

House Engrossed

subdivided lands; civil penalties

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2007

AN ACT

AMENDING SECTION 32-2185.09, ARIZONA REVISED STATUTES; RELATING TO REAL ESTATE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-2185.09, Arizona Revised Statutes, is amended
3 to read:
4 32-2185.09. Civil penalties; limitation
5 A. A subdivider or agent who is subject to the jurisdiction of the
6 department, who violates this chapter or any rule adopted or order issued
7 by the commissioner or who engages in any unlawful practices defined in
8 section 44-1522 with respect to the sale or lease of subdivided lands may
9 be assessed a civil penalty by the commissioner, after a hearing, in an
10 amount not to exceed \$2,000 for each ~~infraction~~ LOT WHERE A VIOLATION
11 OCCURS. ~~An infraction that concerns more than one lot in a subdivision is~~
12 ~~a single infraction for the purposes of this section.~~
13 B. A proceeding ~~for imposition of~~ TO IMPOSE a civil penalty or ~~for~~
14 ~~suspension~~ TO SUSPEND or ~~revocation of~~ REVOKE a license for a violation of
15 this article or any rule adopted or order issued by the commissioner must
16 be commenced within five years of actual discovery by the department or
17 discovery that should have occurred with the exercise of reasonable
18 diligence by the department.
19 C. A subdivider who sells or leases in this state any lots, parcels
20 or fractional interest in a subdivision without first obtaining a public
21 report from the commissioner except as provided in section 32-2181.01 or
22 32-2181.02 for a lot or lots created from and after December 31, 2008 and
23 on an order issued by the commissioner may be assessed a civil penalty by
24 the commissioner, after a hearing, in an amount not to exceed \$5,000 for
25 each infraction. A proceeding ~~for the imposition of~~ TO IMPOSE a civil
26 penalty or ~~suspension~~ TO SUSPEND or ~~revocation of~~ REVOKE a license for a
27 violation of this subsection or any rule adopted or order issued by the
28 commissioner must be commenced within five years after actual discovery by
29 the department or discovery that should have occurred with the exercise of
30 reasonable diligence by the department.