- 1-14      combination of any of the foregoing conditions, is unduly costly to develop soundly through the

1-15 ordinary operations of private enterprise and impairs the sound growth of the community.

1-16 (3) "Blighted and substandard area" includes a "slum blighted area", a "deteriorated  
1-17 blighted area", or an "arrested blighted area", or any combination of these areas. "Blighted and  
1-18 substandard area" shall also include those areas where the presence of hazardous materials, as  
1-19 defined in section 23-19.14-2, impairs the use, reuse, or redevelopment of impacted sites.

2-1 (4) "Bonds of agency" means any bonds, notes, interim certificates, debentures; or other  
2-2 obligations issued by an agency pursuant to sections 45-33-5 -- 45-33-15.

2-3 (5) "Community" means a city or town.

2-4 (6) "Deteriorated blighted area" means any area in which there exist buildings or  
2-5 improvements, either used or intended to be used for living, commercial, industrial, or other  
2-6 purposes, or any combination of these uses, which by reason of:

2-7 (i) Dilapidation, deterioration, age, or obsolescence;

2-8 (ii) Inadequate provision for ventilation, light, sanitation, open spaces, and recreation  
2-9 facilities;

2-10 (iii) High density of population and overcrowding,

2-11 (iv) Defective design or unsanitary or unsafe character or conditions of physical  
2-12 construction;

2-13 (v) Defective or inadequate street and lot layout; and

2-14 (vi) Mixed character, shifting, or deterioration of uses to which they are put, or any  
2-15 combination of these factors and characteristics, are conducive to the further deterioration and  
2-16 decline of the area to the point where it may become a slum blighted area as defined in  
2-17 subdivision (18), and are detrimental to the public health, safety, morals, and welfare of the  
2-18 inhabitants of the community and of the state generally. A deteriorated blighted area need not be  
2-19 restricted to, or consist entirely of, lands, buildings, or improvements which of themselves are  
2-20 detrimental or inimical to the public health, safety, morals, or welfare, but may consist of an area  
2-21 in which these conditions exist and injuriously affect the entire area.

2-22 (7) "Federal government" means the United States of America or any agency or  
2-23 instrumentality, corporate or otherwise, of the United States of America.

2-24 (8) "Legislative body" means the city council or town council.

2-25 (9) "Obligee of the agency" or "obligee" include any bondholder, trustee or trustees for  
2-26 any bondholder, or lessor demising to the agency property used in connection with a

2-27 redevelopment project or any assignee or assignees of that lessor, and the federal government.

2-28 (10) "Planning commission" or "commission" means a planning commission or other  
2-29 planning agency established under any state law or created by or pursuant to the charter of the  
2-30 community.

2-31 (11) "Project area" means all or any portion of a redevelopment area. A project area may  
2-32 include lands, buildings, or improvements which of themselves are not detrimental or inimical to  
2-33 the public health, safety, morals, or welfare, but whose inclusion is necessary, with or without  
2-34 change in their conditions or ownership, for the effective redevelopment of the area of which they  
3-1 are a part.

3-2 (12) "Public hearing" means a hearing before a legislative body or before any committee  
3-3 of the legislative body to which the matter to be heard has been referred.

3-4 (13) "Real property" means lands, including lands underwater and waterfront property,  
3-5 buildings, structures, fixtures, and improvements to the lands, and every estate, interest, privilege,  
3-6 easement, franchise and right, legal or equitable, including rights of way, terms for years and  
3-7 liens, charges or encumbrances by way of judgment, attachment, mortgage, or otherwise, and the  
3-8 indebtedness secured by liens.

3-9 (14) "Redevelopment" means the elimination and prevention of the spread of blighted  
3-10 and substandard areas. Redevelopment may include the planning, replanning, acquisition,  
3-11 rehabilitation, improvement, clearance, sale, lease, or other disposition, or any combination of  
3-12 these, of land, buildings, or other improvements for residential, recreational, commercial,  
3-13 industrial, institutional, public, or other purposes, including the provision of streets, utilities,  
3-14 recreational areas, and other open spaces consistent with the needs of sound community growth in  
3-15 accordance with the community's general plan and carrying out plans for a program of voluntary  
3-16 repair and rehabilitation of buildings or other improvements.

3-17 (15) "Redevelopment area" means any area of a community which its legislative body  
3-18 finds is a blighted and substandard area whose redevelopment is necessary to effectuate the public  
3-19 purposes declared in this chapter.

3-20 (16) "Redevelopment plan" means a plan, as it exists from time to time, for a  
3-21 redevelopment project, which:

3-22 (i) Conforms to the general plan for the community as a whole; and

3-23 (ii) Is sufficiently complete to indicate land acquisition, demolition and removal of

3-24 structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out  
3-25 in the project area, zoning and planning changes, if any, land uses, maximum densities, building  
3-26 requirements, and the plan's relationship to definite local objectives, respecting appropriate land  
3-27 uses, improved traffic, public transportation, public utilities, recreational and community  
3-28 facilities, and other public improvements.

3-29 (17) "Redevelopment project" means any work or undertaking of an agency pursuant to  
3-30 chapters 31 -- 33 of this title.

3-31 (18) "Slum blighted area" means any area in which there is a predominance of buildings  
3-32 or improvements, either used or intended to be used for living, commercial, industrial, or other  
3-33 purposes, or any combination of these uses, which by reason of: (i) dilapidation, deterioration,  
3-34 age, or obsolescence; (ii) inadequate provision for ventilation, light, sanitation, open spaces, and  
4-1 recreation facilities; (iii) high density of population and overcrowding; (iv) defective design or  
4-2 unsanitary or unsafe character or condition of physical construction; (v) defective or inadequate  
4-3 street and lot layout; and (vi) mixed character or shifting of uses to which they are put, or any  
4-4 combination of these factors and characteristics, are conducive to ill health, transmission of  
4-5 disease, infant mortality, juvenile delinquency, and crime; injuriously affect the entire area and  
4-6 constitute a menace to the public health, safety, morals, and welfare of the inhabitants of the  
4-7 community and of the state generally. A slum blighted area need not be restricted to, or consist  
4-8 entirely of, lands, buildings, or improvements which of themselves are detrimental or inimical to  
4-9 the public health, safety, morals, or welfare, but may consist of an area in which these conditions  
4-10 predominate and injuriously affect the entire area.

4-11 (19) "State government" means the state of Rhode Island, or any agency or  
4-12 instrumentality of the state, corporate or otherwise.

4-13 (20) "State public body" means the state, or any city or town or any other subdivision or  
4-14 public body of the state or of any city or town.

4-15 SECTION 2. This act shall take effect upon passage.

=====  
LC02950  
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#### EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

**A N A C T****RELATING TO TOWNS AND CITIES -- REDEVELOPMENT AGENCIES****\*\*\***

- 5-1 This act would add areas with hazardous materials to the definition of what constitutes a
- 5-2 "blighted and substandard area" for purposes of the "Redevelopment Act of 1956."
- 5-3 This act would take effect upon passage.

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LC02950  
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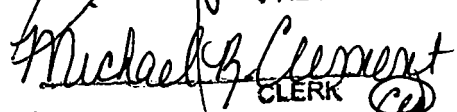
THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 213

*Approved* May 13, 2004

RESOLVED, That the Members of the Providence City Council  
hereby Endorse and Urge Passage by the General Assembly of House Bill  
2004-H 8262, Relative to Taxation—Municipal Lien Certificates.

IN CITY COUNCIL,  
MAY 6, 2004  
READ AND PASSED  
  
PRES.  
  
CLERK

**APPROVED**

  
**MAYOR** 5/13/04



IN CITY COUNCIL  
APR 15 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
STATE LEGISLATION  
Michael A. Gomez CLERK

THE COMMITTEE ON  
STATE LEGISLATION  
Recommends Approval  
Cair O'Brien CLERK  
April 21, 2004

Councilman Oporto, Jackson, Luna, Mancini and Councilwoman Bonarzo (By Request)

2004 -- H 8262

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LC01717  
=====**STATE OF RHODE ISLAND****IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2004**

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**A N A C T**  
**RELATING TO TAXATION -- MUNICIPAL LIEN CERTIFICATES****Introduced By:** Representative Thomas C. Slater**Date Introduced:** March 09, 2004**Referred To:** House Judiciary

It is enacted by the General Assembly as follows:

- 1-1       SECTION 1. Section 44-7-11 of the General Laws in Chapter 44-7 entitled "Collection of  
1-2       Taxes Generally" is hereby amended to read as follows:
- 1-3       **44-7-11. Collectors to furnish statements of liens.** -- (a) The collector of taxes for any  
1-4       city, town, or fire district shall, on written application by any person, and within five (5) days  
1-5       thereafter, excluding Saturdays, Sundays, and holidays, furnish to the applicant a single certificate  
1-6       of all taxes and other assessments, including water rates and charges, which at the time constitute  
1-7       liens on the parcel of real estate specified in the application and are payable on account of the real  
1-8       estate. The certificate shall be itemized and shall show the amounts payable on account of all  
1-9       taxes and assessments, rates, fees and charges, so far as the amounts are fixed and ascertained,  
1-10      and if the amounts are not then ascertainable, it shall be expressed in the certificate. In addition,  
1-11      the tax certificate shall include: (1) a statement as to whether there are any tax sales scheduled  
1-12      which would affect the parcel of real estate noted in the certificate; and (2) a statement as to  
1-13      whether any of taxes or other assessments noted on the tax certificate as being paid in full were  
1-14      paid as the result of a sale held pursuant to the provisions of chapter 9 of this title within the  
1-15      twelve (12) month period immediately preceding issuance of the certificate. Any city or town  
1-16      officer or board doing any act toward establishing any tax assessment, lien, fees or charge upon

1-17 any real estate in the city or town shall transmit a notice of that act to the collector of taxes. The  
1-18 collector of taxes shall charge not more than twelve dollars (\$12.00), except that for tax  
1-19 certificates issued by the tax collectors for the towns of Cumberland, Exeter, Smithfield, and  
2-1 Johnston the charge is twelve dollars (\$12.00) for each certificate so issued, and the charge for the  
2-2 issuance of tax certificates by the tax collector for the town of Barrington is twenty dollars  
2-3 (\$20.00) for each certificate so issued, and the money so received shall be paid into the city or  
2-4 town treasury. A certificate issued on or after October 1, 1966, under this section may be filed or  
2-5 recorded with the land evidence records of the city or town in which the real estate shall be  
2-6 situated within sixty (60) days after its date, and if filed or recorded shall operate to discharge the  
2-7 parcel of real estate specified from the liens for all taxes, assessments or portions, rates, fees and  
2-8 charges which do not appear by the certificate to constitute liens, except the taxes, assessments or  
2-9 portions, rates, fees and charges which have accrued within one year immediately preceding the  
2-10 date of the certificate; provided, that they are noted in the certificate, and the taxes, assessments  
2-11 or portions, rates, and charges concerning which a statement has been filed or recorded in the land  
2-12 evidence records; provided, that a certificate issued under this section shall not affect the  
2-13 obligation of any person liable for the payment of any tax, assessment, rate, fee, or charge.

2-14 (b) The fee to be paid for filing the certificate with the registry of deeds is eight dollars  
2-15 (\$8.00).

2-16 (c) In the town of Barrington, the tax collector shall, upon application for any municipal  
2-17 lien certificate, include and attach to the certificate at no additional fee, as a separate motor  
2-18 vehicle excise tax certificate setting forth all motor vehicle excise taxes which at the time are due  
2-19 and payable to the town on account of any owner of any real estate referenced in the application.  
2-20 The closing agent presiding at the closing on any transfer of the real estate shall collect all sums  
2-21 due as set forth on the motor vehicle excise tax certificate and transmit the sums to the tax  
2-22 collector along with the forwarding address of the owner transferring the real estate.

2-23 (d) In the town of Warren, the tax collector shall, upon application for any municipal lien  
2-24 certificate, include and attach to the certificate at no additional fee, as a separate motor vehicle  
2-25 excise tax certificate setting forth all motor vehicle excise taxes which at the time are due and  
2-26 payable to the town on account of any owner of any real estate referenced in the application. The  
2-27 closing agent presiding at the closing on any transfer of the real estate shall collect all sums due  
2-28 as set forth on the motor vehicle excise tax certificate and transmit the sums to the tax collector

2-29 along with the forwarding address of the owner transferring the real estate.

2-30 (e) In the town of Smithfield, the tax collector shall, upon application for any municipal  
2-31 lien certificate, include and attach the certificate at no additional fee, as a separate motor vehicle  
2-32 excise tax certificate setting forth all motor vehicle excise taxes which at the time are due and  
2-33 payable to the town on account of any owner of any real estate referenced in the application. The  
2-34 closing agent presiding at the closing on any transfer of the real estate shall collect the sums due  
3-1 as set forth on the motor vehicle excise tax certificate and transmit the sums to the tax collector  
3-2 along with the forwarding address of the owner transferring any real estate. This section does  
3-3 apply to refinancing transactions or to transfers of real estate within a family without  
3-4 consideration.

3-5 (f) The collector of taxes for any city, town, or fire district may, upon application for any  
3-6 municipal lien certificate, include and attach to the certificate at no additional fee, as a separate  
3-7 motor vehicle excise tax certificate setting forth all motor vehicle excise taxes which at the time  
3-8 are due and payable to the town on account of any owner of any real estate referenced in the  
3-9 application. The closing agent presiding at the closing on any transfer of the real estate shall  
3-10 collect such sums due as set forth on the motor vehicle excise tax certificate and transmit the  
3-11 sums to the tax collector along with the forwarding address of the owner transferring any real  
3-12 estate. This section does apply to refinancing transactions or to transfers of real estate within a  
3-13 family without consideration.

3-14 (g) In the town of Scituate, the tax collector shall, upon application for any municipal  
3-15 lien certificate, include and attach to the certificate at no additional fee, as a separate motor  
3-16 vehicle excise tax certificate setting forth all motor vehicle excise taxes which at the time are due  
3-17 and payable to the town on account of any owner of any real estate referenced in the application.  
3-18 The closing agent presiding at the closing on any transfer of the real estate shall collect all sums  
3-19 due as set forth on the motor vehicle excise tax certificate and transmit the sums to the tax  
3-20 collector along with the forwarding address of the owner transferring the real estate.

3-21 (h) In order to discharge any municipal or fire district lien, every closing attorney or  
3-22 closing officer conducting a conveyance of real property must collect and remit to the appropriate  
3-23 municipality or fire district the full amount of every tax or assessment itemized in the lien  
3-24 certificate.

3-25 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 TAXATION -- MUNICIPAL LIEN CERTIFICATES**

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- 4-1        This act would require closing attorneys or officers conducting a conveyance of real  
4-2        property to collect and remit to the appropriate municipality or fire district the full amount of  
4-3        every tax or assessment itemized in the lien certificate.  
4-4        This act would take effect upon passage.

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