

State of Arizona  
House of Representatives  
Fifty-first Legislature  
Second Regular Session  
2014

# HOUSE BILL 2141

AN ACT

AMENDING SECTION 42-13404, ARIZONA REVISED STATUTES; RELATING TO DEED RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-13404, Arizona Revised Statutes, is amended to  
3 read:

4 42-13404. Deed restriction on common area use

5 A. As a condition for valuation under this article, the subdivider of  
6 a residential subdivision, on approval of the subdivision by the state real  
7 estate department pursuant to title 32, chapter 20, article 4, or the  
8 community or homeowners' association that owns the common area shall record a  
9 deed restriction with the county recorder and file a copy of the restriction  
10 with the county assessor restricting the property to use as a common area.

11 B. If the property is converted to a different use in violation of the  
12 restrictions, the assessor shall change the classification and revalue the  
13 property according to standard appraisal methods and techniques.

14 C. The county assessor may consolidate parcel combinations within the  
15 same taxing district if requested by the community or homeowners'  
16 association. A community or homeowners' association may provide a one-time  
17 list of common area tracts by parcel number to the assessor, in a form  
18 prescribed by the department of revenue.

19 D. UPON COMMENCEMENT OF IMPROVEMENTS TO A COMMON AREA, THE COUNTY  
20 ASSESSOR SHALL AUTOMATICALLY CONSOLIDATE PARCEL COMBINATIONS WITHIN THE SAME  
21 TAXING DISTRICT.