

COMMITTEE ON REGULATORY AFFAIRS AND GOVERNMENT EFFICIENCY
SENATE AMENDMENTS TO H.B. 2342
(Reference to House engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 33, chapter 16, article 1, Arizona Revised
3 Statutes, is amended by adding section 33-1816.01, to read:

4 33-1816.01. Shade structures; reasonable restrictions;
5 municipal zoning; definition

6 A. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN
7 ASSOCIATION MAY NOT PROHIBIT THE BACKYARD INSTALLATION OR USE OF A SHADE
8 STRUCTURE.

9 B. AN ASSOCIATION MAY ADOPT REASONABLE RULES REGARDING THE SIZE,
10 PLACEMENT OR APPEARANCE OF A SHADE STRUCTURE IF THOSE RULES DO NOT PREVENT
11 THE INSTALLATION, IMPAIR THE FUNCTIONING, RESTRICT THE USE OR [ADVERSELY]
12 [UNREASONABLY] AFFECT THE COST OF THE STRUCTURE AND ARE NOT MORE
13 RESTRICTIVE THAN THE ZONING ORDINANCES REGARDING SHADE STRUCTURE HEIGHT
14 AND SETBACKS FOR A SINGLE-FAMILY HOME IN THE CITY OR TOWN IN WHICH THE
15 PLANNED COMMUNITY IS LOCATED.

16 C. FOR THE PURPOSES OF THIS SECTION, "SHADE STRUCTURE" MEANS A
17 COMMERCIALY PRODUCED OR PROFESSIONALLY MANUFACTURED MOVEABLE OR PERMANENT
18 STRUCTURE THAT IS DESIGNED TO PROTECT AN AREA FROM SUNLIGHT, INCLUDING AN
19 UMBRELLA [~~OR A~~] [. AWNING.] SHADE SAIL[. GAZEBO. PERGOLA OR CANOPY.].

20 Enroll and engross to conform

21 Amend title to conform