

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1326

(Reference to proposed amendment dated: 2/7/11; 12:33 p.m.)

1 Page 3, between lines 2 and 3, insert:

2 "Sec. 2. Title 33, chapter 16, article 1, Arizona Revised Statutes, is
3 amended by adding section 33-1801.01, to read:

4 33-1801.01. Prohibition on new planned communities:
5 associations

6 A. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, A NEW
7 PLANNED COMMUNITY AND A NEW PLANNED COMMUNITY ASSOCIATION MAY NOT BE
8 ESTABLISHED UNDER THIS CHAPTER ON OR AFTER THE EFFECTIVE DATE OF THIS
9 SECTION. ANY DOCUMENT RECORDED ON OR AFTER THE EFFECTIVE DATE OF THIS
10 SECTION THAT PURPORTS TO ESTABLISH A NEW PLANNED COMMUNITY WITH MANDATORY
11 OBLIGATIONS ON A HOMEOWNER MEMBER THAT RUN WITH THE LAND IS DEEMED INVALID BY
12 OPERATION OF LAW.

13 B. AN OWNER OF PROPERTY MAY VOLUNTARILY JOIN OR FORM AN ASSOCIATION
14 AND MAY AGREE INDIVIDUALLY TO PAY FOR OR RECEIVE SERVICES BUT ANY AGREEMENT
15 FOR SERVICES OR PAYMENT MAY NOT BE RECORDED AND, IF RECORDED, SHALL NOT RUN
16 WITH THE LAND.

17 C. THIS SECTION DOES NOT APPLY TO PLANNED COMMUNITIES AND PLANNED
18 COMMUNITY ASSOCIATIONS LAWFULLY RECORDED, ESTABLISHED AND IN EXISTENCE BEFORE
19 THE EFFECTIVE DATE OF THIS SECTION."

20 Renumber to conform

21 Amend title to conform

ANDY BIGGS

2/8/11
9:09 AM
S: BB/ly