

Rhode Island Law and Property Held in Trusts

Bonnet Shores Fire District Voting Practices for Trustees

June 2026

This research was prepared by Janice McClanaghan, Clerk Pro Temp, and Jane Duran, Council Vice Chair, to document and examine the historical practice of allowing multiple trustees of a property held in trust to vote at the Bonnet Shores Fire District Annual Meeting.

The Bonnet Shores Fire BSFD Charter or bylaws do not expressly address voting rights for property held in trust. Therefore, interpretation should be guided by historical BSFD practice and Rhode Island trust law.

Historical Practice

The BSFD has historically recognized trustees of trust-owned property as eligible voters.

- 2024 Election – 33 trusts participated. Of these, 11 trusts had two trustees vote, and 22 trusts had one trustee vote.
- 2025 Election – 26 trusts participated. Of these, 4 trusts had two trustees vote, and 22 trusts had one trustee vote.

To verify historical practice, Janice McClanaghan contacted all election clerks who served since 1999. The discussions with these former clerks indicated that voter registration was based on the BSFD tax roll provided by the Town of Narragansett. If a trust appeared on the tax roll and the name of a trustee or co-trustee was listed, that trustee or co-trustee was issued a ballot.

Election Clerks Contacted:

- 1999–2009 – Kathy Kelleher – Ms. Kelleher also indicated that she was instructed by the Council and the BSFD Attorney at the time, Kerry Rafanelli, that you had to provide documented co-trustees a ballot.
- 2009–2018 – Carol Duffy
- 2019 – Matt Mannix
- 2020 – No Annual Meeting (pandemic)
- 2021 – Janice McClanaghan
- 2022 – No Annual Meeting
- 2023 – No Annual Meeting
- 2024 – Janice McClanaghan (see election data above)
- 2025 – Janice McClanaghan (see election data above)

This historical practice of 27 years demonstrates that trustees of trusts owning property within the BSFD have consistently been recognized as eligible voters.

Rhode Island Law

Under Rhode Island law, legal title to trust-owned real estate is vested in the trustees.

[R.I. Gen. Laws § 34-4-27 \(Title to real estate—Trusts\)](#) provides: "*Property to be held in trust shall be conveyed to the trustees of the subject trust.*"

[R.I. Gen. Laws § 34-4-28 \(Conveyance to named trust\)](#) further provides: "*The conveyance shall be deemed to vest title to the real estate in the trustees of the named trust.*"

Accordingly, Rhode Island law recognizes trustees, rather than beneficiaries, as the holders of legal title to trust-owned real estate.

Rhode Island law also grants trustees broad authority to exercise rights associated with trust property. [R.I. Gen. Laws § 18-4-2 \(Powers of trustees\)](#) grants trustees "*full power in their, his, or her discretion*" over trust property, including authority to manage, control, lease, sell, partition, and otherwise exercise rights incident to ownership.

Application to Bonnet Shores Fire District

Because voting rights within the Bonnet Shores Fire District are tied to ownership of real property, trustees holding legal title to trust-owned property are the persons authorized under Rhode Island law to exercise rights arising from that ownership.

Nothing in the Charter or bylaws expressly limits trust-owned property to a single trustee-voter. In the absence of such a restriction, and consistent with the BSFD's historical practice of recognizing multiple trustees from the same trust as voters, trustees who hold legal title to property should be recognized as eligible voters on the same basis as other legal owners of property within the BSFD.