

REFERENCE TITLE: Summerhaven fire; assured water supply

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

# **SB 1182**

Introduced by  
Senator Bee; Representative McClure

AN ACT

RELATING TO ASSURED WATER SUPPLY REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Exemption from assured water supply requirements for  
3 certain lands; destruction by fire; notice

4 A. A person who proposes to offer subdivided lands, as defined in  
5 section 32-2101, Arizona Revised Statutes, for sale or lease within an active  
6 management area is exempt from the requirement in section 45-576, Arizona  
7 Revised Statutes, to obtain a certificate of assured water supply or obtain a  
8 written commitment of water service from a city, town or private water  
9 company designated as having an assured water supply if the director of water  
10 resources finds that all of the following apply with respect to the  
11 subdivided lands:

12 1. The lands were originally platted with subdivided lots before 1973.

13 2. Before January 1, 1992, the state real estate commissioner granted  
14 an exemption from the requirements of title 32, chapter 20, article 4,  
15 Arizona Revised Statutes, for the sale or lease of lots within the lands,  
16 pursuant to section 32-2181, subsection E, Arizona Revised Statutes.

17 3. The majority of the lands were developed with structures before  
18 2002.

19 4. The majority of the structures on the lands were destroyed by fire,  
20 and the lands have not been redeveloped.

21 5. The proposed reconstruction plan for the lands requires  
22 modification of the existing plat.

23 6. The proposed reconstruction plan is not likely to result in an  
24 increase in the historical water usage within the lands.

25 7. The proposed reconstruction plan incorporates water conservation  
26 measures.

27 B. The director of water resources shall notify the state real estate  
28 commissioner of any exemption granted pursuant to this section. The  
29 commissioner of real estate shall require that all promotional material and  
30 contracts for the sale of lots in the subdivision that is the subject of the  
31 exemption adequately display the following statement: "The Arizona  
32 Department of Water Resources has not reviewed the water supply for the lots  
33 in this development. As a result, the Department of Water Resources is  
34 unable to determine that an assured water supply exists, as that phrase is  
35 defined in A.R.S. section 45-576."

36 C. This section applies notwithstanding section 9-463.01, subsection  
37 I, section 11-806.01, subsection B, section 32-2181, subsection C, section  
38 32-2183, subsection E and section 45-576, Arizona Revised Statutes.

39 Sec. 2. Repeal

40 This act is repealed on September 1, 2014.

41 Sec. 3. Emergency

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