



HOUSE OF REPRESENTATIVES

SB 1342

responsibility of payment; utility services

Sponsor: Senator Griffin

DP Committee on Government & Higher Education

DPA Caucus and COW

X As Transmitted to the Governor

OVERVIEW

SB 1342 prohibits certain fees for residential services to be charged to anyone other than a person who physically resides at the property and who receives the services.

HISTORY

Arizona Revised Statutes (A.R.S.) § 9-499 allows a city or town to prescribe by ordinance, a procedure for the removal and abatement of rubbish, trash, weeds, filth, debris or dilapidated buildings. A removal or abatement may be made as an assessment on the property which runs against the property until paid in full. The city or town is required to provide a notice to the owner and, when applicable, to the occupant or lessee at least 30 days before taking action to remove the rubbish.

A.R.S. § 9-511.02 pertains to delinquent utility user fees. Current statute allows for a city or town to file a lien on a property for nonpayment of utility user fees that are delinquent for more than 90 days. Statute requires that notice be given to the property owner 30 days before the lien is filed.

PROVISIONS

1. Prohibits cities, towns, garbage collection service providers, private water companies and sewer corporations from requiring payment for residential properties with four or fewer units from anyone other than the person with whom the service was contracted and who physically resides or resided at the property and who receives or received services for payment of:
 - a. Garbage collection service rates and charges.
 - b. Unpaid utility user fees.
 - c. Unpaid water and wastewater service rates and charges.
 - d. Unpaid sewer utility service rates and charges.
2. Prohibits cities and towns from requiring payment from a homeowner for an assessment imposed for the removal of rubbish, trash, filth or debris if the property has four units or less, was serving as a rental and had a tenant at the time of the assessment.
3. States that a property owner or immediate family member who does not reside at the property receiving service or any other entity at its own discretion may contract for, and shall provide payment for:
 - a. Garbage collection service.
 - b. Utilities service.
 - c. Water, wastewater or sewer utility service.
4. Makes technical, clarifying and conforming changes.