

## REALTOR® Party State Legislative Monitor Weekly Report July 8, 2021

Our comprehensive briefing on [COVID-19 Remote Notarization Orders](#) outlines state action to allow remote notarization during the ongoing pandemic. This document is updated daily. Recent updates include **Alabama, Delaware, Georgia, Illinois, Kansas, Maine, Massachusetts, Mississippi, New Jersey, New Mexico, New York, South Dakota, West Virginia and Wyoming.**

### Affordable Housing

**California AB 345** passed the Senate Housing Committee on July 1 and was transmitted to the Senate Governance and Finance Committee, where it is scheduled for a July 8 hearing. This bill would allow accessory dwelling units to be sold or conveyed separately from a private residence to a qualified buyer.

**California AB 561** is scheduled for a July 8 hearing in the Senate Housing Committee. 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 571** passed the Senate Governance and Finance Committee on July 1 and was referred to the Senate Appropriations Committee, where it is scheduled for a July 15 hearing. This bill would prohibit affordable housing impact fees, including inclusionary zoning fees, in-lieu fees and public benefit fees, from being imposed on a housing development's affordable units.

**California AB 721** passed the Senate Housing Committee on July 1 and was referred to the Senate Judiciary Committee, where it is scheduled for a July 13 hearing. This bill would prohibit and render unenforceable any private covenants, restrictions or limits on the number or size of residences or occupants on land to be used for affordable housing.

**California AB 803** passed the Senate Governance and Finance Committee on July 1 and was referred to the Senate Appropriations Committee, where it is scheduled for a July 15 hearing. This bill would authorize cities and counties to allow for denser development of single-family housing if certain conditions are met. An in-depth analysis of this bill can be found [here](#).

**California AB 1584** is scheduled for a July 8 hearing in the Senate Housing Committee. Among other provisions, this bill would make changes to state law relating to real estate deed restrictions and restrictive covenants, local planning and zoning and low-income housing tax credits. An in-depth committee analysis of the bill can be found [here](#).

**California SB 290** passed the Assembly Housing and Community Development Committee on July 1. This bill would allow developers in the state to receive certain additional density bonuses in housing developments for meeting certain incentives, including those related to housing for low-income students and families.

**Florida** [HB 59/Chapter No. 2021-195](#) was signed by Republican Gov. Ron DeSantis on July 6 and took effect immediately. This act makes numerous changes to local growth management requirements. An in-depth summary of this bill can be found [here](#).

**Hawaii** [HB 79/Act 227](#) was signed by Democratic Gov. David Ige on July 6 and took effect immediately. This act establishes a homeownership revolving fund to provide loans to nonprofit housing development organizations for the development of affordable homeownership projects.

**Minnesota** [HF 4x/Chapter Number 8](#) was signed by Democratic Gov. Tim Walz on June 29 and took effect immediately. This act, the omnibus housing finance bill, contains numerous provisions relating to home rehabilitation loans, community land trusts, service and support animals and the ongoing eviction moratorium. A House research summary of the bill can be found [here](#).

## Home Buying Programs

**Connecticut** [HB 6494/Public Act 21-101](#) was signed by Democratic Gov. Ned Lamont on June 30 and took effect immediately. This act expands existing home ownership programs by creating affordability incentive zones, in which eligibility limits and maximum loan amounts would be increased and loan interest rates are decreased.

**New Jersey** [AB 5937](#) was introduced on June 24 by Assembly Majority Leader Louis Greenwald, D-Voorhees, and referred to the Assembly Appropriations Committee. This bill would establish a first-time homebuyer tax credit for up to \$15,000 or five percent of the purchase price, whichever is less.

## NAR Miscellaneous

**Florida** [HB 401/Chapter No. 2021-201](#) was signed by Republican Gov. Ron DeSantis on July 6 and took effect immediately. This act prohibits any zoning and development regulations applying to building design from being applied to any residential dwellings, except for purposes relating to historic buildings or flood insurance.

## Short-Term Rentals

**Rhode Island** [HB 5505](#) was presented to Democratic Gov. Daniel McKee on July 2. Governor McKee has a deadline of July 11 to take action on the bill or it will become law without his signature. This bill would require hosting platforms for short-term rentals to each short-term rental unit listed in the state with the Department of Business Regulation.

## Remote Notarization

**Delaware** [HB 216](#) was signed by Democratic Gov. John Carney on June 30 and took effect immediately. Under previous law, remote notarization provisions were scheduled to expire on June 30, 2021. This act extends those provisions through June 30, 2022.

**Florida** [HB 121/Chapter No. 2021-137](#) was signed by Republican Gov. Ron DeSantis on June 23 and will take effect January 1, 2022. This act will make numerous changes to state law regarding remote notarizations, such as revising fee schedules, requiring certain technologies be used, clarifying witnessing standards and revising registration requirements.

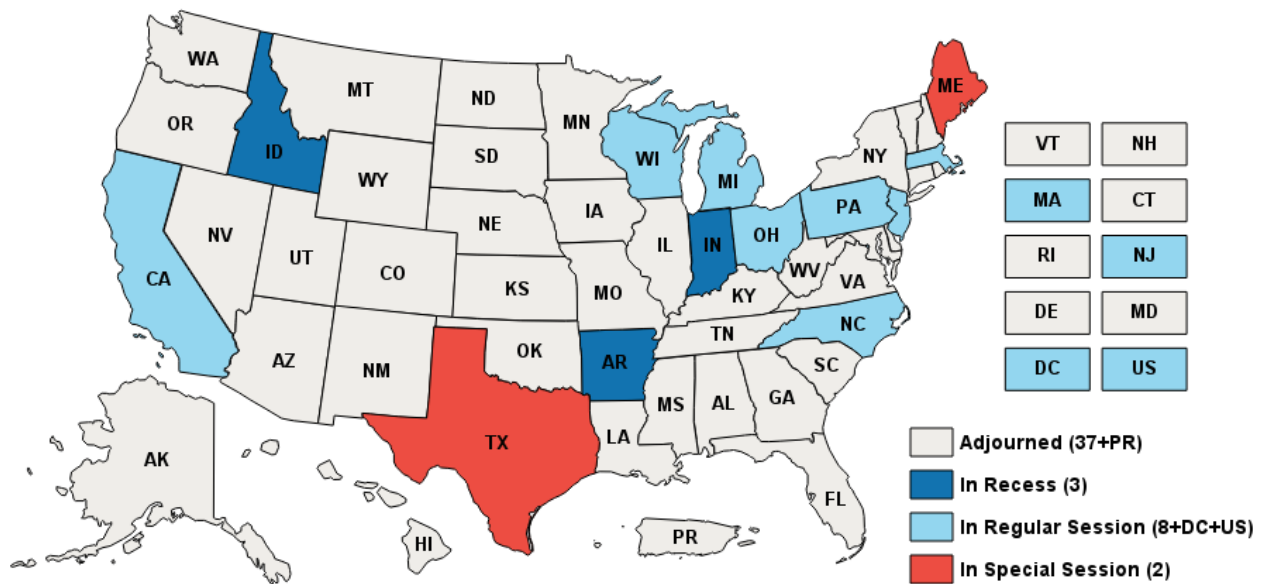
**Florida** [HB 483/Chapter No. 2021-205](#) was signed by Republican Gov. Ron DeSantis on July 6 and took effect immediately, retroactive to January 1, 2020. This bill would make several changes regarding the administration of electronic notarizations in the state, including authorizing them for wills, and requiring an online notary public to verify an individual's identity.

**Illinois** [SB 2664](#) was presented to Democratic Gov. J.B. Pritzker on June 28. Governor Pritzker has a deadline of August 27 to take action on this bill or it will be returned to the legislature. This bill would authorize and establish requirements for electronic notarizations and licensure requirements for electronic notaries public.

**Maine** [LD 1399](#) was signed by Democratic Gov. Janet Mills on June 23 and took effect immediately. This act authorizes the performance of remote online notarizations by licensed notaries public in the state.

**Michigan** [HB 5249](#) was introduced on July 1 by Rep. Stephanie Young, D-Detroit, and referred to the House Judiciary Committee. This bill would authorize notaries public to charge an additional fee for performing remote notarial acts.

## States in Session



## Overview

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

The following legislatures are in recess until the dates provided: **Arkansas** and **Indiana** (TBD) and **Idaho** House (call of the speaker).

**Maine** convened for a special session on April 28. The purpose of the special session is to consider a supplemental budget proposed by Democratic Gov. Janet Mills as well as changes to the state's criminal defense system, reports the [Maine Wire](#). The legislature will reconvene for a veto day on July 19, which is the scheduled end to the special session.

**Texas** Republican Gov. Greg Abbott convened a special session on July 8 that is set to last up to 30 days, reports [The Texas Tribune](#). The purpose of the special session is to address bills that died at the end of the regular legislative session. In his [proclamation](#) Governor Abbott identified 11 agenda items including bail reform, election integrity, border security, social media censorship, Article X funding, family violence prevention, youth sports, abortion-inducing drugs, thirteenth check, critical race theory and appropriations.

**West Virginia** adjourned a second special session on June 24. The purpose of the special session was to allocate excess tax dollars. Lawmakers in the House and Senate approved 24 appropriations bills to spend \$250 million in surplus tax-revenue on economic development, tourism and corrections projects, reports [WDTV](#).

**Alaska** adjourned a second special session on June 28 after the House voted to allow the budget to go into effect on July 1, and averted what would have been the state's first ever government shutdown, reports [Alaska Public Media](#). Republican Gov. Mike Dunleavy has said he will review the budget for any line items he may veto and then is prepared for implementation. Governor Dunleavy is also scheduled to call the legislature into a third special session on August 2 to fix the yearlong fiscal conflict over the Permanent Fund dividend, reports the [Anchorage Daily News](#).

**South Carolina** held a special session on June 29 where lawmakers returned more than \$150 million in local projects into the state budget after Republican Gov. Henry McMaster removed the items through his vetoes, reports the [Herald Sun](#).

**Missouri** adjourned a special session on June 30 after lawmakers were able to pass [SB 1](#) and send it to Republican Gov. Mike Parson's desk, reports [Columbia Missourian](#). The bill extends provider taxes crucial to the state's Medicaid program. The special session was called in response to anti-abortion lawmakers who want to limit access to contraceptives and ban Planned Parenthood as a Medicaid provider through the tax bill. The new version of the bill states "family planning services shall not include abortions or any abortifacient drug or device that is used for the purpose of inducing an abortion," but does not defund Planned Parenthood.

The **Minnesota** House adjourned a special session on July 1 after the legislature successfully passed the state's two-year \$52 billion budget and averted a partial government shutdown, reports [CBS Minnesota](#). The last two pieces of the spending plan were the education package, which passed unanimously, and the

tax bill, which passed with amendments. The Senate adjourned a special session on July 7 after extending their special session to review DFL Gov. Tim Walz's state agency, senate and board appointments.

**Connecticut** lawmakers are scheduled to reconvene for another special session on July 12 to decide whether to extend Democratic Gov. Ned Lamont's public health emergency and his executive authority, reports [News 8](#).

The following states adjourned their 2021 legislative sessions sine die on the dates provided: **New Hampshire** (June 24), **Oregon** (June 26), **Arizona**, **Delaware** and **Puerto Rico** (June 30) and **Rhode Island** (July 1).

**Texas** Republican Gov. Greg Abbott had until June 21 to sign or veto legislation or it became law without signature. **Missouri** Republican Gov. Mike Parson had until June 28 to sign or veto legislation or it became law without signature. **New Hampshire** Republican Gov. Chris Sununu had until June 30 to sign or veto legislation or it was pocket vetoed. **Hawaii** Democratic Gov. David Ige had until July 1 to sign or veto legislation or it became law without signature.

**Colorado** Democratic Gov. Jared Polis has until July 8 to sign or veto legislation or it becomes law without signature. **New York** Democratic Gov. Andrew Cuomo has until July 10 to sign or veto legislation or it is pocket vetoed. **Rhode Island** Democratic Gov. Daniel McKee has until July 11 to sign or veto legislation or it becomes law without signature. **Arizona** Republican Gov. Doug Ducey has until July 12 to sign or veto legislation or it becomes law without signature. **Oregon** Democratic Gov. Kate Brown has until July 23 to sign or veto legislation or it becomes law without signature. **Delaware** Democratic Gov. John Carney has until July 30 to sign or veto legislation or it is pocket vetoed. **Alaska** Republican Gov. Mike Dunleavy has 20 days after delivery, Sundays excepted, to sign or veto legislation or it becomes law without signature. **Connecticut** Democratic Gov. Ned Lamont has 15 calendar days, Sundays and legal holidays excepted, from presentment to sign or veto legislation or it becomes law without signature. **Illinois** Democratic Gov. J.B. Pritzker has 60 days from presentment to sign or veto legislation or it becomes law without signature. **Kansas** Democratic Gov. Laura Kelly has 10 calendar days from presentment, not including the day it was presented, to sign or veto 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 to sign or veto legislation, Sundays excepted, or it becomes law without signature. **New Jersey** Democratic Gov. Phil Murphy has 45 days from presentment to act on legislation or it becomes law without signature. **South Carolina** Republican Gov. Henry McMaster has five days from presentment, excluding Sundays, to act on legislation or it becomes law without signature. **Tennessee** Republican Gov. Bill Lee has 10 days starting the day after presentment, Sundays excluded, to sign or veto 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 will become law without signature.

### Interim Committees/Prefiles

The following states are currently holding 2022 interim committee hearings: [Colorado](#), [Connecticut](#), [Georgia](#), [Kentucky](#), [Louisiana](#), [Maryland](#), [Nebraska](#), [New Mexico](#), [North Dakota](#), [South Carolina House](#) and [Senate](#), [Tennessee](#), [Utah](#), [Vermont](#), [Virginia](#), [Washington](#), [West Virginia](#) and [Wyoming](#).

The following states are currently posting 2022 bill drafts, profiles and interim studies: [Alabama](#), [Kentucky](#), [Oklahoma](#) and [Utah](#).

## Special Elections

**Alabama** will hold special elections in Senate District 14 and House District 73 on July 13.

**Georgia** held special elections for House District 34 and House District 156 on June 15, both will be sent to run-off elections on July 13 since candidates in neither election were able to secure more than 50 percent of the vote, reports [The Atlanta-Journal Constitution](#). In House District 34, Devan Seabaugh, R-Cobb County, and Priscilla Smith, D-Cobb County, emerged from the five-way race. In House District 156, Leesa Hagan, R-South Georgia, and Wally Sapp, R-South Georgia, both received more votes than the sole democratic candidate.

**Wisconsin** will hold a special election in Assembly District 31 on July 13.