

Senate Engrossed

assured water supply; analysis; availability

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

SENATE BILL 1114

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 OR PHYSICAL
9 AVAILABILITY DETERMINATION AS A VALID DEMONSTRATION OF PHYSICAL
10 AVAILABILITY FOR THE VOLUME OF GROUNDWATER STATED IN THE ANALYSIS OR
11 PHYSICAL AVAILABILITY DETERMINATION, AFTER REDUCING THE VOLUME OF
12 GROUNDWATER STATED IN THE ANALYSIS OR PHYSICAL AVAILABILITY DETERMINATION
13 BY THE AMOUNT OF GROUNDWATER REPRESENTED BY ALL CERTIFICATES OF ASSURED
14 WATER SUPPLY ISSUED IN RELIANCE ON THE ANALYSIS OR PHYSICAL AVAILABILITY
15 DETERMINATION, IF ALL OF THE FOLLOWING APPLY:

16 1. THE DIRECTOR ISSUED THE ANALYSIS OR PHYSICAL AVAILABILITY
17 DETERMINATION ON OR BEFORE MAY 31, 2023.

18 2. THE ANALYSIS OR PHYSICAL AVAILABILITY DETERMINATION INCLUDES A
19 DETERMINATION OF PHYSICAL AVAILABILITY OF GROUNDWATER.

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

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

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

5 (ENACTED WITHOUT THE EMERGENCY)

6 Sec. 2. Emergency

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