

REALTOR® Party State Legislative Monitor Weekly Report January 30, 2020

Affordable Housing

California [AB 725](#) passed the Assembly Appropriations Committee on January 23 and a subsequent second reading in the Senate, it is now awaiting a third reading in that chamber. This bill would require at least 50 percent of a suburban or metropolitan jurisdiction's share of the regional housing need for above moderate-income housing from being allocated to sites that allow at least two, but no more than 20, units of housing.

California [AB 953](#) passed the Assembly Appropriations Committee on January 23 and a subsequent second reading in the Senate. This bill would automatically approve permits for the creation of an accessory dwelling unit if a local agency does not act on the permit within 60 days.

California [AB 1934](#) was introduced on January 23 by Asm. Randy Voepel, R-Santee, and referred to the Assembly Housing and Community Development Committee. This bill would create a streamlined approval process for the development of multifamily housing units for families of low or moderate income.

California [SB 50](#) passed a second reading in the Senate on January 28 and was then referred to a third reading in that chamber. This bill would require local governments to create incentives for relaxing zoning standards in job-rich and transit-rich areas.

Florida [SB 856](#) is scheduled for a February 3 hearing in the Senate Community Affairs Committee. This bill would create a 25-year property tax reduction for taxpayers building or renovating qualifying affordable housing units, elderly housing units, or workforce housing projects.

A substitute for **Florida** [SB 998](#) passed the Senate Community Affairs Committee on January 22. As substituted, this bill would allow a board of county commissioners to approve the development of affordable housing on any parcel of land that is zoned for residential, commercial or industrial use. It would also prohibit counties from collecting an impact fee, permit or inspection fee, tree mitigation fee, water and sewer connection fee or a proportional share contribution for the purpose of development of affordable housing. A summary of the bill can be found [here](#).

Indiana [SB 123](#) is scheduled for a January 30 hearing in the Senate Appropriations Committee. This bill would provide an affordable and workforce housing state tax credit against state tax liability to a taxpayer for each taxable year in the state tax credit period of a qualified project in an aggregate amount that does not exceed the product of a percentage between 40 percent and 100 percent and the amount of the taxpayer's aggregate federal tax credit for the qualified project.

Mississippi [HB 196](#) was introduced on January 27 by Rep. John Hines, D-Greenville, and referred to the House Appropriations Committee. This bill would establish the Mississippi Affordable Housing

Opportunity Fund, which would be aimed at assisting extremely low-income to moderate-income individuals with access to affordable rental and home ownership housing, and provide for the development, rehabilitation and preservation of existing affordable housing in the state.

Nebraska [LB 866](#) is scheduled for a February 4 hearing in the Urban Affairs Committee. This bill would incentivize affordable housing projects in cities of the metropolitan class, cities of the primary class, and cities of the first class by providing residential density increases and regulatory concessions and incentives for housing developments that include a certain percentage of income-restricted rental units for low-income or very low-income residents.

Vermont [SB 237](#) is scheduled for a January 30 hearing in the Senate Economic Development, Housing and General Affairs Committee. This bill would make numerous changes to state law regarding affordable housing, including promoting inclusionary growth, prohibiting certain restrictive covenants and creating specified permit exemptions for affordable housing projects.

Virginia [HB 147](#) is scheduled for a January 30 hearing in the House General Laws' Housing/Consumer Protection Subcommittee. This bill would require the Virginia Housing Development Authority and local housing development authorities to undertake and carry out studies and analyses of housing needs and the meeting of such needs and to make the results of such studies and analyses available to the public and the building, housing and supply industries.

Washington [HB 2497](#) is scheduled for a February 7 hearing in the House Finance Committee. This bill would add the development of permanently affordable housing to the allowable uses of community revitalization financing, the local infrastructure financing tool, and local revitalization financing.

Home Buying Programs

Maryland [HB 411](#) is scheduled for a February 6 hearing in the House Ways and Means Committee. This bill would authorize municipalities to allow first-time homebuyers to calculate the homestead property tax credit using a preferred formula.

First-Time Homebuyer Savings Accounts

Kansas [HB 2516](#) was introduced on January 29 by the House Rural Revitalization Committee. This bill would establish first-time home buyer savings accounts in the state as of January 1, 2021. Individuals would be authorized to contribute up to \$3,000 per tax year for individuals and \$6,000 for married couples filing jointly. The maximum amount of all contributions into the account would be \$24,000 for individuals and \$48,000 for couples.

Pennsylvania [SB 309](#) passed the Senate Appropriations Committee on January 27. This bill would authorize the creation of first-time homebuyers' savings accounts in the state. Money deposited into this account would be able to be deducted from state income tax.

NAR Miscellaneous

Florida [HB 459](#) passed the House Government Operations and Technology Appropriations Subcommittee on January 28 and is now awaiting consideration before the House Commerce Committee. This bill would specify that zoning and development regulations relating to building design elements do not apply to one or two family dwellings unless a building is listed in the National Register of Historic Places, or the regulations are adopted pursuant to the National Flood Insurance Program. A similar bill, [SB 954](#), is pending in the Senate Community Affairs Committee.

Emotional Support Animals

Florida [SB 1084](#) is scheduled for a February 3 hearing in the Senate Innovation, Industry and Technology Committee. This bill would prohibit discrimination in housing rental to persons who use an emotional support animal. Such persons must be required to keep an emotional support animal in a dwelling upon request and without being required to pay extra compensation. Under this bill, landlords would be authorized to request written documentation relating to an emotional support animal. The bill would also establish penalties for misrepresentation of an emotional support animal.

New York [AB 7331](#) passed the Assembly on January 29 and was transmitted to the Senate, where it was referred to the Investigations and Government Operations Committee. This bill would prohibit discrimination against persons with disabilities using a service animal in housing accommodations. An identical companion bill, [SB 6172](#), is also pending in the Senate Investigations and Government Operations Committee.

Real Estate License Law

California [AB 687](#) passed the Assembly Appropriations Committee on January 23 and a subsequent second reading in the Senate, it is now awaiting a third reading in that chamber. This bill would authorize limited liability companies to become licensed as real estate brokers.

Indiana [HB 1008](#) was engrossed in the House on January 29 and is now awaiting a third reading in that chamber. This bill would require a board that issues licenses for regulated professions to issue a license to an individual who is licensed in another state, has established residency, has passed a substantially equivalent examination, has been in good standing, pays a fee and completes the licensure application form.

Rent Control

New York [AB 9622](#) was introduced on January 28 by Asm. Daniel O'Donnell, D-Manhattan, and referred to the Assembly Local Governments Committee. This bill would authorize municipalities in the state the right to enact rent control measures.

Local Short-Term Rental

Colorado [SB 109](#) is scheduled for a February 12 hearing in the Senate Finance Committee. This bill would allow home improvements made to prove short-term housing to be tax-deductible.

Vermont [HB 891](#) was introduced on January 23 by Rep. Emilie Kornheiser, D-Brattleboro, and referred to the House General, Housing and Military Affairs Committee. This bill would impose rental requirements on short-term rentals in the state, prohibiting individuals from offering all or part of a dwelling as a short-term rental unless it has been occupied by the owner as a primary resident for 270 days of the preceding year.

Electronic Notarization

Arizona [SB 1226](#) was introduced on January 23 by Sen. Kate Brophy McGee, R-Phoenix, and was referred to the Senate Rules Committee. This bill would overhaul state law relating to notaries public, including authorizing and creating recordkeeping requirements for the notarization of electronic documents.

Colorado [SB 96](#) is scheduled for a February 13 hearing in the Senate Judiciary Committee. This bill would authorize notaries public to perform remote notarizations on behalf of individuals who are not in the notary's physical presence, but only on an electronic document. The notarizations must be performed using real-time audio-video communication.

Session Overview

Alaska, Arizona, California, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia and Wisconsin are in regular session. The **District of Columbia** Council, **Puerto Rico** and **U.S. Congress** is also in regular session.

North Carolina convened on January 14 and adjourned later that day; with the Senate failing to override Democratic Gov. Roy Cooper's veto of a teacher pay raise bill, reports [The News & Observer](#). The legislature is in recess until April 28.

The following states are expected to convene their 2020 sessions on the dates provided: **Oklahoma** and **Oregon** (February 3), **Alabama** (February 4), **Connecticut** (February 5), **Wyoming** (February 10), **Minnesota** (February 11), **Louisiana** (March 9) and **Arkansas** (April 8).

Wisconsin convened for a special session on January 28 after Democratic Gov. Tony Evers used his State of the State address to bring attention to the state's farm crisis, reports [The Daily Cardinal](#). Governor Evers states that the special session will be part of a three-pronged plan on rural and agriculture revitalization.

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.

North Carolina Democratic Gov. Roy Cooper has 10 days from presentment to act on legislation or it becomes law without signature.

The following states are currently holding 2020 interim committee hearings: [Alabama](#), [Connecticut](#), [Louisiana](#), [Montana](#), [Nevada](#), [North Dakota](#), [Oklahoma House](#) and [Senate](#), [Texas House](#) and [Wyoming](#).

The following states are currently posting 2020 bill drafts, prefiles and interim studies: [Alabama House](#), [Arkansas](#), [Louisiana](#), [Oklahoma House](#) and [Senate](#) and [Oregon](#).

Special Elections

Texas held three special elections for House District 28, 100 and 148 on January 28. The seat for House District 28 became vacant after Rep. John Zerwas, R-Richmond, resigned in September. Gary Gates, R-Rosenberg, defeated Eliz Markowitz, D-Katy, receiving 58 percent of the vote.

House District 100 became vacant when Dallas Mayor Eric Johnson left the position on June 8. Lorraine Birabil, D-Dallas, defeated James Armstrong III, D-Dallas, receiving 66.3 percent of the vote.

House District 148 became vacant when Rep. Jessica Farrar, D-Houston, retired on September 30. Anna Eastman, D-Houston, defeated Luis La Rotta, R-Houston, receiving 65.4 percent of the vote.