

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 148

SENATE BILL 1242

AN ACT

AMENDING SECTION 42-18303, ARIZONA REVISED STATUTES; RELATING TO LAND HELD BY
THE STATE UNDER TAX DEED.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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 tax
8 deed to the highest bidder for cash except as provided in ~~subsection~~
9 SUBSECTIONS E AND F 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 shall execute and deliver to the
14 purchaser, at the purchaser's cost, a deed conveying the title of the state
15 in and to the parcel purchased. The deed shall be acknowledged by the
16 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 the remainder to the funds
20 of the various taxing authorities in proportion to their current share of the
21 taxes charged against real property.

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

24 E. THE BOARD OF SUPERVISORS MAY ACCEPT AN OFFER FROM, AND SELL REAL
25 PROPERTY HELD BY THIS STATE BY TAX DEED TO, THE COUNTY OR A CITY, TOWN OR
26 SPECIAL TAXING DISTRICT IN THE COUNTY FOR A PUBLIC PURPOSE RELATED TO
27 TRANSPORTATION OR FLOOD CONTROL. THE BOARD OF SUPERVISORS SHALL CONVEY THE
28 DEED AND APPORTION THE MONIES RECEIVED IN THE TRANSACTION IN THE MANNER
29 PRESCRIBED BY THIS SECTION.

30 ~~E.~~ F. The board of supervisors may sell real property in the county
31 held by the state by tax deed to the owner of contiguous real property that
32 is used for residential purposes, and the board may accept an offer by the
33 contiguous owner to purchase the property, if both of the following
34 conditions apply:

35 1. Both the property offered for sale and the contiguous property were
36 at one time under common ownership, or the property offered for sale is part
37 of a common area maintained by a homeowners' association as determined by the
38 county assessor.

39 2. The property offered for sale cannot be separately used for
40 residential purposes pursuant to applicable building codes and ordinances of
41 the jurisdiction in which the property is located due to its size,
42 configuration or recorded common area restrictions.

1 ~~F.~~ G. If an offer under subsection E OR F of this section is pending
2 at the time of the auction under this section, the board of supervisors shall
3 remove the property from the auction.

4 ~~G.~~ H. Subsection ~~E- F~~ of this section does not apply if there is more
5 than one contiguous parcel of property that meets the requirements prescribed
6 by subsection ~~E- F~~ of this section.

APPROVED BY THE GOVERNOR APRIL 18, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2011.

Passed the House April 12, 2011,

by the following vote: 41 Ayes,

18 Nays, 1 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 23, 2011,

by the following vote: 21 Ayes,

5 Nays, 4 Not Voting

[Signature]
President of the Senate

Charmian Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14 day of April, 2011,

at 4:46 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 18th day of

April, 2011,

at 10:55 o'clock A. M.

[Signature]
Governor of Arizona

S.B. 1242

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18th day of April, 2011,

at 12:14 o'clock P. M.

[Signature]
Secretary of State