

2016 -- H 7573

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LC004391  
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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 Solomon, Coughlin, and Keable

Date Introduced: February 11, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 34-11-17 and 34-11-18 of the General Laws in Chapter 34-11  
2 entitled "Form and Effect of Conveyances" are hereby amended to read as follows:

3           **34-11-17. ~~Effect of quitclaim deed.~~ -- Effect of quitclaim deed or special warranty**  
4 **deed.--** A deed substantially following the form entitled "Quitclaim Deed" or "Special Warranty  
5 Deed" shall, when duly executed, have the force and effect of a deed in fee simple to the grantee  
6 and his or her heirs and assigns, to his, her, and their own use, with covenants on the part of the  
7 grantor, for himself or herself and for his or her heirs, executors, and administrators, with the  
8 grantee and his or her heirs and assigns, that he or she will, and his or her heirs, executors, and  
9 administrators shall, warrant and defend the granted premises to the grantee and his or her heirs  
10 and assigns forever against the lawful claims and demands of all persons claiming by, through, or  
11 under the grantor.

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

1 grantor."

2 SECTION 2. This act shall take effect upon passage, and shall apply to all deeds, whether  
3 recorded or unrecorded, with the words "special warranty" in their title, and/or the words "special  
4 warranty covenants" in the body thereof.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would allow for the use of the terms "special warranty deed" and "special  
2 warranty covenants" in any deed of conveyance, whereby the grantor would warrant and defend  
3 the granted premises to the grantee forever against lawful claims. It would apply to deeds  
4 recorded or unrecorded with the words "special warranty" in their title, and/or the words "special  
5 warranty covenants" in the body of the deed.

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

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