

REFERENCE TITLE: planned communities; definition; property easements

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

SB 1184

Introduced by
Senator Pierce

AN ACT

AMENDING SECTION 33-1802, ARIZONA REVISED STATUTES; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 33-1802, Arizona Revised Statutes, is amended to
3 read:

4 33-1802. Definitions

5 In this chapter and in the community documents, unless the context
6 otherwise requires:

7 1. "Association" means a nonprofit corporation or unincorporated
8 association of owners that is created pursuant to a declaration to own and
9 operate portions of a planned community and that has the power under the
10 declaration to assess association members to pay the costs and expenses
11 incurred in the performance of the association's obligations under the
12 declaration.

13 2. "Community documents" means the declaration, bylaws, articles of
14 incorporation, if any, and rules, if any.

15 3. "Declaration" means any instruments, however denominated, that
16 establish a planned community and any amendment to those instruments.

17 4. "Planned community" means a real estate development ~~which~~ THAT
18 includes real estate owned and operated by OR REAL ESTATE ON WHICH AN
19 EASEMENT IS HELD BY a nonprofit corporation or unincorporated association of
20 owners, that is created for the purpose of managing, maintaining or improving
21 the property and in which the owners of separately owned lots, parcels or
22 units are mandatory members and are required to pay assessments to the
23 association for these purposes. Planned community does not include a
24 timeshare plan or a timeshare association that is governed by chapter 20 of
25 this title.