

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 343

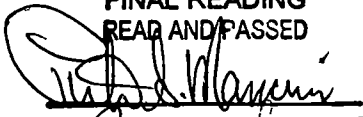
Approved JUNE 18, 2007

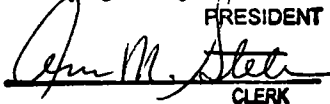
RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of 2007 House and
Senate Bill 2007-S 0989, Amending Rhode Island General Law, Section 3-7.

IN CITY
COUNCIL

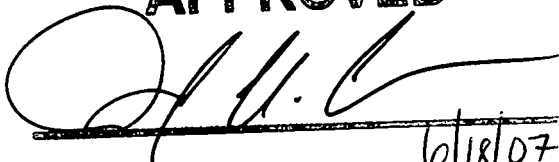
JUN 7 2007

FINAL READING
READ AND PASSED


PRESIDENT


CLERK

APPROVED


6/18/07
MAYOR

THE COMMITTEE ON
State Legislation
Recommends
Ann M. State
5-22-07. CLERK

IN CITY COUNCIL
MAY 17 2007
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Ann M. State CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval
Ann M. State
5-29-07 CLERK

Annexed under, By Request

.TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-3

§ 3-7-3 Class A license – Towns and cities of 10,000 or more. – (a) In cities and towns having a population of ten thousand (10,000) or more inhabitants, a retailer's Class A license authorizes the holder to keep for sale and to sell, at the place described, beverages at retail and to deliver the beverages in a sealed package or container, which package or container shall not be opened nor its contents consumed on the premises where sold. The holder of a Class A license, if other than a person entitled to retail, compound, and dispense medicines and poisons, shall not on the licensed premises engage in any other business, keep for sale or sell any goods, wares, merchandise or any other article or thing except the beverages authorized under this license and nonalcoholic beverages. This provision shall not apply to the sale or selling of cigarettes, newspapers, cigars, cigarette lighters, gift bags, prepackaged peanuts, pretzels, chips, olives, onions, cherries, hot stuffed cherry peppers, Slim Jims and similar pre-packaged dried meat products, pickled eggs, popcorn, pre-packaged candy, styrofoam cooler, lemons, limes, and ice, nor to home bar accessories such as pourers, glasses, cork screws, stirrers, flasks, jiggers, wine racks, ice crushers, bottle openers, can openers and any other items of like nature which may, by suitable regulation of the director of business regulation, be authorized to be sold. A holder of a Class A license will not be prohibited from providing ATM machines to the general public for use on its licensed premises. This section shall not apply to promotional free goods which are subject to approval by the director. In the city of Newport this license may be issued to any person, firm or corporation who are owners of bona fide markets for the sale of alcoholic beverages in conjunction with and in addition to the sale of meats or groceries in those bona fide markets. A person, firm or corporation in that city may obtain a limited Class A license to sell beer, lager and ale on the same premises as other goods, wares, merchandise and articles are sold. No Class A license is granted for any premises unless the premises constitute a separate store, the entrance or entrances to which shall be exclusively from the street or streets or arcade. This provision shall not apply to any person, firm or corporation in the city of Newport who are owners of bona fide markets for the sale of alcoholic beverages in conjunction with and in addition to the sale of meats or groceries in those bona fide markets and as long as the market is owned and operated by the mother,

father, son, daughter, brother or sister of the original licensee, but not otherwise.

(b) The premises shall have opaque walls which shall completely partition and sever the premises from any adjoining market, concession or business. This provision shall not be construed to limit the powers of the department to issue licenses on condition nor to make rules and regulations as provided. The annual fee for a Class A license is five hundred dollars (\$500) to one thousand two-hundred and fifty dollars (~~\$1,000~~ 1,250) prorated to the year ending December 1st in every calendar year.

(c) Any licenses issued under the provisions of this section prior to May 8, 1964 remains in full force and effect.

TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-7

§ 3-7-7 Class B license. – (a) A retailer's Class B license is issued only to a licensed bona fide tavern keeper or victualer whose tavern or victualing house may be open for business and regularly patronized at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m. provided no beverage is sold or served after one o'clock (1:00) a.m., nor before six o'clock (6:00) a.m. Local licensing boards may fix an earlier closing time within their jurisdiction, at their discretion. The East Greenwich town council may, in its discretion, issue full and limited Class B licenses which may not be transferred, but which shall revert to the town of East Greenwich if not renewed by the holder.

(2) The license authorizes the holder to keep for sale and sell beverages including beer in cans, at retail at the place described and to deliver them for consumption on the premises or place where sold, but only at tables or a lunch bar where food is served. It also authorizes the charging of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge is posted at the entrance of the establishments in a prominent place.

(3) Holders of licenses are not permitted to hold dances within the licensed premises, unless proper permits have been properly obtained from the local licensing authorities.

(4) Any holder of a Class B license may, upon the approval of the local licensing board and for the additional payment of two hundred dollars (\$200) to ~~five hundred dollars (\$500)~~, one thousand dollars (\$1,000), open for business at twelve o'clock (12:00) p.m. and on Fridays and Saturdays and the night before legal state holidays may close at two o'clock (2:00) a.m. All requests for a two o'clock (2:00) a.m. license shall be advertised by the local licensing board in a newspaper having a circulation in the county where the establishment applying for the license is located.

(5) A holder of a retailer's Class B license is allowed to erect signs advertising his or her business and products sold on the premises, including neon signs, and is allowed to light those signs during all lawful business hours, including Sundays and holidays.

(b) The annual license fee for a tavern keeper shall be four hundred dollars (\$400) to two thousand two hundred and fifty dollars (\$2,000 2,250), and for a

victualer the license fee shall be four hundred dollars (\$400) to two thousand two hundred and fifty dollars (~~\$2,000~~2,250). In towns with a population of less than two thousand five hundred (2,500) inhabitants, as determined by the last census taken under the authority of the United States or the state, the fee for each retailer's Class B license shall be determined by the town council, but shall in no case be less than three hundred dollars (\$300) annually. If the applicant requests it in his or her application, any retailer's Class B license may be issued limiting the sale of beverages on the licensed premises to malt and vinous beverages containing not more than twenty percent (20%) alcohol by volume, and the fee for that limited Class B license shall be two hundred dollars (\$200) to one thousand five seven hundred dollars (~~\$1,500~~ 1,700) annually. The fee for any Class B license shall in each case be prorated to the year ending December 1 in every calendar year.

TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-7.1

§ 3-7-7.1 Class B-H license. – (a) A retailer's Class B-H license shall be issued only to a licensed hotel. The license authorizes the holder to keep for sale and sell beverages in containers of a minimum capacity of fifty milliliters (50 ml.) or one and seven tenths ounces (1.7 oz). The beverages shall be sold and served only in the room of a registered hotel guest. The beverages may be served in the hotel room at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m. No beverages shall be served in the hotel room after one o'clock (1:00) a.m., nor before six o'clock (6:00) a.m. The beverages may be sold only in the room of the registered hotel guest at any time.

(b) A Class B and B-H liquor license may be issued for the same licensed hotel, notwithstanding the provisions of § 3-5-9.

(c) The annual fee for this license shall be one hundred dollars (\$100) to five hundred one thousand dollars (~~\$500.00~~ 1,000).

TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-8

§ 3-7-8 Class C license. – (a) A retailer's Class C license authorizes the holder of the license to keep for sale and to sell beverages at retail at the place described in the license and to deliver those beverages for consumption on the premises where sold. No beverages shall be sold or served after twelve o'clock (12:00) midnight nor before six o'clock (6:00) a.m. Local license boards in the several cities and towns may fix an earlier closing time within their discretion. The license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at the place described in the license and to deliver those beverages for consumption on the premises.

(b) The license authorizes the holder to sell pre-packaged foods prepared off the premises with beverages but prohibits the preparation and serving of foods cooked on the premises. The holder of the license may serve with beverages and without charge popcorn, crackers, bread, pretzels, sausage of any type, pickles, sardines, smoked herring, lupino beans, and potato chips. No food shall be cooked on the premises but pre-packaged foods prepared and cooked off the premises and purchased by the holder from a supplier may be warmed and sold on the premises in their original packaging, and all foods shall be covered in accordance with the regulations of the state department of health. The annual fee for the license is four hundred dollars (\$400) to ~~eight hundred~~ one thousand dollars (~~\$800~~1,000), prorated to the year ending December 1 in every calendar year.

(c) The town councils of the towns of Coventry, Scituate and South Kingstown are authorized to prohibit by ordinance the issuance of Class C licenses. Upon prohibiting Class C licenses, the license board of the towns of Coventry, Scituate and South Kingstown shall issue Class B licenses to the holder of all Class C licenses in those towns. The Class B licenses may be issued to the holders of Class C licenses notwithstanding any requirements of § 3-7-7. The holders of Class C licenses shall have the full privileges of a Class B license and shall pay the annual fee provided for Class B licenses.

(d) Notwithstanding any prohibitions on the preparation and serving of foods cooked on the premises contained in paragraph (b) herein, the holders of Class C licenses in the city of Newport are authorized to prepare and serve foods cooked on the premises. The holders of Class C licenses in the city of Newport shall be deemed to be victualling houses for purposes of § 3-8-1.

TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-14

§ 3-7-14 Class F license. – A retailer's Class F license authorizes the holder of the license to keep for sale and to sell malt and vinous beverages on the premises, described in the license, at retail for consumption on the premises where sold for a period of nineteen (19) hours, including Sunday. The license may be issued to religious organizations, state non-business corporations and political organizations only and the sale of malt and vinous beverages may take place between the hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day. The fee for each retailer's Class F license is fifteen dollars (\$15.00) to fifty dollars (\$50.00.)

TITLE 3
Alcoholic Beverages

CHAPTER 3-7
Retail Licenses

SECTION 3-7-14.1

§ 3-7-14.1 Class F-1 license. – (a) A retailer's Class F-1 license authorizes the holder of the license to keep for sale and to sell alcoholic beverages on the premises, described in the license, at retail for consumption on the premises where sold for a period of nineteen (19) hours, including Sunday. The license may be issued to religious organizations, state non-business corporations and political organizations only and the sale of beverages may take place between the hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day.

(b) The fee for the license is thirty-five dollars (\$35.00) to fifty dollars (\$50.00.)

2007 -- S 0989

LC03045

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Introduced By: Senator Maryellen Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Constitutional & Regulatory Issues

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 3-7-3, 3-7-7, 3-7-7.1, 3-7-8, 3-7-14 and 3-7-14.1 of the General
2 Laws in Chapter 3-7 entitled "Retail Licenses" are hereby amended to read as follows:
3 **3-7-3. Class A license -- Towns and cities of 10,000 or more. --** (a) In cities and towns
4 having a population of ten thousand (10,000) or more inhabitants, a retailer's Class A license
5 authorizes the holder to keep for sale and to sell, at the place described, beverages at retail and to
6 deliver the beverages in a sealed package or container, which package or container shall not be
7 opened nor its contents consumed on the premises where sold. The holder of a Class A license, if
8 other than a person entitled to retail, compound, and dispense medicines and poisons, shall not on
9 the licensed premises engage in any other business, keep for sale or sell any goods, wares,
10 merchandise or any other article or thing except the beverages authorized under this license and
11 nonalcoholic beverages. This provision shall not apply to the sale or selling of cigarettes,
12 newspapers, cigars, cigarette lighters, gift bags, prepackaged peanuts, pretzels, chips, olives,
13 onions, cherries, hot stuffed cherry peppers, Slim Jims and similar pre-packaged dried meat
14 products, pickled eggs, popcorn, pre-packaged candy, styrofoam cooler, lemons, limes, and ice,
15 nor to home bar accessories such as pourers, glasses, cork screws, stirrers, flasks, jiggers, wine
16 racks, ice crushers, bottle openers, can openers and any other items of like nature which may, by
17 suitable regulation of the director of business regulation, be authorized to be sold. A holder of a
18 Class A license will not be prohibited from providing ATM machines to the general public for
19 use on its licensed premises. This section shall not apply to promotional free goods which are

1 subject to approval by the director. In the city of Newport this license may be issued to any
2 person, firm or corporation who are owners of bona fide markets for the sale of alcoholic
3 beverages in conjunction with and in addition to the sale of meats or groceries in those bona fide
4 markets. A person, firm or corporation in that city may obtain a limited Class A license to sell
5 beer, lager and ale on the same premises as other goods, wares, merchandise and articles are sold.
6 No Class A license is granted for any premises unless the premises constitute a separate store, the
7 entrance or entrances to which shall be exclusively from the street or streets or arcade. This
8 provision shall not apply to any person, firm or corporation in the city of Newport who are
9 owners of bona fide markets for the sale of alcoholic beverages in conjunction with and in
10 addition to the sale of meats or groceries in those bona fide markets and as long as the market is
11 owned and operated by the mother, father, son, daughter, brother or sister of the original licensee,
12 but not otherwise.

13 (b) The premises shall have opaque walls which shall completely partition and sever the
14 premises from any adjoining market, concession or business. This provision shall not be
15 construed to limit the powers of the department to issue licenses on condition nor to make rules
16 and regulations as provided. The annual fee for a Class A license is five hundred dollars (\$500) to
17 ~~one thousand~~ one thousand two hundred and fifty dollars ~~(\$1,000)~~ (\$1,250) prorated to the year
18 ending December 1st in every calendar year.

19 (c) Any licenses issued under the provisions of this section prior to May 8, 1964 remains
20 in full force and effect.

21 **3-7-7. Class B license.** – (a) (1) A retailer's Class B license is issued only to a licensed
22 bona fide tavern keeper or victualer whose tavern or victualing house may be open for business
23 and regularly patronized at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m.
24 provided no beverage is sold or served after one o'clock (1:00) a.m., nor before six o'clock (6:00)
25 a.m. Local licensing boards may fix an earlier closing time within their jurisdiction, at their
26 discretion. The East Greenwich town council may, in its discretion, issue full and limited Class B
27 licenses which may not be transferred, but which shall revert to the town of East Greenwich if not
28 renewed by the holder.

29 (2) The license authorizes the holder to keep for sale and sell beverages including beer in
30 cans, at retail at the place described and to deliver them for consumption on the premises or place
31 where sold, but only at tables or a lunch bar where food is served. It also authorizes the charging
32 of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge is
33 posted at the entrance of the establishments in a prominent place.

34 (3) Holders of licenses are not permitted to hold dances within the licensed premises,

1 unless proper permits have been properly obtained from the local licensing authorities.

2 (4) Any holder of a Class B license may, upon the approval of the local licensing board
3 and for the additional payment of two hundred dollars (\$200) to ~~five hundred dollars (\$500)~~ one
4 thousand dollars (\$1,000), open for business at twelve o'clock (12:00) p.m. and on Fridays and
5 Saturdays and the night before legal state holidays may close at two o'clock (2:00) a.m. All
6 requests for a two o'clock (2:00) a.m. license shall be advertised by the local licensing board in a
7 newspaper having a circulation in the county where the establishment applying for the license is
8 located.

9 (5) A holder of a retailer's Class B license is allowed to erect signs advertising his or her
10 business and products sold on the premises, including neon signs, and is allowed to light those
11 signs during all lawful business hours, including Sundays and holidays.

12 (b) The annual license fee for a tavern keeper shall be four hundred dollars (\$400) to ~~two~~
13 ~~thousand~~ two thousand two hundred and fifty dollars ~~(\$2,000)~~ (\$2,250), and for a victualer the
14 license fee shall be four hundred dollars (\$400) to ~~two thousand~~ two thousand two hundred and
15 fifty dollars ~~(\$2,000)~~ (\$2,250). In towns with a population of less than two thousand five hundred
16 (2,500) inhabitants, as determined by the last census taken under the authority of the United
17 States or the state, the fee for each retailer's Class B license shall be determined by the town
18 council, but shall in no case be less than three hundred dollars (\$300) annually. If the applicant
19 requests it in his or her application, any retailer's Class B license may be issued limiting the sale
20 of beverages on the licensed premises to malt and vinous beverages containing not more than
21 twenty percent (20%) alcohol by volume, and the fee for that limited Class B license shall be two
22 hundred dollars (\$200) to ~~one thousand five hundred~~ one thousand seven hundred dollars
23 ~~(\$1,500)~~ (\$1,700) annually. The fee for any Class B license shall in each case be prorated to the
24 year ending December 1 in every calendar year.

25 **3-7-7.1. Class B-H license.** -- (a) A retailer's Class B-H license shall be issued only to a
26 licensed hotel. The license authorizes the holder to keep for sale and sell beverages in containers
27 of a minimum capacity of fifty milliliters (50 ml.) or one and seven tenths ounces (1.7 oz). The
28 beverages shall be sold and served only in the room of a registered hotel guest. The beverages
29 may be served in the hotel room at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m.
30 No beverages shall be served in the hotel room after one o'clock (1:00) a.m., nor before six
31 o'clock (6:00) a.m. The beverages may be sold only in the room of the registered hotel guest at
32 any time.

33 (b) A Class B and B-H liquor license may be issued for the same licensed hotel,
34 notwithstanding the provisions of section 3-5-9.

1 (c) The annual fee for this license shall be one hundred dollars (\$100) to ~~five hundred~~
2 ~~dollars (\$500.00)~~ one thousand dollars (\$1,000).

3 **3-7-8. Class C license.** -- (a) A retailer's Class C license authorizes the holder of the
4 license to keep for sale and to sell beverages at retail at the place described in the license and to
5 deliver those beverages for consumption on the premises where sold. No beverages shall be sold
6 or served after twelve o'clock (12:00) midnight nor before six o'clock (6:00) a.m. Local license
7 boards in the several cities and towns may fix an earlier closing time within their discretion. The
8 license authorizes the holder to keep for sale and sell beverages, including beer in cans, at retail at
9 the place described in the license and to deliver those beverages for consumption on the premises.

10 (b) The license authorizes the holder to sell pre-packaged foods prepared off the
11 premises with beverages but prohibits the preparation and serving of foods cooked on the
12 premises. The holder of the license may serve with beverages and without charge popcorn,
13 crackers, bread, pretzels, sausage of any type, pickles, sardines, smoked herring, lupino beans,
14 and potato chips. No food shall be cooked on the premises but pre-packaged foods prepared and
15 cooked off the premises and purchased by the holder from a supplier may be warmed and sold on
16 the premises in their original packaging, and all foods shall be covered in accordance with the
17 regulations of the state department of health. The annual fee for the license is four hundred
18 dollars (\$400) to ~~eight hundred dollars (\$800)~~ one thousand dollars (\$1,000), prorated to the year
19 ending December 1 in every calendar year.

20 (c) The town councils of the towns of Coventry, Scituate and South Kingstown are
21 authorized to prohibit by ordinance the issuance of Class C licenses. Upon prohibiting Class C
22 licenses, the license board of the towns of Coventry, Scituate and South Kingstown shall issue
23 Class B licenses to the holder of all Class C licenses in those towns. The Class B licenses may be
24 issued to the holders of Class C licenses notwithstanding any requirements of section 3-7-7. The
25 holders of Class C licenses shall have the full privileges of a Class B license and shall pay the
26 annual fee provided for Class B licenses.

27 (d) Notwithstanding any prohibitions on the preparation and serving of foods cooked on
28 the premises contained in paragraph (b) herein, the holders of Class C licenses in the city of
29 Newport are authorized to prepare and serve foods cooked on the premises. The holders of Class
30 C licenses in the city of Newport shall be deemed to be victualling houses for purposes of section
31 3-8-1.

32 **3-7-14. Class F license.** -- A retailer's Class F license authorizes the holder of the license
33 to keep for sale and to sell malt and vinous beverages on the premises, described in the license, at
34 retail for consumption on the premises where sold for a period of nineteen (19) hours, including

1 Sunday. The license may be issued to religious organizations, state non-business corporations and
2 political organizations only and the sale of malt and vinous beverages may take place between the
3 hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day. The fee for each
4 retailer's Class F license is ~~fifteen dollars (\$15.00)~~ fifty dollars (\$50.00).

5 **3-7-14.1. Class F-1 license.** -- (a) A retailer's Class F-1 license authorizes the holder of
6 the license to keep for sale and to sell alcoholic beverages on the premises, described in the
7 license, at retail for consumption on the premises where sold for a period of nineteen (19) hours,
8 including Sunday. The license may be issued to religious organizations, state non-business
9 corporations and political organizations only and the sale of beverages may take place between
10 the hours of six o'clock (6:00) a.m. and one o'clock (1:00) a.m. on the following day.

11 (b) The fee for the license is thirty-five dollars (\$35.00) to fifty dollars (\$50.00).

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

LC03045

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

- 1 This act would increase retail liquor license fees.
- 2 This act would take effect upon passage.

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LC03045
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THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

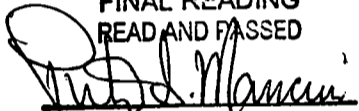
No. 344

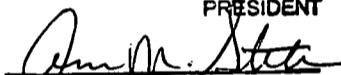
Approved JUNE 18, 2007

RESOLVED, That the Members of the Providence City Council
hereby Endorse and Urge Passage by the General Assembly of House Bill-H 6410
and Senate Bill 2007-S 1013, Amending Rhode Island General Law, Section
44-25-1.

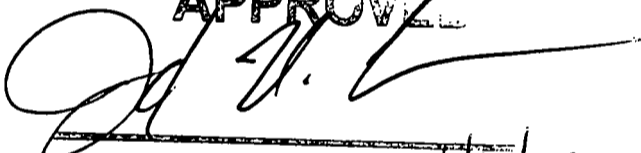
IN CITY
COUNCIL
JUN 7 2007

FINAL READING
READ AND PASSED


PRESIDENT


CLERK

APPROVED


6/18/07

MAYOR

IN CITY COUNCIL
MAY 17 2007
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Am M. State CLERK

THE COMMITTEE ON
State Legislation
Recommends
Am M. State
CLERK
5-22-07 Cm 4

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval
Am M. State
CLERK
5-29-07

Councilman Yudin, By Request

It is enacted by the General Assembly as follows:

SECTION 1. Section 44-25-1 of the General Laws in Chapter 44-25 entitled "Real Estate Conveyance Tax" is hereby amended to read as follows:

44-25-1. Tax imposed – Payment – Burden. – (a) There is imposed, on each deed, instrument, or writing by which any lands, tenements, or other realty sold is granted, assigned, transferred, or conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or her or their direction, when the consideration paid exceeds one hundred dollars (\$100) but is less than three hundred thousand dollars (\$300,000), a tax at the rate of two dollars and fifty cents (\$2.50) for each five hundred dollars (\$500) or fractional part of it which is paid for the purchase of the property (inclusive of the value of any lien or encumbrance remaining at the time of sale), which tax is payable at the time of making, execution, delivery, acceptance or presenting for recording of the instrument. When the consideration is three hundred thousand dollars (\$300,000) or greater a tax rate of three dollars (\$3.00) will be imposed for each five hundred dollars (\$500) or fractional part of it which is paid for the purchase of the property (inclusive of the value of any lien or encumbrance remaining at the time of sale), which tax is payable at the time of making, execution, delivery, acceptance or presenting for recording of the instrument. In the absence of an agreement to the contrary, the tax shall be paid by the grantor.

(b) In the event no consideration is actually paid for the lands, tenements, or realty, the instrument of conveyance shall contain a statement to the effect that the consideration is such that no documentary stamps are required.

(c) The tax administrator contributes to the distressed community relief program the sum of thirty cents (\$0.30) per two dollars (\$2.00) fifteen percent (15%) of the face value of the stamps to be distributed pursuant to section 45-13-12. The state shall retain sixty cents (\$0.60) thirty percent (30%) of the face value of the stamps to be distributed pursuant to section 45-13-12 for state use. The balance of the tax is retained by the municipality collecting the tax.

SECTION 2. This act shall take effect upon passage.

2007 -- H 6410

LC03088

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO TAXATION – REAL ESTATE CONVEYANCE TAX

Introduced By: Representatives Diaz, Slater, and Almeida

Date Introduced: May 17, 2007

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-25-1 of the General Laws in Chapter 44-25 entitled "Real Estate
2 Conveyance Tax" is hereby amended to read as follows:

3 **44-25-1. Tax imposed -- Payment -- Burden. --** (a) There is imposed, on each deed,
4 instrument, or writing by which any lands, tenements, or other realty sold is granted, assigned,
5 transferred, or conveyed to, or vested in, the purchaser or purchasers, or any other person or
6 persons, by his or her or their direction, when the consideration paid exceeds one hundred dollars
7 (\$100) but is less than three hundred thousand dollars (\$300,000) a tax at the rate of two dollars
8 and fifty cents (\$2.00) (\$2.50) for each five hundred dollars (\$500) or fractional part of it which is
9 paid for the purchase of the property (inclusive of the value of any lien or encumbrance remaining
10 at the time of sale), which tax is payable at the time of making, execution, delivery, acceptance or
11 presenting for recording of the instrument. When the consideration is three hundred thousand
12 dollars (\$300,000) or greater a tax rate of three dollars (\$3.00) will be imposed for each five
13 hundred dollars (\$500) or fractional part of it which is paid for the purchase of the property
14 (inclusive of the value of any lien or encumbrance remaining at the time of sale), which tax is
15 payable at the time of making, execution, delivery, acceptance or presenting for recording of the
16 instrument. In the absence of an agreement to the contrary, the tax shall be paid by the grantor.

17 (b) In the event no consideration is actually paid for the lands, tenements, or realty, the
18 instrument of conveyance shall contain a statement to the effect that the consideration is such that
19 no documentary stamps are required.

1 (c) The tax administrator shall contribute to the distressed community relief program the
2 sum of ~~thirty cents (\$.30) per two dollars (\$2.00)~~ fifteen percent (15%) of the face value of the
3 stamps to be distributed pursuant to section 45-13-12. The state shall retain ~~sixty cents (\$.60)~~
4 thirty percent (30%) of the face value of the stamps to be distributed pursuant to section 45-13-12
5 for state use. The balance of the tax shall be retained by the municipality collecting the tax.
6 Provided, however, in fiscal years 2004 and 2005, from the proceeds of this tax, the tax
7 administrator shall deposit as general revenues the sum of ninety cents (\$.90) per two dollars
8 (\$2.00) of the face value of the stamps. The balance of the tax is retained by the municipality
9 collecting the tax.

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

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LC03088
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TAXATION – REAL ESTATE CONVEYANCE TAX

- 1 This act would amend provisions of law relative to the tax rate imposed for real estate
- 2 conveyances and amends the percentages of which said taxes are to be distributed under the
- 3 distressed community relief program.
- 4 This act would take effect upon passage.

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LC03088
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2007 -- S 1013

LC03024

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO TAXATION – REAL ESTATE CONVEYANCE TAX

Introduced By: Senators Jabour, and Goodwin

Date Introduced: May 10, 2007

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-25-1 of the General Laws in Chapter 44-25 entitled "Real Estate
2 Conveyance Tax" is hereby amended to read as follows:

3 **44-25-1. Tax imposed -- Payment -- Burden.** -- (a) There is imposed, on each deed,
4 instrument, or writing by which any lands, tenements, or other realty sold is granted, assigned,
5 transferred, or conveyed to, or vested in, the purchaser or purchasers, or any other person or
6 persons, by his or her or their direction, when the consideration paid exceeds one hundred dollars
7 (\$100) but is less than three hundred thousand dollars (\$300,000) a tax at the rate of two dollars
8 and fifty cents (\$2.00) (\$2.50) for each five hundred dollars (\$500) or fractional part of it which is
9 paid for the purchase of the property (inclusive of the value of any lien or encumbrance remaining
10 at the time of sale), which tax is payable at the time of making, execution, delivery, acceptance or
11 presenting for recording of the instrument. When the consideration is three hundred thousand
12 dollars (\$300,000) or greater a tax rate of three dollars (\$3.00) will be imposed for each five
13 hundred dollars (\$500) or fractional part of it which is paid for the purchase of the property
14 (inclusive of the value of any lien or encumbrance remaining at the time of sale), which tax is
15 payable at the time of making, execution, delivery, acceptance or presenting for recording of the
16 instrument. In the absence of an agreement to the contrary, the tax shall be paid by the grantor.

17 (b) In the event no consideration is actually paid for the lands, tenements, or realty, the
18 instrument of conveyance shall contain a statement to the effect that the consideration is such that
19 no documentary stamps are required.

1 (c) The tax administrator shall contribute to the distressed community relief program the
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4 thirty percent (30%) of the face value of the stamps to be distributed pursuant to section 45-13-12
5 for state use. The balance of the tax shall be retained by the municipality collecting the tax.
6 Provided, however, in fiscal years 2004 and 2005, from the proceeds of this tax, the tax
7 administrator shall deposit as general revenues the sum of ninety cents (\$.90) per two dollars
8 (\$2.00) of the face value of the stamps. The balance of the tax is retained by the municipality
9 collecting the tax.

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

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BY THE LEGISLATIVE COUNCIL
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A N A C T
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LC03024