



Bill Number: S.B. 1114

Dunn Floor Amendment

Reference to: printed bill

Amendment drafted by: Sawyer Bessler

FLOOR AMENDMENT EXPLANATION

- **Requires the Director of the Arizona Department of Water Resources (ADWR), for the purposes of issuing a certificate of assured water supply, to accept a physical availability determination as a valid demonstration of physical availability for the volume of groundwater stated in the physical availability determination, after reducing the volume of groundwater stated in the physical availability determination by the amount of groundwater represented by all certificates of assured water supply issued in reliance on the physical availability determination, if:**
 - a) the Director of ADWR issued the physical availability determination by May 31, 2023; and**
 - b) the physical availability determination includes a determination of physical availability of groundwater.**

DUNN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1114
(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. Title 45, chapter 2, article 9, Arizona Revised
3 Statutes, is amended by adding section 45-576.11, to read:

4 45-576.11. Assured water supply; analysis; physical
5 availability; definition

6 A. FOR THE PURPOSES OF ISSUING A CERTIFICATE OF ASSURED WATER
7 SUPPLY UNDER RULES ADOPTED BY THE DIRECTOR PURSUANT TO SECTION 45-576,
8 SUBSECTION H, THE DIRECTOR SHALL ACCEPT AN ANALYSIS [OR PHYSICAL
9 AVAILABILITY DETERMINATION] AS A VALID DEMONSTRATION OF PHYSICAL
10 AVAILABILITY FOR THE VOLUME OF GROUNDWATER STATED IN THE ANALYSIS [OR
11 PHYSICAL AVAILABILITY DETERMINATION], AFTER REDUCING THE VOLUME OF
12 GROUNDWATER STATED IN THE ANALYSIS [OR PHYSICAL AVAILABILITY
13 DETERMINATION] BY THE AMOUNT OF GROUNDWATER REPRESENTED BY ALL
14 CERTIFICATES OF ASSURED WATER SUPPLY ISSUED IN RELIANCE ON THE ANALYSIS
15 [OR PHYSICAL AVAILABILITY DETERMINATION], IF ALL OF THE FOLLOWING APPLY:

16 1. THE DIRECTOR ISSUED THE ANALYSIS [OR PHYSICAL AVAILABILITY
17 DETERMINATION] ON OR BEFORE MAY 31, 2023.

18 2. THE ANALYSIS [OR PHYSICAL AVAILABILITY DETERMINATION] INCLUDES A
19 DETERMINATION OF PHYSICAL AVAILABILITY OF GROUNDWATER.

20 B. AFTER THE EFFECTIVE DATE OF THIS SECTION, AN APPLICANT FOR A
21 CERTIFICATE OF ASSURED WATER SUPPLY THAT HOLDS AN ANALYSIS AS PRESCRIBED
22 BY SUBSECTION A OF THIS SECTION MAY SUBMIT A SWORN STATEMENT TO THE
23 DEPARTMENT IN WHICH THE APPLICANT AGREES TO REDUCE THE REMAINING VOLUME OF
24 GROUNDWATER RESERVED BY THE ANALYSIS BY FIFTEEN PERCENT AFTER THE DIRECTOR
25 GRANTS A CERTIFICATE OF ASSURED WATER SUPPLY. IF THE DIRECTOR RECEIVES A
26 SWORN STATEMENT PURSUANT TO THIS SUBSECTION, THE DIRECTOR SHALL GRANT THE
27 APPLICANT A CERTIFICATE OF ASSURED WATER SUPPLY.

1 C. FOR EACH NEW CERTIFICATE OF ASSURED WATER SUPPLY ISSUED IN
2 RELIANCE ON AN ANALYSIS OF ASSURED WATER SUPPLY ISSUED PURSUANT TO
3 SUBSECTION A OF THIS SECTION, THE DIRECTOR SHALL ISSUE THE CERTIFICATE
4 USING THE WATER DEMAND ASSUMPTION IN USE BY THE DIRECTOR WHEN THE
5 APPLICATION FOR A CERTIFICATE WAS SUBMITTED. WHEN A CERTIFICATE IS
6 ISSUED, THE ANALYSIS SHALL BE REDUCED BY THE VOLUME OF GROUNDWATER USING
7 THE SAME WATER DEMAND ASSUMPTION THE DIRECTOR USED WHEN THE ANALYSIS WAS
8 ORIGINALLY ISSUED. THE DIFFERENCE IN VOLUME BETWEEN THE WATER DEMAND
9 ASSUMPTION THE DIRECTOR USED WHEN THE APPLICATION FOR A CERTIFICATE IS
10 FIRST SUBMITTED AND THE WATER DEMAND ASSUMPTIONS USED TO ISSUE THE
11 ORIGINAL ANALYSIS SHALL REMAIN PHYSICALLY AVAILABLE FOR FURTHER
12 SUBDIVISION DEVELOPMENT IN THE SERVICE AREA OF THE DESIGNATED PROVIDER
13 SERVING THE ANALYSIS LAND.

14 D. FOR THE PURPOSES OF THIS SECTION, "ANALYSIS" MEANS A
15 DETERMINATION BY THE DIRECTOR PURSUANT TO RULES ADOPTED BY THE DIRECTOR
16 THAT ONE OR MORE CRITERIA REQUIRED FOR A CERTIFICATE OF ASSURED WATER
17 SUPPLY HAVE BEEN DEMONSTRATED FOR A DEVELOPMENT.

18 Sec. 2. Emergency

19 This act is an emergency measure that is necessary to preserve the
20 public peace, health or safety and is operative immediately as provided by
21 law.

22 Enroll and engross to conform
23 Amend title to conform

TIMOTHY "TIM" DUNN

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