

## HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **SB 1070**

Villegas Floor Amendment

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The Villegas amendment dated 3/19/2025 at 6:06PM:

1. Adds affordable housing for low-income persons, as designated by the US Dept of Housing and Urban Development, to the list of reasons that real property can be sold by a county's Board of Supervisors.
2. Requires that if property is acquired for affordable housing through auction of sale, and determines sale of the land is in the county, city or towns best interest, they may sell, lease, exchange, quitclaim, convey, or otherwise dispose of the property for less than fair market value without holding an auction.
  - a. Requires that the regulatory agreement is recorded with the county recorder where the property is located and contains the intended covenants and conditions that require dwelling units be affordable for low income individuals and families.
  - b. Requires the property remain continually affordable for the longest feasible time, which is no less than 30 years.

Amendment explanation prepared by Nicole Lovato

Phone Number 6-3517

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3/19/2025

VILLEGAS FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1070  
(Reference to Senate 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 42-18303, Arizona Revised Statutes, is amended to  
3 read:

4 42-18303. Auction and sale of land held by state under tax  
5 deed; disposition of proceeds

6 A. After advertisement, pursuant to section 42-18302, the board of  
7 supervisors may sell the real property in the county held by the state by  
8 tax deed to the highest bidder for cash except as provided in subsections  
9 E, ~~and~~ F ~~AND~~ G of this section. The property may also be posted on the  
10 treasurer's website. The sale may include a live auction or an online  
11 bidding process in which the board receives bids electronically over the  
12 internet in a real-time, competitive bidding event.

13 B. On selling the property, the board of supervisors shall execute  
14 and deliver to the purchaser, at the purchaser's cost, a deed conveying the  
15 title of the state in and to the parcel purchased. The deed shall be  
16 acknowledged by the chairman and clerk of the board.

17 C. The purchase money shall be paid to the county treasurer. After  
18 deducting and distributing interest, penalties, fees and costs charged  
19 against the parcel, the treasurer shall apportion monies to the funds of  
20 the various taxing authorities in proportion to their current share of the  
21 taxes charged against real property. Any balance remaining with the  
22 treasurer after payment of the taxes, interest, penalties, fees and costs  
23 shall be paid to the owner of the property who was dispossessed by the sale.

24 D. If the property is not sold before the time for the next succeeding  
25 notice of sale, the board of supervisors may omit it from the notice.

26 E. The board of supervisors may accept an offer from, and sell real  
27 property held by this state by tax deed to, the county or a city, town or  
28 special taxing district in the county for a public purpose related to

1 [AFFORDABLE HOUSING FOR LOW-INCOME PERSONS AND FAMILIES AS DETERMINED BY  
2 THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,]  
3 transportation or flood control. The board of supervisors shall convey the  
4 deed and apportion the monies received in the transaction in the manner  
5 prescribed by this section. [IF A COUNTY, CITY, TOWN OR SPECIAL TAXING  
6 DISTRICT ACQUIRES REAL PROPERTY PURSUANT TO THIS SUBSECTION FOR PURPOSES  
7 RELATED TO AFFORDABLE HOUSING FOR LOW-INCOME PERSONS AND FAMILIES AS  
8 DETERMINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
9 AND DETERMINES THAT USE IS IN THE COUNTY'S, CITY'S, TOWN'S OR SPECIAL TAXING  
10 DISTRICT'S BEST INTERESTS, THE COUNTY, CITY, TOWN OR SPECIAL TAXING DISTRICT  
11 MAY SELL, LEASE, EXCHANGE, QUITCLAIM, CONVEY OR OTHERWISE DISPOSE OF THE  
12 REAL PROPERTY OR INTEREST IN THE REAL PROPERTY FOR LESS THAN FAIR MARKET  
13 VALUE AND WITHOUT HOLDING A PUBLIC AUCTION TO PROVIDE THE AFFORDABLE HOUSING  
14 IF A REGULATORY AGREEMENT IS RECORDED IN THE OFFICE OF THE COUNTY RECORDER  
15 IN WHICH THE AFFORDABLE HOUSING IS LOCATED THAT CONTAINS COVENANTS AND  
16 CONDITIONS THAT REQUIRE THE DWELLING UNITS PROVIDED FOR LOW-INCOME PERSONS  
17 AND FAMILIES UNDER THIS SUBSECTION TO REMAIN CONTINUALLY AFFORDABLE TO LOW-  
18 INCOME PERSONS AND FAMILIES FOR THE LONGEST FEASIBLE TIME, BUT NOT LESS THAN  
19 THIRTY YEARS.]

20 F. The board of supervisors may sell real property in the county held  
21 by the state by tax deed to the owner of contiguous real property that is  
22 used for COMMERCIAL, AGRICULTURAL OR residential purposes, and the board  
23 may accept an offer by the contiguous owner to purchase the property, if  
24 ~~both~~ ALL of the following conditions apply:

25 1. Both the property offered for sale and the contiguous property  
26 were at one time under common ownership, ~~or the property offered for sale~~  
27 ~~is part of a common area maintained by a homeowners' association as~~  
28 ~~determined by the county assessor.~~ IF THERE IS MORE THAN ONE CONTIGUOUS  
29 PROPERTY OWNER OFFERING TO PURCHASE THE PROPERTY, THE BOARD SHALL ACCEPT  
30 THE OFFER FROM THE CONTIGUOUS PROPERTY OWNER THAT DEMONSTRATES THAT THE  
31 OWNER'S CONTIGUOUS PROPERTY WAS MOST RECENTLY UNDER COMMON OWNERSHIP WITH  
32 THE PROPERTY OFFERED FOR SALE.

33 2. The property offered for sale cannot be separately used for  
34 COMMERCIAL, AGRICULTURAL OR residential purposes, AS APPLICABLE, pursuant  
35 to applicable building codes and ordinances of the jurisdiction in which  
36 the property is located due to its size, ~~OR~~ configuration ~~or recorded~~  
37 ~~common area restrictions.~~

38 3. THE CONTIGUOUS PROPERTY OWNER AGREES TO SUBMIT A REQUEST TO THE  
39 COUNTY ASSESSOR TO JOINTLY ASSESS THE CONTIGUOUS PROPERTIES PURSUANT TO  
40 SECTION 42-15058.

41 G. THE BOARD OF SUPERVISORS MAY SELL REAL PROPERTY IN THE COUNTY HELD  
42 BY THE STATE BY TAX DEED TO A HOMEOWNERS' ASSOCIATION IF THE REAL PROPERTY  
43 IS PART OF A COMMON AREA MAINTAINED BY THE HOMEOWNERS' ASSOCIATION AS  
44 DETERMINED BY THE COUNTY ASSESSOR.

45 ~~G.~~ H. If an offer under subsection E, ~~or~~ F OR G of this section is  
46 pending at the time of the auction under this section, the board of  
47 supervisors shall remove the property from the auction.

1       ~~H. Subsection F of this section does not apply if there is more than~~  
2 ~~one contiguous parcel of property that meets the requirements prescribed by~~  
3 ~~subsection F of this section.~~  
4       I. THE BOARD OF SUPERVISORS MAY ESTABLISH PROCEDURES FOR ACCEPTING  
5 MONETARY OFFERS AND SELL REAL PROPERTY IN THE COUNTY HELD BY THE STATE BY  
6 TAX DEED OVER THE COUNTER IF THE REAL PROPERTY IS NOT ELIGIBLE FOR SALE  
7 UNDER SUBSECTION E, F OR G OF THIS SECTION AND WAS OFFERED FOR SALE AND NOT  
8 SOLD AT THE AUCTION HELD PURSUANT TO SUBSECTION A OF THIS SECTION.  
9       J. THE BOARD OF SUPERVISORS MAY ESTABLISH PROCEDURES FOR ACCEPTING  
10 MONETARY OFFERS UNDER SUBSECTION F OF THIS SECTION. END\_STATUTE  
  
11 Enroll and engross to conform  
12 Amend title to conform

BETTY J. VILLEGAS

1070FloorVILLEGAS  
03/19/2025  
06:06 PM  
H: NL