

REFERENCE TITLE: stormwater infrastructure; groundwater recharge; credit

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## **HB 2571**

Introduced by  
Representatives Griffin: Lopez

AN ACT

AMENDING TITLE 45, CHAPTER 2, ARTICLE 9, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 45-576.11; RELATING TO GROUNDWATER RECHARGE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 45, chapter 2, article 9, Arizona Revised  
3 Statutes, is amended by adding section 45-576.11, to read:

4 45-576.11. Physical availability credits; rules; stormwater  
5 infrastructure; definition

6 A. A PERSON THAT DEVELOPS OR PLANS TO DEVELOP INFRASTRUCTURE IN AN  
7 ACTIVE MANAGEMENT AREA THAT RESULTS IN INCREASED NATURAL, INCIDENTAL OR  
8 ARTIFICIAL RECHARGE TO THE GROUNDWATER BASIN IS ENTITLED TO EARN AND HOLD  
9 PHYSICAL AVAILABILITY CREDITS IN AN AMOUNT NOT TO EXCEED THE VOLUME OF  
10 INCREASED RECHARGE OR PROJECTED INCREASED RECHARGE OVER A PERIOD OF ONE  
11 HUNDRED YEARS.

12 B. A PERSON MAY USE A PHYSICAL AVAILABILITY CREDIT TO MEET THE  
13 PHYSICAL AVAILABILITY REQUIREMENTS FOR AN ASSURED WATER SUPPLY UNDER RULES  
14 ADOPTED PURSUANT TO SECTION 45-576.

15 C. ON OR BEFORE JANUARY 1, 2026, THE DIRECTOR SHALL ADOPT RULES TO  
16 IMPLEMENT THIS SECTION AND PROMOTE THE NEW CONSTRUCTION OF FACILITIES THAT  
17 ARE ELIGIBLE TO EARN PHYSICAL AVAILABILITY CREDITS, INCLUDING ANY OF THE  
18 FOLLOWING:

19 1. STORMWATER DETENTION BASINS THAT INCREASE NATURAL, INCIDENTAL OR  
20 ARTIFICIAL RECHARGE.

21 2. ROADWAYS AND SIDEWALKS THAT FACILITATE STORMWATER RECHARGE.

22 3. ANY OTHER PUBLIC INFRASTRUCTURE THAT FACILITATES RAINWATER OR  
23 STORMWATER RECHARGE.

24 D. RULES ADOPTED PURSUANT TO THIS SECTION SHALL INCLUDE:

25 1. AN APPLICATION TIMELINE.

26 2. PROCEDURES FOR CERTIFYING QUALIFYING INFRASTRUCTURE.

27 3. CRITERIA FOR ELIGIBILITY.

28 4. FORMULATIONS FOR QUANTIFYING THE INCREASED RECHARGE OR PROJECTED  
29 INCREASED RECHARGE AND THE CORRESPONDING PHYSICAL AVAILABILITY CREDITS  
30 THAT ARE EXPECTED TO BE EARNED OVER THE USEFUL LIFE OF THE INFRASTRUCTURE.

31 E. A PERSON THAT APPLIES FOR PHYSICAL AVAILABILITY CREDITS PURSUANT  
32 TO THIS SECTION IS EXEMPT FROM THE PERMITTING REQUIREMENTS PRESCRIBED IN  
33 CHAPTER 3.1, ARTICLE 2 OF THIS TITLE.

34 F. FOR THE PURPOSES OF THIS SECTION, "PERSON" MEANS ALL OF THE  
35 FOLLOWING:

36 1. A NATURAL PERSON.

37 2. A CORPORATION.

38 3. A CITY OR TOWN OR POLITICAL SUBDIVISION OF THIS STATE,  
39 INCLUDING:

40 (a) A CITY, TOWN OR COUNTY THAT OPERATES A MUNICIPAL SEPARATE STORM  
41 SEWER SYSTEM.

42 (b) A NATURAL RESOURCES CONSERVATION DISTRICT.

43 (c) A DOMESTIC WATER IMPROVEMENT DISTRICT OR DOMESTIC WASTEWATER  
44 IMPROVEMENT DISTRICT.

45 (d) A COUNTY FLOOD CONTROL DISTRICT.