

2023 -- H 6452

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PROPERTY -- BY POSSESSION AND PRESCRIPTION

Introduced By: Representatives McNamara, Kazarian, and Potter

Date Introduced: May 26, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-7-4 of the General Laws in Chapter 34-7 entitled "By Possession
2 and Prescription" is hereby repealed.

3 ~~**34-7-4. Right of footway denied.**~~

4 ~~No right of footway, except claimed in connection with a right to pass with carriages, shall
5 be acquired by prescription or adverse use for any length of time.~~

6 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 repeal the provisions of § 34-7-4 which provides that no right of footway,
2 except claimed in connection with a right to pass with carriages, could be acquired by prescription
3 or adverse use for any length of time. This act would effectively eliminate the statutory prohibition
4 against acquiring a right of footway by adverse possession.

5 This act would take effect upon passage.

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