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LC005574

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IN GENERAL ASSEMBLY

RELATING TO WATERS AND NAVIGATION -- RESIDENTIAL AND COMMERCIAL
PROPERTY ACQUISITION PROGRAM ACT

Referred To: Senate Housing & Municipal Government

1 SECTION 1. Title 46 of the General Laws entitled "WATERS AND NAVIGATION" is

2 hereby amended by adding thereto the following chapter:

46-34-1. Short title.

46-34-2. Purpose.

46-34-3. Definitions.

(1) “Community vulnerability assessment” means a systematic evaluation that identifies and analyzes the exposure, sensitivity, and adaptive capacity of people, built and natural assets, and essential services within a defined community to current and projected climate related and natural

1 hazards including, but not limited to, sea level rise, coastal and riverine flooding, storm surge,
2 extreme precipitation, erosion, heat, and related secondary impacts. The assessment shall:

3 (i) Use the best available, scientifically-backed, and up-to-date climate, hazard, and
4 socioeconomic data and methods;

5 (ii) Identify populations, facilities, infrastructure, and natural resources whose impairment
6 would significantly affect public health, safety, welfare, economic activity, cultural resources, or
7 environmental quality;

8 (iii) Consider social vulnerability, including the disproportionate impacts on overburdened,
9 low income, and historically marginalized communities; and

10 (iv) Inform the future development, prioritization, and financing of adaptation and
11 mitigation actions, capital investments, land use and zoning changes, and emergency preparedness
12 measures to enhance coastal resilience and reduce future risk.

13 (2) “Council” means the coastal resource management council.

14 (3) “Department” means the department of environmental management.

15 **46-34-4. Amount of funding.**

16 The general assembly shall appropriate the sum of five hundred thousand dollars
17 (\$500,000) within its 2026-2027 fiscal year budget for technical assistance to municipalities within
18 the Resilient Rhody Infrastructure Fund for the purpose of assisting municipalities in planning for
19 managed retreat.

20 **46-34-5. Eligibility and planning process.**

21 (a) All municipalities are eligible for a first round of funding for technical assistance to
22 undergo the planning process described in subsection (b) of the section.

23 (b) No more than eight (8) months after the effective date of this chapter, the Rhode Island
24 infrastructure bank, the department and council, shall create a managed retreat planning process for
25 municipalities. The planning process shall align with and build on prior municipal resilience
26 planning and community vulnerability assessments, where available. The Rhode Island
27 infrastructure bank, department and council shall build upon the existing municipal resilience
28 program and community resilience building reports, as well as inter-governmental collaboration
29 and assistance provided by the department’s regional resilience coordinators, to structure and
30 deliver this planning process. The process shall include, but not be limited to:

31 (1) Creation by the municipality of a community vulnerability assessment if one does not
32 already exist.

33 (2) Creation by the municipality through a public process, a prioritized list of parcels and/or
34 residential neighborhoods and/or mixed-use areas and a timeframe for voluntary buyouts. Instead

1 of a timeframe, a municipality may condition a voluntary buyout on a storm event of a certain
2 magnitude.

3 (3) Calculation of cost estimates for the voluntary buyouts of the parcels, relocation
4 assistance and incentives to relocate within the boundaries of the municipality or adjacent
5 municipalities, debris cleanup, restoring each parcel to its natural habitat, and any maintenance
6 thereafter.

7 (4) Designate a staff member or regional coordinator under the department to work with
8 homeowners and landowners to pre-file paperwork required for federal emergency management
9 agency funding, state funding, and municipal funding, if applicable.

10 (5) Take ownership of the parcel after a voluntary buyout and may form public-private
11 partnerships to utilize the land, in ways benefitting outdoor recreation and uses that are open to the
12 public; provided that, a state easement is procured for the parcel; and further, provided that,
13 utilization of the land shall align with council special area management plans, if applicable, and
14 provide public parking spaces where appropriate.

15 (6) Prohibit the construction of permanent structures on the parcel after purchase.

16 (c) Municipalities who complete the planning process described in subsection (b) of this
17 section, shall become eligible for revolving loan funds, grant funds, and catastrophe bond funds
18 established pursuant § 46-12.2-4.4, and the treasurer's office.

19 (d) After the first municipality completes the planning process described in subsection (b)
20 of this section, and annually thereafter, the treasurer shall be authorized to issue, rescind, or re-
21 issue catastrophe bonds in an amount appropriate to cover the cost-estimates provided by the
22 municipalities for voluntary buyouts after a storm event.

23 **46-34-6. Prioritization.**

24 (a) No more than eight (8) months after the effective date of this chapter, the Rhode Island
25 infrastructure bank, the department and council, shall create a funding prioritization process after a
26 public hearing and stakeholder engagement process:

27 (b) One factor in funding prioritization shall be a municipality's planning and/or
28 implementation of ongoing revenue streams dedicated to the Resilient Rhody Infrastructure Fund,
29 including, but not limited to, commercial tax increment districts, stormwater districts, sewer
30 districts, transfer of development rights funds, and developer impact fees.

31 (c) No more than sixteen (16) months after the effective date of this chapter, and dependent
32 on funding availability, the Rhode Island infrastructure bank, the department and council, shall
33 award funding to eligible municipalities, and thereafter, on an annual basis, according to the
34 established prioritization process.

1 (d) In the event of a storm that triggers the catastrophe bond, the treasurer’s office, Rhode
2 Island infrastructure bank, the department and council, shall award funding to eligible
3 municipalities within one month of receiving the funds from the catastrophe bonds, according to
4 the established prioritization process.

5 **46-34-7. Other authorizations to secure additional funding.**

6 The Rhode Island infrastructure bank, the department and council are authorized to apply
7 for federal funding sources and use available funds in the Resilient Rhody Infrastructure Fund as
8 matching funds for federal funding programs in order to fund voluntary buyouts.

9 **46-34-8. Insurance.**

10 The department of business regulation is authorized to negotiate insurance premium
11 discounts for parcels whose owners opt into a voluntary buyout. The department of business
12 regulation is also authorized to form an agreement with homeowners and landowners to collect a
13 percentage or whole amount of these insurance premium discounts and put this amount into the
14 Resilient Rhody Infrastructure Fund.

15 **46-34-9. Criteria of awards.**

16 The department of housing shall revise their criteria when awarding housing development
17 funds to prioritize municipalities that undergo the planning process described in § 46-34-5(b) and
18 have revised their zoning and development policies to accommodate new housing for residents who
19 have opted into a voluntary buyout.

20 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 WATERS AND NAVIGATION -- RESIDENTIAL AND COMMERCIAL
PROPERTY ACQUISITION PROGRAM ACT

- 1 This act would establish the Residential and Commercial Property Acquisition Program
2 Act to implement residential or commercial property acquisitions, in high-hazard zones, paired with
3 funding for relocation costs within or proximate to the current community and restore the acquired
4 land to its natural habitat and use it to enhance shoreline or riverine access and outdoor recreation.
5 This act would take effect upon passage.

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