

2023 -- H 6091

LC002389

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO TOWNS AND CITIES -- ORDINANCES

Introduced By: Representatives Cortvriend, Tanzi, Boylan, Fogarty, Spears, Donovan,
and Speakman

Date Introduced: March 03, 2023

Referred To: House Municipal Government & Housing

(Dept. of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-6-1 of the General Laws in Chapter 45-6 entitled "Ordinances" is
2 hereby amended to read as follows:

3 **45-6-1. Scope of ordinances permissible.**

4 (a) Town and city councils may, from time to time, make and ordain all ordinances and
5 regulations for their respective towns and cities, not repugnant to law, which they deem necessary
6 for the safety of their inhabitants from fire, firearms, and fireworks; [to regulate and limit the sale](#)
7 [of tobacco products as defined in § 11-9-13.4, which includes electronic nicotine delivery systems;](#)
8 to prevent persons standing on any footwalk, sidewalk, doorstep, or in any doorway, or riding,
9 driving, fastening, or leaving any horse or other animal or any carriage, team, or other vehicle on
10 any footwalk, sidewalk, doorstep, or doorway within the town or city, to the obstruction, hindrance,
11 delay, disturbance, or annoyance of passersby or of persons residing or doing business in this
12 vicinity; to regulate the putting up and maintenance of telegraph and other wires and their
13 appurtenances; to prevent the indecent exposure of any one bathing in any of the waters within their
14 respective towns and cities; against breakers of the Sabbath; against habitual drunkenness;
15 respecting the purchase and sale of merchandise or commodities within their respective towns and
16 cities; to protect burial grounds and the graves in these burial grounds from trespassers; and,
17 generally, all other ordinances, regulations and bylaws for the well ordering, managing, and
18 directing of the prudential affairs and police of their respective towns and cities, not repugnant to
19 the constitution and laws of this state, or of the United States.

1 (b) Town and city councils shall furnish to their senators and representatives, upon request
2 and at no charge, copies and updates of all ordinances and regulations.

3 (c) In lieu of newspaper publication, advance notice of proposed adoption, amendment, or
4 repeal of any ordinance or regulation by a municipality may be provided via electronic media on a
5 website maintained by the office of the secretary of state.

6 (d) Except as otherwise provided for in §§ 11-9-13 through 11-9-14.1 and notwithstanding
7 any other federal or state law, rule and/or regulation to the contrary, cities and towns may adopt
8 ordinances and regulations related to the sale of tobacco products as defined in § 11-9-13.4, which
9 includes electronic nicotine delivery systems, if the ordinance or regulation is at least as stringent
10 as state law. Except as provided for in §§ 11-9-13.6(4)(i) through 11-9-13.6(5), 11-9-13.8(1), and
11 11-9-13.12, the regulation may include, but is not limited to, the disallowing of the sale of tobacco
12 products with characterizing flavors; disallowing the sale of tobacco products in proximity to
13 schools; disallowing the offering of free or discounted tobacco products, or coupons or vouchers
14 redeemable for free or discounted tobacco products. Nothing in state law shall be construed to limit
15 cities and towns from regulating the sale of tobacco products as defined in § 11-9-13.4, which
16 includes electronic nicotine delivery systems, more stringently than state law.

17 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 allow cities and towns to create and enforce ordinances related to the sale
- 2 of tobacco products; provided the regulations are at least as stringent as state law.
- 3 This act would take effect upon passage.

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