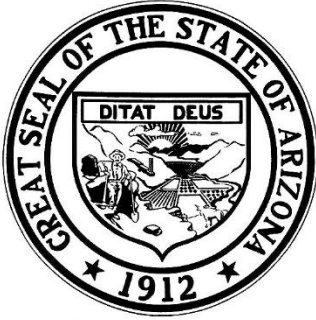


## HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2723**

Carter N Floor Amendment

- Prohibits a municipality from requiring an association to adopt regulations that are more restrictive than existing municipal regulations.

Amendment explanation prepared by S. Robinson

Phone Number 6-3273

jh

2/25/2025

CARTER N FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2723  
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 9-461.15, Arizona Revised Statutes, is amended  
3 to read:

4 9-461.15. Requirement of planned community prohibited

5 A. The planning agency of a municipality, in exercising its  
6 authority pursuant to this title, shall not require as part of a  
7 subdivision regulation or zoning ordinance that a subdivider or developer  
8 establish an association as defined in section 33-1802. A subdivider or  
9 developer shall not be penalized because a real estate subdivision or  
10 development does not constitute or include a planned community.

11 B. A municipality may require a subdivider or developer to  
12 establish an association to maintain private, common or ~~community owned~~  
13 COMMUNITY-OWNED improvements that are approved and installed as part of a  
14 preliminary plat, final plat or specific plan. A municipality shall not  
15 require that an association be formed or operated other than for the  
16 maintenance of common areas or ~~community owned~~ COMMUNITY-OWNED  
17 property. This subsection applies only to planned communities that are  
18 established in plats recorded after ~~the effective date of this section~~  
19 JULY 24, 2014.

20 C. This section does not limit the subdivider or developer in the  
21 establishment or authority of any planned community established pursuant  
22 to title 33, chapter 16 or limit a subdivider, a developer or an  
23 association from requesting and entering into a maintenance agreement with  
24 a municipality.

25 D. NOTWITHSTANDING ANY OTHER LAW, IF A MUNICIPALITY REQUIRES A  
26 SUBDIVIDER OR DEVELOPER TO ESTABLISH AN ASSOCIATION PURSUANT TO SUBSECTION  
27 B OF THIS SECTION, [A REGULATION OR RESTRICTION ADOPTED BY THE ASSOCIATION  
28 MAY NOT BE MORE RESTRICTIVE THAN ANY EXISTING MUNICIPAL REGULATION OR

1 ~~RESTRICTION.] [THE MUNICIPALITY MAY NOT REQUIRE THE ASSOCIATION TO ADOPT~~  
2 ~~RULES OR REGULATIONS THAT ARE MORE RESTRICTIVE THAN ANY EXISTING MUNICIPAL~~  
3 ~~RULES OR REGULATIONS.] THIS SUBSECTION APPLIES ONLY TO ASSOCIATIONS~~  
4 ~~ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION.~~

5 Enroll and engross to conform

6 Amend title to conform

NEAL CARTER

2723FloorCARTER N

02/24/2025

7:04 AM

C: LAT