

2022 -- H 7943

LC005359

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Introduced By: Representatives Baginski, and Potter

Date Introduced: March 07, 2022

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-53 of the General Laws entitled "Low and Moderate Income  
2 Housing" is hereby amended by adding thereto the following section:

3 **45-53-10. Repurposing of schools and other vacant and unused municipal buildings**  
4 **for affordable housing program.**

5 (a) There is hereby established the repurposing of schools and other vacant and unused  
6 municipal buildings for an affordable housing program (the "program"). The program shall be  
7 administered by the Rhode Island housing and mortgage finance corporation established pursuant  
8 to chapter 55 of title 42 (the "corporation") as set forth herein.

9 (b) The purpose of the program shall be to provide guidance and assistance in the  
10 repurposing of vacant and unused school buildings and other vacant and unused municipal  
11 buildings as identified and existing as of July 1 of each year, commencing October 1, 2022.

12 (c) The department of elementary and secondary education (the "department") shall,  
13 commencing on October 1, 2022, on a biannual basis, provide to the corporation, the speaker of the  
14 house, the president of the senate, and the secretary of commerce for housing, a list of all school  
15 buildings which have been abandoned or are no longer being used by a school district, and which  
16 buildings the school district and the council for the municipality wherein the school building is  
17 located both, by an affirmative vote of a majority of both the governing body of the school board  
18 and the municipality, have voted to be willing to offer the former school building to the program.  
19 In the case of buildings being abandoned or no longer used by a charter school which owns the

1 school building in question, an affirmative vote of the governing body of the charter school and/or  
2 mayoral academy shall be required. The department shall also include and identify in the list those  
3 school buildings which the department anticipates will become abandoned or no longer used by a  
4 school district within the next six (6) months following the issuance of the list. As to other vacant  
5 and unused municipal buildings, the league of cities and towns shall collect data and, commencing  
6 October 1, 2022, and on a semi-annual basis thereafter, provide to the corporation, the speaker of  
7 the house, the president of the senate, and the secretary of commerce for housing, a list of all vacant  
8 and unused municipal buildings within the municipality.

9 (d)(1) The Rhode Island housing resources commission and the Rhode Island division of  
10 statewide planning shall collaborate to investigate the feasibility of converting a building identified  
11 under this section into affordable housing.

12 (2) The commission and the division shall conduct an investigation, in conjunction with  
13 the department of environmental management, the department of health, a fire marshal, the local  
14 building inspector, and the local zoning officer, into its feasibility. This investigation shall be  
15 completed within one hundred and twenty (120) days after being notified by the corporation of the  
16 availability of a vacant building being offered pursuant to this section. The commission and the  
17 division shall issue a joint report to the corporation on the feasibility of using any such building  
18 and shall indicate in the report a recommendation as to whether the building should or should not  
19 be repurposed as affordable housing, and the anticipated costs of renovating the building into  
20 affordable housing.

21 (3) The corporation shall review the report and make a final determination as to the  
22 suitability of repurposing the building as affordable housing within thirty (30) days of receipt of  
23 the report.

24 (4) Once a building is determined by the corporation to be appropriate for repurposing as  
25 affordable housing, the corporation shall actively identify and invite prospective developers to  
26 submit an application to the program, with the goal of repurposing the building into affordable  
27 housing. Provided, the corporation shall promulgate in its regulations a competitive bid process  
28 which is fair, transparent, and open to any party qualified to repurpose the school building into  
29 affordable housing.

30 (e) The corporation shall maintain on its website a separate site for the repurposing of  
31 buildings for the affordable housing program. This site shall contain a listing of all buildings which  
32 the corporation determines, after reviewing the joint report from the commission and the division,  
33 to be suitable for repurposing as affordable housing. In so doing, the corporation shall include a  
34 general statement of the condition of the property, an estimate of the types of renovations, if any,

1 which must be performed to the property, and an estimate of the costs thereof. Provided, it shall be  
2 made clear on the website that these are estimates to repurpose used buildings, and that neither the  
3 state, the corporation, the division, the commission, or any instrumentality of the state or of a  
4 municipality or school district shall be liable for any estimates which are incorrect. The website  
5 shall also provide contact information for a person regarding the former building whom a party  
6 who is interested in repurposing the former building may contact. The joint report from the  
7 commission and the division shall also be provided on the corporation's website.

8 (f) The corporation shall seek to assist and facilitate persons and developers who want to  
9 repurpose former buildings as affordable housing. This assistance may include, but need not be  
10 limited to, technical advice, low-interest loans, and assistance in obtaining grants, all to assist in  
11 the repurposing of the former municipal or school building.

12 (g) The corporation shall promulgate rules and regulations for the implementation and  
13 enforcement of this section and program.

14 (h) Provided, as to any vacant and unused school or municipal building which a  
15 municipality does not wish to offer to the program:

16 (1) In the case of a municipality which has not met its minimum requirements for low or  
17 moderate income housing as defined in § 45-53-3, the sale of the building shall be to restricted and  
18 required to be a developer of low and moderate income housing, until the municipality reaches its  
19 minimum requirements; and

20 (2) In the case of a municipality which has met its minimum requirements for low or  
21 moderate income housing as defined in § 45-53-3, the sale to a developer of low and moderate  
22 income housing is not required but is encouraged by the state. Rhode Island housing corporation  
23 shall make efforts to offer incentives to municipalities to make the sale to a developer of low and  
24 moderate income housing.

25 (i) As to any vacant and unused school or municipal building owned by the state, the state  
26 shall offer a right of first refusal to the municipality to purchase the building; provided the building  
27 is purchased and used by the municipality for low or moderate income housing.

28 (j) As used herein, the term "affordable housing" means housing which meets the definition  
29 for low or moderate income housing in § 45-53-3

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

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1           This act would provide for the establishment of the repurposing of vacant and unused  
2 school and other municipal buildings for affordable housing program, within the Rhode Island  
3 housing corporation.

4           This act would take effect upon passage.

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