

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 142

House Engrossed Senate Bill

FILED
MICHELE REAGAN
SECRETARY OF STATE

SENATE BILL 1079

AN ACT

AMENDING SECTION 49-746, ARIZONA REVISED STATUTES; RELATING TO REGULATION OF SOLID WASTE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 49-746, Arizona Revised Statutes, is amended to
3 read:

4 49-746. Private enterprise recycling and solid waste
5 management; definitions

6 A. A municipality of this state shall not prohibit or unreasonably
7 restrain a private enterprise from delivering RECYCLING OR SOLID WASTE
8 MANAGEMENT SERVICES TO commercial, ~~or industrial recycling services or~~
9 ~~commercial or industrial solid waste management services~~ OR MULTIFAMILY
10 RESIDENTIAL PROPERTIES within or to the municipality.

11 B. The municipality shall prescribe rules for the delivery of
12 recycling AND SOLID WASTE MANAGEMENT services and FOR commercial, ~~or~~
13 industrial ~~solid waste management services~~ AND MULTIFAMILY RESIDENTIAL
14 PROPERTIES that promote availability of these services and ~~promote~~
15 competition in the delivery of these services.

16 C. A MUNICIPALITY OF THIS STATE SHALL NOT BE MANDATED TO PROVIDE
17 RECYCLING AND SOLID WASTE MANAGEMENT SERVICES TO COMMERCIAL, INDUSTRIAL AND
18 MULTIFAMILY RESIDENTIAL PROPERTIES.

19 D. MULTIFAMILY RESIDENTIAL PROPERTIES SHALL PROVIDE THE APPLICABLE
20 MUNICIPALITY WITH AT LEAST A SIXTY CALENDAR DAY NOTICE TO TERMINATE RECYCLING
21 OR SOLID WASTE MANAGEMENT SERVICES.

22 E. FOR THE PURPOSES OF THIS SECTION:

23 1. "DWELLING UNIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 33-1310.

24 2. "MULTIFAMILY RESIDENTIAL PROPERTIES" MEANS ANY REAL PROPERTY THAT
25 HAS ONE OR MORE STRUCTURES AND THAT CONTAINS FIVE OR MORE DWELLING UNITS FOR
26 RENT OR LEASE THAT ARE SUBJECT TO TITLE 33, CHAPTER 10.

27 Sec. 2. Effective date

28 Section 49-746, Arizona Revised Statutes, as amended by this act, is
29 effective from and after June 30, 2016.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.

Passed the House March 23, 2015,

by the following vote: 34 Ayes,

23 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 9, 2015,

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1079

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 25, 2015

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

26th day of March, 2015

at 8:47 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 1st day of

April

at 4:05 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 2 day of April, 2015

at 9:00 o'clock A M.

[Signature]
Secretary of State

S.B. 1079