REFERENCE TITLE: rental housing; income source discrimination.

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

HB 2538

Introduced by
Representatives Abeytia: Aguilar, Austin, Connolly, Garcia, Liguori, Sandoval, Simacek, Stahl Hamilton, Villegas; Senators Fernandez, Kuby, Miranda

AN ACT

AMENDING TITLE 33, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1319.01; RELATING TO THE ARIZONA RESIDENTIAL LANDLORD AND TENANT ACT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Title 33, chapter 10, article 1, Arizona Revised Statutes, is amended by adding section 33-1319.01, to read:

33-1319.01. Income sources; discrimination prohibited; enforcement; definition

A. A LANDLORD MAY NOT USE THE SOURCE OF INCOME OF AN OTHERWISE ELIGIBLE PROSPECTIVE OR CURRENT TENANT TO DO ANY OF THE FOLLOWING:

1. REFUSE TO RENT A RENTAL PROPERTY TO A PROSPECTIVE OR CURRENT TENANT.

2. EVICT OR OTHERWISE TERMINATE THE RENTAL AGREEMENT OF A PROSPECTIVE OR CURRENT TENANT.

3. MAKE ANY DISTINCTION OR RESTRICTION OR OTHERWISE DISCRIMINATE AGAINST A PROSPECTIVE OR CURRENT TENANT IN THE PRICE, TERMS, CONDITIONS, FEES OR PRIVILEGES RELATING TO THE RENTAL OR OCCUPANCY OF THE RENTAL PREMISES OR IN THE FURNISHING OF ANY FACILITIES OR SERVICES IN CONNECTION WITH THE RENTAL OF THE PREMISES.

4. ATTEMPT TO DISCOURAGE RENTING THE PROPERTY TO A PROSPECTIVE OR CURRENT TENANT.

5. REPRESENT TO ANY PERSON THAT THE RENTAL PREMISES ARE NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE RENTAL PREMISES ARE AVAILABLE.

6. COERCE, INTIMIDATE, THREATEN OR INTERFERE WITH ANY PERSON EXERCISING OR ENJOYING ANY RIGHT GRANTED OR PROTECTED BY THIS SECTION OR AS A RESULT OF THE PERSON HAVING EXERCISED OR ENJOYED OR HAVING AIDED OR ENCOURAGED ANY OTHER PERSON IN THE EXERCISE OR ENJOYMENT OF ANY RIGHT GRANTED OR PROTECTED BY THIS SECTION.

7. ASSIST, INDUCE, INCITE OR COERCE ANOTHER PERSON TO COMMIT AN ACT OR ENGAGE IN A PRACTICE THAT VIOLATES THIS SECTION.

8. IN ANY OTHER MANNER MAKE UNAVAILABLE OR DENY A RENTAL UNIT TO A PROSPECTIVE OR CURRENT TENANT WHO IS OTHERWISE ELIGIBLE TO RENT THE PROPERTY, EXCEPT FOR THE PERSON'S SOURCE OF INCOME.

B. A LANDLORD MAY NOT MAKE, PRINT OR PUBLISH, OR CAUSE TO BE MADE, PRINTED OR PUBLISHED ANY NOTICE, STATEMENT OR ADVERTISEMENT WITH RESPECT TO RENTING A DWELLING UNIT THAT INDICATES ANY PREFERENCE, LIMITATION OR DISCRIMINATION BECAUSE A PERSON RELIES ON RENTAL PAYMENTS DERIVED FROM ANY GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, LOAN PROGRAM OR INCOME DERIVED FROM ANY LAWFUL PROFESSION OR OCCUPATION.

C. FOR A LANDLORD THAT REQUIRES THAT A PROSPECTIVE OR CURRENT TENANT MEET A CERTAIN THRESHOLD LEVEL OF INCOME, ANY SOURCE OF INCOME IN THE FORM OF A RENT VOUCHER OR SUBSIDY MUST BE SUBTRACTED FROM THE TOTAL OF THE MONTHLY RENT BEFORE CALCULATING WHETHER THE INCOME CRITERIA HAVE BEEN MET.

D. A VIOLATION OF THIS SECTION IS AN UNLAWFUL PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND TAKE APPROPRIATE ACTION AS PRESCRIBED BY TITLE 41, CHAPTER 9, ARTICLE 7 OR TITLE 44, CHAPTER 10, ARTICLE 7.

E. FOR THE PURPOSES OF THIS SECTION, "SOURCE OF INCOME" MEANS BENEFITS OR SUBSIDY PROGRAMS, INCLUDING SECTION 8 HOUSING CHOICE VOUCHER ASSISTANCE, HOUSING ASSISTANCE, PUBLIC ASSISTANCE, EMERGENCY RENTAL ASSISTANCE, VETERANS BENEFITS, SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME OR BENEFITS OR OTHER RETIREMENT PROGRAMS, AND OTHER PROGRAMS ADMINISTERED BY ANY FEDERAL, STATE, LOCAL, PRIVATE OR NONPROFIT ENTITY.