



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR H.B. 2016

grandfathered right; subsequent AMA; extension

Purpose

An emergency measure that extends, from 15 months to 21 months after designation of the Douglas Active Management Area (AMA), the deadline to file an application for a certificate of grandfathered right (certificate) for a person claiming a grandfathered right to withdraw or receive groundwater in the Douglas AMA.

Background

A person who claims the grandfathered right to withdraw or receive and use groundwater in an AMA must file an application for a certificate with the Arizona Department of Water Resources (ADWR) within 15 months after the date of the designation of the AMA ([A.R.S. § 45-476](#)). Within 90 days of the date of designation of an AMA, the Director of ADWR must give notice of the requirement to apply for a certificate to the clerk of the county board of supervisors in which the AMA is located and to the mayor of each town or city, to each private water company and to the presiding officer of each political subdivision ([A.R.S. § 45-478](#)). A person who fails to file for the grandfathered right to withdraw or receive groundwater before the 15-month deadline must file a late penalty of \$100 and must assume the burden of establishing evidence that the necessary requirements for issuing the certificate have been met ([A.R.S. § 45-476.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a person claiming the right to withdraw or receive and use groundwater in the Douglas AMA pursuant to a grandfathered right to file an application for a certificate with ADWR within 21 months, rather than 15 months, after the designation of the Douglas AMA on a form provided by ADWR.
2. Repeals the extended application period on January 1, 2025.
3. Becomes effective on signature of the Governor, if the emergency clause is enacted, retroactive to March 1, 2024.

Amendments Adopted by Committee

- Adds a retroactivity clause.

FACT SHEET – Amended

H.B. 2016

Page 2

House Action

NREW            1/9/24      DP            8-2-0-0  
3<sup>rd</sup> Read        2/1/24                    42-12-1-0-4

Senate Action

NREW            1/29/24    DPA        5-1-1

Prepared by Senate Research

March 4, 2024

RA/KP/slp