

# Legislative Review

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## Home Builders Association of Mississippi

### In This Issue:

Home Builder Licensing	1
Third Party Bill to House Committee	1
Development Legislation Passes Senate Committee	1
House Bills of Interest	2
Senate Bills of Interest	4

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### Home Builder Licensing Bill Passes Referred In House & Senate (HB 8 and SB 2977)

Bills have been referred in both the House and Senate that would reenact current law requiring licensure for residential home builders and remodelers. House Bill 8 has been referred to the committee on Business and Financial Institutions and SB 2977 has been referred to Judiciary B Committee. HB 8 makes no changes to current law, other than extending the repealer to July 1, 2012.

### Important Dates:

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.
June 4 - 7	HBAM State Convention - Hilton Sandestin Beach Resort, Destin FL
August 31	Deadline: <i>Best in Mississippi Building &amp; Remodeling Awards</i>
September 28	Deadline: <i>Associate &amp; Builder Member of the Year</i>
September 30 - October 4	NAHB Fall Board of Directors Meeting, Chicago, IL
November 18	HBAM Executive Committee Meeting; Jackson
November 19	HBAM Fall Board Meeting; Jackson

The Senate passed SB 2977 with some changes supported by the State Board of Contractors and HBAM. Some of the significant changes include:

- Remodelers would be required to be licensed if performing work over \$5,000. The threshold is currently \$10,000.
- The Board would have the ability to require up to four hours in a two-year period for continuing education as a requirement for licensure.
- The Board would have the ability to require general liability insurance prior to issuing a license.
- The Board would have the ability to cease and desist on construction projects.

The House bill is now headed to the Senate and the Senate bill will likewise go the House. We expect the House to wait on the Senate bill and the Senate to insert the Senate language in the House bill.

### Third Party Bill Goes to House Judiciary B Committee (SB 3073)

Senate Bill 3073 would require with any complaint for negligence, plaintiffs must file an affidavit from an independent third party licensed builder stating their opinion to the negligent act, error or omission. The Senate bill includes every licensed professional in the State. HBAM views this as positive legislation to help reduce the number of frivolous lawsuits.

### Development Legislation Passes Senate Finance (SB 2399)

Legislation aimed to encourage development has passed the Senate Finance Committee. Senate Bill 2399, authored by Sen. Videt Carmichael, would allow counties to maintain ad valorem taxes at the agricultural rate, rather than taxing property at the higher residential rate, until a home is occupied. The bill now goes to the Senate floor for a vote.

“BUILDING A BETTER MISSISSIPPI”

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

## Building

HB 385 Jones  
Relating to making an appropriation to the Department of Insurance for cost-benefit study on wind hazard mitigation construction measures.  
Bill History:01-09-09 H Introduced and referred to committee on House Appropriations

## Elections

HB 552 Brown  
Relating to authorizing voluntary dues deductions for school district employees for membership in professional organizations.  
Bill History:02-17-09 S and also referred to committee on Senate Fees, Salaries and Administration

## Eminent Domain

HB 803 Blackmon  
Relating to restricting Eminent domain to direct public use.  
Bill History:02-09-09 S Referred to Senate Committee on Senate Judiciary A

HCR 33 Evans (70th)  
Relating to amending the Constitution to restrict the use of eminent domain.  
Bill History:02-17-09 S Referred to Senate Committee on Senate Constitution

## Finance

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.  
Bill History:02-17-09 S and also referred to committee on Senate Business and Financial Institutions

HB 821 Calhoun  
Relating to revising the lowest interest rate on loans for the Veterans' Home Purchase Board.  
Bill History:02-09-09 S Referred to Senate Committee on Senate Veterans and Military Affairs

HB 1051 Norquist  
Relating to extending reverter on authority of Mississippi Home Corporation to issue certain amount of bonds.  
Bill History:02-09-09 S Referred to Senate Committee on Senate Finance

HB 1704 Compretta  
Relating to increasing the ad valorem tax exemption for homesteads in counties that have completed an update in the valuation of class I property.  
Bill History:02-16-09 H Introduced and referred to committee on House Ways and Means

## Housing

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.  
Bill History:01-21-09 S and also referred to committee on Senate Business and Financial Institutions

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.  
Bill History:02-13-09 S and also referred to committee on Senate Housing

HB 489 Snowden  
Relating to making revisions to the Task Force to Study Uniformity in Real Property Recordings.  
Bill History:02-10-09 S Referred to Senate Committee on Senate Judiciary A

HB 1604 Calhoun  
Relating to authorizing an income tax credit for costs of installing certain energy efficient products in homes.  
Bill History:01-23-09 H Introduced and referred to committee on House Ways and Means

HB 1608 Clark  
Relating to establishing a Housing Repair Grant Program to provide grants to certain low income individuals to make significant repairs to their homes.  
Bill History:01-23-09 H Introduced and referred to committee on House Ways and Means

## General

HB 1338 Stringer  
Relating to increasing certain fees charged by various state agencies.  
Bill History:02-17-09 S Referred to Senate Committee on Senate Appropriations

## Licensing

HB 8 Warren  
Relating to providing for the licensing and regulation of residential builders and remodelers.  
Bill History:02-16-09 S Referred to Senate Committee on Senate Business and Financial Institutions

## Tax

HB 19 Warren  
Relating to extending the repealer on the MS Employer-Assisted Housing Teacher Program.  
Bill History:02-12-09 S and also referred to committee on Senate Appropriations

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.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

HB 83 Chism  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-02-09 H Introduced and referred to committee on House Ways and Means

HB 115 Zuber  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

HB 147 Zuber  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

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.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

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.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

HB 209 Denny  
Relating to providing an income tax credit for individual taxpayer who pays home security expenses for his primary residence.  
Bill History:01-06-09 H Introduced and referred to committee on House Ways and Means

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.  
Bill History:01-07-09 H Introduced and referred to committee on House Ways and Means

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, 2008.  
Bill History:01-09-09 H Introduced and referred to committee on House Ways and Means

HB 388 Jones  
Relating to authorizing an income tax credit for costs of purchase and installation of wind energysolar energy systems.  
Bill History:01-09-09 H Introduced and referred to committee on House Ways and Means

HB 427 Snowden  
Relating to authorizing a partial ad valorem tax exemption for agricultural land that is converted to a residential use.  
Bill History:01-12-09 H Introduced and referred to committee on House Ways and Means

HB 494 Warren  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-13-09 H Introduced and referred to committee on House Ways and Means

HB 537 Moore  
Relating to increasing the homestead exemption.  
Bill History:01-13-09 H Introduced and referred to committee on House Ways and Means

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

### Tax (continued)

HB 601 Bondurant  
Relating to increasing the ad valorem exemption for homesteads.  
Bill History:01-14-09 H Introduced and referred to committee on House Ways and Means

HB 710 Denny  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-15-09 H Introduced and referred to committee on House Ways and Means

HB 736 Gunn  
Relating to increasing the exemption from ad valorem taxes for homesteads.  
Bill History:01-15-09 H Introduced and referred to committee on House Ways and Means

HB 911 Gibbs  
Relating to removing certain provisions relating to the manner of appraisal of low income housing.  
Bill History:01-19-09 H Introduced and referred to committee on House Ways and Means

HB 1319 Bailey  
Relating to removing the provisions that prescribe the manner of determining true value of affordable rental housing.  
Bill History:02-10-09 H Read the third time

HB 1441 Carpenter  
Relating to including within the definition of the term "qualified resort area" under the Local Option Alcoholic Beverage Control Law, and facility located on federal property surrounding a lake and designated as a recreational area.  
Bill History:02-17-09 S Do pass as amended from committee Senate Finance

### Insurance

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.  
Bill History:02-17-09 S and also referred to committee on Senate Insurance

HB 1634 Upshaw  
Relating to providing an income tax credit for taxpayers in certain counties of the state for a portion of the homeowners insurance premium increases paid by such taxpayers due to hurricane risks.  
Bill History:02-06-09 H Introduced and referred to committee on House Ways and Means

### Judicial

HB 1122 Banks  
Relating to providing that arbitration clauses in certain contracts shall be considered nonbinding.  
Bill History:02-12-09 H Failed to pass (Vote: N: 68Y: 50)

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

## Building

SB 2487 Carmichael  
Relating to requiring lightweight truss construction identification for fire fighter safety.  
Bill History:02-17-09 H Referred to House Committee on House Insurance

SB 2881 Moffatt  
Relating to conforming the lead-based paint accreditation and certification act to EPA regulations by including renovation projects.  
Bill History:02-19-09 H Do pass from committee on House Conservation and Water Resources

## Eminent Domain

SB 2230 Fillingane  
Relating to a restriction on Eminent domain to direct public use.  
Bill History:02-16-09 H Referred to House Committee on House Judiciary A

## Finance

SB 2851 Clarke  
Relating to increasing the amount of bonds that Mississippi Home Corporation may issue.  
Bill History:02-18-09 S Do pass from committee on Senate Finance

SB 3011 Gollott  
Relating to reducing the minimum interest rate which may be charged on loans to veterans.  
Bill History:02-17-09 H Do pass from committee on House Military Affairs

## Housing

SB 2714 Dickerson  
Relating to requiring that an application for activities under the Coastal Wetlands Act must be complete before certain time restrictions apply.  
Bill History:02-09-09 H Referred to House Committee on House Marine Resources

SB 2791 Horhn  
Relating to authorizing an income tax credit for taxpayers who incur costs and expenses for the repair, renovation or rehabilitation of a building in an urban renewal area.  
Bill History:01-29-09 S Do pass from committee on Senate Housing

SB 2981 Jackson (15th)  
Relating to requiring registration of real estate appraisal management companies.  
Bill History:02-11-09 H Referred to House Committee on House Judiciary B

SB 2983 Jackson (15th)  
Relating to enacting the Mississippi S.A.F.E. Mortgage Licensing Act of 2009.  
Bill History:02-17-09 H Referred to House Committee on House Banking and Financial Services

SB 3192 McDaniel  
Relating to authorizing municipalities to designate any residential area within the corporate limits of the municipality as a residential enterprise zone.  
Bill History:01-30-09 S Introduced and referred to committee on Senate Finance

SB 3265 Horhn  
Relating to authorizing an income tax credit for the cost and expenses incurred for purchasing and installing of energy-efficient products in homes.  
Bill History:02-17-09 S Introduced and referred to committee on Senate Finance

## Immigration

SB 2144 Watson  
Relating to creating the Immigration Reform Act of 2009.  
Bill History:02-09-09 H Referred to House Committee on House Judiciary B

## Insurance

SB 2358 Hewes  
Relating to increasing the amount of compensation the Workers' Compensation Commission is authorized to award for serious facial or head disfigurements.  
Bill History:02-18-09 H Referred to House Committee on House Insurance

SB 2360 Hewes  
Relating to providing for the admissibility of drug and alcohol testing, employer administered or otherwise, solely on the issue of causation at the time of injury for workers' compensation.  
Bill History:02-11-09 H and also referred to committee on House Judiciary A

SB 3028 Clarke  
Relating to establishing net worth requirements for insureds eligible to receive benefits from the MS Insurance Guaranty Association.  
Bill History:02-17-09 H Referred to House Committee on House Insurance

## Judicial

SB 3073 Fillingane  
Relating to requiring the contemporaneous filing of a certificate of merit as a condition of filing any action for damages alleging professional negligence by a licensed or registered engineer, architect, or land surveyor.  
Bill History:02-19-09 H Referred to House Committee on House Judiciary B

## Licensing

SB 2977 Jackson (15th)  
Relating to extending the repealer on residential home builder remodelers licensure law and State Board of Contractors.  
Bill History:02-17-09 H Referred to House Committee on House Judiciary B

## Tax

SB 2216 Baria  
Relating to providing a credit for certain energy efficiency improvements to homestead property on income taxes.  
Bill History:01-29-09 S Do pass from committee on Senate Housing

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.  
Bill History:01-06-09 S and also referred to committee on Senate Finance

SB 2300 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, 2008.  
Bill History:01-15-09 H Referred to House Committee on House Ways and Means

SB 2399 Carmichael  
Relating to authorizing a partial ad valorem tax exemption for agricultural land that is converted to residential use.  
Bill History:02-19-09 S Passed (Vote: Y: 52N: 0)

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.  
Bill History:01-12-09 S and also referred to committee on Senate Finance

## Wastewater

SB 2938 Moffatt  
Relating to clarifying which systems require a maintenance agreement.  
Bill History:02-18-09 H Referred to House Committee on House Conservation and Water Resources