

**D**  **R** Rhode Island Department of Revenue  
Division of Taxation

*Via Electronic Mail*

April 30, 2026

The Honorable Carol Hagan McEntee  
Chair, House Committee on Judiciary  
Rhode Island State House  
Providence, RI 02903

**RE: Letter Regarding House Bill 8120 – An Act Relating to Taxation – Estate and Transfer Taxes – Enforcement and Collection**

Dear Chair McEntee:

I am writing on behalf of the Rhode Island Department of Revenue, Division of Taxation (“Division”), to: i) express concerns regarding issues with proposed House Bill 8120 as currently drafted; ii) explain the background and current statutory context in order to clarify the intended and unintended consequences of this bill; and iii) make recommendations and request your support in implementing those recommendations.

This letter is not intended as a position in support of or opposition to the bill, but only as recommendations on drafting to provide clarity in the bill and to aid tax administration and compliance.

As you know, this bill would amend R.I. Gen. Laws § 44-23-1, entitled “Statements filed by executors, administrators, and heirs-at-law[,]” and § 44-23-2, entitled “Statements filed by trustees.” Per the Explanation by the Legislative Council, the bill would “allow an executor, administrator, heir-at-law or trustee, for a decedent with a date of death on or after January 1, 2027, to discharge the estate tax lien by recording with the decedent’s municipality, a statement stating that the value of the decedent’s gross estate does not require a state or federal estate tax filing pursuant to §44-22-1.1.” The bill is set to take effect on January 1, 2027.

There are several potential issues with the bill that impact tax administration, including, but not limited to:

- The bill does not provide a notice requirement to either the estate or the municipality to alert the Division that a statement has been filed and recorded. Therefore, there is no way for the Division to know that the estate has filed and recorded a statement that the value of the gross estate does not require a state or federal tax filing. Yet, per the bill’s language, the Division must issue a discharge of the estate tax lien upon that recording. The Division respectfully asks that the bill be redrafted to include a notice requirement.
- As drafted, the bill would allow any executor, administrator, or heir-at-law to file and record a statement that triggers the requirement for the Division to discharge the automatic estate tax lien without any verification or audit mechanism to confirm the accuracy of the

statement. This negates the purpose and provision of the estate tax lien and could lead to fraud and potential for conflict with no recourse and no protections for the estate or the State of Rhode Island.

- As currently drafted, the bill takes effect on January 1, 2027. The Division respectfully requests that the effective date language include that the bill applies to estates for decedents whose death occurs on or after January 1, 2027, to avoid potential confusion for taxpayers. The Division believes that aligning the effective date as set forth above would make it clear to taxpayers, tax preparers, and tax software providers that the proposed amendment would not apply to estates with decedents whose dates of death occur in 2026.

The Division takes no position with respect to the remainder of the proposed legislation. Rather, the Division is concerned solely with the issues of clarity, tax compliance, and tax administration. As such, the Division respectfully suggests that the bill be redrafted for clarity.

I look forward to working with you to address the issues raised in this letter and appreciate your consideration.

Very truly yours,



Neena S. Savage  
Tax Administrator

cc: The Honorable Members of the House Committee on Judiciary  
(via: [HouseJudiciary@rilegislature.gov](mailto:HouseJudiciary@rilegislature.gov))  
The Honorable Michael W. Chippendale (via: [rep-chippendale@rilegislature.gov](mailto:rep-chippendale@rilegislature.gov))  
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker of the House  
Lynne Urbani, Director of House Policy  
Jane E. Cole, Interim Director, Department of Revenue