



HOUSE OF REPRESENTATIVES

SB 1433

private lands; use; enjoyment

Prime Sponsor: Senator Griffin, LD 14

DP Committee on Agriculture, Water and Lands

DP Caucus and COW

X As Transmitted to Governor

OVERVIEW

SB 1433 modifies statute to prohibit the reclassification of state trust lands as suitable for conservation purposes from restricting or unreasonably limiting access to or use and enjoyment of private lands.

PROVISIONS

1. Prohibits the reclassification of state trust lands as suitable for conservation purposes from restricting or unreasonably limiting access to or use and enjoyment of private lands.
2. Requires any sale or lease of state trust land to include a condition permitting use and enjoyment of private lands.
 - Current law requires the sale or lease of state trust land for conservation purposes to include a condition requiring permanent access to private lands be allowed (A.R.S. § 37-312.01).

ADDITIONAL INFORMATION

Black's Law Dictionary defines *covenant for quiet enjoyment* as an assurance against the consequences of a defective title, and any disturbances thereupon. A covenant that the tenant or grantee of an estate shall enjoy the possession of the premises in peace and without disturbance by hostile claimants. *Quiet enjoyment* is defined as a covenant usually inserted in leases and conveyances of land promising that the tenant or grantee shall enjoy the possession and use of the premises in peace and without disturbance (Black's Law Dictionary, 6th Edition).