

March 11, 2025

The Honorable Robert E. Craven, Sr.
Chair, House Municipal Judiciary Committee
Rhode Island House of Representatives
82 Smith Street
Providence, RI 02903

RE: BILL NUMBER H-5911 – RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY

Dear Chairman Craven and Honorable Committee Members,

On behalf of the Rhode Island League of Cities and Towns, I am writing to express our strong support for House Bill 5911. This legislation is a necessary and appropriate measure to ensure that municipalities and fire districts are protected from excessive liability exposure, while still preserving accountability for cases involving willful misconduct or extreme recklessness.

The "public duty doctrine" currently provides an important shield for municipalities by limiting liability for discretionary governmental actions. However, the proprietary function exemption has long posed a significant risk to municipal budgets and taxpayers by exposing cities and towns to potentially unlimited damages in cases where private entities might also engage in similar activities. House Bill 5911 takes a balanced approach by removing the proprietary function exemption and instead applying a standard of liability that holds municipalities accountable only in cases of willful and malicious conduct or extreme recklessness.

Additionally, the bill reinforces the importance of fiscal responsibility by capping tort damages at \$100,000 for cities, towns, and fire districts, as outlined in Section 45-15-12. This measure provides a predictable and reasonable limit on financial exposure, ensuring that local governments can continue to provide essential public services without the risk of devastating financial burdens resulting from litigation.

We believe that House Bill 5911 represents sound public policy that aligns with the best interests of municipalities, taxpayers, and the overall stability of local government operations. For these reasons, we respectfully urge the committee to advance this legislation.

Thank you for your time and consideration. We appreciate Representative Felix sponsoring this legislation and her leadership on this important issue facing municipalities.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. R. Rossi".

Randy R. Rossi
Executive Director

Cc: Honorable Members of House Judiciary Committee