

COMMITTEE ON HOMELAND SECURITY AND PROPERTY RIGHTS

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1491

(Reference to Senate engrossed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 32-2181.01, Arizona Revised Statutes, is amended
3 to read:

4 32-2181.01. Power of commissioner to exempt certain
5 subdivisions or fractional interests by special
6 order

7 A. The commissioner may in his discretion by special order exempt from
8 any one or all of the provisions of this article certain subdivided lands or
9 fractional interests ~~therein upon~~ ON written petition and upon a showing by
10 the petitioner, satisfactory to the commissioner, that compliance with the
11 provisions of this article is not essential to the public interest or for the
12 protection of buyers by reason of the special characteristics of the
13 subdivided lands or fractional interests therein or the limited character and
14 duration of the offer for sale, lease or financing or the special
15 characteristics or limited number of fractional interests.

16 B. THE COMMISSIONER SHALL BY SPECIAL ORDER EXEMPT FROM ALL OF THE
17 PROVISIONS OF THIS ARTICLE CERTAIN SUBDIVIDED LANDS OR FRACTIONAL INTERESTS
18 LOCATED ON UNINCORPORATED LAND IN A COUNTY WITH A POPULATION OF MORE THAN
19 THREE MILLION PERSONS WITHIN TEN DAYS AFTER RECEIVING A WRITTEN PETITION
20 SIGNED BY THE OWNER OF THE SUBDIVIDED LANDS OR FRACTIONAL INTERESTS IF THERE
21 IS NO EVIDENCE THAT THE OWNER OF THE SUBDIVIDED LANDS OR FRACTIONAL INTERESTS
22 HAS VIOLATED ANY OF THE PROVISIONS OF THIS ARTICLE.

23 ~~B.~~ C. Special orders issued pursuant to this section shall relate to
24 specific lands or specific fractional interests.

25 ~~C.~~ D. A petition filed under this section shall be accompanied by an
26 initial fee of one hundred dollars. No fees shall be returnable irrespective
27 of the nature of the action upon the petition.

1 E. A PETITION FILED PURSUANT TO SUBSECTION B IS EXEMPT FROM FILING
2 FEES.

3 Sec. 2. Section 32-2181.01, Arizona Revised Statutes, as amended by
4 section 1 of this act, is amended effective from and after December 31, 2008,
5 to read:

6 32-2181.01. Power of commissioner to exempt certain
7 subdivisions or fractional interests by special
8 order

9 A. The commissioner may in his discretion by special order exempt from
10 any one or all of the provisions of this article certain subdivided lands or
11 fractional interests on written petition and upon a showing by the
12 petitioner, satisfactory to the commissioner, that compliance with the
13 provisions of this article is not essential to the public interest or for the
14 protection of buyers by reason of the special characteristics of the
15 subdivided lands or fractional interests therein or the limited character and
16 duration of the offer for sale, lease or financing or the special
17 characteristics or limited number of fractional interests.

18 ~~B. The commissioner shall by special order exempt from all of the~~
19 ~~provisions of this article certain subdivided lands or fractional interests~~
20 ~~located on unincorporated land in a county with a population of more than~~
21 ~~three million persons within ten days after receiving a written petition~~
22 ~~signed by the owner of the subdivided lands or fractional interests if there~~
23 ~~is no evidence that the owner of the subdivided lands or fractional interests~~
24 ~~has violated any of the provisions of this article.~~

25 ~~B.~~ B. Special orders issued pursuant to this section shall relate to
26 specific lands or specific fractional interests.

27 ~~C.~~ C. A petition filed under this section shall be accompanied by an
28 initial fee of one hundred dollars. No fees shall be returnable irrespective
29 of the nature of the action upon the petition.

30 ~~E. A petition filed pursuant to subsection B is exempt from filing~~
31 ~~fees."~~

32 Renumber to conform

1 Page 1, line 10, after "TO" strike remainder of line; line 11, strike "SUBDIVISION
2 PROPERTY" insert "EACH PROPERTY OWNER AT THEIR LAST KNOWN ADDRESS"

3 Line 15, after "NOTICE" insert "FOR EACH INDIVIDUAL PARCEL"

4 Page 2, between lines 4 and 5, insert:

5 "Sec. 5. Section 32-2195.01, Arizona Revised Statutes, is amended to
6 read:

7 32-2195.01. Power of commissioner to exempt certain
8 unsubdivided land by special order

9 A. In his discretion the commissioner may exempt by special order from
10 any one or all of the provisions of this article certain unsubdivided land on
11 written petition and on a showing by the petitioner, satisfactory to the
12 commissioner, that compliance with this article is not essential to the
13 public interest or for the protection of buyers by reason of the special
14 characteristics of the unsubdivided land or the limited character and
15 duration of the offer for sale, lease or financing.

16 B. THE COMMISSIONER SHALL BY SPECIAL ORDER EXEMPT FROM ALL OF THE
17 PROVISIONS OF THIS ARTICLE CERTAIN UNSUBDIVIDED LANDS LOCATED ON
18 UNINCORPORATED LAND IN A COUNTY WITH A POPULATION OF MORE THAN THREE MILLION
19 PERSONS WITHIN TEN DAYS AFTER RECEIVING A WRITTEN PETITION SIGNED BY THE
20 OWNER OF THE UNSUBDIVIDED LANDS IF THERE IS NO EVIDENCE THAT THE OWNER OF THE
21 UNSUBDIVIDED LANDS HAS VIOLATED ANY OF THE PROVISIONS OF THIS ARTICLE.

22 ~~B.~~ C. The special order pursuant to this section shall relate to
23 specific land.

24 ~~C.~~ D. A petition filed under this section shall be accompanied by an
25 initial fee of one hundred dollars. The fees are not returnable irrespective
26 of the nature of the action taken on the petition.

27 E. A PETITION FILED PURSUANT TO SUBSECTION B IS EXEMPT FROM FILING
28 FEES.

29 Sec. 6. Section 32-2195.01, Arizona Revised Statutes, as amended by
30 section 5 of this act, is amended effective from and after December 31, 2008,
31 to read:

32-2195.01. Power of commissioner to exempt certain
unsubdivided land by special order

A. In his discretion the commissioner may exempt by special order from any one or all of the provisions of this article certain unsubdivided land on written petition and on a showing by the petitioner, satisfactory to the commissioner, that compliance with this article is not essential to the public interest or for the protection of buyers by reason of the special characteristics of the unsubdivided land or the limited character and duration of the offer for sale, lease or financing.

~~B. The commissioner shall by special order exempt from all of the provisions of this article certain unsubdivided lands located on unincorporated land in a county with a population of more than three million persons within ten days after receiving a written petition signed by the owner of the unsubdivided lands if there is no evidence that the owner of the subdivided lands has violated any of the provisions of this article.~~

~~B.~~ B. The special order pursuant to this section shall relate to specific land.

~~C.~~ C. A petition filed under this section shall be accompanied by an initial fee of one hundred dollars. The fees are not returnable irrespective of the nature of the action taken on the petition.

~~E. A petition filed pursuant to subsection B is exempt from filing fees."~~

Renumber to conform

Page 2, line 13, after "TO" strike remainder of line; strike line 14, insert "EACH PROPERTY OWNER AT THEIR LAST KNOWN ADDRESS WITHIN FIFTEEN DAYS OF"

Amend title to conform

and, as so amended, it do pass

DOUG CLARK
Vice-Chairman

1491-hspr
3/31/08
H:jmb