

2026 -- H 8403

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

**AUTHORIZING THE TOWN OF JAMESTOWN TO FUND AFFORDABLE HOUSING
PROJECTS AND TO ISSUE NOT MORE THAN \$3,000,000 BONDS AND NOTES
THEREFOR**

Introduced By: Representative Alex S. Finkelman

Date Introduced: April 03, 2026

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. The town of Jamestown is hereby empowered, in addition to authority
2 previously granted, to issue bonds to an amount not exceeding three million dollars (\$3,000,000)
3 from time to time under its corporate name and seal or a facsimile of such seal. The bonds of each
4 issue may be issued in the form of serial bonds or term bonds or a combination thereof and shall be
5 payable either by maturity of principal in the case of serial bonds or by mandatory serial redemption
6 in the case of term bonds, in annual installments of principal, the first installment to be not later
7 than five (5) years and the last installment not later than thirty (30) years after the date of the bonds.
8 For each issue the amounts payable annually for principal and interest combined either shall be as
9 nearly equal from year to year as is practicable in the opinion of the officers authorized to issue the
10 bonds, or shall be arranged in accordance with a schedule providing for a more rapid amortization
11 of principal.

12 SECTION 2. The bonds shall be signed by the manual or facsimile signatures of the finance
13 director of the town and the president or vice president of the town council and shall be issued and
14 sold in such amounts as the town council may authorize by resolution. The manner of sale,
15 denominations, maturities, interest rates and other terms, conditions and details of any bonds or
16 notes issued under this act may be fixed by the resolution of the town council authorizing the issue
17 or by separate resolution of the town council or, to the extent provisions for these matters are not
18 so made, they may be fixed by the officers authorized to sign the bonds or notes. The proceeds of

1 bonds or notes issued under this act, any applicable federal or state assistance and the other monies
2 referred to in Sections 5 and/or 6 of this act shall be deemed appropriated for the purposes of this
3 act without further action than that required by this act. The bond issue authorized by this act may
4 be consolidated for the purposes of issuance and sale with any other bond issue of the town
5 heretofore or hereafter authorized; provided that, notwithstanding any such consolidation, the
6 proceeds from the sale of the bonds authorized by this act shall be expended for the purposes set
7 forth above.

8 SECTION 3. The town council may by resolution authorize the issue from time to time of
9 interest bearing or discounted notes in anticipation of the authorization or issue of bonds or in
10 anticipation of the receipt of federal or state aid for the purposes of this act. The amount of original
11 notes issued in anticipation of bonds may not exceed the amount of bonds which may be issued
12 under this act and the amount of original notes issued in anticipation of federal or state aid may not
13 exceed the amount of available federal or state aid as estimated by the finance director. Temporary
14 notes issued hereunder shall be signed by the finance director and by the president or vice president
15 of the town council and shall be payable within five (5) years from their respective dates, but the
16 principal of and interest on notes issued for a shorter period may be renewed or paid from time to
17 time by the issue of other notes hereunder, provided the period from the date of an original note to
18 the maturity of any note issued to renew or pay the same debt or the interest thereon shall not exceed
19 five (5) years.

20 SECTION 4. Pending any authorization or issue of bonds hereunder or pending or in lieu
21 of any authorization or issue of notes hereunder, the finance director, with the approval of the town
22 council, may, to the extent that bonds or notes may be issued hereunder, apply funds in the treasury
23 of the town to the purposes specified in Section 2 of this act, such advances to be repaid without
24 interest from the proceeds of bonds or notes subsequently issued or from the proceeds of applicable
25 federal or state assistance or from other available funds.

26 SECTION 5. The proceeds derived from the sale of the bonds shall be delivered to the
27 finance director, and such proceeds exclusive of premiums and accrued interest shall be expended
28 for: (1) The creation of additional affordable housing in the town by the acquisition of real property
29 and improvements to be developed as affordable housing and/or development of town-owned
30 properties as affordable housing (the "projects"); (2) In payment of the principal of or interest on
31 temporary notes issued under Section 3 of this act; or (3) In repayment of advances under Section
32 4 of this act. For the purposes of this act, the terms "affordable housing" and "affordable housing
33 plan" shall have the meaning ascribed to it in § 42-128-8.1, as the same may be amended. No
34 purchaser of any bonds or notes under this act shall be in any way responsible for the proper

1 application of the proceeds derived from the sale thereof. The projects shall be carried out and all
2 contracts made therefor on behalf of the town by the town council. Any proceeds of bonds or notes
3 issued hereunder or of any applicable federal or state assistance pending their expenditure or other
4 disbursement may be deposited or invested by the finance director, in demand deposits, time
5 deposits or savings deposits in banks which are members of the Federal Deposit Insurance
6 Corporation or in obligations issued or guaranteed by the United States of America or by any
7 agency or instrumentality thereof or as may be provided in any other applicable law of the State of
8 Rhode Island.

9 SECTION 6. Any accrued interest received upon the sale of bonds or notes hereunder shall
10 be applied to the payment of the first interest due thereon. Any premiums arising from the sale of
11 bonds or notes hereunder and any earnings or net profit realized from the deposit or investment of
12 funds hereunder shall, in the discretion of the finance director, be applied to the cost of preparing,
13 issuing and marketing bonds or notes hereunder to the extent not otherwise provided, to the
14 payment of the cost of the program, to the payment of the principal of or interest on bonds or notes
15 issued hereunder or to any one or more of the foregoing. The cost of preparing, issuing and
16 marketing bonds or notes hereunder may also, in the discretion of the finance director, be met from
17 bond or note proceeds exclusive of accrued interest or from other monies available therefor. Any
18 balance of bond or note proceeds remaining after payment of the cost of the program and said
19 additional improvements and the cost of preparing, issuing and marketing bonds or notes hereunder
20 shall be applied to the payment of the principal of or interest on bonds or notes issued hereunder.
21 In exercising any discretion under this section, the finance director shall be governed by any
22 instructions adopted by resolution of the town council. The finance director is authorized to take
23 any action deemed by him or her necessary: (1) To ensure that interest on the bonds or notes issued
24 hereunder remains excludable from gross income of the recipients thereof for federal income tax
25 purposes, should the bonds and notes be issued on that basis, including, without limitation, paying
26 to the federal government any rebate of earnings derived from the deposit or investment of the
27 proceeds of such bonds or notes that may be required therefor; (2) To qualify the bonds under
28 Sections 54AA, 1400U-1, 1400U-2, or 6431 of the Internal Revenue Code of 1986, as amended,
29 as Build America Bonds and/or Recovery Zone Economic Development Bonds or other similar
30 federal programs; and (3) To comply with the requirements of federal law, including without being
31 limited to regulations and other requirements of the Securities and Exchange Commission and the
32 Municipal Securities Rulemaking Board, imposed directly on the town or on the underwriters of
33 such bonds and notes.

34 SECTION 7. All bonds or notes issued under this act and the debts evidenced thereby shall

1 be obligatory on the town in the same manner and to the same extent as other debts lawfully
2 contracted by it and shall be excepted from the operation of § 45-12-2. No such obligation shall at
3 any time be included in the debt of the town for the purpose of ascertaining its borrowing capacity.
4 The town shall annually appropriate a sum sufficient to pay the principal and interest coming due
5 within the year on bonds and notes issued hereunder to the extent that monies therefor are not
6 otherwise provided. If such sum is not appropriated, it shall nevertheless be added to the annual tax
7 levy. In order to provide such sum in each year and notwithstanding any provision of law to the
8 contrary, all taxable property in the town shall be subject to ad valorem taxation by the town without
9 limitation as to rate or amount.

10 SECTION 8. Any bonds or notes issued under the provisions of this act, if properly
11 executed by officers of the town in office on the date of execution, shall be valid and binding
12 according to their terms form that before the delivery thereof and payment therefor any or all of
13 such officers shall for any reason have ceased to hold office.

14 SECTION 9. The town, acting by resolution of its town council is authorized to apply for,
15 contract for and expend any federal or state advances or other grants or assistance which may be
16 available for the purposes of this act, and any such expenditures may be in addition to other monies
17 provided in this act. To the extent of any inconsistency between any law of this state and any
18 applicable federal law or regulation, the latter shall prevail. Federal and state advances, with interest
19 where applicable, whether contracted for prior to or after the effective date of this act, may be
20 repaid as project costs under Section 2.

21 SECTION 10. Bonds and notes may be issued under this act without obtaining the approval
22 of any governmental agency or the taking of any proceedings or the happening of any conditions
23 except as specifically required by this act for such issue. Without limiting the generality of the
24 foregoing, bonds and notes may be issued under this act without any action at the financial town
25 meeting. In carrying out any project financed in whole or in part under this act, including where
26 applicable the condemnation of any land or interest in land, and in the levy and collection of
27 assessments or other charges permitted by law on account of any such project, all action shall be
28 taken which is necessary to meet constitutional requirements whether or not such action is
29 otherwise required by statute; but the validity of bonds and notes issued hereunder shall in no way
30 depend upon the validity or occurrence of such action. To the extent of any inconsistency between
31 this act and the town charter, this act shall prevail.

32 SECTION 11. The question of the approval of this act shall be submitted to the electors of
33 the town at the general election to be held on November 3, 2026. The question shall be submitted
34 in substantially the following form: "Shall an act, passed at the 2026 session of the General

1 Assembly, entitled 'AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FUND
2 AFFORDABLE HOUSING PROJECTS AND TO ISSUE NOT MORE THAN \$3,000,000
3 BONDS AND NOTES THEREFOR' be approved?" and the warning for the election shall contain
4 the question to be submitted. The town board of canvassers may combine any two (2) or more
5 voting districts for the election and when so combined shall be treated as a voting district. If so
6 combined, the town board of canvassers shall advertise the combination of districts in a newspaper
7 of general circulation in the town. From the time the election is warned and until it is held, it shall
8 be the duty of the town clerk to keep a copy of the act available at his or her office for public
9 inspection, but the validity of the election shall not be affected by this requirement.

10 SECTION 12. This section and Section 11 shall take effect upon passage. The remainder
11 of this act shall take effect upon the approval of this act by a majority of those voting on the question
12 at the election prescribed by Section 11.

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EXPLANATION

OF

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AUTHORIZING THE TOWN OF JAMESTOWN TO FUND AFFORDABLE HOUSING
PROJECTS AND TO ISSUE NOT MORE THAN \$3,000,000 BONDS AND NOTES
THEREFOR

1 This act would authorize the town of Jamestown to issue bonds to an amount not exceeding
2 three million dollars (\$3,000,000), subject to voter approval, to finance affordable housing projects
3 in Jamestown.

4 Sections 11 and 12 of this act would take effect upon passage. The remaining sections of
5 this act would take effect when and if the state board of elections shall certify to the secretary of
6 state that a majority of the qualified electors voting on the proposition contained in Section 11 of
7 this act have indicated their approval of the project thereunder.

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