

PROPOSED  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1421  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 42-18303, Arizona Revised Statutes, is amended  
3 to read:

4 42-18303. Auction and sale of land held by state under tax  
5 deed; disposition of proceeds

6 A. After advertisement, pursuant to section 42-18302, the board of  
7 supervisors may sell the real property in the county held by the state by  
8 tax deed to the highest bidder for cash except as provided in subsections  
9 E, F and G of this section. The property may also be posted on the  
10 treasurer's website. The sale may include a live auction or an online  
11 bidding process in which the board receives bids electronically over the  
12 internet in a real-time, competitive bidding event.

13 B. On selling the property, the board of supervisors shall execute  
14 and deliver to the purchaser, at the purchaser's cost, a deed conveying  
15 the title of the state in and to the parcel purchased. The deed shall be  
16 acknowledged by the chairman and clerk of the board.

17 C. The purchase money shall be paid to the county treasurer. After  
18 deducting and distributing interest, penalties, fees and costs charged  
19 against the parcel, the treasurer shall apportion monies to the funds of  
20 the various taxing authorities in proportion to their current share of the  
21 taxes charged against real property. Any balance remaining with the  
22 treasurer after payment of the taxes, interest, penalties, fees and costs  
23 shall be paid to the owner of the property who was dispossessed by the  
24 sale.

25 D. If the property is not sold before the time for the next  
26 succeeding notice of sale, the board of supervisors may omit it from the  
27 notice.

28 E. The board of supervisors may accept an offer from, and sell real  
29 property held by this state by tax deed to, the county or a city, town or  
30 special taxing district in the county for a public purpose ~~related to,~~  
31 INCLUDING AFFORDABLE HOUSING FOR LOW-INCOME PERSONS AND FAMILIES PURSUANT  
32 TO SECTION 11-251.10, transportation or flood control. The board of  
33 supervisors shall convey the deed and apportion the monies received in the  
34 transaction in the manner prescribed by this section. IF A COUNTY, CITY,  
35 TOWN OR SPECIAL TAXING DISTRICT ACQUIRES REAL PROPERTY PURSUANT TO THIS  
36 SUBSECTION FOR AFFORDABLE HOUSING PURPOSES AUTHORIZED BY SECTION 11-251.10  
37 AND DETERMINES THE USE IS IN ITS BEST INTEREST, THE COUNTY, CITY, TOWN OR  
38 SPECIAL TAXING DISTRICT MAY SELL, LEASE, EXCHANGE, QUITCLAIM, CONVEY OR  
39 OTHERWISE DISPOSE OF THE REAL PROPERTY OR AN INTEREST IN THE REAL PROPERTY  
40 FOR LESS THAN FAIR MARKET VALUE AND WITHOUT A PUBLIC AUCTION TO PROVIDE  
41 AFFORDABLE HOUSING, IN COMPLIANCE WITH SECTION 11-251.10. A REGULATORY  
42 AGREEMENT SHALL BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER IN WHICH  
43 THE PROPERTY IS LOCATED THAT CONTAINS COVENANTS AND CONDITIONS REQUIRING  
44 THE DWELLING UNITS TO REMAIN CONTINUALLY AFFORDABLE TO LOW-INCOME PERSONS  
45 AND FAMILIES FOR THE LONGEST FEASIBLE TIME, BUT NOT LESS THAN THIRTY

1 YEARS. FOR THE PURPOSES OF THIS SUBSECTION, "AFFORDABLE HOUSING FOR  
2 LOW-INCOME PERSONS AND FAMILIES" HAS THE SAME MEANING PRESCRIBED IN  
3 SECTION 11-251.10.

4 F. The board of supervisors may sell real property in the county  
5 held by the state by tax deed to the owner of contiguous real property  
6 that is used for commercial, agricultural or residential purposes, and the  
7 board may accept an offer by the contiguous owner to purchase the  
8 property, if all of the following conditions apply:

9 1. Both the property offered for sale and the contiguous property  
10 were at one time under common ownership. If there is more than one  
11 contiguous property owner offering to purchase the property, the board  
12 shall accept the offer from the contiguous property owner that  
13 demonstrates that the owner's contiguous property was most recently under  
14 common ownership with the property offered for sale.

15 2. The property offered for sale cannot be separately used for  
16 commercial, agricultural or residential purposes, as applicable, pursuant  
17 to applicable building codes and ordinances of the jurisdiction in which  
18 the property is located due to its size or configuration.

19 3. The contiguous property owner agrees to submit a request to the  
20 county assessor to jointly assess the contiguous properties pursuant to  
21 section 42-15058.

22 G. The board of supervisors may sell real property in the county  
23 held by the state by tax deed to a homeowners' association if the real  
24 property is part of a common area maintained by the homeowners'  
25 association as determined by the county assessor.

26 H. If an offer under subsection E, F or G of this section is  
27 pending at the time of the auction under this section, the board of  
28 supervisors shall remove the property from the auction.

29 I. The board of supervisors may establish procedures for accepting  
30 monetary offers and sell real property in the county held by the state by  
31 tax deed over the counter if the real property is not eligible for sale  
32 under subsection E, F or G of this section and was offered for sale and  
33 not sold at the auction held pursuant to subsection a of this section.

34 J. The board of supervisors may establish procedures for accepting  
35 monetary offers under subsection f of this section."

36 Amend title to conform

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