

REFERENCE TITLE: **planned communities; declarant control**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2698

Introduced by
Representative Carter

AN ACT

**AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 33-1820; RELATING TO PLANNED COMMUNITIES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 33, chapter 16, article 1, Arizona Revised
3 Statutes, is amended by adding section 33-1820, to read:

4 33-1820. Declarant control

5 THE DECLARATION MAY PROVIDE FOR A PERIOD OF DECLARANT CONTROL OF THE
6 ASSOCIATION, DURING WHICH PERIOD A DECLARANT OR PERSONS DESIGNATED BY THE
7 DECLARANT MAY APPOINT AND REMOVE THE OFFICERS AND MEMBERS OF THE BOARD OF
8 DIRECTORS. REGARDLESS OF THE PERIOD PROVIDED IN THE DECLARATION, A PERIOD
9 OF DECLARANT CONTROL TERMINATES NOT LATER THAN THE EARLIER OF:

10 1. NINETY DAYS AFTER CONVEYANCE OF SEVENTY-FIVE PERCENT OF THE LOTS
11 THAT MAY BE CREATED TO MEMBERS OTHER THAN A DECLARANT.

12 2. FOUR YEARS AFTER ALL DECLARANTS HAVE CEASED TO OFFER LOTS FOR
13 SALE IN THE ORDINARY COURSE OF BUSINESS.