

Senate Engrossed

property tax liens; foreclosure; notice

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 17

SENATE BILL 1265

AN ACT

AMENDING SECTION 42-18202, ARIZONA REVISED STATUTES; RELATING TO PROPERTY TAX.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-18202, Arizona Revised Statutes, is amended
3 to read:

4 42-18202. Notice

5 A. At least thirty days before filing an action to foreclose the
6 right to redeem under this article, but not more than one hundred eighty
7 days before such an action is commenced or may be commenced under section
8 ~~42-18101~~ 42-18201, the purchaser shall send notice of intent to file the
9 foreclosure action by certified mail to:

10 1. The property owner of record according to the records of the
11 county recorder in the county in which the property is located or to all
12 of the following:

13 (a) The property owner, AS DETERMINED BY SECTION 42-13051, AT THE
14 PROPERTY OWNER'S MAILING ADDRESS according to the records of the county
15 assessor in the county in which the property is located ~~as determined by~~
16 ~~section 42-13051~~.

17 (b) The situs address of the property, if shown on the tax roll and
18 if different from the PROPERTY owner's address under subdivision (a) of
19 this paragraph.

20 (c) The tax bill mailing address according to the records of the
21 county treasurer in the county in which the property is located, ~~if that~~
22 address is different from the addresses under subdivisions (a) and (b) of
23 this paragraph.

24 2. The treasurer of the county in which the real property is
25 located. The county treasurer may not accept partial payments under
26 section 42-18056, subsection C after the date the treasurer receives a
27 notice of action to foreclose the right to redeem.

28 B. The notice shall include:

- 29 1. The property owner's name.
- 30 2. The real property tax parcel identification number.
- 31 3. The ~~legal~~ COUNTY ASSESSOR'S description of the real property.
- 32 4. The certificate of purchase number.
- 33 5. The proposed date of filing the action.

34 C. If the purchaser:

35 1. COMPLIES WITH SUBSECTION A, PARAGRAPH 1, SUBDIVISIONS (a), (b)
36 AND (c) OF THIS SECTION, THE PURCHASER IS CONSIDERED TO HAVE SUBSTANTIALLY
37 COMPLIED WITH THE REQUIREMENTS OF THIS SECTION AND IS NOT REQUIRED TO SEND
38 THE NOTICE TO ANY OTHER ADDRESS.

39 2. Fails to send the notice required by this section, the purchaser
40 is considered to have substantially failed to comply with this section. A
41 court ~~shall~~ MAY not enter any ~~action~~ JUDGMENT to foreclose the right to
42 redeem under this article until the purchaser sends the notice required by
43 this section.

1 Sec. 2. Legislative intent

2 The legislature intends to clarify the legislative intent in
3 enacting Laws 2001, chapter 242, section 2 that amended section 42-18202,
4 Arizona Revised Statutes, and further clarified by Advanced Property Tax
5 Liens, Inc. v. Sherman, 227 Ariz. 528 (App. 2011).

APPROVED BY THE GOVERNOR MARCH 18, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 18, 2022.