

## REALTOR® Party State Legislative Monitor Weekly Report August 15, 2019

### Affordable Housing

**California** [AB 101/Chapter 159](#) was signed by Democratic Gov. Gavin Newsom on July 31 and took effect immediately. This act is the housing and finance budget act, which contains numerous provisions relating to housing. An in-depth analysis of this bill can be found [here](#).

**California** [AB 430](#) passed a second reading in the Senate on August 13 and was subsequently rereferred to the Senate Appropriations Committee. As passed second reading, 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 a second reading in the Senate on August 12 and was ordered to third reading. 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 on August 13 and is now awaiting a third reading in the Senate. 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 1485](#) passed the Senate Governance and Finance Committee on August 12 and was referred to the Senate Appropriations Committee, where it is scheduled for an August 19 hearing. 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 1763](#) passed the Senate Governance and Finance Committee on August 12 and was referred to the Senate Appropriations Committee, where it is scheduled for an August 19 hearing. 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.

**Oregon** [HB 2001/Chapter 639](#) was signed by Democratic Gov. Kate Brown on August 8 and took effect immediately. This act requires cities with a population greater than 10,000 to allow the construction of duplexes in lands zoned for single-family dwellings.

**Oregon** [HB 2003/Chapter 650](#) was signed by Democratic Gov. Kate Brown on August 8 and took effect immediately. This act requires the Department of Housing and Community Services to develop a methodology to conduct regional housing needs analyses, to establish a housing shortage analysis and to

estimate needed housing units for the next 20 years. It also requires cities with a population greater than 10,000 to estimate its housing needs and capacity no less than once every eight years. A summary of the act can be found [here](#).

## Growth Management

**California** [AB 670](#) passed the Senate on August 12 and was returned to the Assembly for concurrence. As passed 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 881](#) passed a second reading on August 12 and was then rereferred to the Senate Appropriations Committee. As passed second 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.

**California** [AB 1783](#) is scheduled for an August 19 hearing in the Senate Appropriations Committee. This bill would create a streamlined approval process for housing for agricultural workers.

Three **California** bills passed a second reading in the Assembly on August 12 and were subsequently rereferred 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.

## Real Estate License Law

**North Carolina** [SB 590/Session Law 195](#) was signed by Democratic Gov. Roy Cooper on August 9 and will take effect July 1, 2020. This act will reduce the frequency which real estate brokers have to complete continuing education requirements from every three years to every 18 months.

## Local Short-Term Rental

**New Jersey** [AB 4814/Public Law 235](#) was signed by Democratic Gov. Phil Murphy on August 9 and took effect immediately. This act 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.

## Session Overview

**California, Massachusetts, Michigan, North Carolina, Ohio and Wisconsin** are in regular session. **Puerto Rico** is also in regular session.

The **United States** Congress is in recess until September 9. The **District of Columbia** is in recess until September 16. **Pennsylvania** is in recess until September 23. **New Hampshire, New Jersey, New York** and the **West Virginia** Senate are in recess subject to the call of the chair.

**California** is scheduled to adjourn its 2019 legislative session on September 13.

**North Carolina's** adjournment dates are undetermined as the legislature remains at an impasse regarding a veto override, Medicaid expansion and budget compromise, reports the [Winston-Salem Journal](#).

**Alaska's** [second special session](#) ended on August 6. A capital budget bill was passed by the legislature on July 29 and was signed, but vetoed in part, by Republican Gov. Mike Dunleavy. A separate bill, which restores most of Governor Dunleavy's vetoes and sets a Permanent Fund Dividend of about \$1,600, passed the House and Senate and was sent to Dunleavy on August 7; he has until August 30 to sign, veto in part or veto the bill entirely. Depending on his action, a third special session may be called either by the legislature or Dunleavy, reports [Alaska Public Media](#).

**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 stepped down on August 2. Although the House Republicans nominated Rep. Cameron Sexton, R-Crossville, as the new leader on July 24, the legislature will still need to officially vote in Representative Sexton during the one-day session, reports the [New Haven Register](#).

**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.

**Oregon** Democratic Gov. Kate Brown had until August 9 to act on legislation or it became 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](#), [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](#), [Kentucky](#), [Nebraska](#), [Oklahoma House](#) and [Senate](#), [Oregon](#), [Tennessee](#), [Utah](#) and [West Virginia](#).

## Special Elections

**Iowa** held a special election for House District 46 on August 6. Democrat Ross Wilburn of Ames won the seat with 97.4 percent of the vote after running unopposed, reports the [Des Moines Register](#). Former Rep. Lisa Heddens, D-Ames, resigned from her seat on June 17 after being appointed to the Story County Board of Supervisors.

The following seats will be filled by special elections on the dates provided: **Pennsylvania** House District 85 and **South Carolina** House District 19 (August 20); **Georgia** House District 71 (September 3); **South Carolina** House District 84 (October 1); **New Hampshire** House District 9 (October 8); **Alabama** House District 42, **Arkansas** House District 36, **California** Assembly District 1, **Missouri** House districts 22, 36, 74, 78, 99 and 158, **New Jersey** Senate District 1, **New York** Senate District 57, **Texas** House District 100, **Washington** Senate District 40 and House District 13-Position 2 (November 5); and **Alabama** House District 74 (November 12).