

REALTOR® Party State Legislative Monitor Weekly Report September 26, 2019

Affordable Housing

California [AB 723](#) was delivered to Democratic Gov. Gavin Newsom on September 24. The governor has until October 13 to act on the bill or it becomes law without his signature. 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 1483](#) was enrolled and delivered to Democratic Gov. Gavin Newsom on September 25. The governor has until October 13 to act on the bill or it becomes law without his signature. AB 1487 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 delivered to Democratic Gov. Gavin Newsom on September 24. The governor has until October 13 to act on the bill or it becomes law without his signature. 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](#).

Growth Management

California [AB 68](#) was enrolled on September 20 and is now awaiting 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 587](#) was presented to Democratic Gov. Gavin Newsom on September 23. The governor has until October 13 to act on the bill or it becomes law without his signature. AB 587 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](#) was presented to Democratic Gov. Gavin Newsom on September 23. The governor has until October 13 to act on the bill or it becomes law without his signature. AB 671 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](#) was enrolled on September 20 and is now awaiting 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 presented to Democratic Gov. Gavin Newsom on September 18. The governor has until October 13 to act on the bill or it becomes law without his signature. This bill would authorize local governments to establish an Affordable Housing Authority to fund affordable housing.

California [SB 13](#), which would make changes to how municipalities may regulate accessory dwelling units, including reducing or eliminating municipal fees on such units, was presented to Democratic Gov. Gavin Newsom on September 20. The governor has until October 13 to act on the bill or it becomes law without his signature.

California [SB 330](#) was presented to Democratic Gov. Gavin Newsom on September 17. The governor has until October 13 to act on the bill or it becomes law without his signature. 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.

Homeowners Associations

New Hampshire [HB 436](#) is scheduled for an executive session in the House Commerce and Consumer Affairs Committee on October 23 at 12:30 PM EST. This bill would establish an alternate judicial method for the foreclosure of a lien on a condominium unit by a homeowners' association.

Local Short-Term Rental

California [AB 1497](#) was presented to Democratic Gov. Gavin Newsom on September 17. The governor has until October 13 to act on the bill or it becomes law without his signature. 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.

Opportunity Zones

Wisconsin [SB 440](#) was introduced on September 23, read for a first time and referred to the Senate Agriculture, Revenue and Financial Institutions Committee. This bill would provide income and franchise tax benefits for investment in Wisconsin opportunity zones and provide a penalty.

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 1110](#) was presented to Democratic Gov. Gavin Newsom on September 23. The governor has until October 13 to act on the bill or it becomes law without his signature. 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 1482](#) was presented to Democratic Gov. Gavin Newsom on September 24. The governor has until October 13 to act on the bill or it becomes law without his signature. 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](#).

Session Overview

Massachusetts, Michigan, New Hampshire, 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.

New York is in recess subject to the call of the chair.

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 special session ended with Republican Gov. Mike Parson signing the vehicle sales tax legislation into law on September 25, reports [KFVS](#). This law, according to lawmakers, will allow the sale proceeds of more than one vehicle to be used as a credit against the sales tax owned on the purchase of a new vehicle.

West Virginia's Senate officially adjourned their tumultuous education-focused special session that began earlier this year, reports [West Virginia Public Radio](#). The Senate met briefly on September 23 to approve plans to allow for the state's first charter schools, which will be implemented through a staggered approach by allowing only three charter schools until 2023.

Utah Republican Gov. Gary Herbert has until October 7 to act on legislation or it becomes law without signature. **California** Democratic Gov. Gavin Newsom has until October 13 to act on legislation presented on or after September 13 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, 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 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).