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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO TOWNS AND CITIES -- REDEVELOPMENT AGENCIES

Introduced By: Representative Arthur J. Corvese

Date Introduced: June 16, 2021

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-31-8 of the General Laws in Chapter 45-31 entitled  
2 "Redevelopment Agencies" is hereby amended to read as follows:

3 **45-31-8. Definitions.**

4 The following definitions and general provisions govern the construction of chapters 31 --  
5 33 of this title:

6 (1) "Agency" means a redevelopment agency created by this chapter.

7 (2) "Arrested blighted area" means any area that, by reason of the existence of physical  
8 conditions, including, but not by way of limitation, the existence of unsuitable soil conditions, the  
9 existence of dumping or other unsanitary or unsafe conditions, the existence of ledge or rock, the  
10 necessity of unduly expensive excavation, fill or grading, or the necessity of undertaking unduly  
11 expensive measures for the drainage of the area or for the prevention of flooding or for making the  
12 area appropriate for sound development, or by reason of obsolete, inappropriate, or otherwise faulty  
13 platting or subdivision, deterioration of site improvements, inadequacy of utilities, diversity of  
14 ownership of plots, or tax delinquencies, or by reason of any combination of any of the foregoing  
15 conditions, is unduly costly to develop soundly through the ordinary operations of private enterprise  
16 and impairs the sound growth of the community. An arrested blighted area need not be restricted  
17 to, or consist entirely of, lands, buildings, or improvements that, of themselves, fall within this  
18 definition, but may consist of an area in which these conditions exist and injuriously affect the  
19 entire area.

1 (3) "Blighted and substandard area" includes a "slum blighted area," a "deteriorated  
2 blighted area," or an "arrested blighted area," or any combination of these areas. "Blighted and  
3 substandard area" shall also include those areas where hazardous materials, as defined in § 23-  
4 19.14-3, are present, regardless of whether or not the entire area contains the hazardous materials.

5 (4) "Bonds of agency" means any bonds, notes, interim certificates, debentures, or other  
6 obligations issued by an agency pursuant to §§ 45-33-5 -- 45-33-15.

7 (5) "Community" means a city or town.

8 (6) "Deteriorated blighted area" means any area in which there exists buildings or  
9 improvements, either used, or intended to be used, for living, commercial, industrial, or other  
10 purposes, or any combination of these uses, that by reason of:

11 (i) Dilapidation, deterioration, age, or obsolescence;

12 (ii) Inadequate provision for ventilation, light, sanitation, open spaces, and recreation  
13 facilities;

14 (iii) High density of population and overcrowding;

15 (iv) Defective design or unsanitary or unsafe character or conditions of physical  
16 construction;

17 (v) Defective or inadequate street and lot layout; and

18 (vi) Mixed character, shifting, or deterioration of uses to which they are put, or any  
19 combination of these factors and characteristics, are conducive to the further deterioration and  
20 decline of the area to the point where it may become a slum blighted area as defined in subdivision  
21 (18), and are detrimental to the public health, safety, morals, and welfare of the inhabitants of the  
22 community and of the state generally. A deteriorated blighted area need not be restricted to, or  
23 consist entirely of, lands, buildings, or improvements which of themselves are detrimental or  
24 inimical to the public health, safety, morals, or welfare, but may consist of an area in which these  
25 conditions exist and injuriously affect the entire area.

26 (7) "Federal government" means the United States of America or any agency or  
27 instrumentality, corporate or otherwise, of the United States of America.

28 (8) "Legislative body" means the city council or town council.

29 (9) "Obligee of the agency" or "obligee" include any bondholder, trustee or trustees for any  
30 bondholder, or lessor demising to the agency property used in connection with a redevelopment  
31 project or any assignee or assignees of that lessor, and the federal government.

32 (10) "Planning commission" or "commission" means a planning commission or other  
33 planning agency established under any state law or created by or pursuant to the charter of the  
34 community.

1 (11) "Project area" means all or any portion of a redevelopment area. A project area may  
2 include lands, buildings, or improvements which of themselves are not detrimental or inimical to  
3 the public health, safety, morals, or welfare, or otherwise fall within the definition of a "blighted or  
4 substandard area," but whose inclusion is necessary, with or without change in their conditions or  
5 ownership, for the effective redevelopment of the area of which they are a part.

6 (12) "Public hearing" means a hearing before a legislative body or before any committee  
7 of the legislative body to which the matter to be heard has been referred.

8 (13) "Real property" means lands, including lands underwater and waterfront property,  
9 buildings, structures, fixtures, and improvements to the lands, and every estate, interest, privilege,  
10 easement, franchise and right, legal or equitable, including rights of way, terms for years and liens,  
11 charges or encumbrances by way of judgment, attachment, mortgage, or otherwise, and the  
12 indebtedness secured by liens.

13 (14) "Redevelopment" means the elimination and prevention of the spread of blighted and  
14 substandard areas. Redevelopment may include the planning, replanning, acquisition, construction,  
15 rehabilitation, improvement, furnishing, equipping, clearance, sale, lease, or other disposition, or  
16 any combination of these, of land, buildings, or other improvements for residential, recreational,  
17 commercial, industrial, institutional, public, or other purposes, including the provision of streets,  
18 utilities, recreational areas, and other infrastructure and other open spaces consistent with the needs  
19 of sound community growth in accordance with the community's general plan and carrying out  
20 plans for a program of voluntary repair and rehabilitation of buildings or other improvements, and  
21 may include such other acts within a redevelopment area permitted pursuant to chapters 31 through  
22 33, inclusive, of this title as determined by the legislative body to be consistent with the purposes  
23 of chapters 31 through 33, inclusive, of this title.

24 (15) "Redevelopment area" means and includes:

25 (i) Any ~~any~~ area of a community that its legislative body has determined includes a blighted  
26 and substandard area whose redevelopment is necessary to effectuate the public purposes declared  
27 in this chapter; and

28 (ii) All population census tracts in the state that have been or are designated as opportunity  
29 zones or qualified opportunity zones pursuant to 26 U.S.C. §§ 1400Z-1 and 1400Z-2.

30 (16) "Redevelopment plan" means a plan, as it exists from time to time, for a  
31 redevelopment project, that:

32 (i) Conforms to the general plan for the community as a whole; and

33 (ii) Is sufficiently complete to indicate land acquisition, demolition and removal of  
34 structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out

1 in the project area, zoning and planning changes, if any, land uses, maximum densities, building  
2 requirements, and the plan's relationship to definite local objectives, respecting appropriate land  
3 uses, improved traffic, public transportation, public utilities, recreational and community facilities,  
4 and other public improvements.

5 (17) "Redevelopment project" means any work or undertaking of an agency pursuant to  
6 chapters 31 -- 33 of this title.

7 (18) "Slum blighted area" means any area in which there is a predominance of buildings or  
8 improvements, either used or intended to be used for living, commercial, industrial, or other  
9 purposes, or any combination of these uses, which by reason of: (i) Dilapidation, deterioration, age,  
10 or obsolescence; (ii) Inadequate provision for ventilation, light, sanitation, open spaces, and  
11 recreation facilities; (iii) High density of population and overcrowding; (iv) Defective design or  
12 unsanitary or unsafe character or condition of physical construction; (v) Defective or inadequate  
13 street and lot layout; and (vi) Mixed character or shifting of uses to which they are put, or any  
14 combination of these factors and characteristics, are conducive to ill health, transmission of disease,  
15 infant mortality, juvenile delinquency, and crime; injuriously affect the entire area and constitute a  
16 menace to the public health, safety, morals, and welfare of the inhabitants of the community and of  
17 the state generally. A slum blighted area need not be restricted to, or consist entirely of, lands,  
18 buildings, or improvements that of themselves are detrimental or inimical to the public health,  
19 safety, morals, or welfare, but may consist of an area in which these conditions predominate and  
20 injuriously affect the entire area.

21 (19) "State government" means the state of Rhode Island, or any agency or instrumentality  
22 of the state, corporate or otherwise.

23 (20) "State public body" means the state, or any city or town or any other subdivision or  
24 public body of the state or of any city or town.

25 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 -- REDEVELOPMENT AGENCIES

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1           This act would expand the definition of a redevelopment area to include all population  
2 census tracts in the state that have been or are designated as opportunity zones or qualified  
3 opportunity zones pursuant to 26 U.S.C. §§ 1400Z-1 and 1400Z-2.

4           This act would take effect upon passage.

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