

# Legislative Review

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## Home Builders Association of Mississippi

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### Important Dates:

|               |  |
|---------------|--|
| January 20-23 | NAHB Convention & Builders Show, Las Vegas, NV   |
| January 30    | Deadline: Extravaganza Booth Payments  |
| February 2    | Deadline: Hall of Fame nominations   |
| February 6    | Deadline: Extravaganza Product Guide ad purchase   |
| February 11   | HBAM Executive Committee Meeting; HBAM State Build PAC Reception honoring Legislators of the Year, Jackson |
| February 12   | HBAM Winter Board Meeting, Jackson   |
| March 6 - 8   | 34th Annual Home & Products Extravaganza - Mississippi Trade Mart, Jackson                                 |
| March 22 - 25 | NAHB Legislative Conference  |
| May 19        | National Membership Day  |
| May 26 - 31   | NAHB Spring Board of Directors Meeting, Washington, D.C.   |

### Committee Action Expected to Begin This Week

The deadline for Legislators to introduce bills was January 19th, which means that heavy committee action will now begin at the State Capitol. The next deadline is February 3rd, by which non-revenue bills must be reported out of committee or they are dead. HBAM will be working on numerous bills this session, with much focus on the home builder licensing bill which is sun-setting in July of 2009.

There are bills that HBAM is opposing in the process, including the tax credit legislation for section 42 properties. Another is a bill that would require all public swimming pool owners to obtain a permit from the Department of Health before opening the pool. There are also guidelines for maintaining the pool and a fee for the permit. This is an unnecessary piece of legislation supported by the Mississippi State Medical Association.

Additionally, we oppose an attempt supported by the Mississippi Association of Supervisors to reverse the fair assessment of tax credit properties passed during the 2005 legislative session.

Below are the bills our Association is tracking at this time.

“BUILDING A BETTER MISSISSIPPI”

# House Bills of Interest to the Home Builders Association of Mississippi

## Building

HB 163 Mayo  
Relating to providing that a homeowner who has paid a contractor shall not be liable for any claims by a sub-contractor of the contractor.

HB 385 Jones  
Relating to making an appropriation to the Department of Insurance for cost-benefit study on wind hazard mitigation construction measures.

## Elections

HB 552 Brown  
Relating to authorizing voluntary dues deductions for school district employees for membership in professional organizations.

## Eminent Domain

HB 313 Chism  
Relating to prohibiting the power of eminent domain for certain private, nongovernmental purposes.

HB 56 McBride  
Relating to restricting Eminent domain to direct public use.

HB 744 Evans (7th)  
Relating to providing that parties defending eminent domain proceedings shall recover costs associated with proving property value.

HCR 3 Upshaw  
Relating to providing that private property shall never be taken for private economic development purposes.

## Finance

HB 392 Flagg  
Relating to revising the definition of qualified bonds, notes and liquid securities.

## Housing

HB 114 Zuber  
Relating to deleting the requirement that a consumer must provide to a consumer reporting agency a law enforcement report regarding the unlawful use of the consumer's personal information before the a security freeze can take place.

HB 379 Reynolds  
Relating to authorizing the commissioner of corrections to allow the volunteer working of offenders in support of the fuller center for housing, inc, and to exempt the fuller center for housing from the mortgage protection law.

HB 433 Broomfield  
Relating to the Landlord-Tenant Act, and the clarification of the landlord's duty to repair and remedies available to landlord and tenant.

HB 451 Mayo  
Relating to including renovations within the scope of regulated lead-based paint activities, and require paint renovator and paint dust sampling technician certificates for certain workers.

HB 489 Snowden  
Relating to making revisions to the Task Force to Study Uniformity in Real Property Recordings.

HB 492 Gipson  
Relating to creating the "Mississippi Renewable Energy Development Act of 29".

HB 494 Warren  
Relating to increasing the exemption from ad valorem taxes for homesteads.

HB 52 Walley  
Relating to creating "Mississippi Renewable Energy Development Act of 29".

HB 566 Mims  
Relating to providing that lost income of a landlord caused by a tenant due to unlawful holding over shall be a misdemeanor.

HB 567 Mims  
Relating to providing that a landlord shall not be liable for loss or damage to personal property of a tenant removed from an abandoned premise.

HB 568 Mims  
Relating to providing criteria for a landlord to regain possession of deserted premises under the Residential Landlord and Tenant Act.

HB 569 Mims  
Relating to providing that notice to terminate a tenancy shall start any applicable time limitations for proceedings involving a rental agreement.

HB 57 Mims  
Relating to revising the notice to terminate tenancy for breach.

HB 652 Jennings  
Relating to revising the filing and transferability regarding construction liens.

HB 729 Janus  
Relating to allowing certain housing authorities to establish for-profit subsidiary corporations if the profits are used to fund housing and community development activities for persons of low income.

## Insurance

HB 42 Formby  
Relating to providing an employer the right to require an autopsy in death cases, at the expense of the employer, under the workers' compensation laws.

HB 43 Formby  
Relating to providing that the results of drug and alcohol test, employer-administered or otherwise, are admissible in the determination of intoxication of an employee for workers' compensation purposes.

HB 53 Formby  
Relating to revising the criteria for drug and alcohol testing under the workers' compensation law.

HB 73 Formby  
Relating to providing that Workers' Compensation Law shall be impartially construed and applied and shall not be presumed to favor one party over another.

HB 168 Mayo  
Relating to making it unlawful for an employer to terminate the employment of any employee who has made a good faith claim under the MS Workers' Compensation Law.

HB 195 Formby  
Relating to increasing the amount of certain death benefits the workers' compensation commission is authorized to award for death and to provide an employer the right to request autopsy in event of death of an employee.

HB 259 Upshaw  
Relating to removing review of workers' compensation commission decisions by circuit courts.

HB 4 Moak  
Relating to requiring that a member of the Workers' Compensation Commission shall be an attorney at law with a minimum of five years' active practice in the state of Mississippi.

HB 62 Watson  
Relating to requiring the Workers' Compensation Commission to order an emergency hearing upon request or petition of either party for such hearing.

HB 66 Watson  
Relating to prohibiting the discharge of an employee filing a workers' compensation claim in good faith.

HB 68 Watson  
Relating to providing for workers' compensation appeals of commission decisions to be sent directly to the Court of Appeals.

HB 69 Watson  
Relating to increasing the workers' compensation benefits for serious facial or head disfigurement.

HB 632 Janus  
Relating to requiring insurers to provide renters insurance coverage to members of the Armed Forces serving on active duty and stationed in MS if the person satisfies the underwriting requirements of the insurer.

HB 742 Evans (7th)  
Relating to increasing the maximum total compensation that a person may recover under the workers' compensation law.

## Judicial

HB 396 Ward  
Relating to prohibiting the use of automatic renewal clause in contracts.

HB 43 Jones  
Relating to the enactment of the "Comprehensive Election Reform Act of 29", which sets forth election rules and guidelines.

HB 448 Parker  
Relating to providing a felony offense for hiring or continuing to employ illegal aliens.

HB 713 Denny  
Relating to providing that judges of the Supreme Court and Court of Appeals shall be appointed with the advice and consent of the Senate at the end of the current terms and every eight years thereafter.

HCR 21 Denny  
Relating to amending the state Constitution to provide that judges for the Supreme Court shall be appointed.

## Licensing

HB 8 Warren  
Relating to providing for the licensing and regulation of residential builders and remodelers.

"BUILDING A BETTER MISSISSIPPI"

## House Bills of Interest to the Home Builders Association of Mississippi

### Public Health

HB 77 Bondurant  
Relating to providing that a permit from DHS shall be required to operate a public swimming pool.

HB 628 Zuber  
Relating to providing that when a public water system requires a property owner with a low hazard cross connection to install a backflow preventer device, the device shall include a pressure relief system.

### Tax

HB 19 Warren  
Relating to extending the repealer on the MS Employer-Assisted Housing Teacher Program.

HB 46 Formby  
Relating to providing that a portion of the federal self-employment taxes assessed against self-employed individuals shall be allowed as an adjustment to gross income under the state income tax law.

HB 83 Chism  
Relating to increasing the exemption from ad valorem taxes for homesteads.

HB 86 Zuber  
Relating to deleting certain provisions under the MS Public Records Act of 1983 that authorize a public body to establish and collect fees for searching and reviewing public records.

HB 115 Zuber  
Relating to increasing the exemption from ad valorem taxes for homesteads.

HB 147 Zuber  
Relating to increasing the exemption from ad valorem taxes for homesteads.

HB 172 Mayo  
Relating to removing the provisions prescribing the manner in which the appraisal of affordable rental housing shall be made for the purpose of arriving at the true value of the property for ad valorem tax purposes.

HB 194 Dedeaux  
Relating to authorizing an income tax credit for costs incurred by a taxpayer for the purchase and installation of wind energy systems and solar energy systems in property that is the primary residence of the taxpayer or rented out by others.

HB 29 Denny  
Relating to providing an income tax credit for individual taxpayer who pays home security expenses for his primary residence.

HB 315 Jones  
Relating to providing that equipment that is attached to any owner-occupied residential building or swimming pool as a part of a solar energy system shall be exempt from ad valorem taxation, except taxes for school district purposes.

HB 346 Mayo  
Relating to authorizing the Commission on Environmental Quality to set environmental fees.

HB 362 Flagg  
Relating to enacting the Mississippi S.A.F.E. Mortgage Licensing Act of 29.

HB 378 Mims  
Relating to increasing the ad valorem tax exemption for homesteads in counties that have completed an update in the valuation of class I property after January 1, 28.

HB 388 Jones  
Relating to authorizing an income tax credit for costs of purchase and installation of wind energy solar energy systems.

HB 427 Snowden  
Relating to authorizing a partial ad valorem tax exemption for agricultural land that is converted to a residential use.

HB 536 Moore  
Relating to revising the manner of determining the true value of homestead property in regards to ad valorem taxation.

HB 537 Moore  
Relating to increasing the homestead exemption.

HB 61 Bondurant  
Relating to increasing the ad valorem exemption for homesteads.

HB 71 Denny  
Relating to increasing the exemption from ad valorem taxes for homesteads.

HB 713 Denny  
Relating to providing that judges of the Supreme Court and Court of Appeals shall be appointed with the advice and consent of the Senate at the end of the current terms and every eight years thereafter.

HB 725 Denny  
Relating to revising the dates upon which counties and municipalities may allow the partial payment of ad valorem taxes and to revise the minimum amount of taxes for which the payments may be made.

HB 736 Gunn  
Relating to increasing the exemption from ad valorem taxes for homesteads.

# Senate Bills of Interest to the Home Builders Association of Mississippi

## Building

SB 2158 Baria  
Relating to requiring rate filings for residential property insurance to include discounts, credits of other rate differentials for properties on which construction techniques have been demonstrated to reduce loss.

SB 2487 Carmichael  
Relating to requiring lightweight truss construction identification for fire fighter safety.

SB 2714 Dickerson  
Relating to requiring that an application for activities under the Coastal Wetlands Act must be complete before certain time restrictions apply.

## Eminent Domain

SB 2488 Hyde-Smith  
Relating to restricting the use of Eminent domain to direct public use.

## Finance

SB 2243 Jones  
Relating to a procedure for a victim of identity theft to have the debt forgiven and credit reports purged.

SB 2346 Frazier  
Relating to providing consumer protections from certain mortgage lending practices relating to balloon payments, negative amortization and prepayment penalties.

SB 251 Jackson (11th)  
Relating to prohibiting certain mortgage lending practices in home mortgage lending.

## Housing

SB 276 Watson  
Relating to requiring residential landlords to change the locks of dwelling units between tenants.

SB 233 Hewes  
Relating to authorizing nonprofit public housing authorities to establish for profit subsidiary corporations to provide housing and community development services to persons of all income levels.

SB 249 Yancey  
Relating to placing restrictions on the way in which a county or municipality may create a special village zoning district.

SB 2434 Jackson (11th)  
Relating to authorizing the creation of individual development accounts for low-income individuals that may be utilized by the account holder for certain purposes.

SB 2461 Jackson (11th)  
Relating to affordable and quality housing for lower income persons.

SB 2462 Jackson (11th)  
Relating to providing that money in the trust fund shall be made available for assisting the development, rehabilitation and preservation of affordable housing.

SB 2495 Frazier  
Relating to establishing the Homeowner's Emergency Assistance Loan Program under the Mississippi Home Corporation.

SB 2498 Jackson (11th)  
Relating to establishing the Homeowners' Emergency Mortgage Assistance Loan Program under the Mississippi Home Corporation.

SB 251 Jackson (11th)  
Relating to prohibiting certain mortgage lending practices in home mortgage lending.

## Immigration

SB 2144 Watson  
Relating to creating the Immigration Reform Act of 29.

## Insurance

SB 266 Baria  
Relating to making it unlawful for an employer to terminate the employment of any employee who has made a good faith claim under the MS Workers' Compensation Law.

SB 2158 Baria  
Relating to requiring rate filings for residential property insurance to include discounts, credits of other rate differentials for properties on which construction techniques have been demonstrated to reduce loss.

SB 2358 Hewes  
Relating to increasing the amount of compensation the Workers' Compensation Commission is authorized to award for serious facial or head disfigurements.

SB 2359 Hewes  
Relating to providing that the Workers' Compensation Law shall be impartially construed and applied and shall not be presumed to favor one party over another.

SB 2386 Baria  
Relating to the creation of the Mississippi Consumer Insurance Policy Bill of Rights.

SB 2446 Harden  
Relating to requiring workplace medical services and transportation to be available for injured persons under the Workers' Compensation Law.

SB 2452 Jackson (11th)  
Relating to increasing the maximum period of time allowed for the receipt of workers' compensation disability payments.

SB 2558 Harden  
Relating to providing that under the Workers' Compensation Law, an injured employee shall have the right to select the specialists, practitioners or health care providers of his choosing who provide the type of treatment prescribed.

## Judicial

SB 2217 Baria  
Relating to a contractual waiver of Constitutional rights is only effective if knowingly executed.

SB 2413 Clarke  
Relating to providing for the application and distribution of the assets of a nonprofit corporation.

SB 2418 Flowers  
Relating to prohibiting members of the Legislature from accepting contributions during any period of time that the Legislature is convened in a regular session or during the period of time that they are in special session.

SB 2488 Hyde-Smith  
Relating to restricting the use of Eminent domain to direct public use.

SB 2496 Kirby  
Relating to prohibiting use of the power of Eminent Domain except for a direct public use.

SB 253 Walls  
Relating to abolishing the employment at will and to require employment termination decisions be made in good faith.

## Tax

SB 2216 Baria  
Relating to providing a credit for certain energy efficiency improvements to homestead property on income taxes.

SB 2271 Michel  
Regarding an act to authorize an income tax credit for taxpayers who are first-time homebuyers of a principal residence in this state, and to provide the amount of the credit.

SB 23 Hewes  
Regarding an increase in the Homestead exemption in counties that have completed an update in the valuation of Class I property after January 1, 28.

SB 2378 Jackson (32nd)  
Relating to providing that the state shall compensate a landowner whose property is diminished in value due to development on the adjacent tract of land.

SB 2399 Carmichael  
Relating to authorizing a partial ad valorem tax exemption for agricultural land that is converted to residential use.

SB 2434 Jackson (11th)  
Relating to authorizing the creation of individual development accounts for low-income individuals that may be utilized by the account holder for certain purposes.

SB 2453 Jackson (11th)  
Relating to removing the provision that prescribes the manner in which the appraisal of affordable rental housing shall be made for the purpose of arriving at the true value of the property.