



April 5, 2017

On March 29, the Mississippi Legislature adjourned sine die; however, Gov. Phil Bryant is expected to call a special session to address the budget, appropriations for the Department of Transportation, the attorney general, and any other items he may put on the agenda.

The Mississippi REALTORS[®] had a very successful legislative session, thanks to the House and Senate leadership, legislators, and the members of the Mississippi REALTORS[®]. After much research, discussion, advocacy, and deliberation, the legislature passed and the governor signed HB 1601, The First-Time Home Buyer Savings Account bill, into law! Mississippi is the fourth state to have a First-Time Home Buyer Savings Account program after Montana, Virginia, and Colorado.

The Mississippi REALTORS[®] worked with legislators, the Legislative Budget Office, and the National Association of REALTORS[®] to clearly define the economic benefits of providing opportunities for Mississippians to purchase their first home. Now that the bill has been signed into law, the Mississippi REALTORS[®] will focus our attention on educating our members and consumers about the First-Time Home Buyer Savings Account program and encouraging Mississippians to take advantage of the program.

The 2017 Legislative Session was an incredible success for legislation passed and defeated. The Mississippi REALTORS[®] demonstrated the importance of grassroots activation through our Call for Action on HB 1601; consensus and coalition building with other associations to advance legislation; and fostering excellent working relationships with House and Senate Leadership. Thank you to the Mississippi REALTORS[®] who helped make the 2017 Legislative Session a banner year!

As we wrap up the 2017 Legislative Session, the Legislative and Regulatory Affairs Committee will begin considering issues for the 2018 Legislative Session. If you have an item that the Legislative and Regulatory Affairs Committee should consider, please contact a member of the committee, use the "[Share Your Issues](#)" feature on the MAR website, or contact MAR's Governmental Affairs Director, [Clarke Wise](#).

Here is the Mississippi Legislature website:

<http://www.legislature.ms.gov/Pages/default.aspx>

Here is the link to the Calendar with Legislative Deadlines:

<http://billstatus.ls.state.ms.us/htms/timetable.xml>

Here is the link to All Measures Not Dead:

http://billstatus.ls.state.ms.us/2017/pdf/all_measures/notdead.xml

Below you will find MAR's current legislative priorities, where they are in the process, as well as links to the legislation.

First-Time Home Buyer Savings Account - First-Time Home Buyer Savings Accounts can be used for saving funds for the purchase of homes by first-time home buyers. Money in the account is required to be used solely for the down payment and closing costs for the purchase of a home by a first-time home buyer. The ability to produce a hefty down payment is often a major hurdle for first-time homebuyers, particularly young people who are grappling with massive student loan debt. The issue has become a critical concern for members of the real estate community, who have noticed a steady decline in the number of first-time and young home buyers in the market.

Under this law, individual first-time home buyers may deduct up to \$2,500 from state adjusted gross income annually and for couples to set aside \$5,000 annually from their state adjusted gross income for the purpose of creating a monetary savings account for a home purchase down payment or other related expenses. Any interest earned on the money in the account is not subject to state tax. There is no aggregate cap on the savings account; however, if the funds are used for any purpose other than an “eligible costs,” the funds are subject to a 10 percent penalty and any back taxes on the funds will be due.

- [HB 1601](#) - Representative Jeff Smith – **Approved by the Governor**
- [SB 2439](#) - Senator Joey Fillingane -- **DEAD (The House bill was accepted)**

Home Inspector Licensure Law – This legislation removed the repealer on the Home Inspector Licensure bill passed into law in 2013 and made the law permanent. SB 2017 transferred the duties of the Mississippi Home Inspector Board to the Mississippi Real Estate Commission. This legislation was necessary to ensure that Home Inspectors in Mississippi continue to be properly licensed and regulated in the State.

- [SB 2017](#) - Senator Rita Parks – **Approved by the Governor**
- [HB 815](#) – Representative Jason White – **DEAD (The Senate bill was accepted)**

Commercial Broker Lien Law – This law will continue to allow for a commercial real estate broker to obtain and foreclose upon a lien as a legal remedy against a property if the buyer/seller or lessee/lessor fails to pay the broker the agreed upon commission/fee. This legislation removed the repealer that was set to expire in July 2017.

- [SB 2425](#) - Senator Josh Harkins – **Approved by the Governor**
- [HB 814](#) - Representative Jason White – **DEAD (The House bill was accepted)**

REALTOR® License Plate – This legislation amends the language concerning the official Mississippi Association of REALTORS® license plate funds. The recipient of the funds shall be the Mississippi REALTORS® Disaster Relief Fund.

- [HB 694](#) - Representative Mark Formby – **Sent to the Governor for Approval by 4/20/17**

- [SB 2157](#) – *Senator Bob Dearing and Senator Hillman Frazier* – **DEAD (The House bill was accepted)**

Civil Asset Forfeiture/Seizure – This legislation will require the Mississippi Bureau of Narcotics to maintain an active list/database/website to identify and track assets seized in civil forfeiture, a civil seizure warrant must be obtained within 72 hours (excluding weekends) from a circuit or county judge representing that jurisdiction, and all forfeiture cases must be tried by the Mississippi Bureau of Narcotics or the District Attorney representing the area where the property was seized. Mississippi REALTORS® support enhancement and protection of procedural due process for all Mississippians who are subjected to seizure of property.

- [HB 812](#) - *Representative Mark Baker* – **Approved by the Governor**

Landlord-Tenant Law – This legislation would be drafted to include email and text messages as accepted methods of notifying delinquent tenants of eviction notices and expedite the legal process to remove delinquent tenants. The Mississippi REALTORS® consider any amendment to the Landlord Tenant Act and Residential Landlord Tenant Act to be of the highest priority and the Mississippi REALTORS® wish to monitor any proposed changes as they are considered.

- [HB 843](#) - *Representative Chris Johnson* – **DEAD**

Tax Credits for Historic Structures - Mississippi REALTORS® support extending income tax credits for costs and expenses incurred for the rehabilitation of certain historic structures to include Single Family Dwellings. Because of the multiple rounds of budget cuts and declining revenues, each revenue bill was heavily scrutinized. As a result of the budget discussions, both the House and Senate versions of the bill died in committee.

- [HB 1587](#) – *Representative Jeff Smith*- **DEAD**
- [SB 2938](#) – *Senator Briggs Hopson*– **DEAD**

Infrastructure - The Mississippi REALTORS® recognize the need to increase funding for vital transportation infrastructure needs at the state and local level. To address the infrastructure needs of the state, the Mississippi REALTORS® support reasonable and responsible funding mechanisms to raise revenues necessary to address vital infrastructure needs.

- [HB 480](#) – *Representative Trey Lamar* – **DEAD**
- Although a conference report was filed with a proposed appropriation/budget for the Department of Transportation, the House of Representatives voted (121-0) to Recommit the bill for further discussion. Because the report was not re-filed in time to meet the legislative deadline, the Department of Transportation is unauthorized to spend funds after July 1, 2017. In order to adopt a budget, the Governor will call a Special Session whereby he will set the agenda for the legislature to act. Some of the topics include: Budget for the Department of Transportation, Budget for the Attorney General, State Aid for Roads. In addition to the appropriations bills, some other topics include a state lottery and a re-write of the Mississippi Adequate Education Program.

Tax on Services - Mississippi REALTORS® strongly oppose any tax on real estate services or commissions. After the 2017 Legislative Priorities Survey results were collected, the results showed an overwhelming opposition to imposing an additional tax on real estate services. Prior to the 2017 session and during the REALTOR® Day at the Capitol, the Mississippi REALTORS® met with legislators, House and Senate leadership, and members of the Governor's staff to voice opposition to a tax on real estate services. As a result of those discussions, the 2017 Legislative session did not include a bill adding real estate services as a taxable service.