



## NEW ENGLAND CHAPTER BACKCOUNTRY HUNTERS & ANGLERS

March 12, 2024

To Chairman Craven and the members of the House Judiciary Committee

Re: BHA Support for RI - 2024 – H7376 – Real Estate Disclosures – Shoreline Property

Backcountry Hunters & Anglers (BHA) seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting. Our members consider protecting access to public lands and waters a top priority, recognizing that access is one of the most important factors to our participation in, and the perpetuation of, our outdoor traditions.

With these things in mind, **BHA urges the Committee to support H7376**, which seeks to require buyers of real estate that abuts RI's shoreline sign a disclosure acknowledging notice of the public's rights and privileges of the shore pursuant to § 46-23-26, and other information relevant to shoreline public access.

Over the last several years the RI General Assembly has expended considerable effort to update the State's legal definition of where, exactly, the 'privileges of the shore' outlined in RI's Constitution are protected. For at least the 40 or so years prior to June 26, 2023 this boundary occurred at the unidentifiable 'mean high tide line' as defined in the RI Supreme Court case *State v. Ibbison*. Last year, when P.L. 2023 ch. 340 § 2 & ch. 341 § 2 were enacted, this boundary was clarified in § 46-23-26.

At a minimum, the changes proposed in H7376 would serve as a mechanism to proactively educate property buyers, and to ensure that from this point forward those who purchase property that abuts RI's shoreline understand the current laws. H7376 also serves to ensure that property buyers are not taken advantage of, either because sellers and/or real estate agents aren't aware of the recent change in laws, or because they attempt to disingenuously profit by marketing exclusivity beyond what RI's Constitution allows, and what property buyers will realistically enjoy after the transaction (i.e. selling 'private beaches').

If enacted, H7376 would not diminish the current value of real estate, nor would it make it more difficult for sellers and/or real estate agents to market. All that the bill seeks to do is ensure all parties involved in shoreline real estate transactions understand and disclose the current laws and other relevant information. Respectfully, **BHA urges the Committee, and ultimately the RI General Assembly, to support H7376.**

Thank you for your consideration,

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