



# HOUSE OF REPRESENTATIVES

SB 1302

planned communities; design review process

Sponsor: Senator Burges

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**DP** Committee on Government  
**DP** Caucus and COW  
**X** As Transmitted to the Governor

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## OVERVIEW

SB 1302 clarifies statutory guidelines for new construction in a planned community that has architectural design guidelines or other similar rules.

## HISTORY

An *association*, more commonly known as a homeowners' association (HOA), is an organization of property owners in a planned community. These organizations are created to operate shared areas of their respective communities. They are run by a board of directors (Board) that is elected by members and acts on their behalf.

Community *documents* refers to the declaration, bylaws, articles of incorporation and rules of an HOA. These can include mandates on the association itself, the Board, and members of the association. Members of an HOA own their properties, but pay dues to an association in exchange for having the association provide maintenance and other services and amenities.

Laws 2012, Chapter 313, prescribed guidelines for plan design approval and security deposit monies related to new residential construction in a planned community HOA. Statute requires membership on a design review or architectural design committee to have at least one member of the Board and outlines procedures for security deposit monies, final design approval meetings, on-site formal reviews and written reports (Arizona Revised Statutes § 33-1817).

## PROVISIONS

- Specifies that in order to be subject to statutory guidelines regarding security deposit monies, plan reviews, and meeting and reporting requirements, the building project must be new construction or a rebuild of the main residential structure on a lot in a planned community that has enacted architectural guidelines *and* the HOA must require a security deposit.
- Makes technical and conforming changes.