

REFERENCE TITLE: **assisted living; distance requirements; prohibition**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2724

Introduced by
Representative Toma

AN ACT

**AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-461.18; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-810.01; 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 9-461.18, to read:

4 9-461.18. Assisted living; distance requirements;
5 prohibition; definition

6 A. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY MAY NOT ADOPT A
7 LAND USE REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION OR IMPOSE AS A
8 CONDITION FOR APPROVING A BUILDING OR USE PERMIT ANY REQUIREMENT THAT
9 RESTRICTS THE DISTANCE BETWEEN AN EXISTING ASSISTED LIVING HOME AND A NEW
10 ASSISTED LIVING HOME IF ALL OTHER STANDARDS AND REQUIREMENTS ESTABLISHED
11 PURSUANT TO THIS CHAPTER HAVE BEEN MET.

12 B. FOR THE PURPOSES OF THIS SECTION, "ASSISTED LIVING HOME" HAS THE
13 SAME MEANING PRESCRIBED IN SECTION 36-401.

14 Sec. 2. Title 11, chapter 6, article 1, Arizona Revised Statutes,
15 is amended by adding section 11-810.01, to read:

16 11-810.01. Assisted living; distance requirements;
17 prohibition; definition

18 A. NOTWITHSTANDING ANY OTHER LAW, A COUNTY MAY NOT ADOPT A LAND USE
19 REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION OR IMPOSE AS A CONDITION
20 FOR APPROVING A BUILDING OR USE PERMIT ANY REQUIREMENT THAT RESTRICTS THE
21 DISTANCE BETWEEN AN EXISTING ASSISTED LIVING HOME AND A NEW ASSISTED
22 LIVING HOME IF ALL OTHER STANDARDS AND REQUIREMENTS ESTABLISHED PURSUANT
23 TO THIS CHAPTER HAVE BEEN MET.

24 B. FOR THE PURPOSES OF THIS SECTION, "ASSISTED LIVING HOME" HAS THE
25 SAME MEANING PRESCRIBED IN SECTION 36-401.