

REFERENCE TITLE: energy projects; grazing operations; compensation

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

HB 2702

Introduced by
Representatives Nguyen: Biasiucci, Bliss, Cook, Smith

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 29;
RELATING TO SOLAR AND WIND ENERGY 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 SOLAR AND WIND ENERGY

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7201. Solar or wind energy 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 SOLAR OR WIND ENERGY
11 PROJECT THAT REDUCES THE SIZE OF A GRAZING LESSEE'S GRAZING OPERATION
12 UNLESS THE BUSINESS COMPENSATES THE GRAZING LESSEE FOR THE FOLLOWING:

- 13 1. THE GRAZING LESSEE'S LOSS OF PROFITS.
- 14 2. THE LOSS IN VALUE OF THE GRAZING LESSEE'S GRAZING OPERATION.
- 15 3. THE COST TO RELOCATE THE GRAZING LESSEE'S GRAZING OPERATION.
- 16 4. THE COST TO MITIGATE LOSSES DUE TO THE REDUCTION OF THE GRAZING
17 LESSEE'S GRAZING OPERATION.

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

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