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

HOUSE BILL 2441  

AN ACT  

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-461.18; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-810.01; RELATING TO MUNICIPAL AND COUNTY PLANNING.  

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

Section 1.  Title 9, chapter 4, article 6, Arizona Revised Statutes, is amended by adding section 9-461.18, to read:

   9-461.18.  Residential planning; state tree

   NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY MAY NOT ADOPT A LAND USE REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION, ENFORCE ANY ORDINANCE, CODE OR REGULATION OR IMPOSE AS A CONDITION FOR APPROVING A BUILDING OR USE PERMIT ANY REGULATION THAT PROHIBITS OR restricts THE USE OR PLACEMENT OF THE STATE TREE AS PRESCRIBED IN SECTION 41-856 IN A RESIDENTIAL HOUSING DEVELOPMENT.  THIS SECTION DOES NOT APPLY TO THE ENFORCEMENT OF EASEMENTS, PRESCRIPTIVE RIGHTS, RULES OR REGULATIONS OF A UTILITY FOR SAFETY AND RELIABILITY.

Sec. 2.  Title 11, chapter 6, article 1, Arizona Revised Statutes, is amended by adding section 11-810.01, to read:

   11-810.01.  Residential planning; state tree

   NOTWITHSTANDING ANY OTHER LAW, A COUNTY MAY NOT ADOPT A LAND USE REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION, ENFORCE ANY ORDINANCE, CODE OR REGULATION OR IMPOSE AS A CONDITION FOR APPROVING A BUILDING OR USE PERMIT ANY REGULATION THAT PROHIBITS OR restricts THE USE OR PLACEMENT OF THE STATE TREE AS PRESCRIBED IN SECTION 41-856 IN A RESIDENTIAL HOUSING DEVELOPMENT.  THIS SECTION DOES NOT APPLY TO THE ENFORCEMENT OF EASEMENTS, PRESCRIPTIVE RIGHTS, RULES OR REGULATIONS OF A UTILITY FOR SAFETY AND RELIABILITY.