2022 -- H 7943

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:

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

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

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

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

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

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

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

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

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

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

(e) The corporation shall maintain on its website a separate site for the repurposing of
buildings for the affordable housing program. This site shall contain a listing of all buildings which
the corporation determines, after reviewing the joint report from the commission and the division,
to be suitable for repurposing as affordable housing. In so doing, the corporation shall include a
general statement of the condition of the property, an estimate of the types of renovations, if any,
which must be performed to the property, and an estimate of the costs thereof. Provided, it shall be
made clear on the website that these are estimates to repurpose used buildings, and that neither the
state, the corporation, the division, the commission, or any instrumentality of the state or of a
municipality or school district shall be liable for any estimates which are incorrect. The website
shall also provide contact information for a person regarding the former building whom a party
who is interested in repurposing the former building may contact. The joint report from the
commission and the division shall also be provided on the corporation's website.

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

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

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

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

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

(i) As used herein, the term “affordable housing” means housing which meets the definition
for low or moderate income housing in § 45-53-3

SECTION 2. This act shall take effect upon passage.
This act would provide for the establishment of the repurposing of vacant and unused school and other municipal buildings for affordable housing program, within the Rhode Island housing corporation.

This act would take effect upon passage.