

2018 Legislative Summary

The 53rd, 2nd Regular Legislative Session adjourned Sine Die at 12:26 am on Friday, May 4, 2018. Session ran a total of 116 days. 1,206 bills were introduced this year, a 11.77% percent increase over 2017.

Of those bills, 369 were passed by the legislature and the governor has ten days from adjournment, May 14, 2018, to either sign or veto any bill currently on his desk.

The Arizona Legislature wrapped up Sine Die last week and the Arizona REALTORS® state association was successful in achieving our legislative policies as well as protecting our membership and homeowners.

The Arizona REALTORS® Government Affairs staff and Legislative Committee reviewed every bill this session and actively took positions on 135 bills that directly impacted the real estate industry.

With the exception of budget bills, which become law when they are signed, all other legislation signed or passed into law without the signature of the governor, will become effective on August 3, 2018 (90 days after the legislature adjourned), unless the legislation contains an emergency clause or a delayed effective date.

Once again, the state association protected homeowners against efforts to diminish the **Homeowner's Rebate**, blocked legislation to implement **mandatory well metering**, and stood strong in defeating legislation that would nullify a **homeowner's protections in a construction defect lawsuit**.

In all, the Arizona REALTORS® had a very successful legislative year. Below are some of the legislative issues that the state association successfully advanced, defeated or will be back in 2019 to advance.

SB 1045: Home Inspectors

Streamlines the fingerprint process for home inspectors and strengthens criminal records checks for initial certification.

Signed by the Governor

What This Victory Means for You... Utilizes the fingerprint clearance card for initial home inspector certification from the current requirement of a full set of fingerprints, which results in a reduction of processing time from 120 days to 30 – 60 days for approval. The bill adds additional protections for your clients, as the fingerprint clearance card is checked daily in the criminal data base for any offenses that occur after certification.

SB 1376: Landlord Tenant Act: Personal Property

Modifies the time in which a landlord would have to hold a tenant's personal property from 21 days to 14 days after abandonment or failure to comply with the rental agreement.

Signed by the Governor

What This Victory Means for You... Reduces the length of time a landlord would have to hold a tenant's personal property after abandonment or failure to comply with the rental agreement from 21 days to 14 days. The bill further established that the landlord has no duty to store perishable items and authorizes the landlord to use discretion when removing animals from the property.

HB 2150: Manufactured Homes Sales; Licensure; Exemptions

Allows real estate brokers and sales persons licensed by ADRE to sell manufactured homes and mobile homes outside of a mobile home park.

Signed by the Governor

What This Victory Means for You... Allows a licensed real estate agent or licensed real estate broker to sell new manufactured homes if the licensed real estate agent or broker is acting as an agent for a licensed manufactured housing dealer and the dealer is responsible for filing all the required paperwork and submitting the required fees on the sale of the home.

HB 2500: Real Estate Signs; Cities; Counties

Establishes regulations for real estate signs displayed by an owner of a real property or the owner's agent in cities, towns or counties.

Held in the Senate – Will Advance in 2019

What This Would Have Meant for You... Would have prohibited a city, town or country from regulating real estate signage. The bill would have permitted a city, town or county to establish time, place and manner restrictions as well as health, safety and welfare restrictions.

HB 2507: Purchaser Dwelling Actions; Attorney Fees

Retroactively establishes that a homeowner would be responsible for his or her own attorney fees in a contested dwelling action based on an implied warranty arising out of a contract or construction.

Defeated in the House

What this Victory Means for You... Saves your clients thousands of dollars by continuing to allow attorney fees to be awarded to the prevailing party in a construction defect lawsuit.