

REFERENCE TITLE: assured water supply; analysis; availability

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

SB 1114

Introduced by
Senator Dunn

AN ACT

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

(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. Assured water supply; analysis; physical
5 availability; definition

6 A. FOR THE PURPOSES OF ISSUING A CERTIFICATE OF ASSURED WATER
7 SUPPLY UNDER RULES ADOPTED BY THE DIRECTOR PURSUANT TO SECTION 45-576,
8 SUBSECTION H, THE DIRECTOR SHALL ACCEPT AN ANALYSIS AS A VALID
9 DEMONSTRATION OF PHYSICAL AVAILABILITY FOR THE VOLUME OF GROUNDWATER
10 STATED IN THE ANALYSIS, AFTER REDUCING THE VOLUME OF GROUNDWATER STATED IN
11 THE ANALYSIS BY THE AMOUNT OF GROUNDWATER REPRESENTED BY ALL CERTIFICATES
12 OF ASSURED WATER SUPPLY ISSUED IN RELIANCE ON THE ANALYSIS, IF ALL OF THE
13 FOLLOWING APPLY:

14 1. THE DIRECTOR ISSUED THE ANALYSIS ON OR BEFORE MAY 31, 2023.

15 2. THE ANALYSIS INCLUDES A DETERMINATION OF PHYSICAL AVAILABILITY
16 OF GROUNDWATER.

17 B. AFTER THE EFFECTIVE DATE OF THIS SECTION, AN APPLICANT FOR A
18 CERTIFICATE OF ASSURED WATER SUPPLY THAT HOLDS AN ANALYSIS AS PRESCRIBED
19 BY SUBSECTION A OF THIS SECTION MAY SUBMIT A SWORN STATEMENT TO THE
20 DEPARTMENT IN WHICH THE APPLICANT AGREES TO REDUCE THE REMAINING VOLUME OF
21 GROUNDWATER RESERVED BY THE ANALYSIS BY FIFTEEN PERCENT AFTER THE DIRECTOR
22 GRANTS A CERTIFICATE OF ASSURED WATER SUPPLY. IF THE DIRECTOR RECEIVES A
23 SWORN STATEMENT PURSUANT TO THIS SUBSECTION, THE DIRECTOR SHALL GRANT THE
24 APPLICANT A CERTIFICATE OF ASSURED WATER SUPPLY.

25 C. FOR EACH NEW CERTIFICATE OF ASSURED WATER SUPPLY ISSUED IN
26 RELIANCE ON AN ANALYSIS OF ASSURED WATER SUPPLY ISSUED PURSUANT TO
27 SUBSECTION A OF THIS SECTION, THE DIRECTOR SHALL ISSUE THE CERTIFICATE
28 USING THE WATER DEMAND ASSUMPTION IN USE BY THE DIRECTOR WHEN THE
29 APPLICATION FOR A CERTIFICATE WAS SUBMITTED. WHEN A CERTIFICATE IS
30 ISSUED, THE ANALYSIS SHALL BE REDUCED BY THE VOLUME OF GROUNDWATER USING
31 THE SAME WATER DEMAND ASSUMPTION THE DIRECTOR USED WHEN THE ANALYSIS WAS
32 ORIGINALLY ISSUED. THE DIFFERENCE IN VOLUME BETWEEN THE WATER DEMAND
33 ASSUMPTION THE DIRECTOR USED WHEN THE APPLICATION FOR A CERTIFICATE IS
34 FIRST SUBMITTED AND THE WATER DEMAND ASSUMPTIONS USED TO ISSUE THE
35 ORIGINAL ANALYSIS SHALL REMAIN PHYSICALLY AVAILABLE FOR FURTHER
36 SUBDIVISION DEVELOPMENT IN THE SERVICE AREA OF THE DESIGNATED PROVIDER
37 SERVING THE ANALYSIS LAND.

38 D. FOR THE PURPOSES OF THIS SECTION, "ANALYSIS" MEANS A
39 DETERMINATION BY THE DIRECTOR PURSUANT TO RULES ADOPTED BY THE DIRECTOR
40 THAT ONE OR MORE CRITERIA REQUIRED FOR A CERTIFICATE OF ASSURED WATER
41 SUPPLY HAVE BEEN DEMONSTRATED FOR A DEVELOPMENT.

42 Sec. 2. Emergency

43 This act is an emergency measure that is necessary to preserve the
44 public peace, health or safety and is operative immediately as provided by
45 law.