

**2017 -- H 5159 SUBSTITUTE A**

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LC000701/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2017**

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - AFFORDABLE HOUSING  
OPPORTUNITY

Introduced By: Representatives Lancia, Lima, Chippendale, Solomon, and Jacquard

Date Introduced: January 19, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 42-11.2-11 of the General Laws in Chapter 42-11.2 entitled  
2 "Affordable Housing Opportunity" is hereby amended to read as follows:

3           **42-11.2-11. Tenant eligibility.**

4           (a) In order to be eligible to reside in a unit assisted under this chapter, the tenant must be  
5 a low-income family as defined in § 42-11.2-3.

6           (b) Notwithstanding subsection (a) of this section, a tenant is eligible to reside in a unit  
7 assisted under this chapter if:

8           (1) The tenant was a low-income family at the time the tenant initially moved into the  
9 unit assisted under this chapter; or

10          (2) The tenant resided in the unit assisted under this chapter at the time that the unit first  
11 became assisted under this chapter.

12          (c)(1) Any facility that operates in any manner as a homeless shelter and is located on  
13 state property that can accommodate up to five (5) homeless individuals shall not permit more  
14 than one bed to be utilized by persons registered, or who are required to register, as a sex offender  
15 under the laws of this state or of any other jurisdiction.

16          (2) Any facility that operates in any manner as a homeless shelter and is located on state  
17 property that can accommodate not less than six (6) nor more than twenty (20) homeless  
18 individuals shall not permit more than two (2) beds to be utilized by persons registered, or who

1 are required to register, as a sex offender under the laws of this state or of any other jurisdiction.

2 (3) Any facility that operates in any manner as a homeless shelter and is located on state  
3 property which can accommodate at least twenty-one (21) and no more than fifty (50) homeless  
4 individuals shall not permit more than five (5) of the beds in the facility to be utilized to shelter  
5 persons who are registered, or are required to register, as a sex offender under the laws of this  
6 state or of any other jurisdiction.

7 (4) Any facility that operates in any manner as a homeless shelter and located on state  
8 property which can accommodate more than fifty (50) homeless individuals shall not permit more  
9 than ten percent (10%) of the beds in the facility to be utilized to shelter persons who are  
10 registered, or are required to register, as a sex offender under the laws of this state or of any other  
11 jurisdiction.

12 (5) The state shall not establish nor maintain any homeless shelter within a thousand feet  
13 (1,000') of a homeless shelter in existence as of January 1, 2017.

14 (6) None of the limitations and restrictions in subsections (c)(1) through (c)(5) shall apply  
15 to any health care facility.

16 SECTION 2. This act shall take effect on January 1, 2018.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - AFFORDABLE HOUSING  
OPPORTUNITY

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1           This act would prevent registered sex offenders from forming more than ten percent  
2 (10%) of the population of residential facilities receiving state funding or assistance, with certain  
3 exceptions.

4           This act would take effect on January 1, 2018.

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