

**100-RICR-40-15-3**

## **TITLE 100 – DEPARTMENT OF STATE**

### **CHAPTER 40 – STATE ARCHIVES, LIBRARY, AND PUBLIC INFORMATION**

#### **SUBCHAPTER 15 – PUBLIC INFORMATION**

##### **PART 3 – Acquisition of Land - Registry of Leases**

### **3.1 Purpose**

The purpose of this Part is to assist and ensure compliance with R.I. Gen. Laws § 37-6-30 requiring electronic filing of the registry of all land leases and all subsequent leases entered into by the State and all its departments, boards, bureaus, commissions, officers, or agencies with the Department of State.

### **3.2 Authority**

This Part is promulgated pursuant to and in accordance with the provisions of R.I. Gen. Laws § 37-6-30(b) and (c).

### **3.3 Application**

The terms and provisions of this Part shall be liberally construed to permit the Department to effectuate the purposes of state law, goals, and policies.

### **3.4 Definitions**

A. For the purpose of this Part the following terms will be defined as:

1. “Agency” means any state or public agency, defined as follows:
  - a. "Public agency" means all public corporations and quasi-public agencies listed in R.I. Gen. Laws § 37-2-7(16).
  - b. "State agency" means any department, agency, commission, committee, board, council, bureau or authority or any subdivision thereof of state government.
2. "Department" means the Department of State.
3. “Chief purchasing officer” means:
  - a. for State agencies, the director of the Department of Administration;  
or

- b. for public agencies, the director or chief operations officer.
- 4. "Filer" means the individual or individuals designated by an Agency to be responsible for filing the registry of leases, certificates of compliance and all subsequent land leases with the Department.

### **3.5 Initial Registry Transfer**

- A. Prior to January 1, 2009, the Chief Purchasing Officer transferred the initial registry to the Department electronically.
- B. All leases filed electronically with the Department through the Lease Registry website will be indexed and searchable by:
  - 1. Property location
  - 2. Name of lessor
  - 3. Address of lessor
  - 4. Name of lessee
  - 5. Address of lessee
  - 6. Date of execution
  - 7. Date of expiration
- C. An electronic copy of each lease must be included with the initial registry.

### **3.6 Lease Transfer Requirements**

#### **3.6.1 State Agencies**

- A. Within three (3) business days after execution of a lease, the state agency must submit a copy of the lease to the Chief Purchasing Officer.
- B. The Chief Purchasing Officer must file a copy of the lease with the Department electronically through the Lease Registry website within three (3) business days of receipt from the state agency.

#### **3.6.2 Public agencies**

- A. Within three (3) business days after execution of a lease, the public agency must file a copy of the lease with the Department electronically through the Lease Registry website.

- B. Within three (3) business days after filing a copy of the lease with the Department, a public agency must issue a certificate of compliance with R.I. Gen Laws § 37-6-30(c) to the Chief Purchasing Officer.
- C. The Chief Purchasing Officer will submit the certificate of compliance to the Department electronically through the Lease Registry website.
  - 1. Each certificate of compliance will be electronically associated with the corresponding filed lease.

### **3.6.3 Lease Information Required**

- A. The following information is required to be entered with each filing:
  - 1. Filing entity
  - 2. Property location
  - 3. Name of lessor
  - 4. Address of lessor
  - 5. Name of lessee
  - 6. Address of lessee
  - 7. Date of execution
  - 8. Date of expiration
- B. An electronic copy of the lease must be uploaded for each filing.
- C. All leases must remain on the Lease Registry website for five (5) years after the lease's expiration.

### **3.7 Filing Format**

Leases will only be accepted in file formats and mechanisms of electronic submission as specified by the Department or as allowed by the Department's Lease Registry website.

### **3.8 Technical Requirements**

- A. Designated Filers must have access to email and be able to access the Department's Lease Registry website through a web browser. The Filer must have the ability to submit leases in the accepted filing format through the Department's Lease Registry website.

- B. The Filer must fill out all electronic fields as provided in the Department's Lease Registry website in order to submit leases to the Department electronically.

### **3.9 Proof of Filing**

Upon the successful electronic submission of a lease, the Filer will receive acknowledgement in the form of an electronic confirmation message from the Department indicating that the filing was successfully transmitted through the Department's Lease Registry website. In the absence of such electronic confirmation message, it is the responsibility of the Filer to verify that the Department has successfully received the lease. The electronic confirmation message is the Filer's record that the lease was filed with the Department.

### **3.10 Severability**

If any provision of this Part, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the validity of the remainder of this Part shall not be affected thereby.

**100-RICR-40-15-3**

**TITLE 100 - DEPARTMENT OF STATE**

**CHAPTER 40 - STATE ARCHIVES, LIBRARY AND PUBLIC INFORMATION**

**SUBCHAPTER 15 - PUBLIC INFORMATION**

**PART 3 - ACQUISITION OF LAND - REGISTRY OF LEASES**

Type of Filing: Refile Capabilities

**Department of State**

---

Regulation Effective Date

Original Signing Date

---

Department of State Initials

Department of State Date