



HOUSE OF REPRESENTATIVES

SB 1278

homeowners' associations; public roadways

Sponsor: Senator Barto

DP Committee on Government
DP Caucus and COW
X As Transmitted to the Governor

OVERVIEW

SB 1278 prohibits homeowners' associations, whose declaration is recorded after December 31, 2014, from regulating any roadway owned or held by a government entity.

HISTORY

A *homeowners' association*, more commonly known as an HOA, is an organization of property owners in a condominium or planned community. These organizations are created to operate shared areas of their respective communities. They are run by a board of directors (Board) that is elected by members and acts on their behalf. The Board has several enumerated statutory authorities, including the ability to adopt and amend budgets for revenues, expenditures, reserves and collect assessments for common expenses from unit owners, impose charges for late payments of assessments and impose reasonable monetary penalties upon unit owners for violations of community documents.

Arizona Revised Statutes § 33-1809 stipulates that HOA's cannot prohibit residents employed with public service corporations or public safety agencies from parking a motor vehicle on a street or driveway in a planned community if the vehicle is required to be available at the person's residence as a condition of their employment.

PROVISIONS

- States that after the period of declarant control, an HOA has no authority over and shall not otherwise regulate any roadway owned or held by a governmental entity.
- Stipulates that the provisions of this Act only apply to those planned communities whose declaration is recorded after December 31, 2014.