

## REALTOR® Party State Legislative Monitor Weekly Report July 11, 2019

### Affordable Housing

**California** [AB 101](#) passed the Senate on July 1. The bill was then concurred in the Assembly the same day and is now awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. This is the housing and finance budget bill, which contains numerous provisions relating to housing. An in-depth analysis of this bill can be found [here](#).

**California** [AB 430](#) passed the Senate Government Modernization, Efficiency and Accountability Committee on July 10. As passed the committee, this bill would waive required environmental reviews for residential and mixed-use developments in specified areas of Butte and Glenn counties.

**California** [AB 723](#) passed the Senate Government Modernization, Efficiency and Accountability Committee on July 10, and was subsequently referred to the Senate Housing Committee. This bill would authorize Alameda and Contra Costa Counties to provide certain lessors with low-income rental housing incentives. In order to qualify, a property must be used exclusively for rental housing and is rented to no more than 30 percent of the income level of persons of low income.

**California** [AB 957](#) passed a second reading in the Senate on July 9 and was subsequently referred to the Senate Appropriations Committee. This bill, a housing omnibus bill, makes numerous changes to housing law in the state, including authorizing counties to use state grants to provide rental and supportive housing assistance. An in-depth summary of the bill's provisions can be found [here](#).

**California** [AB 1290](#) passed the Senate Appropriations Committee on July 8 and subsequently passed a second reading in that chamber on July 9. 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.

**Florida** [HB 7103/Chapter No. 2019-165](#) was signed by Republican Gov. Ron DeSantis on June 28 and took effect immediately. This act makes numerous changes to property development regulations, including restricting counties and municipalities from adopting or imposing mandatory affordable housing ordinances. A full analysis of the bill can be found [here](#).

**Hawaii** [HB 820/Act 167](#) was signed by Democratic Gov. David Ige on July 3 and took effect immediately. This act prohibits the imposition of inclusionary zoning requirements on housing offered exclusively for sale in perpetuity to certain buyers. It also creates the ALOHA homes program aimed at providing affordable, locally owned homes for state residents within one-half mile of a public transit system.

### Growth Management

**California** [AB 68](#) passed the Senate Government Modernization, Efficiency and Accountability Committee on July 10. This bill would require local agencies to, in areas zoned for housing, approve building permits for the construction of accessory dwelling units.

**California** [AB 1783](#) passed the Senate Housing Committee on July 2 and was subsequently referred to the Senate Government and Finance Committee. This bill would create a streamlined approval process for housing for agricultural workers.

Three **California** bills passed the Assembly Local Government Committee on July 10 and were subsequently referred to the Assembly Appropriations Committee:

- [SB 5](#), which would authorize local governments to establish an Affordable Housing Authority to fund affordable housing.
- [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](#) was presented to Democratic Gov. Roy Cooper on July 1. Governor Cooper has a deadline of July 11 to take action on the bill or it will become law without his signature. 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/Public Act No. 19-88](#) was signed by Democratic Gov. Ned Lamont on June 28 and will take effect October 1. This act specifies that real estate closing parties must be represented by a Connecticut-based attorney.

## Emotional Support Animals

**Illinois** [HB 3671](#) was presented to Democratic Gov. J.B. Pritzker on June 28. Governor Pritzker has a deadline of August 27 to take action on the bill or it will become law without his signature. This bill would authorize landlords to request supporting documentation from individuals who request the use of an assistance or service animal. It also provides that landlords may require tenants to cover costs for damage caused by such animals.

**Rhode Island** [HB 5299](#) was signed by Democratic Gov. Gina Raimondo on July 8 and took effect immediately. This act prohibits the misrepresentation of an animal as a service animal for the purpose of acquiring any right or privilege afforded to disabled persons.

## Real Estate License Law

**Hawaii** [SB 770/Act 246](#) was signed by Democratic Gov. David Ige on July 9 and will take effect July 1, 2020. This act will require a high school education or equivalent as a prerequisite for obtaining a license as a real estate broker or salesperson.

**New Jersey** [AB 1526](#) passed a second reading in the Senate on June 27. This bill would exclude real estate commission licensees from the scope of freelance workers. An identical companion bill, [SB 1048](#), is pending on the Senate floor.

## Rent Control

Two **California** bills relating to rent control passed the Senate Judiciary Committee on July 10:

- [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.

## Local Short-Term Rental

**California** [AB 1731](#) passed the Senate Natural Resources and Water Committee on July 10 and was then referred to the Senate Governance and Finance 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 4814](#) was concurred in the Assembly on June 27 and is now awaiting enrollment and transmission to Democratic Gov. Phil Murphy. As passed the legislature, 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.

## Transfer Taxes

**Connecticut** [HB 7424/Public Act No. 19-177](#), the state's budget bill, was signed Democratic Gov. Ned Lamont on June 26 and took effect July 1. This act contains provisions that establish a new real estate conveyance tax rate for sales of residential property in excess of \$2.5 million. It also exempts from the conveyance tax the transfer of certain types of property with crumbling foundations. A detailed analysis of the bill can be found [here](#).

**New Hampshire** [HB 600/Chapter 136](#) was signed by Republican Gov. Chris Sununu on June 25 and took effect July 1. This act exempts transfers of interest in property by a New Hampshire investment trust from the state's real estate transfer tax.

## Session Overview

**California, Massachusetts, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania 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** adjourned their special session on June 24, subject to the call of their leadership, after passage of the education reform and appropriations bills under consideration, reports [West Virginia Public Broadcasting](#).

**Alaska** convened for a [second special session](#) on July 8 to determine the state's permanent fund dividend payout amount. Action on Republican Gov. Mike Dunleavy's veto cuts is also under consideration, however there were not enough lawmakers present in Juneau to override vetoes as the legislators are split between convening their session in both Wasilla and Juneau, reports [KTOO Public Media](#). July 12 remains the constitutional deadline to override Governor Dunleavy's budget vetoes.

**Virginia** convened a brief [special session](#) on July 9 to discuss possible new gun control legislation, the [Associated Press](#) reports. However, no bills were considered, and the session was ended by House and Senate Republican leadership after 90 minutes.

**North Carolina's** Senate introduced a [resolution](#) calling for a July 22 adjournment to the current session, according to the [Winston-Salem Journal](#). However, the House may adjourn sooner.

**Tennessee** Republican Gov. Bill Lee called for a special session of the General Assembly to begin on August 23 to replace House Speaker Glen Casada, R-Williamson County, who is stepping down on August 2. As reported by [Nashville Public Radio](#) and the [Tennessean](#), the special session is scheduled to last only the one day, although Governor Lee left open the possibility for further action if the legislators choose to take up other issues, such as a vote on the expulsion of Rep. David Byrd, R-Waynesboro.

The following states adjourned their 2019 legislative sessions on the dates provided: **Rhode Island** (June 28); **New Hampshire** and **Oregon** (June 30) and **Delaware** (July 1).

The following states are scheduled to adjourn their 2019 legislative session on the dates provided: **North Carolina** (July 22) and **California** (September 13).

**Missouri** Republican Gov. Mike Parson has until July 14 to act on legislation or it becomes law without signature. **Oregon** Democratic Gov. Kate Brown has until August 9 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. **Delaware** Democratic Gov. John Carney has 10 days, Sundays excepted, to act on legislation or it becomes law. **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. **Rhode Island** Democratic Gov. Gina Raimondo has six days from presentment, 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.

**New Hampshire** Republican Gov. Chris Sununu had a signing deadline on July 5. **Hawaii** Democratic Gov. David Ige had a signing deadline on July 9.

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](#), [Texas House](#), [Utah](#), [Virginia](#), [Washington](#), [West Virginia](#) and [Wyoming](#).

The following states are currently posting 2019 bill drafts, prefiles and interim studies: [Alabama House](#), [Arkansas](#), [Kentucky](#), [Nebraska](#), [Oklahoma House](#) and [Utah](#).

## Special Elections

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).