

**2022 -- H 7943 SUBSTITUTE A**

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LC005359/SUB A  
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**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 vacant schools for affordable housing program.**

4           (a) There is hereby established the repurposing of school buildings for an affordable  
5 housing program (the "program"). The program shall be administered by the secretary of housing  
6 as set forth herein.

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

10          (c) The department of elementary and secondary education (the "department") shall,  
11 commencing on October 1, 2022, on an annual basis, provide to the speaker of the house, the  
12 president of the senate, and the secretary of housing, a list of all school buildings which have been  
13 abandoned or are no longer being used by a school district.

14          (d)(1) In the case of a municipality which has less than ten percent (10%) low or moderate  
15 income housing as defined in § 45-53-3 the municipality shall provide the department with a  
16 complete list of buildings abandoned or no longer being used by the school district for the purposes  
17 of conducting a feasibility assessment to repurpose the building as affordable housing. In the case  
18 of a municipality which has greater than ten percent (10%) low and moderate income housing as  
19 defined in § 45-53-3, the municipality may offer to the department a list of buildings abandoned or

1 no longer being utilized by the school district by an affirmative vote of a majority of both the  
2 governing body of the school board and the municipality, and have voted to be willing to offer the  
3 former school building for a feasibility assessment for use by the program. In the case of buildings  
4 being abandoned or no longer used by a charter school which owns the school building in question,  
5 an affirmative vote of the governing body of the charter school and/or mayoral academy shall be  
6 required. The department shall also include and identify in the list those school buildings which the  
7 department anticipates will become abandoned or no longer used by a school district within the  
8 next six (6) months following the issuance of the list.

9 (2) The secretary of housing shall conduct an assessment, in conjunction with a task force  
10 comprised of the Rhode Island housing and mortgage and finance corporation, the department of  
11 environmental management, the department of health, a fire marshal, the local building inspector,  
12 and the local planning office, into its feasibility to be repurposed as affordable housing, and the  
13 anticipated costs of renovating the building for that intended purpose. This assessment shall be  
14 completed within one hundred and fifty (150) days after being notified by the task force of the  
15 availability of a vacant building available pursuant to this section.

16 (3) Once a building is determined by the task force to be appropriate for repurposing as  
17 affordable housing, the office of housing and community development shall actively identify and  
18 invite prospective developers to submit an application to the program, with the goal of repurposing  
19 the building into affordable housing.

20 (e) The office of housing and community development shall maintain on its website a  
21 separate page related to the repurposing of buildings for the affordable housing program. This  
22 website shall contain a listing of all buildings for which a feasibility assessment was conducted and  
23 the outcome of the assessment, including a general statement of the condition of the property, an  
24 estimate of the types of renovations, if any, which must be performed to the property, a copy of the  
25 feasibility assessment, and an estimate of the costs thereof. Provided, it shall be made clear on the  
26 website that these are estimates to repurpose used buildings, and that neither the state, the  
27 corporation, the division, the commission, or any instrumentality of the state or of a municipality  
28 or school district shall be liable for any estimates which are incorrect.

29 (f) The office of housing and community development shall seek to assist and facilitate  
30 persons and developers who want to repurpose former buildings as affordable housing. This  
31 assistance may include, but need not be limited to, technical and financial assistance, all to assist  
32 in the repurposing of the school building.

33 (g) The Rhode Island department of education shall promulgate rules and regulations for  
34 the implementation and enforcement of this section.

1           (h) The secretary of housing shall provide an annual report on or before December 31,  
2 commencing with calendar year 2023, including, but not limited to, the number of schools that are  
3 vacant and include a status report of any development and/or feasibility to repurpose a vacant  
4 building.

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

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 TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

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1           This act would provide for the repurposing of vacant and unused school and other  
2 municipal buildings for affordable housing.

3           This act would take effect upon passage.

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