

PROPOSED  
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

SHAWNNA BOLICK