Please note, FOCUS will not publish a report next week due to the Independence Day holiday. Your next report will be published on Thursday, July 11. The database will continue to be updated daily.

Affordable Housing

**California AB 101** is scheduled for a July 1 hearing in the Senate Budget and Fiscal Review Committee. Previously a shell bill, this bill was amended in the Budget and Fiscal Review Committee on June 20 and now contains numerous provisions relating to housing, including:

- Requiring the Office of State Audits and Evaluations to conduct an audit of the Community-Based Transitional Housing Program, which provides grants to increase the housing supply to previously incarcerated individuals.
- Making financing and oversight changes to the Farmworker Housing Grant Program.
- Authorizing the CalHome Program and the Local Housing Trust Fund Matching Grant Program, to finance the repair, construction or rehabilitation of accessory dwelling units.

An identical Senate bill, **SB 102**, is pending in the Assembly Budget Committee.

**California AB 430** passed a second reading on June 20 and was referred to the Senate Environmental Quality Committee, where it is scheduled for a July 3 hearing. This bill would waive required environmental reviews for residential and mixed-use developments in specified areas of Butte and Glenn counties.

**California AB 1290** passed the Senate Housing Committee on June 24 and was then referred to the Senate Appropriations Committee. This bill would direct the California Housing Finance Agency to convene a stakeholder group to identify actions that can be taken to streamline the application process for housing finance programs, no later than June 30, 2021.

**California AB 1485** passed the Senate Housing Committee on June 20 and was referred to the Senate Governance and Finance Committee. This bill would create a streamlined approval process for housing developments for projects that limit 20 percent of the units to up to 120 percent of the area median income or less.

**California AB 1487** passed the Senate Housing Committee on June 19 and was referred to the Senate Governance and Finance Committee. This bill would create the Housing Alliance for the Bay Area, which would be tasked with increasing affordable housing in the San Francisco Bay area through providing funding and assistance for tenant protections, affordable housing preservation and construction of new affordable housing.
California AB 1763 is scheduled for a July 3 hearing in the Senate Governance and Finance Committee. This bill would require a density bonus to be provided to a developer who agrees to construct a housing development in which 100 percent of the total units are for lower income households. It would also exempt housing developments from maximum controls on density if located within one half mile of a major transit stop or a high-quality transit corridor.

Louisiana SB 80/Act 407 was signed by Democratic Gov. John Bel Edwards on June 20 and will take effect upon approval by voters in the city of New Orleans. This act will authorize the city of New Orleans to promulgate rules granting owners of any immovable property an ad valorem tax exemption for the purpose of affordable housing, subject to local voter approval.

New Jersey AB 4414 was substituted by the Assembly Housing and Community Development Committee on June 17. As substituted, this bill would require development projects with 30 or more residential units to reserve 25 percent of the units for very low, low, moderate and middle income housing. In lieu of this requirement, developers would be authorized to pay a development fee in an amount equal to 30 percent of the total project cost. A companion bill, SB 3056, is pending in the Senate Community and Urban Affairs Committee.

New Jersey AB 4491 passed the Assembly Agriculture and Natural Resources Committee on June 13. As passed the committee, this bill would authorize the state’s affordable housing trust fund to be used to fund certain farm worker housing projects.

New Jersey AB 5660 was introduced on June 24 by Asm. Serena DiMaso, R-Holmdel, and referred to the Assembly Housing and Community Development Committee. This bill would create a state program that provides grants for recovery from Hurricane Sandy in exchange for a municipality’s reduction of affordable housing obligation. A companion bill, SB 217, is pending in the Senate Community and Urban Affairs Committee.

New Jersey AB 5669 was introduced on June 24 by Deputy House Speaker Valerie Huttle, D-Englewood, and referred to the Assembly Housing and Community Development Committee. This bill would authorize qualified municipalities to prohibit the conversion of affordable rental housing units to forms of ownership housing. A companion bill, SB 3868, is pending in the Senate Community and Urban Affairs Committee.

Oregon HB 2001 passed the House on June 20 and is awaiting transmission to the Senate. This bill would require cities with a population greater than 10,000 to allow the construction of duplexes in lands zoned for single-family dwellings.

Oregon HB 2002 passed the House on June 20 and is awaiting referral to the Senate. This bill would require property owners subject to affordability restrictions to provide notice to qualified purchasers before such restrictions expire. Property owners would also be required to extend a right of first refusal to qualified purchasers for up to 60 months following the expiration of affordability restrictions.

Oregon HB 2997/Chapter 412 was signed by Democratic Gov. Kate Brown on June 17 and will take effect January 1, 2020. This act will authorize mid-size cities in the state to impose affordable housing conditions on housing developments through 2023.
Growth Management

**California AB 68** passed the Senate Housing Committee on June 19 and was subsequently referred to the Senate Environmental Quality Committee, where it is scheduled for a July 3 hearing. This bill would require local agencies to, in areas zoned for housing, approve building permits for the construction of accessory dwelling units.

**California AB 69** passed the Senate Housing Committee on June 19. The bill then passed a second reading in the Senate, and was referred to the Appropriations Committee, where it is scheduled for a July 1 hearing. This bill would require the Department of Housing and Community Development to propose standards for accessory dwelling units and homes smaller than 800 square feet.

**California AB 587** passed the Senate Governance and Finance Committee on June 24 and a second reading on June 25. The bill was then ordered to a third reading in the Senate. This bill would require local accessory dwelling unit ordinances to allow such units to be sold or conveyed separately from the primary residence under certain circumstances.

**California AB 670** passed the Senate Judiciary Committee on June 19 and a subsequent second reading. The bill is now awaiting a third reading in the Senate. This bill would make provisions in a common interest development’s governing document void and unenforceable if it prohibits the construction of accessory dwelling units or junior accessory dwelling units.

**California AB 671** passed the Senate Housing Committee on June 19 and was subsequently referred to the Senate Appropriations Committee. This bill would require local governments to enact ordinances that incentivize and promote the creation of accessory dwelling units that can be offered at affordable rent for very low, low and moderate-income households.

**California AB 881** is scheduled for a July 3 hearing in the Senate Governance and Finance Committee. This bill would restrict the types of regulations that local governments may impose on accessory dwelling units for the purpose of encouraging their construction.

**California AB 1783** is scheduled for a July 2 hearing in the Senate Housing Committee. This bill would create a streamlined approval process for housing for agricultural workers.

**California SB 5** is scheduled for a July 3 hearing in the Assembly Housing and Community Development Committee. This bill would authorize local governments to establish an Affordable Housing Authority to fund affordable housing.

Two **California** bills are scheduled for a July 10 hearing in the Assembly Local Government Committee:

- **SB 13**, which would make changes to how municipalities may regulate accessory dwelling units, including reducing or eliminating municipal fees on such units.
- **SB 330**, which would create the Housing Crisis Act of 2019. It would create a statewide streamlined approval process for housing developments, place restrictions on certain high-rental cost developments, and create a process for legalizing occupied buildings that do not meet state or local habitability codes.
North Carolina SB 355 passed the House on May 6 and was returned to the Senate. This bill would make numerous changes to state zoning law. It would grant more authority to the state over zoning regulations, at the expense of municipalities and counties. It would also prohibit counties and municipalities from regulating the design elements of buildings.

NAR Miscellaneous

Connecticut SB 320 was presented to Democratic Gov. Ned Lamont on June 24. Governor Lamont has a deadline of July 9 to take action on the bill or it will become law without his signature. This bill would specify that real estate closing parties must be represented by a Connecticut-based attorney.

New York SB 25 passed the Assembly on June 18 and was returned to the Senate. This bill would create the “bird-friendly building council act”, which would establish such a council to be tasked with promoting the use of bird-friendly materials and design features in buildings.

Emotional Support Animals

New York SB 6172 passed the Senate on June 19. The bill was then delivered to the Assembly, where it was referred to the Codes Committee. This bill would prohibit discrimination against persons with disabilities using a service animal in housing accommodations. An identical companion bill, AB 7331, is awaiting a third reading in the Assembly.

Rhode Island HB 5299 passed the Senate on June 26. This bill would prohibit the misrepresentation of an animal as a service animal for the purpose of acquiring any right or privilege afforded to disabled persons. A similar bill, SB 308, passed the House on June 26.

Real Estate License Law

Delaware SB 118 passed the Senate on June 18 and was transmitted to the House and assigned to the House Sunset Committee, which it passed on June 25. This bill would reduce the waiting period required for an individual who has been convicted of a felony to obtain a real estate license.

North Carolina SB 590 is scheduled for a June 27 hearing in the Senate Finance Committee. This bill would reduce the frequency which real estate brokers have to complete continuing education requirements from every three years to every 18 months.

Seller Disclosures

Maine LD 96/Chapter 234 was signed by Democratic Gov. Janet Mills on June 7 and will take effect on September 18. This act will require sellers of residential real property to disclose whether the property has been used for the manufacture of methamphetamine.

New Jersey AB 5654 was introduced on June 24 by Asm. Christopher Tully, D-Paramus, and referred to the Assembly Housing and Community Development Committee. This bill would require property
condition disclosure statements to indicate the presence of lead plumbing in residential property. A companion bill, SB 3990, is pending in the Senate Community and Urban Affairs Committee.

**New Jersey** SB 3969 was introduced on June 20 by Sen. Joseph Cryan, D-Union, and referred to the Senate Commerce Committee, of which Senator Cryan is the vice-chair. This bill would broaden existing prohibitions that prohibit recovery of damages by a purchaser of real estate if the seller or real estate broker had no knowledge of any false, misleading or deceptive information provided with regards to the property.

**Oregon** HB 2312 was concurred in the House on June 24 and is awaiting enrollment and transmission to Democratic Gov. Kate Brown. This bill would require sellers of real property to disclose, at the time of offer, whether they have ever purchased flood insurance for the property.

**Texas** SB 339 was signed by Republican Gov. Greg Abbot on June 14 and will take effect September 1. This act will require a seller’s disclosure notice for residential real property to include information regarding floodplains, flood pools or reservoirs.

### Rent Control

Two **California** bills relating to rent control are scheduled to be heard during a July 9 hearing of the Senate Judiciary Committee:

- **AB 1399** would close various rent-control loopholes in existing state law, by clarifying that landlords may not withdraw accommodations from the rental market and then re-enter the market by simply paying punitive damages.
- **AB 1482** would create rent caps by prohibiting owners of residential real property from increasing the rental rate for a property by more than five percent plus the percentage change in cost of living over the previous year's rental rate. The provisions of this bill would expire on January 1, 2030 and exempt housing that has been issued a certificate of occupancy within the previous 10 years.

**New Jersey** AB 5671 was introduced on June 24 by Deputy House Speaker Valerie Huttle, D-Englewood, and referred to the Assembly Housing and Community Development Committee. This bill clarifies that local rent control provisions apply to multiple dwellings that reserve units for senior citizens and reduces the minimum age requirement to qualify as a senior citizen from 62 to 55. A companion bill, SB 946, is pending in the Senate Community and Urban Affairs Committee.

**New York** SB 6458/Chapter 36 was signed by Democratic Gov. Andrew Cuomo on June 14 and took effect immediately. This act, the “Housing Stability and Tenant Protection Act of 2019,” makes numerous substantial changes to state law regarding rent control by providing permanent rent control protections to covered buildings, extending tenant protections statewide, and expanding tenant protections for mobile and manufactured home owners and residents. An in-depth summary of all the bill’s provisions can be found [here](#).

### Local Short-Term Rental
California AB 1497 passed a second reading in the Senate on June 24 and is now awaiting a third reading in that chamber. This bill would prohibit hosts of short-term rentals from discriminating on the basis of race, color, religion, sex, gender, gender identity or expression, sexual orientation, marital status, nationality, ancestry, familial status source of income, disability or genetic information.

California AB 1731 passed the Senate Judiciary Committee on June 19 and was then referred to the Senate Natural Resources and Water Committee. This bill would prohibit a hosting platform from listing a property located within San Diego County’s coastal zone as a short-term rental for more than 30 days per calendar year, unless the primary resident lives onsite at least 270 days per year.

New Jersey AB 3721 was amended on the Assembly floor on June 20. Amendments to the bill would require the governing body of a municipality to make available to any public safety agency a list of all short-term rentals in the jurisdiction. This bill would permit municipalities to regulate short-term rentals and outlines specific steps that owners and municipalities must follow when seeking to offer a short-term rental. A companion bill, SB 1734, is pending in the Senate Community and Urban Affairs Committee.

New Jersey AB 4814 passed the Senate on June 20 with an emergency clause, meaning the bill will take effect immediately if enacted. The bill is now awaiting concurrence in the Assembly. As passed the Senate, this bill specifies that transient accommodations and rentals will only be subject to taxes if the rental is obtained through a marketplace, online or otherwise, that allows accommodations to be listed and provides a means for arranging the rental of an accommodation.

### Electronic and Remote Notarization

New Jersey SB 3147 passed the Senate Commerce Committee on June 17 and was referred to the Senate Budget and Appropriations Committee. This bill, the “Remote Online Notaries Public Act,” would direct the state treasurer to implement rules and regulations to facilitate online remote notarizations. A companion, AB 4860, is pending in the Assembly Appropriations Committee.

### Transfer Taxes

Connecticut HB 7424, the state’s budget bill, was presented to Democratic Gov. Ned Lamont on June 24. Governor Lamont has a deadline of July 9 to take action on the bill or it will become law without his signature. As passed the legislature, this bill contains provisions that would establish a new real estate conveyance tax rate for sales of residential property in excess of $2.5 million. It would also exempt from the conveyance tax the transfer of certain types of property with crumbling foundations. A detailed analysis of the bill can be found here.

### Session Overview

California, Delaware, Massachusetts, Michigan, New Hampshire, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island and Wisconsin are in regular session. The District of Columbia Council, Puerto Rico and the United States Congress are also in regular session.

West Virginia returned on June 24 to continue their special session dealing with various education bills. The Senate will consider 21 bills, including 11 supplemental appropriations bills. The Student Success Act, passed
by the Senate and later replaced by the House to include greater investments in county school systems and increased funding for mental health will be considered during the special session, reports the *Weirton Daily Times*.

**Alaska** adjourned their special session on June 13 without passing a Permanent Fund Dividend or fully funding the capital budget, reports *KTUU*. While the legislature was able to come to a compromise on an operating budget and tough-on crime bill, Republican Gov. Mike Dunleavy called for a **second special session** that is scheduled to begin on July 8, reports the *Alaska Public*.

**South Carolina**’s legislature had a veto session on June 25.

**Virginia**’s Democratic Gov. Ralph Northam issued a **proclamation** calling for a special session to convene on July 9 to address the issue of gun violence. Proposals for gun safety include universal background checks, bans on assault weapons, risk protective orders, reporting requirements for stolen or lost firearms and the expansion of local authorities to regulate firearms.

The following states adjourned their 2019 legislative sessions on the dates provided: **Maine** (June 20) and **New York** (June 21).

The following states are scheduled to adjourn on the dates provided: **Delaware, North Carolina, Oregon** and **Rhode Island** (June 30).

**Hawaii** Democratic Gov. David Ige has until July 9 to act on legislation presented on or after April 19 or it becomes law without signature. **Missouri** Republican Gov. Mike Parson has until July 14 to act on legislation or it becomes law without signature. **Alaska** Republican Gov. Mike Dunleavy has 20 days from delivery, Sundays excepted, to act on legislation or it becomes law without signature. **Arkansas** Republican Gov. Asa Hutchinson has 20 days from presentment to act on legislation presented on or after April 18 or it becomes law without signature. **Connecticut** Democratic Gov. Ned Lamont has 15 days from presentment to act on legislation or it becomes law without signature. **Florida** Republican Gov. Ron DeSantis has 15 days from presentment to act on legislation presented on or after April 27 or it becomes law without signature. **Illinois** Democratic Gov. J.B. Pritzker has 60 days from presentment to act on legislation or it becomes law without signature. **Kansas** Democratic Gov. Laura Kelly has 10 days from presentment to act on legislation or it becomes law without signature. **Kentucky** Republican Gov. Matt Bevin has 10 days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **Louisiana** Democratic Gov. John Bel Edwards has 20 days from presentment to act on legislation presented on or after May 27 or it becomes law without signature. **Maine** Democratic Gov. Janet Mills has three days after the convening of the next meeting of the legislature to act on legislation presented on or after June 8 or it becomes law without signature. **Minnesota** DFL Gov. Tim Walz has three days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **Mississippi** Republican Gov. Phil Bryant has 15 days from presentment, Sundays excepted, to act on legislation presented on or after March 24 or it becomes law without signature. **Montana** Democratic Gov. Steve Bullock has 10 days from presentment to act on legislation or it becomes law without signature. **Nebraska** Republican Gov. Pete Ricketts has five days, Sundays excepted, to act on legislation or it becomes law without signature. **New York** Democratic Gov. Andrew Cuomo has 10 days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **North Dakota** Republican Gov. Doug Burgum has 15 days from presentment, Saturdays and Sundays excepted, to act on legislation or it becomes law without signature. **South Carolina** Republican Gov. Henry McMaster has until two days after the next meeting of the legislature to act on legislation presented on or after May 3 or it becomes law without
signature. **Tennessee** Republican Gov. Bill Lee has 10 days starting the day after presentment, Sundays excepted, to act on legislation or it becomes law without signature. **Vermont** Republican Gov. Phil Scott has five days from presentment, Sundays excepted, to act on legislation or it becomes law without signature.


The following states are currently holding 2019 interim committee hearings: **Alabama, Colorado, Connecticut, Georgia** House and Senate, **Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Mississippi** House and Senate, **Montana, New Mexico, North Dakota, South Carolina** House and Senate, **South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia** and **Wyoming**.

The following states are currently posting 2019 bill drafts, prefiles and interim studies: **Arkansas, Kentucky, Nebraska, Oklahoma** House and **Utah**.

**Special Elections**

**Florida** held a special general election for House districts 7, 38 and 97 on June 18. Unofficial results from the Florida Division of Elections show all three seats have remained in their respective parties, the Associated Press reports.

Jason Shoaf, R-Port St. Joe, beat Ryan Terrell, D-Tallahassee, for the House District 7 seat by a margin of 71 to 29 percent. The seat was vacated by Rep. Halsey Beshears, R-Monticello, when he was appointed to become Secretary of the Florida Department of Business and Professional Regulation.

Randy Maggard, R-Pasco County, beat Kelly Smith, D-Pasco County, for the House District 38 seat by a margin of 56 to 44 percent. The seat was vacated by Rep. Daniel Burgess, R-Pasco County, when he was appointed executive director of Florida’s Department of Veterans’ Affairs.

The special election for House District 97 was technically cancelled when Democrat Dan Daley won by default as the only candidate to qualify for the special election ballot back in February. The district remained unrepresented after Rep. Jared Moskowitz’s, D-Coral Springs, resignation in January when he was appointed to become the state Emergency Management Director.

The following seats will be filled by special elections on the dates provided: **Washington** House District 13b and Senate District 40 and **Iowa** House District 46 (August 6); **Alabama** House District 74 (August 27); **California** Assembly District 1, **Missouri** House districts 99 and 158, **New Jersey** Senate District 1 and **New York** Senate District 57 (November 5) and **Alabama** House District 74 (November 12).