

REALTOR® Party State Legislative Monitor
Weekly Report
June 16, 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: Rhode Island.

Affordable Housing

Arizona [HB 2610](#) was signed by Republican Gov. Doug Ducey on June 8 and will take effect September 28. This act will eliminate a restriction prohibiting certain affordable housing projects from exceeding more than 200 units.

California [AB 561](#) passed a second reading in the Senate on June 14 and was ordered to a third reading. This bill would create a financing program to assist homeowners in qualifying for loans to construct additional housing units on their property, including accessory dwelling units.

California [AB 682](#) passed the Senate Appropriations Committee on June 14 and was referred to the Governance and Finance Committee. This bill would require cities with a population greater than 400,000 to permit the construction of cohousing buildings in any zone where multifamily residential buildings are permitted.

California [AB 916](#) had a June 13 hearing in the Senate Housing Committee postponed. 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.

The following California bills are scheduled for a June 21 hearing in the Senate Housing Committee:

- [AB 1695](#), which would specify that adaptive reuse of a property for affordable housing purpose is an eligible purpose for affordable housing funds in the state.
- [AB 2011](#), which would create a ministerial, streamlined approval process for 100 percent affordable housing in commercially-zoned areas and for mixed-income housing along commercial corridors.
- [AB 2053](#), which 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.
- [AB 2653](#), which would authorize the Department of Housing and Community Development to reject the housing element portion of a municipalities annual progress report.

California [AB 2221](#) passed the Senate Housing Committee on June 14 and was referred to the Senate Governance and Finance Committee. 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 [SB 897](#) passed the Assembly Local Government Committee on June 15. 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 1051](#) was signed by Democratic Gov. Jared Polis on June 1 and took effect immediately. This act extends the

Colorado Affordable Tax Credit Program through December 31, 2034 and increases the annual aggregate amount of tax credits from \$10 million to \$15 million.

Colorado [HB 1304](#) was signed by Democratic Gov. Jared Polis on June 3 and took effect immediately. This act creates two statewide grant programs to invest in affordable housing and associated infrastructure.

Florida [SB 962/Chapter No. 176](#) was signed by Republican Gov. Ron DeSantis on June 8 and took effect immediately. This act allows municipalities and counties to approve mixed-use residential development projects with affordable housing components.

Louisiana [HB 1048](#) was presented to Democratic Gov. John Bel Edwards on June 3. Governor Edwards has a deadline of June 30 to act on the bill or it will become law without his signature. Among other provisions, this bill would expand the scope of the Department of Economic Development to include the development of a plan for locating and identifying property for potential workforce housing.

Home Buying Programs

New Jersey [AB 2246](#) passed the Assembly Housing Committee on June 2. This bill would establish the New Jersey Homebuyer Tax Credit Program, which would provide gross income tax credits for certain home purchases during qualified periods by first-time homebuyers. A companion bill, [SB 2345](#) was referred to the Senate Budget and Appropriations Committee on March 21.

Rent Control

Ohio [HB 430](#) passed the legislature on June 1 and is awaiting transmission to Republican Gov Mike DeWine. This bill contains provisions that would prohibit local governments from enacting, renewing, maintaining or enforcing any rent control or rent stabilization policy.

Remote and Electronic Notarization

California [AB 1093](#) is scheduled for a June 28 hearing in the Senate Judiciary Committee. This bill would authorize notaries public to apply for registration with the secretary of state to perform online notarizations.

Delaware [SB 262](#) had [an amendment introduced](#) on June 8. This amendment would alter the effective date of the act to July 1, 2023 and would extend the existing authority granted to Delaware attorneys to conduct remote notarizations until the effective date of the bill. This bill would adopt the Uniform Law Commission's Revised Uniform Law on Notarial Acts, which would authorize remote notarization in the state.

District of Columbia [B24-457](#) was heard on June 13 in the Housing and Executive Administration Committee. This bill would authorize and regulate remote online notarizations in the district, including for both electronic documents and paper documents, or remote ink notarizations.

Louisiana [HB 903/Act No. 192](#) was signed by Democratic Gov. John Bel Edwards on May 25 and took effect immediately. The act makes 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.

Rhode Island [HB 2705](#) is scheduled for a June 16 hearing in the Senate Judiciary Committee. This bill would permit remote notarization, recognize notarizations performed under the authority and in the jurisdiction of a federally recognized tribe, prohibit notary fees in excess of \$5, prohibit remote online notary fees in excess of \$5, and require the disabling of notary stamping device upon expiration or revocation of a notary commission.

Vermont [HB 512](#) was signed by Republican Gov. Phil Scott on June 2 and will take effect July 1. This act will authorize the use of remote notarizations for certain transactions involving real estate.

Overview

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

The following states adjourned their 2022 legislative sessions sine die on the dates provided: New Hampshire (May 26), the New York Senate (June 3), the New York Assembly (June 4) and Louisiana (June 6).

The following states are scheduled to adjourn their 2022 legislative sessions sine die on the dates provided: Arizona, Delaware, Rhode Island (June 30) and North Carolina (July 1).

Louisiana lawmakers reconvened on June 15 for what amounts to a court-ordered special session to redraw the state's congressional districts, reports the [Louisiana Illuminator](#). The Republican approved maps were ruled unlawful by Judge Shelly Dick of the Middle District of Louisiana for limiting representation of the state's one-third Black population to just one of its six U.S. House districts. Judge Shelly Dick's order gives the legislature a June 20 deadline to create a congressional redistricting plan that includes one additional majority-Black congressional district. The 5th Circuit Court of Appeals lifted a temporary stay of the ruling after a three-judge panel found the defendants, GOP lawmakers and Attorney General Jeff Landry, "have not met their burden of making a 'strong showing' of likely success on the merits." And although Democratic Gov. John Bel Edwards has repeatedly pled with the legislature to abide by the court's ruling, Republican lawmakers are expected to let the case progress up to the U.S. Supreme Court. The special session is slated to conclude June 20 to meet Judge Shelly Dick's deadline.

The Oklahoma House officially adjourned its special session called by Republican Gov. Kevin Stitt on June 15, after passing seven bills addressing inflation, reports [The Oklahoman](#). However, confusion surrounding the House's legislative package in the Senate has led to a standstill. Senate leadership has accused the House of rushing the process due to a feud between the lower chamber and Governor Stitt, reports [KOCO](#). Senate President Pro Tem Greg Treat, R-Oklahoma City, said that the package the House delivered cannot become law since the originating chamber must be in session to deliver final bills to the governor's desk. Senator Treat went on to say the House was prioritizing political expediency over sound policy referring to the session as "political theater." The House disagrees, accusing the Senate of dragging their feet and claiming the upper chamber could indeed vote to pass the bills to send them to Governor Stitt. The Senate, instead, has elected to form a [tax reform working group](#) to study different tax cut measures. The working group is scheduled to hold a meeting on June 20, but there is no timetable for them to make recommendations, and it is unlikely they will vote on the "slate of tax cut proposals without any comprehensive plan" sent to them by the House. Governor Stitt praised the House for delivering on his call to cut taxes, especially plans to eliminate the state grocery tax, and encouraged the Senate to do the same.

The Virginia General Assembly is scheduled to reconvened their ongoing special session on June 17 to consider Republican Gov. Glenn Youngkin's actions to the compromise budget approved on June 1, reports the [Martinsville Bulletin](#). The compromise budget boasts a sharp increase in the standard income tax deduction, eliminates the 1.5 percent state tax on groceries, makes 15 percent of the earned income tax credit refundable for low-income working families, and provides a five percent pay raise for teachers and state employees, delivering on many, but not all, of Governor Youngkin's priorities. Governor Youngkin [said](#) he's still pushing for his twice-failed three-month gas tax holiday, as well the Washington Commanders stadium, legislation abandoned by the General Assembly due to congressional hearings about the conduct of team owner Dan Snyder and an investigation by the Virginia and District Columbia attorneys general into the team's finances. Lawmakers don't see their position changing on either of the governor's campaigns and the state must have the budget in place by the start of the next fiscal year on July 1.

Wisconsin Democratic Gov. Tony Evers signed an executive order calling the legislature into a special session on June 22 to repeal the state's 172-year-old criminal abortion ban, reports [WISN 12 News](#). If the U.S. Supreme Court overturns *Roe v. Wade*, the state's pre-Roe law could go into effect immediately banning abortion at any stage of pregnancy without exception for rape or incest. The majority Republican legislature is not expected to act during the special session and Governor Evers has received harsh criticism from the Republican candidates vying for his seat.

Indiana Republican Gov. Eric Holcomb is planning to call the legislature into a special session on June 27 to return excess state revenue to Hoosier taxpayers, reports [KPVI](#). In the special session, legislators will consider Governor Holcomb's plan to pay an additional \$225 to all adult taxpayers in July or August, on top of the \$125 automatic taxpayer refunds already being sent out. Despite requests for the General Assembly to simultaneously tackle new abortion restrictions, Governor Holcomb's intent for a quick special session to approve his taxpayer refund plan before the end of the state's 2022 budget year, suggests he is against it. He has said he is waiting on the U.S. Supreme Court to rule in the pending Mississippi

abortion case before deciding whether to heed the [request](#) of 100 Republican lawmakers to reconvene regarding further abortion restrictions.

Maryland Republican Gov. Larry Hogan had until May 31 to act on legislation or it became law without signature. New Hampshire Republican Gov. Chris Sununu had until June 1 to act on legislation or it was pocket vetoed. Colorado Democratic Gov. Jared Polis had until June 10 to act on legislation or it became law without signature. Minnesota Democratic Gov. Tim Walz had until June 10 to act on legislation or it was pocket vetoed. Oklahoma Republican Gov. Kevin Stitt had until June 11 to act on legislation or it was pocket vetoed.

Iowa Republican Gov. Kim Reynolds has until June 24 to act on legislation or it is pocket vetoed. 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. 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. Kansas Democratic Gov. Laura Kelly has 10 days from presentment to act on legislation or it becomes law without signature. Louisiana Democratic Gov. John Bel Edwards has 20 days from presentment 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. Nebraska Republican Gov. Pete Ricketts has five days from presentment, Sunday's excepted, to act on legislation or it becomes law without signature. New York Democratic Gov. Kathy Hochul has 10 days from presentment, Sundays 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. 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](#), [Colorado](#), [Connecticut](#), [Georgia](#), [Idaho](#), Illinois [House](#), [Indiana](#), [Iowa](#), [Kansas](#), [Kentucky](#), [Louisiana](#), [Maine](#), [Maryland](#), [Minnesota](#), Mississippi [House](#) and [Senate](#), [Montana](#), [Nevada](#), New Hampshire [House](#) and [Senate](#), [New Mexico](#), [North Dakota](#), [Oregon](#), [Rhode Island](#), South Carolina [House](#) and [Senate](#), [South Dakota](#), [Tennessee](#), [Utah](#), [Vermont](#), [Virginia](#), [Washington](#), [West Virginia](#) and [Wyoming](#).

Special Elections

California Assembly Districts 62 and 80 held special runoff elections on June 7, reports the [Times of San Diego](#). Both elections featured the top two Democratic contenders from April 5 primaries. In District 62, Tina McKinnor won the seat over Robert Pullen-Miles with 51.75 percent of the vote. In District 80, former San Diego City Councilmember David Alvarez won the seat over Georgette Gomez with 56.14 percent of the vote. Assemblymember Alvarez will face Georgette Gomez again in the November primary.

Maine Senate District 7 held a special election on June 14, reports [Maine Public Radio](#). The seat was vacated by former Sen. Louis Luchini, D-Ellsworth, who resigned in January to take a job in the Biden Administration. Rep. Nicole Grohoski, D-Ellsworth, won the seat over former Sen. Brian Langlely, R-Ellsworth, and Green Party candidate Benjamin Meiklejohn with 59 percent of the vote, maintaining crucial democratic control of the swing district. The election was considered a potential bellwether for the fall as the Maine Republican Party has made recapturing the Senate a top priority. Democrats currently hold 22 of the 35 Senate seats, but the chamber has switched control multiple times in the past decade. The two candidates will face off again in November, having also both won their respective primaries on June 14, but with new district boundaries.

The following seat will be filled by special elections on the dates provided: Mississippi House District 119 (June 19).