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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 25-S 494, RELATING TO TOWNS AND CITIES - ORDINANCES May 15, 2025

The ACLU of Rhode Island opposes this legislation, which would give cities and towns broad authority to recover fines that have been imposed for any ordinance violation by issuing a lien on the person's property. We find the grant of this power to municipalities troubling in a few respects.

First, while we note that the bill refers to adding costs "to the amount of taxes due on the real estate *where the violation was located*," the bill's grant of authority to impose liens is not circumscribed in any way by the type of ordinance violation for which a fine has not been paid. Thus, for example, it seems possible that a person who has failed to pay a fine after being found guilty of disorderly conduct or smoking in public could have their property subject to a lien, with all the consequences that flow from that.

But even if the bill were narrowed to apply only to fines for violations that directly relate to a person's property, it would still be very troubling. It means a homeowner could end up losing their house because they failed to pay a minor fine for, say, violating the municipality's noise ordinance. Further, the legal interest on the lien, which could very quickly add up, begins only 90 days from the issuance of the fine, making the person's financial burdens only more onerous.

In short, we believe the process and powers set out by this legislation are unfair and run directly contrary to efforts in recent years, such as passage of the Madeleine Walker Act, to protect individuals from the unfair foreclosure of their homes for falling behind on bills both large and small. We therefore urge the committee's rejection of this legislation.

Thank you for considering our views.