

## REALTOR® Party State Legislative Monitor Weekly Report September 12, 2019

### Affordable Housing

**California AB 430** was presented to Democratic Gov. Gavin Newsom on September 11. Governor Newsom has a deadline of September 24 to take action on this bill or it will become law without his signature. As passed the legislature, 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 on September 11 and was returned to the Assembly for concurrence. As passed the Senate, 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** was concurred by the Assembly on September 9 and is awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. 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 as passed the Senate can be found [here](#).

**California AB 1251** passed a second reading in the Senate on September 5 with significant amendments. As amended, this bill would specify that if a local government fails to adopt a mandated long-term general development plan, housing developments in which at least 40 percent of the units have an affordable housing cost or affordable rent for lower income households may be permitted in all zones where multifamily, commercial, and mixed uses are permitted.

**California AB 1483** passed the Senate on September 11 and was returned to the Assembly for concurrence. As passed the Senate, this bill would require cities and counties to collect and provide annual housing reports to the state, comprised of data relating to housing development projects, and to make this information publicly available on the city or county's website.

**California AB 1487** passed the Senate on September 10 and was returned to the Assembly for concurrence. As passed the Senate, 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. It would also authorize the group to raise and allocate revenue for the purpose of funding affordable housing projects within its jurisdiction. An in-depth analysis of the bill as passed the Senate can be found [here](#).

**California AB 1703** was significantly amended on September 6 and subsequently referred to the Senate Rules Committee. As amended, this bill would prohibit the successor agency of the Redevelopment

Agency of the City of Los Angeles from enforcing any provision of a redevelopment plan for an area of the City of Los Angeles that imposes greater restrictions on the allowable density of housing than any applicable general plan land use designation, specific plan land use designation, local zoning, or local affordable housing incentive program.

**California [AB 1763](#)** was concurred on September 5 and is now awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. 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.

## Growth Management

**California [AB 68](#)** passed a second reading in the Senate on September 10 and was ordered to a third reading. This bill would require local agencies to, in areas zoned for housing, approve building permits for the construction of accessory dwelling units.

**California [AB 587](#)** passed the Senate on September 10. The bill is now awaiting enrollment and presentation to Democratic Gov. Gavin Newsom. As passed the legislature, 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 671](#)** passed the Senate on September 10 and is awaiting enrollment and transmission to Democratic Gov. Gavin Newsome. As passed the legislature, 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](#)** passed a second reading in the Senate on September 9 and was ordered to a third reading. This bill would restrict the types of regulations that local governments may impose on accessory dwelling units for the purpose of encouraging their construction. A summary of the bill as passed second reading can be found [here](#).

**California [AB 1783](#)** passed the Senate on September 10 and is now awaiting concurrence in the Assembly. As passed the Senate, this bill would create a streamlined approval process for housing for agricultural workers.

**California [SB 5](#)** passed the Assembly on September 10 and was returned to the Senate for concurrence. This bill would authorize local governments to establish an Affordable Housing Authority to fund affordable housing.

**California [SB 330](#)** was enrolled on September 11 and is awaiting transmission to Democratic Gov. Gavin Newsom, who upon receipt will have 12 days to take action on the bill. This bill 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.

## Local Short-Term Rental

**California** [AB 1497](#) was concurred in the Assembly on September 9 and is awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. 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.

## Rent Control

**California** [AB 1110](#) passed the Senate on September 9 and is awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. This bill would require landlords to provide at least 90 days' notice, up from 60, if the landlord increases the rent of a month-to-month tenancy by more than 10 percent.

**California** [AB 1399](#) was presented to Democratic Gov. Gavin Newsom on September 11. Governor Newsom has a deadline of September 23 to take action on this bill or it will become law without his signature. This bill 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.

**California** [AB 1482](#) passed the Senate on September 10. The bill was then concurred by the Assembly on September 11 and is awaiting enrollment and transmission to Democratic Gov. Gavin Newsom. This bill 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. A summary of the bill as passed the legislature can be found [here](#).

## Electronic and Remote Notarization

Three **Massachusetts** bills relating to electronic notarization are scheduled for a September 17 hearing in the Joint Judiciary Committee:

- [HB 3292](#) would establish a commission to be tasked with studying the feasibility of implementing an electronic notarization program in the state.
- [HB 3293](#) would allow licensed notaries public to perform electronic notarizations in the state.
- [SB 1871](#) would establish a commission to study electronic notarization in the state.

## Session Overview

**California, Massachusetts, Michigan, New Jersey, North Carolina, Ohio** and **Wisconsin** are in regular session. **Puerto Rico** and the **United States** Congress are also in regular session.

The **District of Columbia** Council is in recess until September 16. The **New Hampshire** House is in recess until September 18; the Senate is scheduled to return on September 19. **Pennsylvania** is in recess until September 23. **New York** is in recess subject to the call of the chair.

**California** is scheduled to adjourn its legislative session on September 13.

After months of negotiation gridlock, **North Carolina**'s House Republicans voted to override Democratic Gov. Roy Cooper's budget veto on September 11 while many Democratic lawmakers were absent, reports [The News and Observer](#). In order to pass, the state budget will need all of the Republicans and one Democrat in the Republican-controlled Senate to override Governor Cooper's veto. The Senate calendar for September 12 does not currently include an override and the session adjournment date remains unknown.

**Missouri**'s limited, technical special session, which convened on September 9, continues this week. The session was [called](#) by Republican Gov. Mike Parson to address an inadvertent consequence of the state's tax law, which has been interpreted by the Missouri Supreme Court to restrict the number of vehicle trade-ins that can be used to calculate sales tax on a new vehicle. The House approved a bill reversing the decision and the Senate is expected to vote later this week, reports [Missourinet](#). The special session ran concurrently with a constitutionally mandated veto session, which convened at noon on September 11 and ended with no overrides of Governor Parson's six vetoes.

**Utah** Republican Gov. Gary Herbert called for the legislature to convene a special session on September 16 to address concerns regarding the conflicts between implementing state-run access to medical cannabis and federal law, reports [KPCW](#). In addition to amending the Utah Medical Cannabis Act, the reported agenda includes amending the Utah Election Code, the Alcoholic Beverage Control Act and certain tax incentives. Also on the agenda is legislative approval of governor appointments and settlement of lawsuits against the state, as well as appropriations for those lawsuits and for the 2020 U.S. census.

**Alaska** Republican Gov. Mike Dunleavy has 20 days from delivery, Sundays excepted, 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. **Illinois** Democratic Gov. J.B. Pritzker has 60 days from presentment to act on legislation 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.

The following states are currently holding 2019 interim committee hearings: [Alabama](#), [Alaska](#), [Arizona](#), [Colorado](#), [Connecticut](#), [Delaware](#), [Florida House](#), [Georgia House](#) and [Senate](#), [Hawaii](#), [Idaho](#), [Illinois Senate](#), [Indiana](#), [Iowa](#), [Kansas](#), [Kentucky](#), [Louisiana](#), [Maine](#), [Maryland](#), [Mississippi House](#) and [Senate](#), [Missouri House](#) and [Senate](#), [Montana](#), [Nebraska](#), [Nevada](#), [New Hampshire House](#) and [Senate](#), [New Mexico](#), [New York Assembly](#) and [Senate](#), [North Dakota](#), [Oklahoma House](#) and [Senate](#), [Rhode Island](#), [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](#), [Florida House](#) and [Senate](#), [Iowa](#), [Kentucky](#), [Nebraska](#), [New Hampshire](#), [Oklahoma House](#) and [Senate](#), [Oregon](#), [Tennessee](#), [Utah](#) and [West Virginia](#).

## Special Elections

The following seats will be filled by special elections on the dates provided: **Georgia** House District 71 and **South Carolina** House District 84 (October 1); **New Hampshire** House District 9 (October 8); **Alabama** House District 42, **California** Assembly District 1, **Kentucky** House District 63, **Missouri** House districts 22, 36, 74, 78, 99 and 158, **New Jersey** Senate District 1, **New York** Senate District 57, **Texas** House districts 28, 100 and 148, **Washington** Senate District 40 and House District 13-Position 2 (November 5); and **Alabama** House District 74 (November 12).