

Price Control of Real Estate; Labor Work Schedules; Nutrition Labeling; Residential Rental Property Inspections; SB 366

SB 366 prohibits cities, counties, and other political subdivisions from enacting or enforcing policies pertaining to price control of real estate, labor work schedules, and nutrition labeling. The bill also restricts cities and counties from administering residential rental property inspections if certain conditions are not met.

Price Control of Real Estate

Political subdivisions are prohibited from enacting, maintaining, or enforcing an ordinance or resolution that would control the purchase price agreed upon between the parties to a transaction of privately owned residential or commercial property. Continuing law contains a similar prohibition regarding the amount of rent charged for a lease of residential or commercial property. The bill does not impair the right of a property owner from entering into a voluntary agreement with a political subdivision that would affect the amounts of rent charged or purchase price in return for grants or incentives provided by the political subdivision to the owner. Political subdivisions may not condition the issuance of permits to an owner of private property on any requirements that would have the effect of controlling the amount of rent charged or purchase price.

Labor Work Schedules

Cities, counties, and local units of government are prohibited from affecting the work schedules of private sector employees, unless required by state or federal law. Existing ordinances enacted by cities pertaining to work schedules are void. However, the existing policies of counties and local units of government would not become void. Also under continuing law, cities, counties, and local units of government are prohibited from enacting or enforcing policies regarding private sector employees' leave, compensation, or other benefits. The law allows for an exception regarding economic development programs of state or local governments.

Nutrition Labeling

The regulation of food nutrition information and consumer incentive items served with food or nonalcoholic beverages sold at restaurants, retail food establishments, or vending machines is reserved to the Legislature. The State and "political subdivisions," as that term is defined by the bill, are prohibited from establishing or enforcing policies pertaining to:

- "Food nutrition" or "consumer incentive items," as those terms are defined by the bill;
- A license or permit issued on condition of food nutrition information or food-based health disparities;

- The restriction of food service operations based upon food nutrition information or consumer incentive items; and
- The locations where food is grown, distributed, sold, or served.

The bill may not be interpreted so as to become more restrictive than federal law or regulation affecting nutrition labeling. The food service facilities of political subdivisions are exempt from the bill, provided the political subdivision's policies do not restrict another entity. The bill may not be construed as limiting the zoning authority of political subdivisions. Political subdivisions may create and promulgate nutritional information in accordance with dietary guidelines established by the U.S. Department of Agriculture, provided the information is not used in a law or ordinance restricting any other entity.

Residential Rental Property Inspections

A city or county is prohibited from establishing or enforcing a residential property licensing policy that requires periodic interior inspections unless the lawful, resident occupant gives consent. Lawful occupants may request their residential property be inspected by the city or county, as applicable. A city or county is not prohibited from reviewing plans and conducting construction or final occupancy inspection as required by building permits.