State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 142

SENATE BILL 1079

AN ACT

AMENDING SECTION 49-746, ARIZONA REVISED STATUTES; RELATING TO REGULATION OF SOLID WASTE.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 49-746, Arizona Revised Statutes, is amended to read:

49-746. Private enterprise recycling and solid waste management; definitions

A. A municipality of this state shall not prohibit or unreasonably restrain a private enterprise from delivering recycling or solid waste management services to commercial, or industrial recycling services or commercial or industrial solid waste management services or multifamily residential properties within or to the municipality.

B. The municipality shall prescribe rules for the delivery of recycling and solid waste management services and for commercial, or industrial solid waste management services and multifamily residential properties that promote availability of these services and promote competition in the delivery of these services.

C. A MUNICIPALITY OF THIS STATE SHALL NOT BE MANDATED TO PROVIDE recycling and solid waste management services to commercial, industrial and multifamily residential properties.

D. MULTIFAMILY RESIDENTIAL PROPERTIES SHALL PROVIDE THE APPLICABLE MUNICIPALITY WITH AT LEAST A SIXTY CALENDAR DAY NOTICE TO TERMINATE RECYCLING OR SOLID WASTE MANAGEMENT SERVICES.

E. FOR THE PURPOSES OF THIS SECTION:
   1. "DWELLING UNIT" HAS THE SAME MEANING PRESCRIBED IN SECTION 33-1310.
   2. "MULTIFAMILY RESIDENTIAL PROPERTIES" MEANS ANY REAL PROPERTY THAT HAS ONE OR MORE STRUCTURES AND THAT CONTAINS FIVE OR MORE DWELLING UNITS FOR RENT OR LEASE THAT ARE SUBJECT TO TITLE 33, CHAPTER 10.

Sec. 2. Effective date

Section 49-746, Arizona Revised Statutes, as amended by this act, is effective from and after June 30, 2016.

APPROVED BY THE GOVERNOR APRIL 1, 2015.