



Bill Number: S.B. 1523

Dunn Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Stipulates that the outlined prohibition on a municipality from adopting or enforcing outlined regulations relating to plants, ground cover and turf apply to a municipality within an initial active management area (AMA), rather than an AMA with a safe-yield management goal.
2. Removes detached sidewalks from the outlined prohibition on a municipality in an initial AMA from adopting or enforcing outlined regulations relating to plants, ground cover and turf.
3. Declares that the regulation of private property rights and the prevention of water use mandates are of statewide concern.
4. Stipulates that the exception from the outlined prohibition for functional turf requirements that are associated with public recreational use areas or other outlined public spaces does not authorize a municipality to adopt or enforce minimum turf requirements for drainage areas that are located in subdivisions.
5. Prohibits a municipality that is located within an initial AMA from adopting or enforcing any code, ordinance, rule, regulation, standard, stipulation or other requirement that directly or indirectly requires a minimum percentage of irrigated ground cover.
6. Prohibits a municipality that is located within an initial AMA from adopting or enforcing any code, ordinance, rule, regulation, standard, stipulation or other requirement that directly or indirectly requires open space irrigated beyond what is required for retention.
7. Makes conforming changes.

DUNN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1523
(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 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.52, to read:

4 9-500.52. Initial active management areas; landscaping
5 requirements; prohibition; statewide preemption;
6 definition

7 A. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY THAT IS LOCATED
8 WITHIN AN [INITIAL] ACTIVE MANAGEMENT AREA [~~THAT HAS A MANAGEMENT GOAL OF~~
9 ~~SAFE-YIELD~~] MAY NOT ADOPT OR ENFORCE ANY CODE, ORDINANCE, RULE,
10 REGULATION, STANDARD, STIPULATION OR OTHER REQUIREMENT THAT DIRECTLY OR
11 INDIRECTLY REQUIRES ANY OF THE FOLLOWING:

12 1. A MINIMUM NUMBER OF TREES.

13 2. A MINIMUM SIZE FOR TREES OR SHRUBS.

14 3. A MINIMUM PERCENTAGE OF [IRRIGATED] GROUND COVER.

15 4. A MINIMUM AMOUNT OF TURF.

16 5. OPEN SPACE [THAT REQUIRES IRRIGATION] BEYOND WHAT IS REQUIRED
17 FOR RETENTION.

18 [~~6. DETACHED SIDEWALKS.~~]

19 [B. THE REGULATION OF PRIVATE PROPERTY RIGHTS AND THE PREVENTION OF
20 WATER USE MANDATES ARE OF STATEWIDE CONCERN.]

21 [~~B.~~] [C.] FOR THE PURPOSES OF THIS SECTION[.] [~~:-~~

22 ~~1.~~] "[INITIAL] ACTIVE MANAGEMENT AREA" HAS THE SAME MEANING
23 PRESCRIBED IN SECTION 45-402.

24 [~~2. "SAFE-YIELD" HAS THE SAME MEANING PRESCRIBED IN SECTION~~
25 ~~45-561.~~]

1 Sec. 2. Title 45, chapter 2, article 9, Arizona Revised Statutes,
2 is amended by adding section 45-563.03, to read:

3 45-563.03. Turf and plant installation; prohibition;
4 exception; definition

5 [A.] NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY THAT IS LOCATED
6 IN AN INITIAL ACTIVE MANAGEMENT AREA MAY NOT ADOPT OR ENFORCE ANY
7 REQUIREMENT THAT ESTABLISHES, DIRECTLY OR INDIRECTLY, ANY OF THE
8 FOLLOWING:

9 1. MINIMUM TURF REQUIREMENTS, EXCEPT FOR FUNCTIONAL TURF
10 REQUIREMENTS THAT ARE ASSOCIATED WITH PUBLIC RECREATIONAL USE AREAS OR
11 OTHER PUBLIC SPACES THAT ARE REGULARLY USED FOR CIVIC, COMMUNITY OR
12 RECREATIONAL PURPOSES, INCLUDING PLAYGROUNDS, SPORTS FIELDS, CEMETERIES,
13 SCHOOLYARDS AND STORMWATER MANAGEMENT. [THIS PARAGRAPH DOES NOT AUTHORIZE
14 A MUNICIPALITY TO ADOPT OR ENFORCE MINIMUM TURF REQUIREMENTS FOR DRAINAGE
15 AREAS THAT ARE LOCATED IN SUBDIVISIONS.]

16 2. THE INSTALLATION OF PLANTS THAT ARE NOT INCLUDED ON THE
17 LOW-WATER-USE AND DROUGHT-TOLERANT PLANT LIST THAT IS PUBLISHED BY THE
18 DEPARTMENT FOR THE MOST CURRENT MANAGEMENT PLAN IN THE INITIAL ACTIVE
19 MANAGEMENT AREAS.

20 [B. FOR THE PURPOSES OF THIS SECTION, "SUBDIVISION" HAS THE SAME
21 MEANING PRESCRIBED IN SECTION 32-2101.]

22 Sec. 3. Emergency

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

26 Enroll and engross to conform

27 Amend title to conform

TIMOTHY "TIM" DUNN

1523FloorDUNN.docx

02/28/2025

1:44 PM

C: CT