

REFERENCE TITLE: state land department; continuation; oversight

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

## **SB 1336**

Introduced by  
Senator Dunn

### AN ACT

AMENDING SECTIONS 37-102, 41-1001 AND 41-1002, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3026.05, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3030.19; RELATING TO THE STATE LAND DEPARTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 37-102, Arizona Revised Statutes, is amended to  
3 read:

4 37-102. State land department; powers and duties

5 A. The state land department shall administer all laws relating to  
6 lands owned by, belonging to and under the control of this state.

7 B. The department shall have charge and control of all lands owned  
8 by this state, and timber, stone, gravel and other products of such lands,  
9 except lands under the specific use and control of state institutions and  
10 the products of such lands.

11 C. The department, in the name of this state, may commence,  
12 prosecute and defend all actions and proceedings to protect the interest  
13 of this state in lands within this state or the proceeds of lands within  
14 this state. Actions shall be commenced and prosecuted at the request of  
15 the department by the attorney general, a county attorney or a special  
16 counsel under the direction of the attorney general.

17 D. The department shall be the official representative of this  
18 state in any communication between this state and the United States  
19 government in all matters respecting state lands or any interest of this  
20 state in or to the public lands within this state.

21 E. The summons in any action against this state respecting any  
22 lands of this state or the products of such lands and all notices  
23 concerning such lands or products shall be served on the commissioner.  
24 Summonses, warrants or legal notices served on behalf of the department  
25 may be served by the commissioner or the commissioner's deputy, or by the  
26 sheriff or a constable of any county of this state.

27 F. The department shall maintain as a public record in each of the  
28 department's offices a public docket and index of all matters before the  
29 department that may be subject to appeal to the board of appeals or to the  
30 courts and all sale, exchange and lease transactions subject to bidding by  
31 the public. The department shall list a matter on the public docket  
32 immediately after an application or other request for department action is  
33 received by the department. The department shall include in the public  
34 docket every formal action and decision affecting each matter in question.  
35 The department shall establish by rule a means by which any person may  
36 obtain a copy of the public docket at the current copying cost.

37 G. The department shall reappraise or update the department's  
38 original appraisal of property to be leased, exchanged or sold if the  
39 board of appeals' approval of the lease or sale occurred more than two  
40 hundred forty days before the auction.

41 H. To the extent possible, the state land department shall:

42 1. Prepare maps of the ancillary military facilities described in  
43 section 28-8461, paragraph 7, subdivisions (b) and (c).

1           2. Make a map of the ancillary military facility described in  
2 section 28-8461, paragraph 7, subdivision (a) available to the public in  
3 printed or electronic format and provide the map in printed or electronic  
4 format to the state real estate department.

5           3. On receipt of proper information from the military installation  
6 commander with responsibility for the military electronics range, prepare  
7 a map of the military electronics range as defined in section 9-500.28 and  
8 make that map available to the public in printed or electronic format and  
9 provide the map in printed or electronic format to the state real estate  
10 department. Within ninety days after receipt of notice of any change in  
11 the boundaries of the military electronics range from the military  
12 installation commander, the state land department shall revise its map and  
13 provide the map to the public and to the state real estate department.

14           4. On or before December 31, 2024 and on receipt of proper  
15 information from the applicable military installation's and range's and  
16 Arizona national guard site's commanders, prepare electronic legal  
17 descriptions and maps of the military installation and range and Arizona  
18 national guard site and their respective influence areas as defined in  
19 sections 9-500.50 and 11-818.01 and provide the legal descriptions and  
20 maps to the state real estate department and the public. The state land  
21 department shall make changes to the boundaries of the military  
22 installation and range and ARIZONA national guard site and their  
23 respective influence areas and provide them to the state real estate  
24 department and the public within ninety days after receipt of those  
25 changes from the military installation's and range's and Arizona national  
26 guard site's commanders.

27           5. ADOPT RULES TO ESTABLISH APPROPRIATE TIME FRAMES FOR ACTION ON  
28 ANY APPLICATION OR OTHER COMPARABLE REQUEST THAT AN APPLICANT OR  
29 INSTRUMENT HOLDER SUBMITS TO THE DEPARTMENT. IF THE DEPARTMENT FAILS TO  
30 ACT WITHIN ANY TIME FRAME ESTABLISHED PURSUANT TO THIS PARAGRAPH, THE  
31 DEPARTMENT IS SUBJECT TO THE SAME PENALTIES PRESCRIBED IN SECTION 41-1077.

32           I. The state land department shall provide each map and the legal  
33 description of the boundaries of each ancillary military facility  
34 described in section 28-8461, paragraph 7 in electronic format to the  
35 state real estate department. Each map prepared by the state land  
36 department pursuant to this section shall:

37           1. Describe the ancillary military facility, the territory in the  
38 vicinity of the ancillary military facility and the high noise and  
39 accident potential zone, accident potential zone one and accident  
40 potential zone two associated with the ancillary military facility.

41           2. Be submitted to the county in which the ancillary military  
42 facility is located.

43           3. Be made available to the public.

1 J. The state land department shall prepare a military training  
2 route map. The map shall contain military training route numbers in this  
3 state that are used by various United States armed forces. The map shall  
4 be dated.

5 K. When preparing the military training route map, the state land  
6 department shall use information contained in the most current department  
7 of defense publication that is entitled "area planning military training  
8 routes for North and South America".

9 L. The military training route map shall be made available to the  
10 public.

11 M. Within ninety days after the department is notified of a change  
12 of a military training route in this state, the department shall prepare a  
13 revised military training route map. The map shall be dated and contain a  
14 statement that the map supersedes all previously dated maps. The state  
15 land department shall send the revised map to the state real estate  
16 department electronically and shall also send an accompanying letter  
17 specifying the military training route changes. The state land department  
18 shall send the revised map and an accompanying letter specifying the  
19 military training route changes to the municipalities affected by the  
20 changes and to all counties.

21 N. The department shall submit the military training route map  
22 prepared pursuant to this section to the counties in either an electronic  
23 or a printed format. The format shall be determined by the receiving  
24 county.

25 O. The state land department shall provide the legal description of  
26 the boundaries of the military training routes as delineated in the  
27 military training route map to the state real estate department in  
28 electronic format.

29 P. The state land department shall prepare a military restricted  
30 airspace map. The map shall contain military restricted airspace in this  
31 state that is used by various United States armed forces. The map shall  
32 be dated.

33 Q. When preparing the military restricted airspace map, the state  
34 land department shall use information contained in the most current  
35 department of transportation publication that is entitled "aeronautical  
36 chart".

37 R. The military restricted airspace map shall be made available in  
38 printed or electronic format to the public at the state land department  
39 and at the state real estate department.

40 S. Within ninety days after the department is notified of a change  
41 of military restricted airspace in this state, the department shall  
42 prepare a revised military restricted airspace map. The map shall be  
43 dated and contain a statement that the map supersedes all previously dated  
44 maps. The state land department shall send the revised map to the state  
45 real estate department electronically and shall also send an accompanying

1 letter specifying the military restricted airspace changes. The state  
2 land department shall send the revised map and an accompanying letter  
3 specifying the military restricted airspace changes to the municipalities  
4 affected by the changes and to all counties.

5 T. The department shall submit the military restricted airspace map  
6 prepared pursuant to this section to the counties in either an electronic  
7 or a printed format. The format shall be determined by the receiving  
8 county.

9 U. The state land department shall provide the legal description of  
10 the boundaries of the military restricted airspace as delineated in the  
11 military restricted airspace map to the state real estate department in  
12 electronic format.

13 V. The department may accept title to and manage real estate,  
14 property rights and related infrastructure acquired pursuant to section  
15 26-262, subsection K for preserving or enhancing military installations in  
16 this state.

17 Sec. 2. Section 41-1001, Arizona Revised Statutes, is amended to  
18 read:

19 41-1001. Definitions

20 In this chapter, unless the context otherwise requires:

21 1. "Agency" means any board, commission, department, officer or  
22 other administrative unit of this state, including the agency head and one  
23 or more members of the agency head or agency employees or other persons  
24 directly or indirectly purporting to act on behalf or under the authority  
25 of the agency head, whether created under the Constitution of Arizona or  
26 by enactment of the legislature. Agency does not include the legislature,  
27 the courts or the governor. Agency does not include a political  
28 subdivision of this state or any of the administrative units of a  
29 political subdivision, but does include any board, commission, department,  
30 officer or other administrative unit created or appointed by joint or  
31 concerted action of an agency and one or more political subdivisions of  
32 this state or any of their units. To the extent an administrative unit  
33 purports to exercise authority subject to this chapter, an administrative  
34 unit otherwise qualifying as an agency must be treated as a separate  
35 agency even if the administrative unit is located within or subordinate to  
36 another agency.

37 2. "Appealable agency action" has the same meaning prescribed in  
38 section 41-1092.

39 3. "Audit" means an audit, investigation or inspection pursuant to  
40 title 23, chapter 2 or 4.

41 4. "Code" means the Arizona administrative code, which is published  
42 pursuant to section 41-1011.

43 5. "Committee" means the administrative rules oversight committee.

44 6. "Contested case" means any proceeding, including rate making,  
45 except rate making pursuant to article XV, Constitution of Arizona, price

1 fixing and licensing, in which the legal rights, duties or privileges of a  
2 party are required or permitted by law, other than this chapter, to be  
3 determined by an agency after an opportunity for an administrative  
4 hearing.

5 7. "Council" means the governor's regulatory review council.

6 8. "Delegation agreement" means an agreement between an agency and  
7 a political subdivision that authorizes the political subdivision to  
8 exercise functions, powers or duties conferred on the delegating agency by  
9 a provision of law. Delegation agreement does not include  
10 intergovernmental agreements entered into pursuant to title 11, chapter 7,  
11 article 3.

12 9. "Emergency rule" means a rule that is made pursuant to section  
13 41-1026.

14 10. "Fee" means a charge prescribed by an agency for an inspection  
15 or for obtaining a license.

16 11. "Final rule" means any rule filed with the secretary of state  
17 and made pursuant to an exemption from this chapter in section 41-1005,  
18 made pursuant to section 41-1026, approved by the council pursuant to  
19 section 41-1052 or 41-1053 or approved by the attorney general pursuant to  
20 section 41-1044. For purposes of judicial review, final rule includes  
21 expedited rules pursuant to section 41-1027.

22 12. "General permit" means a regulatory permit, license or agency  
23 authorization that is for facilities, activities or practices in a class  
24 that are substantially similar in nature and that is issued or granted by  
25 an agency to a qualified applicant to conduct identified operations or  
26 activities if the applicant meets the applicable requirements of the  
27 general permit, that requires less information than an individual or  
28 traditional permit, license or authorization and that does not require a  
29 public hearing.

30 13. "License":

31 (a) Includes the whole or part of any agency permit, certificate,  
32 approval, registration, charter or similar form of permission required by  
33 law. ~~but~~

34 (b) EXCEPT FOR A LICENSE ISSUED BY THE STATE LAND DEPARTMENT, does  
35 not include a license required solely for revenue purposes.

36 14. "Licensing" includes the agency process respecting the grant,  
37 denial, renewal, revocation, suspension, annulment, withdrawal, change,  
38 reduction, modification or amendment of a license, including an existing  
39 permit, certificate, approval, registration, charter or similar form of  
40 permission, approval or authorization obtained from an agency by the  
41 holder of a license.

42 15. "Licensing decision" means any action by an agency to grant or  
43 deny any request for permission, approval or authorization issued in  
44 response to any request from an applicant for a license or to the holder  
45 of a license to exercise authority within the scope of the license.

1           16. "Party" means each person or agency named or admitted as a  
2 party or properly seeking and entitled as of right to be admitted as a  
3 party.

4           17. "Person" means an individual, partnership, corporation,  
5 association, governmental subdivision or unit of a governmental  
6 subdivision, a public or private organization of any character or another  
7 agency.

8           18. "Preamble" means:

9           (a) For any rulemaking subject to this chapter, a statement  
10 accompanying the rule that includes:

11           (i) Reference to the specific statutory authority for the rule.

12           (ii) The name and address of agency personnel with whom persons may  
13 communicate regarding the rule.

14           (iii) An explanation of the rule, including the agency's reasons  
15 for initiating the rulemaking.

16           (iv) A reference to any study relevant to the rule that the agency  
17 reviewed and either proposes to rely on in its evaluation of or  
18 justification for the rule or proposes not to rely on in its evaluation of  
19 or justification for the rule, where the public may obtain or review each  
20 study, all data underlying each study and any analysis of each study and  
21 other supporting material.

22           (v) The economic, small business and consumer impact summary, or in  
23 the case of a proposed rule, a preliminary summary and a solicitation of  
24 input on the accuracy of the summary.

25           (vi) A showing of good cause why the rule is necessary to promote a  
26 statewide interest if the rule will diminish a previous grant of authority  
27 of a political subdivision of this state.

28           (vii) Such other matters as are prescribed by statute and that are  
29 applicable to the specific agency or to any specific rule or class of  
30 rules.

31           (b) In addition to the information set forth in subdivision (a) of  
32 this paragraph, for a proposed rule, the preamble also shall include a  
33 list of all previous notices appearing in the register addressing the  
34 proposed rule, a statement of the time, place and nature of the  
35 proceedings for the making, amendment or repeal of the rule and where,  
36 when and how persons may request an oral proceeding on the proposed rule  
37 if the notice does not provide for one.

38           (c) In addition to the information set forth in subdivision (a) of  
39 this paragraph, for an expedited rule, the preamble also shall include a  
40 statement of the time, place and nature of the proceedings for the making,  
41 amendment or repeal of the rule and an explanation of why expedited  
42 proceedings are justified.

1 (d) For a final rule, except an emergency rule, the preamble also  
2 shall include, in addition to the information set forth in subdivision  
3 (a), the following information:

4 (i) A list of all previous notices appearing in the register  
5 addressing the final rule.

6 (ii) A description of the changes between the proposed rules,  
7 including supplemental notices and final rules.

8 (iii) A summary of the comments made regarding the rule and the  
9 agency response to them.

10 (iv) A summary of the council's action on the rule.

11 (v) A statement of the rule's effective date.

12 (e) In addition to the information set forth in subdivision (a) of  
13 this paragraph, for an emergency rule, the preamble also shall include an  
14 explanation of the situation justifying the rule being made as an  
15 emergency rule, the date of the attorney general's approval of the rule  
16 and a statement of the emergency rule's effective date.

17 19. "Provision of law" means the whole or a part of the federal or  
18 state constitution, or of any federal or state statute, rule of court,  
19 executive order or rule of an administrative agency.

20 20. "Register" means the Arizona administrative register, which is:

21 (a) This state's official publication of rulemaking notices that  
22 are filed with the office of secretary of state.

23 (b) Published pursuant to section 41-1011.

24 21. "Rule" means an agency statement of general applicability that  
25 implements, interprets or prescribes law or policy, or describes the  
26 procedure or practice requirements of an agency. Rule includes  
27 prescribing fees or the amendment or repeal of a prior rule but does not  
28 include intraagency memoranda that are not delegation agreements.

29 22. "Rulemaking" means the process to make a new rule or amend,  
30 repeal or renumber a rule.

31 23. "Small business" means a concern, including its affiliates,  
32 which is independently owned and operated, which is not dominant in its  
33 field and which employs fewer than one hundred full-time employees or  
34 which had gross annual receipts of less than four million dollars in its  
35 last fiscal year. For purposes of a specific rule, an agency may define  
36 small business to include more persons if it finds that such a definition  
37 is necessary to adapt the rule to the needs and problems of small  
38 businesses and organizations.

39 24. "Substantive policy statement" means a written expression which  
40 informs the general public of an agency's current approach to, or opinion  
41 of, the requirements of the federal or state constitution, federal or  
42 state statute, administrative rule or regulation, or final judgment of a  
43 court of competent jurisdiction, including, where appropriate, the  
44 agency's current practice, procedure or method of action based upon that  
45 approach or opinion. A substantive policy statement is advisory only. A



1 substantive policy statement does not include internal procedural  
2 documents which only affect the internal procedures of the agency and does  
3 not impose additional requirements or penalties on regulated parties,  
4 confidential information or rules made in accordance with this chapter.

5 Sec. 3. Section 41-1002, Arizona Revised Statutes, is amended to  
6 read:

7 41-1002. Applicability and relation to other law;  
8 preapplication authorization; definitions

9 A. This article and articles 2 through 5 of this chapter apply to  
10 all agencies and all proceedings not expressly exempted.

11 B. This chapter creates only procedural rights and imposes only  
12 procedural duties. They are in addition to those created and imposed by  
13 other statutes. To the extent that any other statute would diminish a  
14 right created or duty imposed by this chapter, the other statute is  
15 superseded by this chapter, unless the other statute expressly provides  
16 otherwise.

17 C. An agency may grant procedural rights to persons in addition to  
18 those conferred by this chapter so long as rights conferred on other  
19 persons by any provision of law are not substantially prejudiced.

20 D. Unless specifically authorized by statute, an agency shall avoid  
21 duplication of other laws that do not enhance regulatory clarity and shall  
22 avoid dual permitting to the extent practicable.

23 E. Unless specifically authorized by statute, an agency may not  
24 require preapplication authorization or require preapplication conferences  
25 as a requirement to filing an application that is otherwise allowed by  
26 statute. If preapplication procedures are required by statute, an agency  
27 shall consider the preapplication requirements or procedures as the  
28 beginning of the licensing time frame for the purposes of article 7.1 of  
29 this chapter. An agency may offer voluntary preapplication procedures  
30 without specific statutory authority if the agency communicates to an  
31 applicant that the preapplication procedures are not mandatory. If  
32 preapplication procedures are offered by an agency, the agency shall  
33 consider the costs and delays that may be imposed on an applicant and  
34 shall seek to minimize those impacts.

35 F. Unless authorized by federal or state law, an agency may not  
36 take any action that materially increases the regulatory burdens on a  
37 business unless there is a threat to the health, safety and welfare of the  
38 public that has not been addressed by legislation or industry regulation  
39 within the proposed regulated field.

40 G. Unless authorized by federal or state law, an agency may not  
41 apply a regulation to a qualified marketplace platform if the purpose of  
42 that regulation is to regulate a business that provides goods or services  
43 directly to the customer.

1 H. THIS CHAPTER APPLIES TO THE STATE LAND DEPARTMENT.

2 ~~H.~~ I. For the purposes of this section:

3 1. "Qualified marketplace contractor" means any person or  
4 organization, including an individual, corporation, limited liability  
5 company, partnership, sole proprietor PROPRIETORSHIP or other entity, that  
6 enters into an agreement with a qualified marketplace platform to use the  
7 qualified marketplace platform's digital platform to provide goods or  
8 services to third-party individuals or entities seeking those services.

9 2. "Qualified marketplace platform" means an organization,  
10 including a corporation, limited liability company, partnership, sole  
11 proprietor PROPRIETORSHIP or any other entity, that operates a digital  
12 platform that facilitates the provision of goods or services by qualified  
13 marketplace contractors to third-party individuals or entities seeking  
14 those goods or services.

15 Sec. 4. Repeal

16 Section 41-3026.05, Arizona Revised Statutes, is repealed.

17 Sec. 5. Title 41, chapter 27, article 2, Arizona Revised Statutes,  
18 is amended by adding section 41-3030.19, to read:

19 41-3030.19. State land department; termination July 1, 2030

20 A. THE STATE LAND DEPARTMENT TERMINATES ON JULY 1, 2030.

21 B. TITLE 37, CHAPTERS 1 AND 2 AND THIS SECTION ARE REPEALED ON  
22 JANUARY 1, 2031.

23 Sec. 6. State land department temporary oversight committee;  
24 membership; duties; report; delayed repeal;  
25 definition

26 A. The state land department temporary oversight committee is  
27 established consisting of the following members:

28 1. Five persons who are appointed by the governor from a list of  
29 fifteen persons that the president of the senate and the speaker of the  
30 house of representatives provide to the governor.

31 2. One member who is appointed by the president of the senate.

32 3. One member who is appointed by the speaker of the house of  
33 representatives.

34 4. One member who is appointed by the minority leader of the  
35 senate.

36 5. One member who is appointed by the minority leader of the house  
37 of representatives.

38 B. Each member appointed to the committee must meet one or more of  
39 the following criteria:

40 1. Have successfully bid on state lands at an auction.

41 2. Lease state lands.

42 3. Represent a lessee of state lands.

43 C. Committee members are eligible for reimbursement of expenses  
44 pursuant to title 38, chapter 4, article 2, Arizona Revised Statutes.

1 D. The committee may:  
2 1. Hold public meetings to address the issues listed in subsection  
3 E, paragraph 1 of this section.  
4 2. Confer with subject matters experts on the issues listed in  
5 subsection E, paragraph 1 of this section.  
6 E. The committee shall:  
7 1. Oversee the state land department's adoption of rules and  
8 policies on the following:  
9 (a) The application of biosolids on state lands.  
10 (b) The state land department's compliance with title 41, chapter  
11 6, Arizona Revised Statutes.  
12 (c) The state land department's adoption of appropriate application  
13 time frames pursuant to section 37-102, subsection H, paragraph 5, Arizona  
14 Revised Statutes, as added by this act.  
15 (d) The state land department's creation of conceptual land use  
16 plans and five year disposition plans as defined in section 37-331.03,  
17 Arizona Revised Statutes, as amended by this act.  
18 2. Collaborate with the state land department to establish goals  
19 for the state land department on the issues listed in paragraph 1 of this  
20 subsection.  
21 3. On or before June 1, 2027, submit a report of the committee's  
22 findings and recommendations on the issues listed in paragraph 1 of this  
23 subsection to the chairpersons of the senate and the house of  
24 representatives natural resources committees of reference, or their  
25 successor committees, the governor, the president of the senate and the  
26 speaker of the house of representatives and shall provide a copy of this  
27 report to the secretary of state.  
28 F. This section is repealed from and after December 31, 2027.  
29 G. For the purposes of this section, "state lands" has the same  
30 meaning prescribed in section 37-101, Arizona Revised Statutes.  
31 Sec. 7. Purpose  
32 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,  
33 the legislature continues the state land department to have charge of and  
34 control over all lands owned by this state, except lands under the  
35 specific use and control of state institutions, and the resources in and  
36 on those lands and to regulate the use of and access to those lands and  
37 resources as prescribed by the enabling act, the Constitution of Arizona  
38 and state law and to perform such other functions as prescribed by law.  
39 Sec. 8. Retroactivity  
40 Section 41-3026.05, Arizona Revised Statutes, as repealed by this  
41 act, and section 41-3030.19, Arizona Revised Statutes, as added by this  
42 act, apply retroactively to from and after July 1, 2026.