

Senate Engrossed House Bill

loan agreements; escrow

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

CHAPTER 28

HOUSE BILL 2345

AN ACT

AMENDING TITLE 6, CHAPTER 7, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 6-834.01; RELATING TO ESCROW AGENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 6, chapter 7, article 3, Arizona Revised Statutes,
3 is amended by adding section 6-834.01, to read:

4 6-834.01. Escrow; loan agreement

5 AN ESCROW AGENT MAY USE MONIES IN AN ESCROW ACCOUNT ONLY TO MAKE A
6 ONETIME PAYMENT OR MULTIPLE PAYMENTS PURSUANT TO THE LOAN AGREEMENT UNLESS
7 ONE OF THE FOLLOWING APPLIES:

8 1. THE LOAN AGREEMENT SPECIFICALLY STATES THAT THE MONIES MAY BE
9 USED FOR ANOTHER PURPOSE AND THAT PURPOSE IS EXPRESSLY STATED IN THE LOAN
10 AGREEMENT.

11 2. A DEED IN LIEU OF FORECLOSURE AGREEMENT SPECIFICALLY STATES THE
12 MONIES MAY BE USED FOR ANOTHER PURPOSE AND THAT PURPOSE IS STATED IN THE
13 DEED IN LIEU OF FORECLOSURE AGREEMENT.

14 3. AN AGREEMENT IS ENTERED INTO BY THE PARTIES TO NEGOTIATE A
15 SETTLEMENT OF THE LOAN AND THAT AGREEMENT INCLUDES A PROVISION FOR THE USE
16 OF THE MONIES.

17 4. AN AGREEMENT IS ENTERED INTO BY THE PARTIES THAT PROVIDES FOR A
18 PORTION OF THE ESCROW ACCOUNT TO BE USED TO BRING AN ACCOUNT THAT IS IN
19 ARREARS TO A CURRENT STATUS.

20 Sec. 2. Legislative intent

21 The legislature intends that section 6-834.01, Arizona Revised
22 Statutes, as added by this act, contains clarifying changes only and does
23 not constitute substantive changes to existing law.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

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