

REFERENCE TITLE: homeless; restrooms; water; statewide preemption

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2136

Introduced by
Representatives Salman: De Los Santos, Ortiz, Sandoval, Stahl Hamilton

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.49; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.27; RELATING TO MUNICIPAL AND COUNTY SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.49, to read:

4 9-500.49. Homeless; restrooms; water; state preemption

5 A. A MUNICIPALITY SHALL PROVIDE TWENTY-FOUR-HOUR DAILY ACCESS TO
6 MUNICIPALITY-MAINTAINED PUBLIC RESTROOMS AND POTABLE WATER FOR USE BY
7 HOMELESS INDIVIDUALS.

8 B. HOMELESSNESS IS A MATTER OF STATEWIDE CONCERN. THE REQUIREMENT
9 PURSUANT TO SUBSECTION A OF THIS SECTION IS NOT SUBJECT TO FURTHER
10 REGULATION BY A MUNICIPALITY.

11 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
12 is amended by adding section 11-269.27, to read:

13 11-269.27. Homeless; restrooms; water; state preemption

14 A. A COUNTY SHALL PROVIDE TWENTY-FOUR-HOUR DAILY ACCESS TO
15 COUNTY-MAINTAINED PUBLIC RESTROOMS AND POTABLE WATER FOR USE BY HOMELESS
16 INDIVIDUALS.

17 B. HOMELESSNESS IS A MATTER OF STATEWIDE CONCERN. THE REQUIREMENT
18 PURSUANT TO SUBSECTION A OF THIS SECTION IS NOT SUBJECT TO FURTHER
19 REGULATION BY A COUNTY.