

House Engrossed

~~water supply; elimination; reduction; damages~~
(now: grazing operations; energy projects; compensation)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2411

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 29;
RELATING TO CONSTRUCTION PROJECTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 29, to read:

4 CHAPTER 29

5 CONSTRUCTION PROJECTS

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7201. Construction projects; grazing operations;
8 compensation; definition

9 A. A BUSINESS MAY NOT CONTRACT OR SUBCONTRACT WITH A RESIDENT OF
10 THIS STATE OR A BUSINESS IN THIS STATE TO CONSTRUCT A PROJECT THAT REDUCES
11 THE SIZE OF A GRAZING LESSEE'S GRAZING OPERATION UNLESS THE BUSINESS
12 COMPENSATES THE GRAZING LESSEE AT FAIR MARKET VALUE FOR THE FOLLOWING:

- 13 1. THE GRAZING LESSEE'S LOSS OF PROFITS THROUGH THE END OF THE
14 LEASE TERM OR FOR FIVE YEARS AFTER THE SIZE OF THE GRAZING LESSEE'S
15 GRAZING OPERATION IS REDUCED, WHICHEVER IS LESS.
16 2. THE LOSS IN VALUE OF THE GRAZING LESSEE'S GRAZING OPERATION.
17 3. THE COST TO RELOCATE THE GRAZING LESSEE'S GRAZING OPERATION.
18 4. THE COST TO MITIGATE LOSSES DUE TO THE REDUCTION OF THE GRAZING
19 LESSEE'S GRAZING OPERATION.

20 B. BEFORE A BUSINESS COMPENSATES A GRAZING LESSEE FOR THE EXPENSES
21 PRESCRIBED IN SUBSECTION A OF THIS SECTION, THE GRAZING LESSEE SHALL
22 PROVIDE THE BUSINESS WITH CREDIBLE EVIDENCE THAT CERTIFIES THE AMOUNT OF
23 THE EXPENSES.

24 C. FOR THE PURPOSES OF THIS SECTION, "GRAZING LESSEE" MEANS A
25 LESSEE OF STATE LANDS THAT ARE LEASED FOR GRAZING PURPOSES PURSUANT TO
26 TITLE 37, CHAPTER 2, ARTICLE 4 OR A LESSEE OF FEDERAL LANDS THAT ARE
27 LEASED FOR GRAZING PURPOSES.