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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO TAXATION -- REDEVELOPMENT PROJECTS

Introduced By: Representatives Almeida, Diaz, Carnevale, and Slater

Date Introduced: April 30, 2015

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-32-5 of the General Laws in Chapter 45-32 entitled  
2 "Redevelopment Projects" is hereby amended to read as follows:

3 **45-32-5. Corporate powers of agencies.** -- (a) Each redevelopment agency constitutes a  
4 public body, corporate and politic, exercising public and essential governmental functions, and  
5 has all the powers necessary and convenient to carry out and effectuate the purposes and  
6 provisions of chapters 31 -- 33 of this title, including the powers enumerated in this section in  
7 addition to others granted by these chapters:

8 (1) To sue and be sued; to borrow money; to compromise and settle claims; to have a  
9 seal; and to make and execute contracts and other instruments necessary or convenient to the  
10 exercise of its powers.

11 (2) To make, and, from time to time, amend and repeal bylaws, rules, and regulations,  
12 consistent with chapters 31 -- 33 of this title, to carry into effect the powers and purposes of these  
13 chapters.

14 (3) To select and appoint officers, agents, counsel, and employees, permanent and  
15 temporary, as it may require, and determine their qualifications, duties, and compensation.

16 (4) Within the redevelopment area or for purposes of redevelopment: to purchase, lease,  
17 obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal  
18 property, or any estate or interest in it, together with any improvements on it; to acquire by the  
19 exercise of the power of eminent domain any real property or any estate or interest in it, although

1 temporarily not required to achieve the purposes of chapters 31 -- 33 of this title; to clear,  
2 demolish, or remove any and all buildings, structures, or other improvements from any real  
3 property so acquired; to rehabilitate or otherwise improve any or all substandard buildings,  
4 structures, or other improvements; to insure or provide for the insurance of any real or personal  
5 property or operations of the agency against risk or hazard; ~~and~~ to rent, maintain, rehabilitate,  
6 improve, manage, operate, repair, and clear the property; and to engage in economic  
7 development, as defined in § 42-64.12-5, provided such economic development initiatives are  
8 undertaken by a redevelopment agency of any city or town with more than one hundred thousand  
9 (100,000) residents, are intended to directly or indirectly benefit a redevelopment area, and are  
10 consistent with the redevelopment plan for such redevelopment area.

11 (5) To develop as a building site or sites any real property owned or acquired by it.

12 (6) To cause streets and highways to be laid out and graded, and pavements or other road  
13 surfacing, sidewalks, and curbs, public utilities of every kind, parks, playgrounds, and other  
14 recreational areas, off street parking areas and other public improvements to be constructed and  
15 installed.

16 (7) To prepare or have prepared all plans necessary for the redevelopment of blighted  
17 and substandard areas; with the consent and approval of the community planning commission, to  
18 carry on and perform, for and on behalf of the commission, all or any part of the planning  
19 activities and functions within the community; to undertake and perform, for the community,  
20 industrial, commercial, and family relocation services; to obtain appraisals and title searches; to  
21 make investigations, studies, and surveys of physical, economic, and social conditions and trends  
22 pertaining to a community; to develop, test, and report methods and techniques and carry out  
23 research and other activities for the prevention and the elimination of blighted and substandard  
24 conditions and to apply for, accept, and utilize grants of funds from the federal government and  
25 other sources for those purposes; and to enter upon any building or property in any  
26 redevelopment area in order to make investigations, studies, and surveys, and, in the event entry  
27 is denied or resisted, an agency may petition the superior court in and for the county in which the  
28 land lies for an order for this purpose. Upon the filing of a petition, due notice of it shall be served  
29 on the person denying or resisting entry, and after a hearing on the petition, the court shall enter  
30 an order granting or denying the petition.

31 (8) To undertake technical assistance to property owners and other private persons to  
32 encourage, implement, and facilitate voluntary improvement of real property.

33 (9) To undertake and carry out code enforcement projects pursuant to the provisions of  
34 appropriate federal legislation.

1 (10) To invest any funds held in reserves or sinking funds or any funds not required for  
2 immediate disbursement, in property or securities in which savings banks may legally invest  
3 funds subject to their control; and to purchase its bonds at a price not more than the principal  
4 amount and accrued interest, all bonds so purchased to be cancelled.

5 (11) To lend money, and to sell, lease, exchange, subdivide, transfer, assign, pledge,  
6 encumber (by mortgage, deed of trust, or otherwise), or otherwise dispose of any real or personal  
7 property or any estate or interest in it acquired under the provisions of chapters 31 -- 33 of this  
8 title, to the United States, the state government, any state public body, or any private corporation,  
9 firm, or individual at its fair value for uses in accordance with the redevelopment plan,  
10 irrespective of the cost of acquiring and preparing the property for redevelopment. In determining  
11 the fair value of the property for uses in accordance with the redevelopment plan, the agency shall  
12 take into account, and give consideration to, the uses and purposes required by the plan, the  
13 restrictions upon, and the obligations assumed by the purchaser or lessee of the property, and the  
14 objectives of the redevelopment plan for the prevention of the recurrence of blighted and  
15 substandard conditions. Any lease or sale of the property may be made without public bidding  
16 provided, that no sale or lease is made until at least ten (10) days after the legislative body of the  
17 community has received from the agency a report concerning the proposed sale or lease.

18 (12) To obligate the purchaser or lessee of any real or personal property or any estate or  
19 interest in it to:

20 (i) Use the property only for the purpose and in the manner stated in the redevelopment  
21 plan;

22 (ii) Begin and complete the construction or rehabilitation of any structure or  
23 improvement within a period of time which the agency fixes as reasonable; and

24 (iii) Comply with other conditions that in the opinion of the agency are necessary to  
25 prevent the recurrence of blighted and substandard conditions and otherwise to carry out the  
26 purposes of chapters 31 -- 33 of this title. The agency, by contractual provisions, may make any  
27 of the purchasers' or lessees' obligations, covenants, or conditions running with the land, and may  
28 provide that, upon breach thereof, the fee reverts to the agency.

29 (13) To exercise all or any part or combination of the powers granted in this chapter.

30 (b) Nothing contained in this chapter authorizes an agency to construct any new  
31 buildings for residential, commercial, or industrial uses contemplated by the redevelopment plan;  
32 provided, however, that notwithstanding the foregoing, a redevelopment agency of any city or  
33 town with more than one hundred thousand (100,000) residents, and its successors and assigns,  
34 shall be permitted to construct new buildings for commercial or industrial uses contemplated by

1 [its redevelopment plan.](#)

2 (c) Nothing contained in this chapter authorizes an agency to retain for a period in excess  
3 of five (5) years from the date of acquisition, or within another additional period of time that the  
4 legislative body fixes as reasonable, the fee or any estate or interest in it to any building,  
5 structure, or other improvement, not demolished or otherwise removed, which has been acquired  
6 by the agency in accordance with the redevelopment plan.

7 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 TAXATION -- REDEVELOPMENT PROJECTS

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1           This act would allow a redevelopment agency of any city or town with more than one  
2 hundred thousand (100,000) residents to construct new buildings for commercial or industrial  
3 uses contemplated by its redevelopment plan and intended to benefit a redevelopment area.

4           This act would take effect upon passage.

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