

REFERENCE TITLE: county air quality; technical correction

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

SB 1220

Introduced by
Senators Arzberger: Garcia, Rios

AN ACT

AMENDING SECTION 49-471.10, ARIZONA REVISED STATUTES; RELATING TO AIR
QUALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 49-471.10, Arizona Revised Statutes, is amended to
3 read:

4 49-471.10. Invalidity of rules or ordinances; prohibited agency
5 action

6 A. Unless otherwise provided by law, a rule or ordinance is invalid
7 unless it is adopted in substantial compliance with this article.

8 B. Only the reasons contained in the concise explanatory statement or
9 the preamble may be used by the county as justification for the making of a
10 rule or ordinance in any proceeding in which its validity is at issue.

11 C. A control officer shall not base an air quality permitting decision
12 in whole or in part on a requirement or condition that is not specifically
13 authorized by a provision of this state's law. ~~No later than September 1,~~
14 ~~2000,~~ Each permit shall clearly identify the underlying legal authority for
15 each enforceable provision included in the permit. A general grant of
16 authority in this article does not constitute a basis for imposing a
17 permitting requirement or condition unless a rule or ordinance is adopted
18 pursuant to that general grant of authority that specifically authorizes the
19 requirement or condition.

20 D. A board of supervisors may adopt a rule or ordinance under a
21 general grant of authority if it does not conflict with a more specific grant
22 of authority.