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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 26-H 8040, RELATING TO TOWNS AND CITIES -- ZONING ORDINANCES March 17, 2026

The ACLU of Rhode Island supports this legislation which would prohibit municipalities from enacting zoning ordinances that would place restrictions on residential recovery houses that are not applicable to other residential homes.

We understand that this bill has been prompted by an interpretation of the state fire code as designating recovery homes as congregate living places rather than residential homes. This in turn imposes onerous fire code and other obligations on these spaces that are both unnecessary and expensive to comply with.

Both the Federal Fair Housing Act and the Americans with Disabilities Act prohibit discrimination on the basis of disability. We believe that the imposition of burdensome zoning and similar restrictions on recovery houses that are not applicable to residential facilities generally raises serious legal concerns.

We therefore support this legislation to clarify the law and ensure that recovery houses are treated on an equal footing with other residences.

Thank you for considering our views.