

REFERENCE TITLE: electric vehicles; pilot program; appropriation

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SB 1441

Introduced by  
Senators Sundareshan: Gabaldón, Gonzales, Mendez, Miranda, Terán;  
Representative Travers

AN ACT

AMENDING SECTIONS 9-467 AND 11-321, ARIZONA REVISED STATUTES;  
APPROPRIATING MONIES; RELATING TO INFRASTRUCTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 9-467, Arizona Revised Statutes, is amended to  
3 read:

4 9-467. Building permits; issuance; distribution of copies;  
5 state preemption; utilities; electrical capacity;  
6 subsequent owner; limitation; definitions

7 A. Any municipality requiring the issuance of a building permit  
8 shall transmit one copy of the permit to the county assessor and one copy  
9 to the director of the department of revenue. Permit copies shall provide  
10 the permit number, issue date and parcel number. On the issuance of the  
11 certificate of occupancy or the certificate of completion or on the  
12 expiration or cancellation of the permit, the assessor and the department  
13 of revenue shall be notified in writing or in electronic format of the  
14 permit number, parcel number, issue date and completion date.

15 B. The regulation of a utility provider's authority to operate and  
16 serve customers is a matter of statewide concern. The regulation of  
17 building permits as it relates to a building permit applicant's ability to  
18 use a utility provider that is capable and authorized to provide utility  
19 service is allowed solely in accordance with subsections C and D of this  
20 section. A building permit applicant's ability to use a utility provider  
21 that is capable and authorized to provide utility service is not subject  
22 to further regulation by a municipality.

23 C. A municipality requiring the issuance of a building permit may  
24 not deny a permit application based on the utility provider proposed to  
25 provide utility service to the project.

26 D. A municipality issuing a building permit shall ensure that all  
27 applicable permits and associated fees assessed on a building permit  
28 applicant contain requirements and amounts that do not exceed the  
29 requirements and amounts for use of other utility providers and do not  
30 have the effect of restricting ~~a~~ THE permit applicant's ability to use  
31 the services of a utility provider that is capable and authorized to  
32 provide utility service.

33 E. A municipality may not require an applicant for a building  
34 permit to hold a transaction privilege tax license or business license as  
35 a condition for issuing the building permit. A ~~city or town~~ MUNICIPALITY  
36 may require a person that has been issued a building permit and that does  
37 not otherwise hold a business license from the municipality to apply for a  
38 business license within thirty days after issuing the building permit.

39 F. A MUNICIPALITY MAY NOT ISSUE A RESIDENTIAL STRUCTURE BUILDING  
40 PERMIT FOR A SINGLE-FAMILY STRUCTURE IF THE RESIDENTIAL STRUCTURE DOES NOT  
41 HAVE A 208/240-VOLT, FIFTY-AMPERE, NEMA 14-50 BRANCH CIRCUIT WITH A  
42 DEDICATED OUTLET TO CHARGE AN ELECTRIC VEHICLE IN THE RESIDENTIAL  
43 STRUCTURE'S GARAGE OR WITHIN TEN FEET OF A PARKING SPACE ON THE OUTSIDE OF  
44 THE RESIDENTIAL STRUCTURE. THIS SUBSECTION DOES NOT APPLY TO ANY OF THE  
45 FOLLOWING:

- 1           1. A MANUFACTURED HOME.
- 2           2. A RESIDENTIAL STRUCTURE THAT IS LESS THAN ONE THOUSAND SQUARE
- 3 FEET.
- 4           3. A RESIDENTIAL STRUCTURE IN WHICH OFF-STREET PARKING IS NOT
- 5 PROVIDED.
- 6           4. A RESIDENTIAL STRUCTURE IN WHICH THE ADDITION OF A FIFTY-AMPERE
- 7 CIRCUIT WOULD REQUIRE THE MAIN SERVICE TO EXCEED TWO HUNDRED AMPERE.

8           ~~F.~~ G. If a person has constructed a building or an addition to a  
9 building without obtaining a building permit, a municipality shall not  
10 require a subsequent owner to obtain a permit for the construction or  
11 addition done by the prior owner before issuing a permit for a building  
12 addition except that this section does not prohibit A MUNICIPALITY FROM  
13 enforcing an applicable ordinance or code provision that affects the  
14 public health or safety.

15           ~~G.~~ H. This section does not prohibit a municipality from  
16 recovering reasonable costs associated with reviewing and issuing a  
17 building permit.

18           ~~H.~~ I. This section does not affect any authority of a municipality  
19 to manage or operate a municipally owned utility.

20           ~~I.~~ J. For the purposes of this section:

- 21           1. "Municipality" means a city or town organized in accordance with
- 22 law, including a home rule or charter city.
- 23           2. "Utility service" means water, wastewater, natural gas,
- 24 including propane gas, or electric service provided to an end user.

25           Sec. 2. Section 11-321, Arizona Revised Statutes, is amended to  
26 read:

27           11-321. Building permits; issuance; state preemption;  
28 utilities; distribution of copies; electrical  
29 capacity; subsequent owner; limitation; definition

30           A. Except in those cities and towns that have an ordinance relating  
31 to ~~the issuance of~~ ISSUING building permits, the board of supervisors  
32 shall require a building permit for any construction of a building or an  
33 addition to a building exceeding a cost of \$1,000 within its jurisdiction.  
34 The building permit shall be filed with the board of supervisors or its  
35 designated agent.

36           B. The regulation of a utility provider's authority to operate and  
37 serve customers is a matter of statewide concern. The regulation of  
38 building permits as it relates to a building permit applicant's ability to  
39 use a utility provider that is capable and authorized to provide utility  
40 service is allowed solely in accordance with subsections C and D of this  
41 section. A building permit applicant's ability to use a utility provider  
42 that is capable and authorized to provide utility service is not subject  
43 to further regulation by a county.

44           C. A county may not deny a permit application based on the utility  
45 provider proposed to provide utility service to the project.

1 D. A county issuing a building permit shall ensure that all  
2 applicable permits and associated fees assessed on a building permit  
3 applicant contain requirements and amounts that do not exceed the  
4 requirements and amounts for use of other utility providers and do not  
5 have the effect of restricting ~~a~~ THE permit applicant's ability to use  
6 the services of a utility provider that is capable and authorized to  
7 provide utility service.

8 E. The board of supervisors may not require an applicant for a  
9 building permit to hold a transaction privilege tax license or business  
10 license as a condition for issuing the building permit.

11 F. Where deemed of public convenience, the board of supervisors  
12 shall allow the application for and the issuance of building permits by  
13 mail.

14 G. One copy of the building permit required by the terms of  
15 subsection A of this section shall be transmitted to the county assessor  
16 and one copy shall be transmitted to the director of the department of  
17 revenue. The permit copy provided to the assessor and the department of  
18 revenue shall have the permit number, the issue date and the parcel number  
19 for which the permit is issued. On the issuance of the certificate of  
20 occupancy or the certificate of completion or on the expiration or  
21 cancellation of the permit, the assessor and the department of revenue  
22 shall be notified in writing or in electronic format of the permit number,  
23 parcel number, issue date and completion date.

24 H. THE BOARD OF SUPERVISORS MAY NOT ISSUE A RESIDENTIAL STRUCTURE  
25 BUILDING PERMIT FOR A SINGLE-FAMILY STRUCTURE IF THE RESIDENTIAL STRUCTURE  
26 DOES NOT HAVE A 208/240-VOLT, FIFTY-AMPERE, NEMA 14-50 BRANCH CIRCUIT WITH  
27 A DEDICATED OUTLET TO CHARGE AN ELECTRIC VEHICLE IN THE RESIDENTIAL  
28 STRUCTURE'S GARAGE OR WITHIN TEN FEET OF A PARKING SPACE ON THE OUTSIDE OF  
29 THE RESIDENTIAL STRUCTURE. THIS SUBSECTION DOES NOT APPLY TO ANY OF THE  
30 FOLLOWING:

- 31 1. A MANUFACTURED HOME.
- 32 2. A RESIDENTIAL STRUCTURE THAT IS LESS THAN ONE THOUSAND SQUARE  
33 FEET.
- 34 3. A RESIDENTIAL STRUCTURE IN WHICH OFF-STREET PARKING IS NOT  
35 PROVIDED.
- 36 4. A RESIDENTIAL STRUCTURE IN WHICH THE ADDITION OF A FIFTY-AMPERE  
37 CIRCUIT WOULD REQUIRE THE MAIN SERVICE TO EXCEED TWO HUNDRED AMPERE.

38 ~~H~~ I. If a person has constructed a building or an addition to a  
39 building without obtaining a building permit, a county shall not require a  
40 subsequent owner to obtain a permit for the construction or addition done  
41 by the prior owner before issuing a permit for a building addition except  
42 that this section does not prohibit A COUNTY FROM enforcing an applicable  
43 ordinance or code provision that affects the public health or safety.

44 ~~I~~ J. This section does not prohibit a county from recovering  
45 reasonable costs associated with reviewing and issuing a building permit.

1           ~~J.~~ K. This section does not affect any authority of a county to  
2 manage or operate a county-owned utility.

3           ~~K.~~ L. For the purposes of this section, "utility service" means  
4 water, wastewater, natural gas, including propane gas, or electric service  
5 provided to an end user.

6           Sec. 3. Electric vehicle-ready homes pilot program;  
7 requirements; report; delayed repeal

8           A. The department of administration shall conduct a two-year  
9 electric vehicle-ready homes pilot program.

10           B. The department shall reimburse the owner of a single-family or  
11 multifamily residential structure the cost of installing a high voltage  
12 electrical outlet for the purpose of charging an electric vehicle.

13           C. The program shall provide for the following:

14           1. Guidelines and standards to install an electrical outlet for the  
15 purpose of charging an electric vehicle.

16           2. Reimbursement for the actual cost to install the outlet, but not  
17 to exceed \$1,000, until the appropriation is exhausted.

18           3. A person is not eligible for reimbursement if the person has  
19 received monies for installing electrical outlets or charging stations for  
20 electric vehicles from a utility.

21           D. The department may adopt policies and procedures to carry out  
22 the purposes of this pilot program.

23           E. On or before December 31, 2025, the department shall submit a  
24 report to the president of the senate, the speaker of the house of  
25 representatives and the governor detailing the results of the pilot  
26 program and any revenues and costs associated with the program. The  
27 department shall provide a copy of the report to the secretary of state.

28           F. This section is repealed from and after September 30, 2026.

29           Sec. 4. Appropriation; department of administration; electric  
30 vehicle-ready homes pilot program

31           The sum of \$500,000 is appropriated from the state general fund in  
32 fiscal year 2023-2024 to the department of administration for the purposes  
33 of the electric vehicle-ready homes pilot program established by this act.