

Senate Engrossed House Bill

**FILED**

**KEN BENNETT**

**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
Second Regular Session  
2014

CHAPTER 133

## **HOUSE BILL 2141**

AN ACT

AMENDING SECTION 42-13404, ARIZONA REVISED STATUTES; RELATING TO DEED  
RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-13404, Arizona Revised Statutes, is amended to  
3 read:

4 42-13404. Deed restriction on common area use

5 A. As a condition for valuation under this article, the subdivider of  
6 a residential subdivision, on approval of the subdivision by the state real  
7 estate department pursuant to title 32, chapter 20, article 4, or the  
8 community or homeowners' association that owns the common area shall record a  
9 deed restriction with the county recorder and file a copy of the restriction  
10 with the county assessor restricting the property to use as a common area.

11 B. If the property is converted to a different use in violation of the  
12 restrictions, the assessor shall change the classification and revalue the  
13 property according to standard appraisal methods and techniques.

14 C. The county assessor may consolidate parcel combinations within the  
15 same taxing district if requested by the community or homeowners'  
16 association. A community or homeowners' association may provide a one-time  
17 list of common area tracts by parcel number to the assessor, in a form  
18 prescribed by the department of revenue.

19 D. THE COUNTY ASSESSOR SHALL AUTOMATICALLY CONSOLIDATE PARCEL  
20 COMBINATIONS WITHIN THE SAME TAXING DISTRICT. IF AFTER FURTHER REVIEW BY THE  
21 ASSESSOR THE PARCEL DOES NOT MEET THE REQUIREMENTS OF A COMMON AREA AS  
22 DESCRIBED IN SECTION 42-13402, THE ASSESSOR MAY REVOKE THE STATUTORY  
23 VALUATION MADE PURSUANT TO SECTION 42-13403 AND SHALL VALUE THE PARCEL  
24 ACCORDING TO STANDARD APPRAISAL TECHNIQUES. THE REVOCATION DOES NOT WAIVE A  
25 COMMUNITY OR HOMEOWNERS' ASSOCIATION'S RIGHT TO REQUEST THE COMMON AREA  
26 VALUATION.

APPROVED BY THE GOVERNOR APRIL 22, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2014.

Passed the House March 4, 20 14

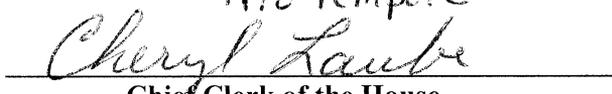
by the following vote: 56 Ayes,

0 Nays, 4 Not Voting



Speaker of the House

*Pro Tempore*

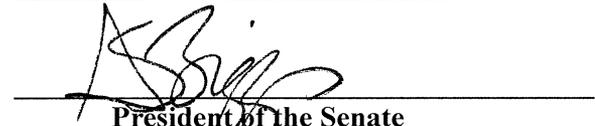


Chief Clerk of the House

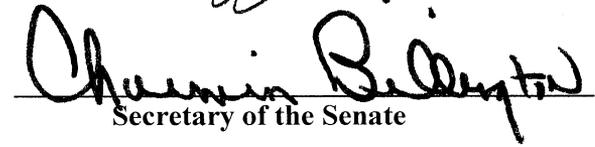
Passed the Senate April 16, 20 14

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2141

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 17, 2014,

by the following vote: 52 Ayes,

5 Nays, 3 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of April, 2014,

at 2:35 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 22nd day of

April, 2014,

at 4:16 o'clock P M.

[Signature]  
Governor of Arizona

H.B. 2141

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23rd day of April, 2014,

at 9:40 o'clock a M.

[Signature]  
Secretary of State