Affordable Housing

Connecticut HB 5132 passed the Joint Development and Planning Committee on February 28 and was referred to the Legislative Commissioners’ Office. This bill would restructure the Zoning Enabling Act for clarity, promote the purposes of the federal Fair Housing Act, provide an administrative mechanism to promote compliance with municipal affordable housing plans, and require the Secretary of the Office of Policy and Management to convene a working group to study municipal affordable housing plans and zoning regulations.

Connecticut SB 105 is scheduled for a March 5 hearing in the Joint Housing Committee. This bill would establish a right to housing for all residents of the state.

Connecticut SB 184 is scheduled for a March 5 hearing in the Joint Housing Committee. This bill would establish the workforce housing development program in opportunity zones and create additional opportunities for workforce housing development in other parts of the state using tax credits, fee waivers and property tax abatement.

Hawaii SB 2037 passed the Senate on March 3 and was transmitted to the House, where it is awaiting committee referral. This bill would prohibit counties from disapproving of or imposing additional requirements on affordable housing developments unless the county meets certain specified conditions.

Hawaii SB 2212 passed the Senate on March 3 and was transmitted to the House, where it is awaiting committee referral. This bill would prohibit any law, ordinance or rule from imposing an inclusionary zoning requirement on housing offered exclusively for sale in perpetuity to buyers who are residents of the state, are owner-occupants and do not own any other real property.

Oregon HB 4015 passed the Joint Ways and Means Committee on March 3. This bill would direct the Department of Housing and Community Services to conduct a study of laws relating to housing in the state and to report its findings to the legislature no later than September 15.

Virginia HB 854 passed the legislature on March 3 and is awaiting enrollment and transmission to Democratic Gov. Ralph Northam. This bill would direct the Department of Housing and Community Development and the Virginia Housing and Development Authority to perform a study on ways to incentivize the development of affordable housing in the state.

Virginia HB 1101/Chapter 143 was signed by Democratic Gov. Ralph Northam on March 4 and will take effect on July 1. This act will allow municipalities to create an affordable housing dwelling unit program. The program will be aimed at addressing housing needs, promote a full range of housing choices and encourage the construction and continued existence of housing affordable to low-and-moderate-income citizens. A committee analysis of the bill as passed the legislature can be found here.
Virginia SB 834 passed the House on March 4 and is awaiting concurrence in the Senate. As passed the House, this bill would authorize municipalities to create local affordable housing programs. The programs would be required to address housing needs, promote a full range of housing choices and encourage the construction and continued existence of housing affordable to low-and-moderate-income citizens by providing for increases in density to the applicant in exchange for the applicant’s voluntarily electing to provide such affordable housing.

Washington HB 2110 passed the Senate Housing Stability and Affordability Committee on March 28 and is awaiting a second reading in the Senate. This bill would modify the definition of “affordable workforce housing” to mean housing for a single person, family, or unrelated persons living together whose income is at or below 80 percent of the median income, adjusted for household size, for the county where the housing is located. The current definition specifies the income level as between 80 and 30 percent.

Washington HB 2497 passed the Senate on March 3 and is awaiting concurrence in the House. 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. A summary of the bill can be found here.

Wisconsin AB 544 passed the Assembly on February 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.

**Growth Management**

Arizona HB 2841 passed the House Rules Committee on February 27. This bill would specify that regulation of housing within designated housing affordability zoning districts is not subject to regulation by a city, town or other political subdivision of the state. It would also require, on or before July 1, 2021, a municipality to adopt a housing affordability zoning district of no less than 30 percent of all vacant land zoned for single-family residential use. A summary of the bill can be found here.

**Home Buying Programs**

Connecticut HB 5238 is scheduled for a March 5 hearing in the Joint Housing Committee. This bill would authorize municipalities to abate up to $500 per assessment year of property taxes for certain first-time homebuyers obtaining a loan from the Connecticut Housing Finance Authority.

**First-Time Home Buyer Savings Account**

Connecticut HB 5429 is scheduled for a March 10 hearing in the Joint Banking Committee. This bill would direct the banking commissioner to establish a first-time homebuyer savings account and establish a tax deduction program for contributions for first-time homebuyers savings accounts.
Kansas HB 2516 was transmitted to the Senate on March 4 and referred to the Assessment and Taxation Committee. This bill would establish first-time home buyer savings accounts in the state as of July 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. A floor analysis of the bill can be found here.

Massachusetts HB 2456 passed the Joint Revenue Committee on February 28 and was referred to the House Ways and Means Committee. This bill would establish a first-time homebuyer savings account program in the state and authorize an income tax deduction for up to $5,000 for qualified expenditures made from the account.

**Emotional Support Animals**

Florida SB 1084 passed the Senate on March 3 and is awaiting transmission to the House. 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.

Illinois HB 3905 passed the House Judiciary – Criminal Committee on March 3. This bill would create a crime of the intentional misrepresentation of an animal as a service animal.

Michigan HB 4911 passed the House Judiciary Committee on March 3 and was reported to a second reading. This bill would prohibit the misrepresentation of animals as emotional support animals and would authorize the termination of a tenant’s lease for the misrepresentation of an emotional support animal.

**Rent Control**

District of Columbia B23 530 is scheduled for a March 27 hearing in the Housing and Neighborhood Revitalization Committee. This bill, known as the Rent Stabilization Affordability Qualification Amendment Act of 2019, specifies that units covered by the rent stabilization program may only be rented to tenants with a monthly adjusted gross income during the previous calendar year that is less than five times the monthly rent charged for the unit.

Illinois HB 255 was heard in the House Judiciary – Civil Committee’s Commercial Law Subcommittee on March 4; however, no action was taken on the bill and it remains pending in the subcommittee. This bill would repeal the state’s Rent Control Preemption Act, which prohibits municipalities from enacting or enforcing rent control measures.

**Local Short-Term Rentals**

Arizona HB 2875 passed the House Rules Committee on February 27. This bill would place numerous restrictions on short-term rentals in the state, including limiting the amount of occupants who may stay at such a rental during one stay, requiring the installation of safety monitoring equipment, prohibiting
smoking within 100 feet of a short-term rental, prohibiting individuals from checking in without the presence of the owner or a designee, and prohibit occupants from parking on the street if private parking is available.

**Electronic and Remote Notarization**

**Alaska** HB 124 passed the House Judiciary Committee on February 28 and was subsequently referred to the House Rules Committee. This bill would authorize the notarization and conveyance of electronic documents in the state. A companion bill, SB 109, is pending in the Senate Judiciary Committee.

**Arizona** SB 1226 passed a caucus vote in the Senate on March 3 and is now awaiting a third reading in that chamber. This bill would overhaul state law relating to notaries public, including authorizing and creating recordkeeping requirements for the notarization of electronic documents. An in-depth analysis of the bill as passed the committee can be found [here](#).

**Colorado** SB 96 is scheduled for a March 7 hearing in the Senate Appropriations 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.

**Hawaii** HB 2294 passed the House on February 28 and was transmitted to the House, where it was referred to the Judiciary Committee. Among other provisions, this bill would authorize notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may do such notarial acts, including authorized technologies and electronic stamping. A similar bill, SB 2275, passed the Senate on March 3.

**Kansas** HB 2713 was transmitted to the Senate on March 4. This bill, the Revise Uniform Law on Notarial Acts, would make numerous changes to state law regarding notarizations in the state, including the authorization of electronic notarizations and rules regarding electronic notarizations.

**Mississippi** SB 2394 passed the Senate Judiciary Committee on February 27. This bill would make numerous changes to state law regarding notaries, including authorizing notaries public to perform notarizations of electronic documents.

**Wisconsin** AB 293/Act 293 was signed by Democratic Gov. Tony Evers on March 3 and took effect immediately. This act authorizes 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 authorizes online notaries to use an electronic seal in addition to an electronic signature. The act also creates a remote notary council to examine the issue of remote notarizations. Finally, the act requires registration of online notarization system providers.

**Session Overview**

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

North Carolina is in recess until April 28.

The following states are expected to convene their 2020 sessions on the dates provided: Louisiana (March 9) and Arkansas (April 8).

The following states are expected to adjourn on the dates provided: Oregon, Virginia and West Virginia (March 7); South Dakota, Utah, Washington and Wyoming (March 12) and Florida (March 13).

New Mexico Democratic Gov. Michelle Lujan Grisham has until March 11 to act on legislation or it is pocket vetoed.

The following states are currently holding 2020 interim committee hearings: Louisiana, Montana, Nevada, North Dakota and Texas House.

The following states are currently posting 2020 bill drafts, prefiles and interim studies: Arkansas and Louisiana.