

SUMMARY of the 2021 LEGISLATIVE SESSION

Legislation Enacted that Affects Local, Regional and Statewide Planning

Numerous bills were enacted during the 2021 Rhode Island General Assembly session that will have an impact on local, regional, and statewide planning. A total of 2,475 bills were filed in 2021. Members of the House introduced 1,468 bills and, in the Senate, 1,007 bills were introduced. This year, almost 200 planning related bills were tracked and, of these tracked bills, 40 were enacted as laws. Below is a brief synopsis of the enacted bills, accompanied by links to the actual legislation on the web. The bills that were signed into law and that affect the Division are shown first, followed by bills signed into law (or those effective without the Governor's signature) related to other statewide planning topics such as municipal planning, energy, housing, other state government, solid waste, transportation, and water supply. Finally, other legislative actions related to planning are covered at the end of the memo.



Laws Impacting the Division of Statewide Planning

Senate Bill No. [78 SUB A](#) & House Bill No. [5445 SUB A](#) AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- 2021 ACT ON CLIMATE

- Adds a statewide greenhouse gas emission reduction responsibility to the Executive Climate Change Coordinating Council (EC4) of which the DSP Associate Director is a statutory member.

Senate Bill [35 Sub A](#) & House Bill No. [5967 SUB A](#) AN ACT RELATING TO WATERS AND NAVIGATION -- THE OCEAN STATE CLIMATE ADAPTATION FUND

- Creates the Ocean State Climate Adaptation and Resilience Fund within the RI Infrastructure Bank to be overseen by the Department of Environmental Management and the Coastal Resources Management Council, as advised by a technical advisory committee. The fund would enable cities, towns, and the State to apply for grants to fund projects that restore and improve the climate resilience of vulnerable coastal habitats and river and stream floodplains. Adds new responsibilities for the Director of the State Planning Council within the Department of Administration, or a designee, who must serve on the technical advisory committee.

House Bill No. [6122 SUB A as amended](#) \$13.1 BILLION IN APPROPRIATIONS FOR THE STATE FISCAL YEAR ENDING JUNE 30, 2022 and allocates funding to the DSP for the FY 2022 work program activities and assigns new responsibilities as follows:

- Consultation responsibilities to the Rhode Island Infrastructure Bank in establishing the Rhode Island Municipal Infrastructure Grant Program and providing assistance to municipalities under the new provisions of [Title 42 Chapter 11.4](#) as related to this new program.
- Consultation responsibilities with the Housing Resources Coordinating Committee under new provisions of [Chapter 42-128.4, Housing Incentives for Municipalities](#)



Laws Impacting Municipal Planning

Senate Bill No. [172 SUB A](#) & House Bill No. [5259 SUB A](#) AN ACT RELATING TO TOWNS AND CITIES

- Creates a voluntary mechanism for municipalities to use to dedicate a park, conservation, or other land they own as public trust land in perpetuity to protect and preserve its future use.

Senate Bill No. [473 as amended](#) & House Bill No. [5920](#) AN ACT RELATING TO TOWNS AND CITIES

- Allows the twenty-one coastal communities to adopt the CRMC's coastal hazard application process applicable to local overlay districts for applicants seeking local building permits.

Senate Bill No. [654 SUB A &](#) House Bill No. [6119 SUB B](#) AN ACT RELATING TO TOWNS AND CITIES -- SMALL BUSINESSES -- ZONING ORDINANCES

- Imposes one-year moratorium on enforcement of municipal ordinance or zoning requirement that penalizes owners of food service establishments/bars for modifications/alternations to their premises in response to an emergency declaration.

Senate Bill No. [981](#) & House Bill No. [6446](#) AN ACT RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

- Establishes E-permitting for construction permitting.



Laws Impacting Energy

Senate Bill No. [634 SUB B](#) AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC UTILITIES COMMISSION

- Requires the energy efficiency and resources management council to run a triennial competitive bid process to select an entity to propose and administer system reliability and energy efficiency and conservation procurement until March 1, 2036.

House Bill No. [6144 SUB A](#) AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC UTILITIES COMMISSION

- Requires submission of a triennial system reliability/energy efficiency/conservation procurement plan until 9/1/2036 and continues a charge on gas/electricity to fund energy efficiency/conservation programs until 9/1/2035.

House Bill No. [5132 SUB A](#) AN ACT RELATING TO HEALTH AND SAFETY -- BIODIESEL PRODUCTS

- Amends the compliance standards for heating oil biobased products providing minimum standards for the percentage of biobased product that certain types of heating oil must contain.

House Bill No. [5966 SUB A](#) AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- APPLIANCE AND EQUIPMENT ENERGY AND WATER EFFICIENCY STANDARDS ACT OF 2021

- Establishes efficiency standards for selected residential and commercial products.



Laws Impacting Housing

Senate Bill No. [561](#) & House Bill No. [5257 as amended](#) AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT

- Prohibits discrimination in housing against those persons who have a lawful source of income.

House Bill No. [6215](#) AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT

- Amends the definition of sexual orientation. Allows cases in superior court. Allows mediation prior to superior court case. Prohibits court order unless attorney fee waiver is signed. Repeals exemptions to sexual discrimination.

Senate Bill No. [718 SUB A](#) AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

- Requires a landlord to obtain and have in full force and effect a general liability policy of at least one hundred thousand dollars (\$100,000) for those persons injured on the premises due to the negligence of the landlord.



Laws impacting Land Use & Other State Government

House Bill No. [6173 SUB A](#) AN ACT RELATING TO WATERS AND NAVIGATION -- STATE AFFAIRS AND GOVERNMENT -- HEALTH AND SAFETY

- Updates and modernizes the Department of Environmental Management's ability to enforce environmental laws, and more specifically modifies practices regarding a notice of violation.

Senate Bill No. [470 SUB A](#) & House Bill No. [5760 SUB A](#) AN ACT RELATING TO AGRICULTURE AND FORESTRY

- Creates a forest conservation commission, to be appointed by the Department of Environmental Management, to assist landowners in maintaining their land as forest. The Director of DOA (or a designee) is a member along with a member familiar with land use and community planning issues among others.

Senate Bill No. [852 SUB A](#) AN ACT ESTABLISHING A REAPPORTIONMENT COMMISSION

- Creates an eighteen-member special commission on reapportionment whose purpose is to draft and to report to the general assembly an act to reapportion the districts of the general assembly and the state's United States Congressional Districts.



Laws impacting Solid Waste

Senate Bill No. [155 SUB A](#) & House Bill No. [5131 SUB A](#) AN ACT RELATING TO FOOD AND DRUGS -- SINGLE-USE PLASTIC STRAWS

- Prohibits a food service establishment from providing a consumer with a single-use plastic straw unless the consumer requests such a straw.

House Bill No. [5376 SUB A as amended](#) AN ACT RELATING TO HEALTH AND SAFETY -- BALLOONS

- Prohibits the intentional simultaneous release of ten (10) or more balloons inflated with lighter-than-air gas the Department of Environmental Management will adopt regulations to implement the legislation.

Senate Bill No. [104 SUB A](#) AN ACT RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

- Requires schools to comply with recycling and composting laws and promotes the donation of unspoiled nonperishable food by schools. Requires the use of share tables at all schools.

House Bill No. [5328 SUB A](#) AN ACT RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

- Requires schools to comply with composting and recycling laws.

House Bill No. [5923 SUB A as amended](#) AN ACT RELATING TO HEALTH AND SAFETY- HIGH-HEAT WASTE FACILITY ACT OF 2021

- Prohibits new high-heat waste processing facilities through certain siting restrictions setting specific distances from areas and buildings deemed at risk from the biomass process and banned from communities on the Department of Environmental Management map of environmental justice municipalities.



Laws impacting Transportation

Senate Bill No. [519](#) & House Bill No. [6051](#) AN ACT RELATING TO AERONAUTICS -- RHODE ISLAND T.F. GREEN INTERNATIONAL AIRPORT

- Renames the state airport in Warwick from "T.F. Green state airport" to "Rhode Island T.F. Green International Airport"

Senate Bill No. [607 SUB A](#) AN ACT RELATING TO AERONAUTICS -- THE PERMANENT AIR QUALITY MONITORING ACT

- Extends the long-term air-quality monitoring program at T.F. Green Airport to July 31, 2024.

Senate Bill No. [259 as amended](#) & House Bill No. [6067 as amended](#) AN ACT RELATING TO AERONAUTICS -- AIRPORTS AND LANDING FIELDS

- Adds airspace to the land the DOT can acquire that is necessary for a suitable airport or to preserve, maintain, or restore approach. Additionally, this act would add the term "Approach, approach zone, approaches" to RI Gen. Law Section 1-2-3.1.



Laws impacting Water Supply
(All Effective without the Governor's Signature)

Senate Bill No. [655 SUB A](#) AN ACT RELATING TO WATERS AND NAVIGATION -- BRISTOL COUNTY WATER SUPPLY

- Repeals the obligation of both Bristol County Water Supply and the State to upgrade transmission lines, treatment facilities, reservoirs, and wells or upgrade them to conform to the Safe Drinking Water Act standards set forth by federal law.

Senate Bill No. [656](#) & House Bill No. [5060](#) AN ACT RELATING TO WATERS AND NAVIGATION -- BRISTOL COUNTY WATER SUPPLY

- Repeals the requirement that the Bristol County Water Authority maintain its reservoirs, wells and well sites, transmission lines and water treatment plants within its jurisdiction in good, sound, and safe condition.

House Bill No. [5059 SUB A](#) AN ACT RELATING TO WATERS AND NAVIGATION -- BRISTOL COUNTY WATER SUPPLY

- This act would delete a portion of the enabling statute for the Bristol County Water Authority.

House Bill No. [5258](#) AN ACT IN AMENDMENT OF CHAPTER 974 OF THE PUBLIC LAWS OF 1940, ENTITLED "AN ACT TO INCORPORATE THE STONE BRIDGE FIRE DISTRICT AND TO FURNISH A SUPPLY OF WATER FOR THE TOWN OF TIVERTON"

- Authorizes the Stone Bridge fire district to borrow up to \$100,000 in funds to meet specific short-term financial obligations.

Other Land Use Related Legislative Actions

House Resolution No. [5950](#) Resolution 139 RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE AREA OF LAND USE, PRESERVATION, DEVELOPMENT, HOUSING, ENVIRONMENT, AND REGULATION

- Creates a legislative commission to study the entire areas of land use, preservation, production, development, housing, environment, and regulation, and would report back to the House of Representatives on or before 4/30/22 and would expire on 6/30/22.

House Resolution No. [5953 SUB A](#) Resolution 140 HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE LOW AND MODERATE INCOME HOUSING ACT

- Creates a 17-member commission to study implementation of the Low- and Moderate-Income Housing Act, and who would report back to the House of Representatives by December 16, 2021 and expire on April 17, 2022.
 - Note: The first meeting is scheduled for [2:00 PM July 27, 2021](#) in Room 101 in the State House

House Resolution No. [6252](#) Resolution 335 HOUSE RESOLUTION CREATING SPECIAL HOUSE LEGISLATIVE COMMISSION TO STUDY THE EFFECTS AND PROCEDURES FOR THE REORGANIZATION OF THE RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL (CRMC)

- Creates a 15-member commission to study the effects and procedures for the reorganization of the Rhode Island Coastal Resources Management Council, and who would report back to the General Assembly by April 1, 2022 and expire on May 15, 2022.

If you have any questions regarding the bills enacted, please contact either:

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