

REFERENCE TITLE: residential building materials; requirements; prohibition

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

HB 2317

Introduced by
Representatives Gillette: Biasiucci, Carbone, Hendrix; Senator Ortiz

AN ACT

AMENDING TITLE 9, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-810.02; RELATING TO MUNICIPAL BUILDING CODES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 7, article 1, Arizona Revised Statutes,
3 is amended by adding section 9-810.02, to read:

4 9-810.02. Municipal building codes; single-family residential
5 buildings; prefabricated buildings; building
6 materials; applicability; prohibition; definition

7 A. A MUNICIPALITY MAY NOT ADOPT OR ENFORCE ANY CODE, ORDINANCE,
8 STANDARD, STIPULATION OR OTHER LEGAL REQUIREMENT THAT DOES EITHER OF THE
9 FOLLOWING:

10 1. PROHIBITS OR LIMITS USING OR INSTALLING A BUILDING MATERIAL IN
11 THE CONSTRUCTION, RENOVATION, MAINTENANCE OR OTHER ALTERATION OF A
12 SINGLE-FAMILY RESIDENTIAL BUILDING IF THE BUILDING MATERIAL IS APPROVED
13 FOR CONSTRUCTION, RENOVATION, MAINTENANCE OR OTHER ALTERATION BY THE
14 MUNICIPALITY'S BUILDING CODE AND MEETS THE CONDITIONS SPECIFIED IN THE
15 MUNICIPALITY'S BUILDING CODE.

16 2. SUBJECTS A PREFABRICATED SINGLE-FAMILY RESIDENTIAL BUILDING OR
17 MATERIAL OR COMPONENT OF A PREFABRICATED SINGLE-FAMILY RESIDENTIAL
18 BUILDING THAT IS OTHERWISE COMPLIANT WITH THE APPLICABLE BUILDING CODE AND
19 FEDERAL AND STATE LAW TO AN ADDITIONAL OR DIFFERENT RESTRICTION OR
20 REQUIREMENT THAN A COMPARABLE SINGLE-FAMILY RESIDENTIAL BUILDING THAT IS
21 NOT PREFABRICATED.

22 B. A MUNICIPALITY MAY NOT REGULATE DESIGN AESTHETICS OF A
23 SINGLE-FAMILY RESIDENTIAL BUILDING EXCEPT WITHIN AN AREA THAT IS
24 DESIGNATED AS A DISTRICT OF HISTORICAL SIGNIFICANCE PURSUANT TO SECTION
25 9-462.01, SUBSECTION A, PARAGRAPH 10 OR AN AREA THAT IS DESIGNATED AS
26 HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES.

27 C. THIS SECTION DOES NOT SUPERSEDE APPLICABLE BUILDING CODES, FIRE
28 CODES, DARK SKY ORDINANCES OR PUBLIC HEALTH AND SAFETY STANDARDS.

29 D. FOR THE PURPOSES OF THIS SECTION, "PREFABRICATED SINGLE-FAMILY
30 RESIDENTIAL BUILDING" MEANS A STRUCTURE OR A PORTION OF A STRUCTURE THAT
31 IS TRANSPORTABLE IN ONE OR MORE SECTIONS AND DESIGNED TO BE USED AS A
32 DWELLING WITH OR WITHOUT A PERMANENT FOUNDATION WHEN CONNECTED TO REQUIRED
33 UTILITIES.