

REFERENCE TITLE: municipalities; counties; private permitting providers

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

SB 1241

Introduced by
Senator Bolick

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-461.21; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-810.02; RELATING TO LOCAL PLANNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 4, article 6, Arizona Revised Statutes,
3 is amended by adding section 9-461.21, to read:

4 9-461.21. Private permitting providers; building permits
5 certificates of completion; liability insurance;
6 code and fee publication; definitions

7 A. FOR ANY SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT, THE
8 PROPERTY OWNER OR THE PROPERTY OWNER'S CONTRACTOR OR AGENT MAY ELECT TO
9 USE A PRIVATE PERMITTING PROVIDER TO CONDUCT A BUILDING PLAN REVIEW OR
10 INSPECTION WITHOUT APPROVAL FROM THE MUNICIPALITY.

11 B. ON COMPLETION OF A BUILDING PLAN REVIEW FOR A SINGLE-TRADE
12 RESIDENTIAL CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER HAS
13 DETERMINED THAT THE BUILDING PLAN COMPLIES WITH APPLICABLE BUILDING CODES,
14 THE PRIVATE PERMITTING PROVIDER SHALL ISSUE A PRIVATE PERMIT. THE PRIVATE
15 PERMITTING PROVIDER SHALL SUBMIT A COPY OF THE PRIVATE PERMIT TO THE
16 MUNICIPALITY WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE PERMIT.
17 THE MUNICIPALITY MAY NOT REQUIRE THE PRIVATE PERMITTING PROVIDER TO SUBMIT
18 THE BUILDING PLAN TO THE MUNICIPALITY FOR REVIEW. THE MUNICIPALITY SHALL
19 ACCEPT AND TRACK THE PRIVATE PERMIT IN THE SAME MANNER AS A BUILDING
20 PERMIT THAT IS ISSUED BY THE MUNICIPALITY.

21 C. ON COMPLETION OF AN INSPECTION OF A SINGLE-TRADE RESIDENTIAL
22 CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER DETERMINES THAT THE
23 SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT COMPLIES WITH THE BUILDING
24 PERMIT APPLICATION AND ALL APPLICABLE BUILDING CODES, THE PRIVATE
25 PERMITTING PROVIDER SHALL ISSUE A PRIVATE CERTIFICATE OF COMPLETION. THE
26 PRIVATE PERMITTING PROVIDER MAY USE PHOTOGRAPHS, RECORDED VIDEOS OR LIVE
27 VIDEO STREAMS TO CONDUCT THE INSPECTION. THE PRIVATE PERMITTING PROVIDER
28 SHALL SUBMIT A COPY OF THE PRIVATE CERTIFICATE OF COMPLETION TO THE
29 MUNICIPALITY WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE
30 CERTIFICATE OF COMPLETION. THE MUNICIPALITY SHALL ACCEPT AND TRACK THE
31 PRIVATE CERTIFICATE OF COMPLETION IN THE SAME MANNER AS A CERTIFICATE OF
32 COMPLETION THAT IS ISSUED BY THE MUNICIPALITY.

33 D. A MUNICIPALITY MAY NOT IMPOSE ANY FEES RELATED TO THE REVIEW OR
34 PROCESSING OF A PRIVATE PERMIT OR PRIVATE CERTIFICATE OF COMPLETION THAT
35 IS ISSUED BY A PRIVATE PERMITTING PROVIDER OTHER THAN REASONABLE RECORDING
36 FEES.

37 E. A MUNICIPALITY MAY NOT TAKE ANY DISCRIMINATORY ACTION AGAINST
38 THE PROPERTY OWNER OR THE PROPERTY OWNER'S CONTRACTOR OR AGENT FOR USING A
39 PRIVATE PERMITTING PROVIDER.

40 F. A PRIVATE PERMITTING PROVIDER MAY USE SOFTWARE THAT IS DESIGNED
41 TO AUTOMATE THE REQUIRED REVIEW AND BUILDING PERMIT OR CERTIFICATE OF
42 COMPLETION PROCESS WITHOUT THE PERFORMANCE OF AN ADDITIONAL MANUAL REVIEW
43 BY THE PRIVATE PERMITTING PROVIDER.

44 G. A PRIVATE PERMITTING PROVIDER SHALL MAINTAIN APPLICABLE
45 PROFESSIONAL LIABILITY INSURANCE IN THE AMOUNT ESTABLISHED BY THE PRIVATE
46 PERMITTING PROVIDER'S REGISTRATION OR CERTIFICATION REGULATIONS.

1 H. A MUNICIPALITY SHALL POST ON THE MUNICIPALITY'S WEBSITE ALL
2 BUILDING CODES AND PERMITTING FEE SCHEDULES. IF A MUNICIPALITY DOES NOT
3 POST ALL BUILDING CODES AND PERMITTING FEE SCHEDULES ON THE MUNICIPALITY'S
4 WEBSITE, A PRIVATE PERMITTING PROVIDER MAY RELY ON APPLICABLE
5 INTERNATIONAL MODEL BUILDING SAFETY CODES TO DETERMINE CODE COMPLIANCE AND
6 CONDUCT AN INSPECTION. A MUNICIPALITY THAT HAS NOT POSTED ALL BUILDING
7 CODES AND PERMITTING FEE SCHEDULES ON THE MUNICIPALITY'S WEBSITE MAY NOT
8 CHARGE A PERMITTING FEE FOR A SINGLE-TRADE RESIDENTIAL CONSTRUCTION
9 PROJECT THAT IS PERMITTED OR INSPECTED PURSUANT TO THIS SECTION.

10 I. FOR THE PURPOSES OF THIS SECTION:

11 1. "BUILDING CODE" INCLUDES:

12 (a) PLUMBING AND MECHANICAL CODES.

13 (b) ELECTRIC CODES.

14 (c) RESIDENTIAL CONSTRUCTION CODES.

15 (d) ENERGY CONSERVATION CODES.

16 (e) ZONING AND PLANNING CODES.

17 (f) BUILDING CONSTRUCTION CODES.

18 (g) PROPERTY MAINTENANCE CODES.

19 (h) ANTIBLIGHT CODES.

20 2. "PRIVATE CERTIFICATE OF COMPLETION" MEANS A CERTIFICATE OF
21 COMPLETION THAT IS ISSUED BY A PRIVATE PERMITTING PROVIDER.

22 3. "PRIVATE PERMIT" MEANS A BUILDING PERMIT THAT IS ISSUED BY A
23 PRIVATE PERMITTING PROVIDER.

24 4. "PRIVATE PERMITTING PROVIDER" MEANS EITHER OF THE FOLLOWING:

25 (a) A PERSON OR FIRM THAT IS REGISTERED PURSUANT TO TITLE 32,
26 CHAPTER 1 TO PRACTICE ARCHITECTURE OR ENGINEERING.

27 (b) AN INSPECTOR OR PLANS EXAMINER WHO IS CERTIFIED BY AN
28 ORGANIZATION THAT DEVELOPS MODEL CODES AND STANDARDS FOR BUILDING SAFETY.

29 5. "SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT":

30 (a) MEANS ANY CONSTRUCTION PROJECT ON THE PROPERTY OF A
31 SINGLE-FAMILY OR MULTIFAMILY RESIDENTIAL DWELLING UNIT THAT REQUIRES A
32 BUILDING PERMIT AND THAT IS LIMITED TO A SINGLE CONSTRUCTION DISCIPLINE.

33 (b) INCLUDES ERECTING, INSTALLING, ENLARGING, ALTERING, REPAIRING,
34 REMOVING, CONVERTING OR REPLACING:

35 (i) A SINGLE UTILITY SYSTEM.

36 (ii) A HEATING, VENTILATION OR AIR CONDITIONING SYSTEM.

37 (iii) A WATER HEATER OR WATER-TREATMENT APPLIANCE.

38 (iv) A SOLAR SYSTEM PHOTOVOLTAIC OR THERMAL SYSTEM, AN ENERGY
39 STORAGE SYSTEM OR A COMBINATION.

40 (v) ROOFING.

41 (vi) EXTERIOR OPENINGS.

42 (vii) STUCCO, PLASTER OR SIDING.

43 (viii) FENCING.

1 Sec. 2. Title 11, chapter 6, article 1, Arizona Revised Statutes,
2 is amended by adding section 11-810.02, to read:

3 11-810.02. Private permitting providers; building permits;
4 certificates of completion; liability insurance;
5 code and fee publication; definitions

6 A. FOR ANY SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT, THE
7 PROPERTY OWNER OR THE PROPERTY OWNER'S CONTRACTOR OR AGENT MAY ELECT TO
8 USE A PRIVATE PERMITTING PROVIDER TO CONDUCT A BUILDING PLAN REVIEW OR
9 INSPECTION WITHOUT APPROVAL FROM THE COUNTY.

10 B. ON COMPLETION OF A BUILDING PLAN REVIEW FOR A SINGLE-TRADE
11 RESIDENTIAL CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER HAS
12 DETERMINED THAT THE BUILDING PLAN COMPLIES WITH APPLICABLE BUILDING CODES,
13 THE PRIVATE PERMITTING PROVIDER SHALL ISSUE A PRIVATE PERMIT. THE PRIVATE
14 PERMITTING PROVIDER SHALL SUBMIT A COPY OF THE PRIVATE PERMIT TO THE
15 COUNTY WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE PERMIT. THE
16 COUNTY MAY NOT REQUIRE THE PRIVATE PERMITTING PROVIDER TO SUBMIT THE
17 BUILDING PLAN TO THE COUNTY FOR REVIEW. THE COUNTY SHALL ACCEPT AND TRACK
18 THE PRIVATE PERMIT IN THE SAME MANNER AS A BUILDING PERMIT THAT IS ISSUED
19 BY THE COUNTY.

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21 CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER DETERMINES THAT THE
22 SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT COMPLIES WITH THE BUILDING
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27 SHALL SUBMIT A COPY OF THE PRIVATE CERTIFICATE OF COMPLETION TO THE COUNTY
28 WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE CERTIFICATE OF
29 COMPLETION. THE COUNTY SHALL ACCEPT AND TRACK THE PRIVATE CERTIFICATE OF
30 COMPLETION IN THE SAME MANNER AS A CERTIFICATE OF COMPLETION THAT IS
31 ISSUED BY THE COUNTY.

32 D. A COUNTY MAY NOT IMPOSE ANY FEES RELATED TO THE REVIEW OR
33 PROCESSING OF A PRIVATE PERMIT OR PRIVATE CERTIFICATE OF COMPLETION THAT
34 IS ISSUED BY A PRIVATE PERMITTING PROVIDER OTHER THAN REASONABLE RECORDING
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37 PROPERTY OWNER OR THE PROPERTY OWNER'S CONTRACTOR OR AGENT FOR USING A
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1 H. A COUNTY SHALL POST ON THE COUNTY'S WEBSITE ALL BUILDING CODES
2 AND PERMITTING FEE SCHEDULES. IF A COUNTY DOES NOT POST ALL BUILDING
3 CODES AND PERMITTING FEE SCHEDULES ON THE COUNTY'S WEBSITE, A PRIVATE
4 PERMITTING PROVIDER MAY RELY ON APPLICABLE INTERNATIONAL MODEL BUILDING
5 SAFETY CODES TO DETERMINE CODE COMPLIANCE AND CONDUCT AN INSPECTION. A
6 COUNTY THAT HAS NOT POSTED ALL BUILDING CODES AND PERMITTING FEE SCHEDULES
7 ON THE COUNTY'S WEBSITE MAY NOT CHARGE A PERMITTING FEE FOR A SINGLE-TRADE
8 RESIDENTIAL CONSTRUCTION PROJECT THAT IS PERMITTED OR INSPECTED PURSUANT
9 TO THIS SECTION.

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28 MODEL CODES AND STANDARDS FOR BUILDING SAFETY OR BY A NATIONAL
29 PROFESSIONAL ELECTRICAL TRADE ASSOCIATION.

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