

2026 -- S 2268 SUBSTITUTE A AS AMENDED

LC004244/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Introduced By: Senators Kallman, Bissaillon, DiMario, Gu, Mack, DiPalma, Rogers,
McKenney, and Zurier

Date Introduced: January 23, 2026

Referred To: Senate Housing & Municipal Government

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 **45-53-17. Faith-based affordable housing development.**

4 (a) An applicant may submit a single application for a comprehensive permit to build low-
5 or moderate-income housing on land owned by a religious organization, association, or society, or
6 a nonprofit organization that is operated, supervised, or controlled by a religious organization,
7 association, or society (collectively, "faith-based organizations") in lieu of separate applications to
8 the applicable local boards. This procedure is available in a city or town regardless of whether the
9 city or town has low- or moderate-income housing in excess of ten percent (10%) of its year-round
10 housing units, but is only available for applications that comply with the following criteria:

11 (1) At least fifty percent (50%) of the housing to be developed is low- or moderate-income
12 housing;

13 (2) The land proposed for development is owned or held in trust for use by a faith-based
14 organization on the date of the comprehensive permit application. For the purposes of this section,
15 a faith-based organization that subjects a parcel of land to a long-term ground lease of not less than
16 ninety-nine (99) years shall still be considered to own the land; and

17 (3) The land proposed for development is owned by a faith-based organization that has had
18 federal tax-exempt nonprofit status for at least three (3) years prior to application.

19 (b) A comprehensive permit application submitted under this section may request

1 adjustments for ancillary uses that support the mission of the faith-based organization, including,
2 but not limited to, childcare, educational, and community service facilities, or small-scale
3 commercial uses not to exceed two thousand (2,000) square feet of gross floor area.

4 (c)(1) Any comprehensive permit applicant may elect to apply for and be heard on master
5 plan review prior to preliminary plan submission consistent with § 45-53-4(d)(2).

6 (2) An application submitted under this section is not subject to a public hearing under §45-
7 53-4(d)(3)(iii)(A). Once an administrative officer has certified a preliminary plan application as
8 complete or incomplete pursuant to § 45-53-4(d)(3)(ii), the officer shall render a decision on the
9 application and shall make findings on each of the standards described in § 45-53-4(d)(3)(iii)(E),
10 where applicable, within ninety (90) days of the date the application is certified complete, or within
11 a further amount of time that may be consented to by the applicant through the submission of a
12 written consent. Failure to act within the prescribed period constitutes approval of the preliminary
13 plan, and a certificate as to the failure to act within the required time and the resulting approval
14 shall be issued on request of the applicant.

15 (3) An application submitted under this section is subject to final plan review as provided
16 in § 45-53-4(d)(4), except that any requests for major changes (as defined in the local regulations)
17 shall be submitted to the administrative officer.

18 (d) Nothing in this section shall be construed to limit or override the provisions of chapter
19 45.1 of title 42 (Antiquities Act of Rhode Island), historical area zoning established pursuant to
20 chapter 24.1 of title 45, or the authority of the Rhode Island Historical Preservation and Heritage
21 Commission established pursuant to chapter 45 of title 42.

22 (e) Nothing in this section shall be construed to permit the demolition of any property listed
23 in the National Register of Historic Places or the State Register of Historic Places absent written
24 approval from the state historic preservation officer.

25 (f) Housing units offered for rent or sale after having been built under a comprehensive
26 permit issued under this section remain subject to the federal Fair Housing Act pursuant to 42
27 U.S.C. § 3607(b) and 24 C.F.R. §§ 100.300-308 and the Rhode Island Fair Housing Practices Act
28 pursuant to chapter 37 of title 34.

29 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

1 This act would allow faith-based organizations to develop affordable housing on land they
2 own provided at least 50 % of the housing to be developed is low- or moderate-income housing
3 and the land is owned or held in trust by the faith-based organization. The act would also allow
4 faith-based organizations to request adjustments for uses that support the mission of the faith-based
5 organization, including childcare, education, community service, or small-scale commercial uses.

6 This act would take effect upon passage.

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