

House Engrossed

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2321

AN ACT

AMENDING TITLE 37, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 37-902.01; RELATING TO PUBLIC LANDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 37, chapter 5, article 1, Arizona Revised Statutes,
3 is amended by adding section 37-902.01, to read:

4 37-902.01. Disposition of public lands: applicability

5 A. ON OR BEFORE DECEMBER 31, 2019, THIS STATE DEMANDS THAT THE UNITED
6 STATES EXTINGUISH TITLE TO ALL PUBLIC LANDS IN AND TRANSFER TITLE TO THIS
7 STATE.

8 B. THIS SECTION DOES NOT APPLY TO:

9 1. PROPERTY THAT IS HELD BY THE UNITED STATES FOR THE BENEFIT,
10 INCLUDING WATER RIGHTS, OF A FEDERAL RECLAMATION PROJECT OR THAT IS MANAGED
11 BY A POLITICAL SUBDIVISION OF THIS STATE OR A SPECIAL TAXING DISTRICT
12 ORGANIZED UNDER TITLE 48.

13 2. PROPERTY ON WHICH PERMANENT IMPROVEMENTS ARE CONSTRUCTED OR THAT IS
14 LEGALLY ENCUMBERED.

15 3. PROPERTY ASSOCIATED WITH ELECTRICAL GENERATION, TRANSMISSION OR
16 DISTRIBUTION.

17 Sec. 2. Public lands board of review; report

18 A. The public lands board of review established by section 37-904,
19 Arizona Revised Statutes, shall recommend legislation:

20 1. Establishing a commission to administer the disposal of public
21 lands, as defined in section 37-901, Arizona Revised Statutes.

22 2. Modifying, as necessary, the definition of public lands.

23 3. Establishing a process for determining interests, rights or uses
24 related to:

25 (a) Easements.

26 (b) Minerals, oil, gas, geothermal, timber, water and other natural
27 resources.

28 (c) Livestock grazing.

29 (d) Mining.

30 (e) Recreation.

31 (f) Rights of entry.

32 (g) Special uses.

33 4. Establishing the process for:

34 (a) This state to receive title to public lands from the United
35 States.

36 (b) This state to sell public lands pursuant to section 37-902.01,
37 Arizona Revised Statutes.

38 5. Establishing procedures and requirements for subjecting unsold
39 public lands to assessment, levy and taxation, including the lien,
40 foreclosure and sale of public lands for unpaid taxes to the extent permitted
41 by federal law.

1 6. Establishing other requirements related to national forests,
2 national monuments, national recreation areas and other public lands
3 administered by the United States.
4 B. The public lands board of review shall report its findings to the
5 governor, the president of the senate and speaker of the house of
6 representatives on or before November 30, 2020.