

REFERENCE TITLE: private property; wells; regulation; prohibition

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

## **HB 2535**

Introduced by  
Representatives Smith: Carter, Chaplik, Cook, Diaz, Dunn, Gillette, Gress,  
Griffin, Harris, Heap, Hendrix, Jones, Marshall, McGarr, Montenegro,  
Parker B, Parker J, Pingerelli, Senators Hoffman, Kern, Kerr, Shamp,  
Wadsack

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 9-500.49; RELATING TO MUNICIPAL REGULATIONS.

(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 8, Arizona Revised Statutes,  
3 is amended by adding section 9-500.49, to read:

4 9-500.49. Private property well use; regulation; prohibition

5 A. NOTWITHSTANDING ANY OTHER LAW, A WELL DRILLED ON PRIVATE  
6 PROPERTY IN AN UNINCORPORATED AREA IS NOT SUBJECT TO MUNICIPAL REGULATION  
7 IF THE UNINCORPORATED AREA WHERE THE WELL IS LOCATED IS ANNEXED BY A CITY  
8 OR TOWN AFTER THE WELL HAS BEEN DRILLED.

9 B. NOTWITHSTANDING ANY OTHER LAW, ANY BUILDINGS OR STRUCTURES THAT  
10 REQUIRE WATER FROM A WELL DRILLED ON PRIVATE PROPERTY IN AN UNINCORPORATED  
11 AREA IS NOT SUBJECT TO MUNICIPAL REGULATION IF THE UNINCORPORATED AREA  
12 WHERE THE WELL IS LOCATED IS ANNEXED BY A CITY OR TOWN AFTER THE WELL HAS  
13 BEEN DRILLED.