

REALTOR® Party State Legislative Monitor Weekly Report September 19, 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 the Assembly concurred in Senate amendments on September 13. The bill is now awaiting enrollment and presentation to Democratic Gov. Gavin Newsom. As amended, this bill would exempt specified transactions and use taxes (TUTs) from counting towards the statutory two percent combined rate cap.

The Senate amendments:

- Delete the Assembly version of the bill.
- Provide that the existing TUT imposed in Alameda County by the Bay Area Rapid Transit (BART) shall not be considered for purposes of the two percent cap.
- Clarify that the specific TUTs imposed by Alameda County shall not be considered for purposes of the two percent cap and state that this change is declaratory of existing law.
- Specify that a TUT imposed by the Santa Cruz County Metropolitan Transit District shall not be considered for purposes of the two percent cap.
- Find and declare that a special law is necessary because of the unique fiscal pressures in the Counties of Alameda and Santa Cruz.

California AB 957 was enrolled and presented to Democratic Gov. Gavin Newsom on September 13. The governor has until September 25 to act on the bill or it will become law without his signature. 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 1483 passed the Senate on September 11 and the Assembly concurred in Senate amendments the next day. The bill is now awaiting enrollment and presentation to Democratic Gov. Gavin Newsom. This bill would require local jurisdictions to provide public information regarding its zoning ordinances, development standards, fees, exactions and affordability requirements. This bill would also require a 10-year housing data strategy to be included in each of Department of Housing and Community Development's subsequent California Statewide Housing Strategies. The data strategy must be designed to help inform and enforce housing policy and process. The Senate amendments:

- Remove the requirement for a planning agency to collect and publicly disseminate information on housing development in its jurisdiction.

- Remove the requirement for cities to provide parcel specific information regarding housing, and for the state to compile that data into a statewide parcel database.

California [AB 1487](#) was enrolled on September 17 after the Assembly concurred in Senate amendments on September 12. The bill is now awaiting delivery to Democratic Gov. Gavin Newsom. AB 1487 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 1763](#) was enrolled on September 9 and delivered to Democratic Gov. Gavin Newsom on September 11. The governor has until September 23 to act on the bill or it will become law without his signature. 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.

Environmental – Green Home Improvement

U.S. [HR 4317](#) was introduced on September 12 and would:

- Extend and expand the new energy efficient home credit.
- Extend the energy efficient commercial buildings deduction.
- Eliminate the basis reduction for low-income housing properties receiving certain energy benefits.

Growth Management

California [AB 68](#) passed the Senate on September 13. The bill is now awaiting enrollment and presentation to Democratic Gov. Gavin Newsom. This bill would require local agencies to, in areas zoned for housing, approve building permits for the construction of accessory dwelling units.

California [AB 881](#) passed the Senate on September 13 and the Assembly concurred in Senate amendments on the same day. The bill is now awaiting enrollment and presentation to Democratic Gov. Gavin Newsom. 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 [SB 5](#) was enrolled on September 13 and is awaiting transmission to Democratic Gov. Gavin Newsom. This bill would authorize local governments to establish an Affordable Housing Authority to fund affordable housing.

Real Estate License Law

New Hampshire [HB 355](#) is scheduled for an October 1 hearing in the House Executive Departments and Administration Subcommittee. This bill would authorize individuals with criminal records to petition the state's

real estate commission for a determination of whether the individual's criminal record would disqualify them from obtaining a real estate license. The bill would also expand reciprocity for out of state licensees and make changes to requirements for inactive licensees. If enacted, the bill would take effect 60 days after passage.

Rent Control

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.

Session Overview

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

Pennsylvania is in recess until September 23. **New York** is in recess subject to the call of the chair.

California adjourned its legislative session on September 14.

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](#). The Senate calendar does not yet include an override as both chambers focus on their redistricting process, but [WLOS](#) reports the earliest date for recorded votes will be September 30. The session adjournment date remains unknown.

Missouri's House will continue the limited, technical special session [called](#) by Republican Gov. Mike Parson to address multiple issues, including an inadvertent consequence of the state's tax law, on September 24. Lawmakers passed a bill to fix the issue and sent it to Governor Parson who is expected to sign it soon, reports [The Missouri Times](#). 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 completed a special session called by Republican Gov. Gary Herbert on September 16 to address concerns regarding the conflicts between implementing state-run access to medical cannabis and federal law. [The Salt Lake Tribune](#) reports passage of amendments to the Utah Medical Cannabis Act adding private pharmacy licenses and leaving distribution to private businesses. The special session also covered settlement of lawsuits against the state, as well as appropriations for those lawsuits and for the 2020 U.S. census.

California Democratic Gov. Gavin Newsom has until October 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. **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](#), [California Assembly](#) and [Senate](#), [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, profiles 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 districts 18 and 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); **Alabama** House District 74 (November 12); and **Tennessee** House District 77 (December 19).