

2018 -- H 8026

LC005345

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- AFFORDABLE HOUSING
OPPORTUNITY

Introduced By: Representatives Mattiello, Jacquard, Bennett, Lima, and Lancia

Date Introduced: March 30, 2018

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. [Effective January 1, 2018.].**

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~~ For any facility that operates in any manner as a homeless shelter and is
13 located on state property, in the capacities listed in subsections (c)(1) through (c)(4) of this
14 section, the following guidelines apply:

15 (1) A facility that can accommodate up to five (5) homeless individuals shall not permit
16 more than one bed to be utilized by persons registered, or who are required to register, as a sex
17 offender under the laws of this state or of any other jurisdiction.

18 (2) ~~Any facility that operates in any manner as a homeless shelter and is located on state~~

1 ~~property~~ A facility that can accommodate not less than six (6) nor more than twenty (20)
2 homeless individuals ~~shall~~ may not permit more than two (2) beds to be utilized by persons
3 registered, or who are required to register, as a sex offender under the laws of this state or of any
4 other jurisdiction.

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

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

15 (5) The facilities in subsections (c)(1) through (c)(4) of this section may exceed the
16 guidelines if:

17 (i) The facility complies with the reporting requirements of § 11-37.1-21(c); and

18 (ii) The facility documents, and reports to the same authorities as required by § 11-37.1-
19 21(c) that they have considered available alternative shelters and/or housing for the subject
20 individuals.

21 ~~(5)(6)~~ The state shall not establish nor maintain any homeless shelter within one thousand
22 feet (1,000') of a homeless shelter in existence as of January 1, 2017.

23 ~~(6)(7)~~ None of the limitations and restrictions in subsections (c)(1) through (c)~~(5)(6)~~ shall
24 apply to any health care facility.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would limit the number of registered sex offenders in any facility that operates as
2 a homeless shelter on state property. Those limits may be exceeded if the facility complies with
3 the provisions of § 11-37.1-21(c) and documents that the facility has considered the available
4 shelters and housing.

5 This act would take effect upon passage.

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