

Senate Engrossed

municipalities; counties; private permitting providers

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

SENATE BILL 1241

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; registration; nuisance
7 removal; prohibition; powers; definitions

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

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

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

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

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

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

1 G. A PRIVATE PERMITTING PROVIDER SHALL MAINTAIN APPLICABLE
2 PROFESSIONAL LIABILITY INSURANCE IN THE AMOUNT ESTABLISHED BY THE PRIVATE
3 PERMITTING PROVIDER'S REGISTRATION OR CERTIFICATION REGULATIONS.

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

13 I. A MUNICIPALITY MAY MAINTAIN A REGISTRATION PROCESS TO VERIFY
14 THAT A PRIVATE PERMITTING PROVIDER MEETS THE REQUIREMENTS OF THIS SECTION.
15 IF A MUNICIPALITY MAINTAINS A REGISTRATION PROCESS PURSUANT TO THIS
16 SUBSECTION, THE MUNICIPALITY SHALL POST ON THE MUNICIPALITY'S WEBSITE A
17 LIST OF PRIVATE PERMITTING PROVIDERS THAT ARE REGISTERED THROUGH THE
18 MUNICIPALITY'S REGISTRATION PROCESS. IF A MUNICIPALITY MAINTAINS A
19 REGISTRATION PROCESS, A PRIVATE PERMITTING PROVIDER THAT IS INCLUDED IN
20 THE MUNICIPALITY'S POSTED LIST OF REGISTERED PRIVATE PERMITTING PROVIDERS
21 OR THAT IS REGISTERED THROUGH ANOTHER MUNICIPALITY OR COUNTY SHALL BE
22 AVAILABLE TO PERFORM A BUILDING PLAN REVIEW OR INSPECTION.

23 J. NOTWITHSTANDING SUBSECTION I OF THIS SECTION, A MUNICIPALITY
24 THAT HAS ABATED OR REMOVED A NUISANCE THAT WAS THE SUBJECT OF A BUILDING
25 PLAN REVIEW OR INSPECTION THAT WAS CONDUCTED BY A PRIVATE PERMITTING
26 PROVIDER PURSUANT TO THIS SECTION MAY PROHIBIT THAT PRIVATE PERMITTING
27 PROVIDER FROM CONDUCTING BUILDING PLAN REVIEWS OR INSPECTIONS IN THAT
28 MUNICIPALITY. A PRIVATE PERMITTING PROVIDER THAT IS PROHIBITED FROM
29 CONDUCTING BUILDING PLAN REVIEWS OR INSPECTIONS PURSUANT TO THIS
30 SUBSECTION MAY APPEAL THE PROHIBITION TO THE GOVERNING BODIES OF THE
31 MUNICIPALITY. AT THE PRIVATE PERMITTING PROVIDER'S REQUEST, THE
32 MUNICIPALITY SHALL PROVIDE THE PRIVATE PERMITTING PROVIDER WITH A METHOD
33 TO REMOVE THE PROHIBITION.

34 K. THIS SECTION DOES NOT LIMIT OR AFFECT A MUNICIPALITY'S ABILITY
35 TO DEFINE, ABATE OR REMOVE NUISANCES AND PUNISH PERSONS COMMITTING
36 NUISANCES PURSUANT TO SECTION 9-240, SUBSECTION B, PARAGRAPH 21,
37 SUBDIVISION (a).

38 L. A MUNICIPALITY THAT ISSUES A PERMIT, APPROVAL OR CERTIFICATE OF
39 OCCUPANCY AFTER A PLAN REVIEW OR INSPECTION THAT IS CONDUCTED BY A PRIVATE
40 PERMITTING PROVIDER PURSUANT TO THIS SECTION SHALL HAVE THE IMMUNITY
41 PRESCRIBED IN SECTIONS 12-820.01 AND 12-820.02.

42 M. FOR THE PURPOSES OF THIS SECTION:

43 1. "BUILDING CODE" INCLUDES:

44 (a) PLUMBING AND MECHANICAL CODES.

45 (b) ELECTRIC CODES.

- 1 (c) RESIDENTIAL CONSTRUCTION CODES.
- 2 (d) ENERGY CONSERVATION CODES.
- 3 (e) ZONING AND PLANNING CODES.
- 4 (f) BUILDING CONSTRUCTION CODES.
- 5 (g) PROPERTY MAINTENANCE CODES.
- 6 (h) ANTIBLIGHT CODES.

7 2. "PRIVATE CERTIFICATE OF COMPLETION" MEANS A CERTIFICATE OF
8 COMPLETION THAT IS ISSUED BY A PRIVATE PERMITTING PROVIDER.

9 3. "PRIVATE PERMIT" MEANS A BUILDING PERMIT THAT IS ISSUED BY A
10 PRIVATE PERMITTING PROVIDER.

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

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

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

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

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

20 (b) INCLUDES ERECTING, INSTALLING, ENLARGING, ALTERING, REPAIRING,
21 REMOVING, CONVERTING OR REPLACING:

22 (i) A SINGLE UTILITY SYSTEM.

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

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

25 (iv) A SOLAR PHOTOVOLTAIC SYSTEM, A SOLAR THERMAL SYSTEM, AN ENERGY
26 STORAGE SYSTEM OR A COMBINATION.

27 (v) ROOFING.

28 (vi) EXTERIOR OPENINGS.

29 (vii) STUCCO, PLASTER OR SIDING.

30 (viii) FENCING.

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

33 11-810.02. Private permitting providers; building permits;
34 certificates of completion; liability insurance;
35 code and fee publication; registration; nuisance
36 removal; prohibition; powers; definitions

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

41 B. ON COMPLETION OF A BUILDING PLAN REVIEW FOR A SINGLE-TRADE
42 RESIDENTIAL CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER HAS
43 DETERMINED THAT THE BUILDING PLAN COMPLIES WITH APPLICABLE BUILDING CODES,
44 THE PRIVATE PERMITTING PROVIDER SHALL ISSUE A PRIVATE PERMIT. THE PRIVATE
45 PERMITTING PROVIDER SHALL SUBMIT A COPY OF THE PRIVATE PERMIT TO THE

1 COUNTY WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE PERMIT. THE
2 COUNTY MAY NOT REQUIRE THE PRIVATE PERMITTING PROVIDER TO SUBMIT THE
3 BUILDING PLAN TO THE COUNTY FOR REVIEW. THE COUNTY SHALL ACCEPT AND TRACK
4 THE PRIVATE PERMIT IN THE SAME MANNER AS A BUILDING PERMIT THAT IS ISSUED
5 BY THE COUNTY.

6 C. ON COMPLETION OF AN INSPECTION OF A SINGLE-TRADE RESIDENTIAL
7 CONSTRUCTION PROJECT, IF A PRIVATE PERMITTING PROVIDER DETERMINES THAT THE
8 SINGLE-TRADE RESIDENTIAL CONSTRUCTION PROJECT COMPLIES WITH THE BUILDING
9 PERMIT APPLICATION AND ALL APPLICABLE BUILDING CODES, THE PRIVATE
10 PERMITTING PROVIDER SHALL ISSUE A PRIVATE CERTIFICATE OF COMPLETION. THE
11 PRIVATE PERMITTING PROVIDER MAY USE PHOTOGRAPHS, RECORDED VIDEOS OR LIVE
12 VIDEO STREAMS TO CONDUCT AN INSPECTION. THE PRIVATE PERMITTING PROVIDER
13 SHALL SUBMIT A COPY OF THE PRIVATE CERTIFICATE OF COMPLETION TO THE COUNTY
14 WITHIN FORTY-EIGHT HOURS AFTER ISSUING THE PRIVATE CERTIFICATE OF
15 COMPLETION. THE COUNTY SHALL ACCEPT AND TRACK THE PRIVATE CERTIFICATE OF
16 COMPLETION IN THE SAME MANNER AS A CERTIFICATE OF COMPLETION THAT IS
17 ISSUED BY THE COUNTY.

18 D. A COUNTY MAY NOT IMPOSE ANY FEES RELATED TO THE REVIEW OR
19 PROCESSING OF A PRIVATE PERMIT OR PRIVATE CERTIFICATE OF COMPLETION THAT
20 IS ISSUED BY A PRIVATE PERMITTING PROVIDER OTHER THAN REASONABLE RECORDING
21 FEES.

22 E. A COUNTY MAY NOT TAKE ANY DISCRIMINATORY ACTION AGAINST THE
23 PROPERTY OWNER OR THE PROPERTY OWNER'S CONTRACTOR OR AGENT FOR USING A
24 PRIVATE PERMITTING PROVIDER.

25 F. A PRIVATE PERMITTING PROVIDER MAY USE SOFTWARE THAT IS DESIGNED
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29 G. A PRIVATE PERMITTING PROVIDER SHALL MAINTAIN APPLICABLE
30 PROFESSIONAL LIABILITY INSURANCE IN THE AMOUNT ESTABLISHED BY THE PRIVATE
31 PERMITTING PROVIDER'S REGISTRATION OR CERTIFICATION REGULATIONS.

32 H. A COUNTY SHALL POST ON THE COUNTY'S WEBSITE ALL BUILDING CODES
33 AND PERMITTING FEE SCHEDULES. IF A COUNTY DOES NOT POST ALL BUILDING
34 CODES AND PERMITTING FEE SCHEDULES ON THE COUNTY'S WEBSITE, A PRIVATE
35 PERMITTING PROVIDER MAY RELY ON APPLICABLE INTERNATIONAL MODEL BUILDING
36 SAFETY CODES TO DETERMINE CODE COMPLIANCE AND CONDUCT AN INSPECTION. A
37 COUNTY THAT HAS NOT POSTED ALL BUILDING CODES AND PERMITTING FEE SCHEDULES
38 ON THE COUNTY'S WEBSITE MAY NOT CHARGE A PERMITTING FEE FOR A SINGLE-TRADE
39 RESIDENTIAL CONSTRUCTION PROJECT THAT IS PERMITTED OR INSPECTED PURSUANT
40 TO THIS SECTION.

41 I. A COUNTY MAY MAINTAIN A REGISTRATION PROCESS TO VERIFY THAT A
42 PRIVATE PERMITTING PROVIDER MEETS THE REQUIREMENTS OF THIS SECTION. IF A
43 COUNTY MAINTAINS A REGISTRATION PROCESS PURSUANT TO THIS SUBSECTION, THE
44 COUNTY SHALL POST ON THE COUNTY'S WEBSITE A LIST OF PRIVATE PERMITTING
45 PROVIDERS THAT ARE REGISTERED THROUGH THE COUNTY'S REGISTRATION PROCESS.

1 IF A COUNTY MAINTAINS A REGISTRATION PROCESS, A PRIVATE PERMITTING
2 PROVIDER THAT IS INCLUDED IN THE COUNTY'S POSTED LIST OF REGISTERED
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4 OR MUNICIPALITY SHALL BE AVAILABLE TO PERFORM A BUILDING PLAN REVIEW OR
5 INSPECTION.

6 J. NOTWITHSTANDING SUBSECTION I OF THIS SECTION, A COUNTY THAT HAS
7 ABATED OR REMOVED A NUISANCE THAT WAS THE SUBJECT OF A BUILDING PLAN
8 REVIEW OR INSPECTION THAT WAS CONDUCTED BY A PRIVATE PERMITTING PROVIDER
9 PURSUANT TO THIS SECTION MAY PROHIBIT THAT PRIVATE PERMITTING PROVIDER
10 FROM CONDUCTING BUILDING PLAN REVIEWS OR INSPECTIONS IN THAT COUNTY. A
11 PRIVATE PERMITTING PROVIDER THAT IS PROHIBITED FROM CONDUCTING BUILDING
12 PLAN REVIEWS OR INSPECTIONS PURSUANT TO THIS SUBSECTION MAY APPEAL THE
13 PROHIBITION TO THE GOVERNING BODY OF THE COUNTY. AT THE PRIVATE
14 PERMITTING PROVIDER'S REQUEST, THE COUNTY SHALL PROVIDE THE PRIVATE
15 PERMITTING PROVIDER WITH A METHOD TO REMOVE THE PROHIBITION.

16 K. THIS SECTION DOES NOT LIMIT OR AFFECT A COUNTY'S ABILITY TO
17 DEFINE, ABATE OR REMOVE NUISANCES AND PUNISH PERSONS COMMITTING NUISANCES.

18 L. A COUNTY THAT ISSUES A PERMIT, APPROVAL OR CERTIFICATE OF
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- 39 (b) AN INSPECTOR WHO IS CERTIFIED BY AN ORGANIZATION THAT DEVELOPS
40 MODEL CODES AND STANDARDS FOR BUILDING SAFETY OR BY A NATIONAL
41 PROFESSIONAL ELECTRICAL TRADE ASSOCIATION.

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

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

- 1 (b) INCLUDES ERECTING, INSTALLING, ENLARGING, ALTERING, REPAIRING,
2 REMOVING, CONVERTING OR REPLACING:
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