

REALTOR® Party State Legislative Monitor Weekly Report October 31, 2019

Affordable Housing

Wisconsin [AB 544](#) was heard on October 24 in the Assembly Utilities and Housing Committee and then received a [fiscal estimate](#) on October 28. This bill would create a tax credit program for workforce housing to be administered by the Wisconsin Housing and Economic Development Authority. The credit would be authorized to developers meeting certain established standards to offset income and franchise taxes. The program would be capped at \$10 million and no credits may be awarded after December 31, 2021. A companion bill, [SB 484](#), is pending in the Senate Utilities and Housing Committee and also received a [fiscal estimate](#) on October 28.

Emotional Support Animals

Michigan [SB 610](#) is scheduled for an October 31 hearing in the Senate Local Government Committee. This bill would prohibit an individual from falsely representing to a housing provider that he or she was disabled or was in possession of an emotional support animal. The bill would allow a housing provider to request reliable documentation from an individual's health care provider to confirm an individual's disability. The bill would prohibit a health provider that prescribed an emotional support animal from falsely representing that an individual had been diagnosed with a disability and required the use of an emotional support animal. The bill would allow a housing provider to terminate the tenancy of an individual who falsely represented that an animal kept on the premises was an emotional support animal and to recover the premises through summary proceedings.

Michigan [SB 608](#), which is also scheduled for an October 31 hearing in the Senate Local Government Committee, would allow a housing provider to recover possession of a premises by summary proceedings after termination of a lease under the proposed Misrepresentation of Emotional Support Animals Act.

Michigan [SB 609](#), which is also scheduled for an October 31 hearing in the Senate Local Government Committee, would modify the definition of service animal to state that, "an animal is not a service animal unless it has been individually trained to do work or perform tasks for the benefit of a person with a disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this definition."

Real Estate License Law

New Hampshire [HB 355](#) is scheduled for a subcommittee work session in the House Executive Departments and Administration Subcommittee on November 6 and an executive session in the House Executive Departments and Administration Committee on the same day. 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.

Seller Disclosures

New Jersey [SB 4190](#) was introduced by title only on October 29 and would require landlords to disclose existence of lead service lines and lead water supply plumbing to tenants.

Electronic and Remote Notarization

Wisconsin [AB 293](#) passed the Assembly Local Government Committee on October 29 as amended. The amendment would create a remote notary council to examine the issue of remote notarizations. This bill would authorize notaries public to obtain licensure as an online notary public and perform notarial acts for persons who are not in the same physical location as the notary. It would also authorize online notaries to use an electronic seal in addition to an electronic signature. Finally, the bill would require registration of online notarization system providers. A companion bill, [SB 317](#), is pending in the Senate Agriculture, Revenue and Financial Institutions Committee where [Substitute Amendment 1](#) was offered on October 28. The amendment would create a remote notary council to examine the issue of remote notarizations.

Session Overview

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.

New Hampshire and **New York** are 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 a veto override; however, Senate President Phil Berger, R-Caswell, did state he will provide 24 hours' notice to the minority leader before calling the vote, reports [The News and Observer](#). The Senate is scheduled to adjourn on October 31, whereas the House session adjournment date remains unknown.

Illinois' held a veto session October 28 through 30 and is scheduled to reconvene the veto session November 12 through 14. One of the issues lawmakers will aim to pass include a law capping out-of-pocket insulin costs during the session, reports the [Herald Review](#).

Wisconsin Democratic Gov. Tony Evers has called the legislature to convene for a special session on November 7 to consider gun control measures. Governor Evers had threatened to call the special session for months citing a lack of bipartisan interest in addressing gun control legislation, including a red flag bill and a universal background check bill, reports [The Star Tribune](#).

Alabama Republican Gov. Kay Ivey has called for the legislature to convene a special session on February 4 to address growing concerns regarding the state's prison overcrowding problem, reports [The Outlook](#).

The regular session will begin on February 4 and will immediately adjourn to call for a special session. The governor reportedly plans on endorsing a privatized approach to the problem of overcrowding and underfunding of prisons in the state.

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](#), [Maine](#), [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: **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, and **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). **Louisiana** will hold a runoff election on November 16.