

REALTOR® Party State Legislative Monitor Weekly Report May 19, 2022

Our comprehensive briefing on [COVID-19 Remote Notarization Orders](#) outlines state action to allow remote notarization during the ongoing pandemic. This document is updated weekly. Updates this week include: *No updates this week.*

Affordable Housing

California [AB 916](#) is scheduled for a May 31 hearing in the Senate Housing Committee. This bill would prohibit local governments from requiring hearings as a condition of adding space or bedrooms to existing houses, condominiums or dwellings. It would also authorize local governments to establish a height limit of 18 feet for accessory dwelling units on lots with existing multifamily or multistory dwellings.

California [AB 1695](#) passed the Assembly Appropriations Committee on May 18. This bill would specify that adaptive reuse of a property for affordable housing purpose is an eligible purpose for affordable housing funds in the state.

California [AB 2011](#) is scheduled for a May 19 hearing in the Assembly Appropriations Committee. This bill would create a ministerial, streamlined approval process for 100 percent affordable housing in commercially-zoned areas and for mixed-income housing along commercial corridors.

California [AB 2053](#) is scheduled for a May 19 hearing in the Assembly Appropriations Committee. This bill would create the California Housing Authority, as an independent state body, the mission of which would be to produce and acquire social housing developments for the purpose of eliminating the gap between housing production and regional housing needs assessment targets.

California [AB 2221](#) passed the Assembly Appropriations Committee on May 18. This bill would prohibit municipalities from imposing setback requirements on accessory dwelling units and from imposing any objective planning standards on accessory dwelling units. It would also require permitting agencies to act on applications for accessory dwelling units within a certain timeframe.

California [AB 2653](#) is scheduled for a May 19 hearing in the Assembly Appropriations Committee. This bill would authorize the Department of Housing and Community Development to reject the housing element portion of a municipalities annual progress report.

California [SB 897](#) is scheduled for a May 19 hearing in the Assembly Appropriations Committee. This bill would make numerous changes regarding accessory dwelling units, including increasing the maximum height limit to 25 feet, make changes to fire sprinkler requirements, and would establish requirements for junior accessory dwelling units.

Colorado [HB 1304](#) was presented to Democratic Gov. Jared Polis on May 16. Governor Polis has a deadline of May 26 to take action on this bill or it will become law without his signature. This bill would create two statewide grant programs to invest in affordable housing and associated infrastructure.

Colorado [SB 159](#) passed the House on May 18 and is now awaiting enrollment and transmission to Democratic Gov. Jared Polis. This bill would create an affordable housing revolving loan program in the Division of Housing, aimed at providing flexible, low-interest and below-market rate loans for investments in affordable housing.

Colorado [SB 232](#) passed the House on May 11 and was later concurred by the Senate. This bill would create the Colorado Workforce Housing Trust Authority. The authority would be authorized to exercise the powers necessary to acquire, construct, rehabilitate, own, operate and finance affordable rental housing projects.

New Hampshire SB 329 was not concurred by the Senate on May 12 after previously passing both the House and Senate. [As passed the Senate](#), this bill would establish a commission to study barriers to housing development in the state. [As passed the House](#), the bill also contains these provisions in addition to establishing a procedure for overriding local tax caps.

Ohio [HB 560](#) is scheduled for a May 19 hearing in the House Families, Aging and Human Services Committee. This bill would authorize a tax credit for the construction or rehabilitation of affordable rental housing.

Rhode Island [HB 7942](#) is scheduled for a May 19 hearing in the House Municipal Government and Housing Committee. This bill would remove barriers relating to the construction of accessory dwelling units in the state through changes to zoning and permitting for ADUs.

Vermont [SB 234](#) passed the legislature on May 13 and is now awaiting enrollment. This bill would designate certain areas throughout the state as “smart growth” areas, where development would be permitted with exemptions from existing environmental review laws.

Home Buying Programs

New York [SB 8890](#) was ordered to a third reading in the Senate on May 16. This bill would expand the local option to allow municipalities to provide property tax exemptions to first-time homebuyers through 2028.

New York [SB 9201](#) was referred to the Assembly Housing Construction and Community Development Committee on May 12. This bill would authorize the creation of first-time home buyer savings accounts in the state, into which \$10,000 could be deposited annually up to a maximum of \$100,000.

Rent Control

Connecticut [HB 5205/Public Act No. 22-30](#) was signed by Democratic Gov. Ned Lamont on May 17 and will take effect October 1. This act will require municipalities with a population of at least 15,000 to create fair rent commissions.

New York [AB 480](#) passed the Assembly Aging Committee on May 16. This bill would increase the tax abatement for rent-controlled and rent regulated property occupied by and real property owned by senior citizens or persons with disabilities to \$55,000 annually.

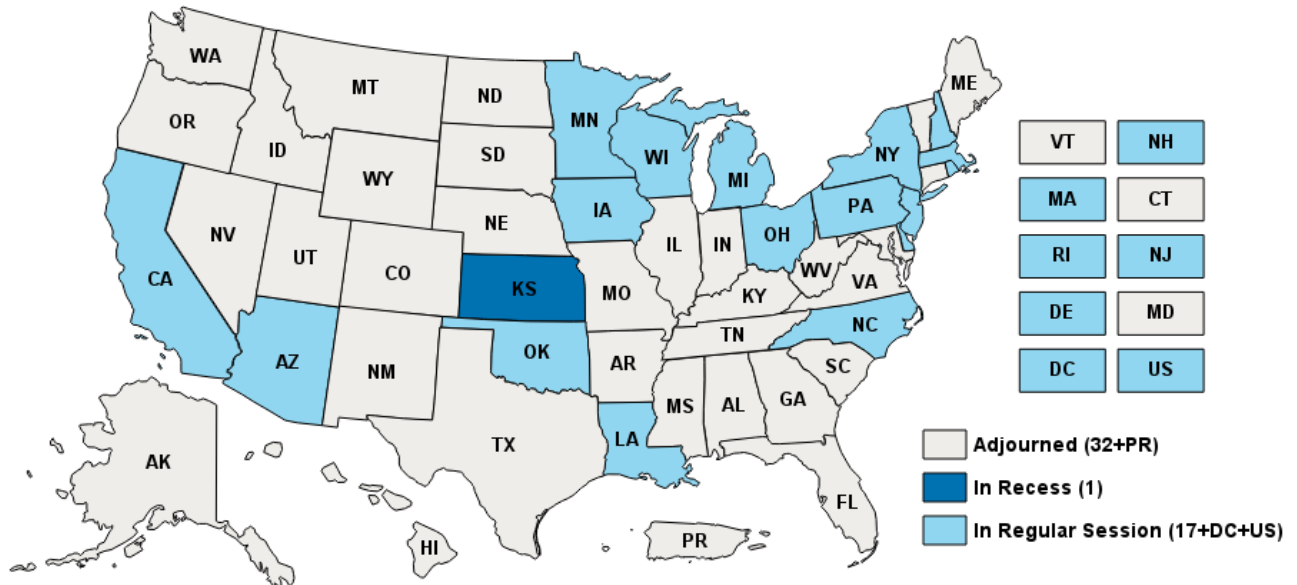
Short-Term Rentals

Ohio [HB 563](#) passed the in the House State and Local Government Committee on May 11. This bill would prohibit the local regulation of short-term rentals.

Remote and Electronic Notarization

Louisiana [HB 903](#) passed the Senate on May 19 and is now awaiting enrollment. This bill would make changes to remote notarization law in the state by providing that a notarial act is deemed to be executed in the parish where the notary public is physically located.

States in Session



Overview

Arizona, California, Delaware, Iowa, Louisiana, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island and Wisconsin are in regular session. The **District of Columbia** Council and the **U.S. Congress** are also in session.

Kansas is in recess until May 23, reports [KSHB](#). The Kansas Supreme Court is reviewing the Republican's new congressional and legislative districts and a ruling is expected by May 23. Usually, the legislature would reconvene for a single day set aside for an annual adjournment ceremony, but how long they

reconvene this year hinges on the court's ruling and whether the Republican-controlled legislature will need to once again tackle redistricting.

The following states adjourned their 2022 legislative sessions sine die on the dates provided: The **Missouri** Senate, **South Carolina** and **Vermont** (May 12), the **Missouri** House (May 13) and **Alaska** (May 18).

The following states are scheduled to adjourn their 2022 legislative sessions sine die on the dates provided: **Kansas** and **Minnesota** (May 23) and **Oklahoma** (May 27).

Oklahoma lawmakers called themselves into a concurrent special session on May 18 to gain additional powers over the direction of \$1.87 billion in federal coronavirus relief funds under the American Rescue Plan Act, reports [Oklahoma Watch](#). The concurrent special session may continue past the required adjournment of the regular session by May 27.

Florida Republican Gov. Ron DeSantis issued a [proclamation](#) calling the legislature into a second special session on May 23, reports [Fox13 News](#). The purpose of this special session, Special Session D, is to consider legislation related to property insurance, reinsurance, changes to the Florida Building Code, the Office of Insurance Regulation, civil remedies and appropriations. The special session is scheduled to conclude on May 27.

Georgia Republican Gov. Brian Kemp had until May 14 to act on legislation or it became law without signature.

Maryland Republican Gov. Larry Hogan has until May 31 to act on legislation or it becomes law without signature. **Colorado** Democratic Gov. Jared Polis has until June 10 to act on legislation or it becomes law without signature. **Missouri** Republican Gov. Mike Parson has until June 27 to act on legislation or it becomes law without signature. **Hawaii** Democratic Gov. David Ige has until July 12 to act on legislation or it becomes law without signature. **Alaska** Republican Gov. Mike Dunleavy has 20 days from presentment, Sundays excluded, to act on legislation or it becomes law without signature. **Arkansas** Republican Gov. Asa Hutchinson has 20 days from presentment, Sundays excluded, to act on legislation or it becomes law without signature. **Connecticut** Democratic Gov. Ned Lamont has 15 days from presentment to act on legislation or it becomes law without signature. **Florida** Republican Gov. Ron DeSantis has 15 days from presentment to act on legislation or it becomes law without signature. **Illinois** Democratic Gov. J.B. Pritzker has 60 days from presentment to act on legislation or it becomes law without signature. **Kentucky** Democratic Gov. Andy Beshear has 10 days from presentment, Sundays excepted, to act on legislation or it becomes law without signature. **Maine** Democratic Gov. Janet Mills must act on legislation presented within 10 days of adjournment or it becomes law unless returned within three days after the next meeting of the same legislature. **Mississippi** Republican Gov. Tate Reeves has 15 days from presentment to act on legislation or it becomes law without signature. **Nebraska** Republican Gov. Pete Ricketts has five days from presentment, Sunday's excepted, to act on legislation or it becomes law without signature. **South Carolina** Republican Gov. Henry McMaster has two days after the next meeting of the legislature to act on legislation or it becomes law without signature. **Tennessee** Republican Gov. Bill Lee has 10 days from presentment, Sundays excluded, to act on legislation or it becomes law without signature. **Vermont** Republican Gov. Phil Scott has five days from presentment, excluding Sundays, to act on legislation or it becomes law without signature.

Interim Committees/Prefiles

The following states are currently holding 2022 interim committee hearings: [Arkansas](#), [Connecticut](#), [Montana](#), [Nevada](#), [New Mexico](#), [North Dakota](#), [South Dakota](#), [Utah](#), [Virginia](#), [Washington](#), [West Virginia](#) and [Wyoming](#).

Special Elections

Pennsylvania House District 5 held a special election on May 17, reports the [Detroit Free Press](#). The seat was vacated by Democrat John Sabatina Jr. last November when he was elected to the Philadelphia Court of Common Pleas. Democrat Jimmy Dillon won the seat over Republican Sam Oropeza with 55 percent of the vote.

South Carolina House District 97 also held a special election on May 17. The seat was vacated by former Rep. Mandy Kimmons, R-Charleston, who resigned to focus on her legal practice in December. Kimmons was first elected in 2018, when she flipped the district, reports [270toWin](#). Republican Robby Robbins won the seat over Democrat ReZsaun Lewis with 64 percent of the vote, keeping the district in the hands of the GOP.

The following seats will be filled by special elections on the dates provided: **New York** Assembly District 58 and **South Carolina** House District 18 (May 24).

Primary Elections

In **Idaho**, primary elections were held for governor, as well as both chambers of the legislature. According to [KTVB](#), incumbent Republican Gov. Brad Little easily cruised to victory in an eight-way primary that also included Republican Lt. Gov. Janice McGeachin. The race was the first time since 1938 that members of the same party holding the state's top two offices have faced each other in the primary election. Governor Little will likely face Democrat nominee Stephen Heidt, a teacher, in the general election; votes are still being counted and final results are not expected until next week. In the legislature, all of the excitement was on the Republican side as there were no contested Democratic primaries with many districts having no candidate at all. According to the [Idaho Capital Sun](#), 18 incumbent Republican lawmakers lost or were trailing in their primary race including Senate Commerce and Human Resources Chair Jim Patrick, R-Twin Falls, Senate Education Chair Steven Thayn, R-Emmett, Senate Health and Welfare Chair Fred Martin, R-Boise, Senate Local Government and Taxation Chair Jim Rice, R-Caldwell, and Senate Finance Chair Jeff Agenbroad, R-Nampa. In the House, notable incumbents that failed to advance include House Ways and Means Chair Paul Amador, R-Coeur d'Alene, and House Judiciary, Rules and Administration Chair Greg Chaney, R- Caldwell.

Kentucky held primaries for both chambers of the state legislature on May 17. Republicans, who hold majorities in both chambers, had most of the competitive races with only a few Democratic contests featuring multiple candidates. According to the [Lexington Herald-Leader](#), Northern Kentucky saw the most competitive races where House Licensing, Occupations and Administrative Regulations Chair Adam Koenig, R-Erlanger, lost to attorney Steven Doan and House Judiciary Chair C. Ed Massey, R-Hebron, lost

to attorney Steve Rawlings. In the Senate, incumbent Sen. Donald Douglas, R-Nicholasville, won a closely watched contest against businessman Andrew Cooperrider.

North Carolina held primaries for both chambers on May 17. According to the [News and Observer](#), key contests included the Democratic primary in District 19 where incumbent Democratic Sen. Kirk deViere lost his bid for reelection to challenger Val Applewhite who had the backing of Democratic Gov. Roy Cooper. Another high profile contest featured Senate Appropriations Committee Chair Ralph Hise who defeated Senate Education Committee Chair Deanna Ballard, both Republicans, in the newly redrawn District 47 contest.

Oregon held primaries for governor and both chambers of the legislature on May 17. Former House Speaker Tina Kotek, D-Portland, defeated state Treasurer Tobias Read to become the Democratic nominee for governor in a primary that saw 16 democrats file to run for the seat. Kotek will face former House Republican Leader Christine Durzan and former Sen. Betsy Johnson, an unaffiliated candidate, in what is expected to be a competitive contest, [Oregon Public Broadcasting](#) reports. In the legislature, there are few competitive races but a number of retirements including Senate President Peter Courtney, D-Salem, the [Statesman-Journal](#) reports.

Pennsylvania held statewide primary elections for both parties on May 17. State Sen. Doug Mastriano, R-Fayetteville, easily defeated former U.S. Rep. Lou Barletta and attorney Bill McSwain to win the Republican nomination for governor, [The Pittsburgh Post-Gazette](#) reports. Senator Mastriano will face Democratic Attorney General Josh Shapiro, who was unopposed, in the race to succeed incumbent Democratic Gov. Tom Wolf, who is term-limited. In the legislature, Republicans hold majorities in both chambers with 25 Senate seats and all 203 House seats up for election this cycle, which will be the first using newly redrawn maps. Notable legislative races include Senate Appropriations Committee Chair Pat Browne, R-Allentown, who trails school board member Jarett Coleman by a mere 30 votes in the Senate District 16 Republican primary, [Lehigh Valley Live](#) reports. According to [Fox 43](#), House Appropriations Committee Chair Stan Saylor, R-York, also lost his bid for reelection, losing to fellow Republican Wendy Fink who campaigned on a plan to eliminate school property taxes.