

COMMITTEE ON HOMELAND SECURITY AND PROPERTY RIGHTS

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2726

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 33-1201, Arizona Revised Statutes, is amended to
3 read:

4 33-1201. Applicability

5 ~~A.~~ This chapter applies to all condominiums created within this state
6 ~~on or after January 1, 1986~~ WITHOUT REGARD TO THE DATE THE CONDOMINIUM WAS
7 CREATED.

8 ~~B. This chapter applies to all condominiums created before January 1,~~
9 ~~1986 to the extent that this chapter does not conflict with the declarations,~~
10 ~~articles or bylaws of the condominium.~~

11 ~~C. With respect to condominiums created before January 1, 1986, this~~
12 ~~chapter applies to the extent the provisions of this chapter are not in~~
13 ~~conflict with former chapter 4.1 of this title, in effect before January 1,~~
14 ~~1986, or declarations, bylaws or plats of condominiums adopted pursuant to~~
15 ~~former chapter 4.1 of this title. The provisions of former chapter 4.1 of~~
16 ~~this title and the declarations, bylaws or plats adopted pursuant to that~~
17 ~~chapter control, except as provided in subsection D of this section.~~

18 ~~D. The provisions of former chapter 4.1 of this title, in effect~~
19 ~~before January 1, 1986, do not apply to condominiums created on or after~~
20 ~~January 1, 1986. The repeal of chapter 4.1 of this title does not invalidate~~
21 ~~condominiums created pursuant to chapter 4.1 of this title or future~~
22 ~~amendments to declarations, bylaws and plats of these condominiums if the~~
23 ~~amendments are permitted by this chapter. Amendments shall be adopted in~~
24 ~~conformity with the procedures and requirements specified in the~~
25 ~~declarations, bylaws and plats which were adopted pursuant to former chapter~~
26 ~~4.1 of this title. If amendments grant to a person any rights, powers or~~
27 ~~privileges permitted by this chapter, all correlative obligations,~~
28 ~~liabilities and restrictions in this chapter also apply to that person.~~

1 ~~E. Any unit owners' association created before January 1, 1986 may~~
2 ~~elect to be subject to the provisions of this chapter by amending its~~
3 ~~condominium documents to conform with the requirements of this chapter. The~~
4 ~~amendment must be adopted in conformity with the condominium documents and~~
5 ~~must be permitted by this chapter. If an amendment grants to a person a~~
6 ~~right, power or privilege permitted by this chapter, all correlative~~
7 ~~obligations, liabilities and restrictions in this chapter also apply."~~

8 Amend title to conform

and, as so amended, it do pass

WARDE V. NICHOLS
Chairman

2726-se-hspr
2/25/08
H:jjb

2726WN
02/21/2008
12:10 PM
C: MYR