

Senate Engrossed

tax deed land sales; procedures

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 15

SENATE BILL 1070

AN ACT

AMENDING SECTION 42-18303, ARIZONA REVISED STATUTES; RELATING TO TAX DEEDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-18303, Arizona Revised Statutes, is amended
3 to read:

4 42-18303. Auction and sale of land held by state under tax
5 deed; disposition of proceeds

6 A. After advertisement, pursuant to section 42-18302, the board of
7 supervisors may sell the real property in the county held by the state by
8 tax deed to the highest bidder for cash except as provided in subsections
9 E, ~~and~~ F AND G of this section. The property may also be posted on the
10 treasurer's website. The sale may include a live auction or an online
11 bidding process in which the board receives bids electronically over the
12 internet in a real-time, competitive bidding event.

13 B. On selling the property, the board of supervisors shall execute
14 and deliver to the purchaser, at the purchaser's cost, a deed conveying
15 the title of the state in and to the parcel purchased. The deed shall be
16 acknowledged by the chairman and clerk of the board.

17 C. The purchase money shall be paid to the county treasurer. After
18 deducting and distributing interest, penalties, fees and costs charged
19 against the parcel, the treasurer shall apportion monies to the funds of
20 the various taxing authorities in proportion to their current share of the
21 taxes charged against real property. Any balance remaining with the
22 treasurer after payment of the taxes, interest, penalties, fees and costs
23 shall be paid to the owner of the property who was dispossessed by the
24 sale.

25 D. If the property is not sold before the time for the next
26 succeeding notice of sale, the board of supervisors may omit it from the
27 notice.

28 E. The board of supervisors may accept an offer from, and sell real
29 property held by this state by tax deed to, the county or a city, town or
30 special taxing district in the county for a public purpose related to
31 transportation or flood control. The board of supervisors shall convey
32 the deed and apportion the monies received in the transaction in the
33 manner prescribed by this section.

34 F. The board of supervisors may sell real property in the county
35 held by the state by tax deed to the owner of contiguous real property
36 that is used for COMMERCIAL, AGRICULTURAL OR residential purposes, and the
37 board may accept an offer by the contiguous owner to purchase the
38 property, if ~~both~~ ALL of the following conditions apply:

39 1. Both the property offered for sale and the contiguous property
40 were at one time under common ownership, ~~or the property offered for sale~~
41 ~~is part of a common area maintained by a homeowners' association as~~
42 ~~determined by the county assessor.~~ IF THERE IS MORE THAN ONE CONTIGUOUS
43 PROPERTY OWNER OFFERING TO PURCHASE THE PROPERTY, THE BOARD SHALL ACCEPT
44 THE OFFER FROM THE CONTIGUOUS PROPERTY OWNER THAT DEMONSTRATES THAT THE

1 OWNER'S CONTIGUOUS PROPERTY WAS MOST RECENTLY UNDER COMMON OWNERSHIP WITH
2 THE PROPERTY OFFERED FOR SALE.

3 2. The property offered for sale cannot be separately used for
4 COMMERCIAL, AGRICULTURAL OR residential purposes, AS APPLICABLE, pursuant
5 to applicable building codes and ordinances of the jurisdiction in which
6 the property is located due to its size, OR configuration ~~or recorded~~
7 ~~common area restrictions~~.

8 3. THE CONTIGUOUS PROPERTY OWNER AGREES TO SUBMIT A REQUEST TO THE
9 COUNTY ASSESSOR TO JOINTLY ASSESS THE CONTIGUOUS PROPERTIES PURSUANT TO
10 SECTION 42-15058.

11 G. THE BOARD OF SUPERVISORS MAY SELL REAL PROPERTY IN THE COUNTY
12 HELD BY THE STATE BY TAX DEED TO A HOMEOWNERS' ASSOCIATION IF THE REAL
13 PROPERTY IS PART OF A COMMON AREA MAINTAINED BY THE HOMEOWNERS'
14 ASSOCIATION AS DETERMINED BY THE COUNTY ASSESSOR.

15 ~~G.~~ H. If an offer under subsection E, ~~or~~ F OR G of this section is
16 pending at the time of the auction under this section, the board of
17 supervisors shall remove the property from the auction.

18 ~~H. Subsection F of this section does not apply if there is more~~
19 ~~than one contiguous parcel of property that meets the requirements~~
20 ~~prescribed by subsection F of this section.~~

21 I. THE BOARD OF SUPERVISORS MAY ESTABLISH PROCEDURES FOR ACCEPTING
22 MONETARY OFFERS AND SELL REAL PROPERTY IN THE COUNTY HELD BY THE STATE BY
23 TAX DEED OVER THE COUNTER IF THE REAL PROPERTY IS NOT ELIGIBLE FOR SALE
24 UNDER SUBSECTION E, F OR G OF THIS SECTION AND WAS OFFERED FOR SALE AND
25 NOT SOLD AT THE AUCTION HELD PURSUANT TO SUBSECTION A OF THIS SECTION.

26 J. THE BOARD OF SUPERVISORS MAY ESTABLISH PROCEDURES FOR ACCEPTING
27 MONETARY OFFERS UNDER SUBSECTION F OF THIS SECTION.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2025.