

## Highlights of 2023 RIHousing Tracked Legislation by Issue Area

### Foreclosure Mediation:

- [S163/ H5761](#): Removes the sunset provision relative to mediation coverage prior to mortgage foreclosures. **Sponsors:** Sen. Euer; Rep. Felix

### 8% Tax:

- [S74](#): Modifies the maximum tax on qualifying low-income property from eight percent (8%) of the previous year's gross scheduled rental income to ten percent (10%) of the prospective year's gross scheduled rental income. **Sponsor:** Sen. Picard
- [S75](#): Increases the maximum tax for qualifying low-income housing from eight percent (8%) to ten percent (10%) of the property's previous year's gross scheduled rental income. **Sponsor:** Sen. Picard

### Incentivize/ Remove Barriers to Housing Development:

- [H6058](#): Increases the amount of allowable units per acre for all projects subject to inclusionary zoning as well as other incentives and subsidies to offset differential costs of below-market units. **Sponsor:** Rep. Abney
- [H6059](#): Amends certain general laws relative to zoning ordinance variances, special use permits, modifications thereto and also amends provisions relative to substandard lots of record and the merger of such lots. **Sponsor:** Rep. Craven
- [H6060](#): Establishes a land use court within the superior court, effective January 1, 2024. **Sponsor:** Rep. Shekarchi
- [H6061](#): Amends the provisions relative to the subdivision of land and the application process requesting relief from zoning ordinances and the review process thereof. **Sponsor:** Rep. Craven
- [H6081](#): Provides amendments relative to low- and moderate-income housing and modifies and clarifies the procedure for review of applications to build such housing. **Sponsor:** Rep. Shekarchi
- [H6082](#): Amends several sections of law relating to zoning ordinances to provide uniform zoning standards for accessory dwelling units. **Sponsor:** Rep. Speakman
- [H6083](#): Amends several sections of law relating to low-and moderate-income housing and the application, appeal, and judicial review process. **Sponsor:** Rep. Batista
- [H6084](#): Creates the transit oriented development pilot program to encourage residential housing near convenient public transportation. **Sponsor:** Rep. Felix
- [H6085](#): Amends the required contents of a comprehensive plan providing that the "implementation program" component of the requirements include a 5 year strategic plan to ensure that the comprehensive plan goals and policies are implemented in a timely fashion. **Sponsor:** Rep. Casey

- [H6086](#): Amends certain notification procedures relating to comprehensive planning and land use, subdivision of land and zoning ordinances. **Sponsor:** Rep. Corvese
- [H6088](#): This resolution would expand the purpose, amend the name and membership, and extend the reporting and expiration dates of the Commission from April 12, to June 7, 2025, and would expire on June 28, 2025. **Sponsor:** Rep. Speakman
- [H6089](#): Extends the reporting and expiration dates and requires a letter of continued interest to the speaker for reappointment of membership, to the commission to study the entire area of land use from 6/8/23 to 6/8/25 and would expire on 6/30/25. **Sponsor:** Rep. Giraldo
- [H6090](#): Provides that adaptive reuse for the conversion of commercial property into residential or mixed-use developments shall be a permitted use and allowable by specific and objective provisions of a zoning ordinance, subject to certain restrictions. **Sponsor:** Rep. Alzate
- [S90/ H5377](#): Requires cities and towns to implement affordable housing requirements upon all developers of tax stabilization applications for developments of more than five (5) housing units based upon median income as defined by HUD. **Sponsors:** Sen. Kallman; Rep. Alzate
- [S307/ H5938](#): Requires single-family residential zoning in municipalities with populations of over twenty-thousand (20,000) shall allow middle housing and mandates that those municipalities adopt zoning regulations for middle housing. **Sponsors:** Sen. Mack; Rep. Henries
- [S316/ H5749](#): Grants a right of first refusal to qualified nonprofits for the purchase of certain multi-family residential properties at market prices, within a reasonable period of time to promote the creation and preservation of affordable rental housing. **Sponsors:** Sen. Kallman; Rep. Speakman
- [SB595](#): Allows impact fees to be imposed on commercial properties to subsidize the creation of affordable housing projects within the municipality, at the discretion of the appropriate governmental agency. **Sponsor:** Sen. Gu
- [S788](#): Allows a municipality to set its own conveyance tax rate for residential properties sold in excess of \$800,000.00 at \$10 per \$500. Provides collected taxes to be in a restricted account and distributed within 2 years for affordable housing. **Sponsor:** Sen. Gu
- [S800/ H5937](#): Establishes transit-oriented housing development program to create a transit-oriented development district for development of housing funded by an annual tax on passenger vehicles registered in this state. **Sponsors:** Sen. Kallman; Rep. Speakman
- [S801/ H5751](#): Amends the zoning enabling statute to provide for the allowance of redeveloping more minimum housing options as permitted uses. **Sponsors:** Sen. Kallman; Rep. Speakman
- [S866/ H5978](#): Creates funding of affordable housing programs within the department of housing. Also creates a land bank program as well as residential development programs

for the construction of low-income housing units by the department and the cities and towns. **Sponsors:** Sen. Kallman; Rep. Speakman

- **S876:** Provides that affordable housing shall be of comparable size and quality to market-rate housing and provide that when there is a requirement for one or more affordable housing units triggered by the size of a development, the units must be created. **Sponsor:** Sen. Gu
- **H6168:** Creates the Housing Production Revolving Fund through the issuance of \$50,000,000 in housing bonds by the department of housing to provide affordable housing for low income households and provide a \$500,000 annual appropriation from the general assembly. **Sponsor:** Rep. Speakman

#### **Low Mod Housing Act:**

- **S317/ H6182:** Amends the definition of "low and moderate income housing" to include housing secured by a federal government voucher or subsidy. **Sponsors:** Sen. Felag; Rep. Knight
- **S588/ H5941:** Provides another method for municipalities to identify and calculate private residences as low and moderate income housing. **Sponsors:** Sen. Rogers; Rep. Chippendale
- **S593/ H5940:** Allows municipalities without public transportation extending to urban service boundaries to reduce the low- or moderate-income housing requirements from ten percent (10%) to six percent (6%). **Sponsors:** Sen. Rogers; Rep. Chippendale

#### **Renewable Energy/ Climate Change**

- **S166/ H5425:** Creates building energy performance standards based on the size of buildings, to achieve, by way of benchmarking and reporting, a statewide analysis of energy use and strategies to increase energy efficiency. **Sponsors:** Sen. Gu; Rep. Kislak
- **S170:** Allows a property owner with eligible net-metering systems with a master meter to allocate excess net metering credits to any meter on the property. **Sponsor:** Sen. Murray
- **S205/ H5527:** Resolution Respectfully Requesting The Department Of Administration To Conduct A Study On The Technical And Economic Outcomes Of Decarbonizing Rhode Island By 2030. **Sponsors:** Sen. Bell; Rep. Morales
- **S506/ H5033:** Prohibits utility companies from limiting eligibility of net metering site based on prior consumption and requires excess energy not consumed to be credited to consumer. Also amends definition of excess renewable net-metering credit. **Sponsors:** Sen. Valverde; Rep. Potter
- **H5159:** Requires installation of designated electric vehicle parking spaces, with charging capabilities, by certain business/ municipalities/housing developments in existing/new/expanded parking lots as of 1/1/24. **Sponsor:** Rep. McGaw
- **H5600:** Provides that no city or town would issue a permit for the construction of new buildings that are not an all-electric building, if the initial application for a permit was

submitted after December 31, 2024, unless certain circumstances apply. **Sponsor:** Rep. Cortvriend

- **H5851:** Mandates that certain new residential building construction include solar power capabilities pursuant to the rules and regulations promulgated by the state building code commission. **Sponsor:** Rep. Boylan
- **H6101:** Requires adoption of 2021 International Energy Conservation Code ("IECC"). **Sponsor:** Rep. Edwards

### **Lead Hazard Remediation**

- **S2/ H5007:** Establishes a lead water supply replacement program for public and private service lines and requires disclosure to tenants and buyers of real property of the presence of lead service lines. **Sponsors:** Sen. Ruggiero; Rep. O'Brien
- **S656/ H5946:** Relieves property owners from implementing lead hazard mitigation for pre-1978 rental dwelling units that are comprised of two (2) or three (3) units, one of which is occupied by the property owner. **Sponsors:** Sen. Acosta; Rep. Voas
- **S729/ H6238:** Establishes an escrow account for tenants to deposit their rent whenever the leased property is not compliant with the lead hazard risk reduction provisions in state law. **Sponsors:** Sen. Mack; Rep. Morales
- **S739/ H6201:** Allows for a property owner who fails to comply with lead hazard mitigation provisions to be subject to damages and reasonable attorneys' fees. **Sponsors:** Sen. Lawson; Rep. Dawson
- **S804/ H6239:** Requires landlords to register certain identifying information on a statewide registry and for pre-1978 properties, provide a valid certificate of conformance with the lead hazard mitigation act. **Sponsors:** Sen. Euer; Rep. Ackerman
- **H5318:** Establishes a lead service line replacement program, using federal funds provided by IJA for public and private service lines. **Sponsor:** Rep. Morales

### **Minority Business Enterprises (MBE)**

- **SB144/ H5748:** Increases the minimum required awarded to minority business enterprises to 20% and of that, require a minimum of 10% be awarded to minority owned businesses and that a minimum of 10% be awarded to women owned businesses. **Sponsors:** Sen. Cano; Rep. Giraldo
- **SB659/ H5736:** Requires the department of administration to provide a list of certified minority and women-owned business enterprises to each prospective contractor of a construction project. **Sponsors:** Sen. Cano; Rep. Giraldo
- **H6202:** Provides that upon application, and good cause, the state may waive the bonding requirement for certified minority business enterprises or women owned businesses. **Sponsor:** Rep. Cruz

## **Landlord/Tenant**

- **H6087**: Prohibits the requirement that a fee be paid for a rental application for real property. **Sponsor**: Rep. Cruz
- **S135/ H5760**: Limits the use of certain criminal records and credit history reports in denying housing to prospective applicants, and provides for fines for failure to comply, and requires notices of denials to be sent to the prospective tenants. **Sponsors**: Sen. Kallman; Rep. Speakman
- **S305/ H5204**: Empowers the secretary of housing to create a written guide for consumers relating to the rights and duties of landlords and tenants, updated on an annual basis, at a minimum. **Sponsors**: Sen. Quezada; Rep. Diaz
- **S311/ H5580**: Prohibits a landlord, lessor, sub-lessor, real estate broker, property management company, or designee to require or receive a fee for a rental application from a prospective tenant or tenant. **Sponsors**: Sen. Murray; Rep. Morales
- **S312**: Prohibits a landlord from charging a rental application fee in excess of ten percent (10%) of one month's periodic rent. **Sponsor**: Sen. McKenney
- **S315/ H5225**: Requires all property owners of rental property to file with the secretary of state notice of their name, address, telephone number, email address and other information. **Sponsors**: Sen. Kallman; Rep. Kislak
- **S365/ H5362**: Increases the amount of time of notice a residential landlord must give to a tenant prior to any rent increase. **Sponsors**: Sen. Mack; Rep. Stewart
- **S390/H5689**: Prohibits a landlord from inquiring about the immigration status of a tenant subject to any federal laws or regulations, but may request financial information or proof of identity. **Sponsors**: Sen. Quezada; Rep. Giraldo
- **S808/ H5690**: Provides that landlords would pay interest on security deposits in residential landlord-tenant matters. **Sponsors**: Sen. Mack; Rep. Cruz
- **S911/ H6062**: Creates a tenants' bill of rights providing certain rights to the tenants, prohibits a landlord from increasing the rent more than four percent (4%) per year and holds landlords responsible for the mitigation of insect infestations. **Sponsors**: Sen. Mack; Rep. Speakman
- **S912**: Provides for the sealing of court files in residential eviction proceedings upon the filing of a motion. **Sponsor**: Sen. Mack
- **S914**: Limits rent increases to no more than four percent (4%) annually and provides tenants with a civil action to recover damages for any violations. **Sponsor**: Sen. Mack
- **H5048**: Limits residential rent increases to ten percent (10%) plus the increase in the Consumer Price Index (CPI) annually. **Sponsor**: Rep. Perez
- **H5108**: Increases the amount of costs for repairs that a tenant may deduct from his or her rent from one hundred twenty-five dollars (\$125) to five hundred dollars (\$500). **Sponsor**: Rep. Solomon

- [H5691](#): Prohibits a landlord from increasing the rent for a residential property more than once annually. Violation of this provision would be deemed a deceptive trade practice and subject to penalties. **Sponsor**: Rep. Stewart

### **Other**

- [S590/ H5764](#): Establishes the Rhode Island Inclusive Home Design Act as a new article in the state building code. **Sponsors**: Sen. Bell; Rep. Stewart
- [S382](#): Allows a homebuyer to void a purchase and sales agreement prior to the transfer if the seller fails to provide a written sales disclosure. The act also increases the maximum civil penalty for violating this law from \$100 to \$1,000. **Sponsor**: Sen. Lombardi
- [H5818](#): This resolution would authorize the appropriation of the sum of \$5,000,000 to the Office of Housing and Community Development to provide funding for the Housing Problem Solving Fund. **Sponsor**: Rep. Speakman
- [S711/ H6186](#): Provides that prevailing wage requirements for rebuild Rhode Island and historic preservation tax credits do not apply to project applications submitted prior to January 1, 2023. **Sponsors**: Sen. Pearson; Rep. Potter
- [S884](#): Assess a vacancy tax of one percent (1%) of the total assessed value of all real property based on the real property's assessed value for vacant units. **Sponsor**: Sen. Mack