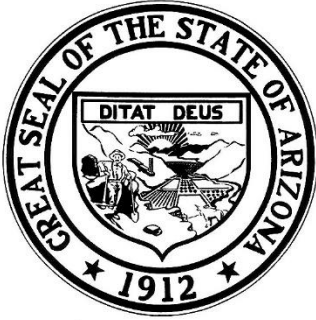


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2723**

Carter N Floor Amendment

-
- Specifies any association created for the maintenance of common areas or community-owned property may not be required to adopt rules or regulations that are more restrictive than existing municipal regulations.

Amendment explanation prepared by S. Robinson

Phone Number 6-3273

jh

2/26/2025

ADDITIONAL COW
CARTER N FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2723
(Reference to House engrossed 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 property [AND ANY ASSOCIATION ESTABLISHED PURSUANT TO THIS SUBSECTION MAY NOT BE
17 REQUIRED TO ADOPT RULES OR REGULATIONS THAT ARE MORE RESTRICTIVE THAN ANY
18 EXISTING MUNICIPAL RULES OR REGULATIONS]. This subsection applies only to
19 planned communities that are established in plats recorded after ~~the~~
20 ~~effective date of this section~~ JULY 24, 2014.

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

1 ~~[D. NOTWITHSTANDING ANY OTHER LAW, IF A MUNICIPALITY REQUIRES A~~
2 ~~SUBDIVIDER OR DEVELOPER TO ESTABLISH AN ASSOCIATION PURSUANT TO SUBSECTION~~
3 ~~B OF THIS SECTION, THE MUNICIPALITY MAY NOT REQUIRE THE ASSOCIATION TO~~
4 ~~ADOPT RULES OR REGULATIONS THAT ARE MORE RESTRICTIVE THAN ANY EXISTING~~
5 ~~MUNICIPAL RULES OR REGULATIONS. THIS SUBSECTION APPLIES ONLY TO~~
6 ~~ASSOCIATIONS ESTABLISHED AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO~~
7 ~~THIS SECTION.]~~

8 Enroll and engross to conform

9 Amend title to conform

NEAL CARTER

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02/26/2025

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