

**2026 -- S 2268 SUBSTITUTE A**

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; and

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.

17 (b) A comprehensive permit application submitted under this section may request  
18 adjustments for ancillary uses that support the mission of the faith-based organization, including,  
19 but not limited to, childcare, educational, and community service facilities, or small-scale

1 commercial uses not to exceed two thousand (2,000) square feet of gross floor area.

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

4 (2) An application submitted under this section is not subject to a public hearing under §45-  
5 53-4(d)(3)(iii)(A). Once an administrative officer has certified a preliminary plan application as  
6 complete or incomplete pursuant to § 45-53-4(d)(3)(ii), the officer shall render a decision on the  
7 application and shall make findings on each of the standards described in § 45-53-4(d)(3)(iii)(E),  
8 where applicable, within ninety (90) days of the date the application is certified complete, or within  
9 a further amount of time that may be consented to by the applicant through the submission of a  
10 written consent. Failure to act within the prescribed period constitutes approval of the preliminary  
11 plan, and a certificate as to the failure to act within the required time and the resulting approval  
12 shall be issued on request of the applicant.

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

16 (d) Nothing in this section shall be construed to limit or override the provisions of chapter  
17 45.1 of title 42 (Antiquities Act of Rhode Island), historical area zoning established pursuant to  
18 chapter 24.1 of title 45, or the authority of the Rhode Island Historical Preservation and Heritage  
19 Commission established pursuant to chapter 45 of title 42.

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

23 (f) Housing units offered for rent or sale after having been built under a comprehensive  
24 permit issued under this section remain subject to the federal Fair Housing Act pursuant to 42  
25 U.S.C. § 3607(b) and 24 C.F.R. §§ 100.300-308 and the Rhode Island Fair Housing Practices Act  
26 pursuant to § 34-37-4.1.

27 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

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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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