

House Engrossed

municipal land sales; public notice

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

# HOUSE BILL 2132

AN ACT

AMENDING SECTIONS 9-403 AND 28-8414, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL POWERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 9-403, Arizona Revised Statutes, is amended to  
3 read:

4 9-403. Sale of real property; public hearing; resolution;  
5 posting of terms of sale; special election; sale at  
6 auction

7 A. REAL PROPERTY OF A CITY OR TOWN, THE VALUE OF WHICH IS MORE THAN  
8 \$1,500,000 BUT LESS THAN \$15,000,000, MAY NOT BE SOLD UNLESS THE GOVERNING  
9 BODY OF THE CITY OR TOWN DOES BOTH OF THE FOLLOWING:

10 1. HOLDS AT LEAST ONE PUBLIC HEARING TO TAKE PUBLIC COMMENT ON THE  
11 PROPOSED SALE AFTER PUBLISHING THE INVITATION FOR BIDS AS PRESCRIBED IN  
12 SECTION 9-402 AT LEAST THIRTY DAYS BEFORE THE SCHEDULED APPROVAL OF THE  
13 PURCHASE AGREEMENT. NOTICE OF THE HEARING SHALL BE PROVIDED AT LEAST TEN  
14 DAYS BEFORE THE HEARING AND SHALL INCLUDE BOTH OF THE FOLLOWING:

15 (a) A DESCRIPTION OF THE PROPERTY PROPOSED FOR SALE AND THE REASONS  
16 FOR THE PROPOSED SALE.

17 (b) INFORMATION ON HOW TO SUBMIT TO THE GOVERNING BODY WRITTEN AND  
18 VERBAL COMMENTS ON THE PROPOSED SALE.

19 2. BY A VOTE OF THE MEMBERS OF THE GOVERNING BODY, ADOPTS A  
20 RESOLUTION APPROVING THE SALE OF THE PROPERTY.

21 B. IF A CITY OR TOWN SELLS REAL PROPERTY PURSUANT TO SUBSECTION A  
22 OF THIS SECTION, THE TERMS OF THE SALE SHALL BE POSTED ON THE CITY'S OR  
23 TOWN'S WEBSITE ON COMPLETION OF THE SALE.

24 ~~A.~~ C. Real property of a city or town, the value of which ~~exceeds~~  
25 ~~one million five hundred thousand dollars~~ IS \$15,000,000 OR MORE, shall  
26 not be sold unless first authorized by a special election called for the  
27 purpose of submitting to the voters of the city or town the question of  
28 selling or not selling the real property proposed for sale. The election  
29 shall be held within the corporate limits of the city or town on a date  
30 prescribed by section 16-204, and notice shall be given as provided in  
31 section 9-402.

32 ~~B.~~ D. The ballots shall contain a description of the property  
33 proposed for sale and the reason why the governing body desires the  
34 property sold. The description and reasons shall be printed in  
35 eight-point type and shall contain not more than one hundred words.

36 ~~C.~~ E. If a majority of the ballots cast is in favor of selling,  
37 ~~then~~ the governing body may sell the property at public auction, after  
38 giving the notice required in section 9-402, to the highest bidder for  
39 cash, reserving the right to reject any and all bids.

40 F. REAL PROPERTY SOLD PURSUANT TO THIS SECTION SHALL BE SOLD AT NOT  
41 LESS THAN THE APPRAISED VALUE OF THE PROPERTY.

1           Sec. 2. Section 28-8414, Arizona Revised Statutes, is amended to  
2 read:

3           28-8414. City and town airport disposal

4           By resolution, the governing body of a city or town:

5           1. May sell, lease and dispose of an airport acquired under this  
6 article.

7           2. If an airport acquired under this article is sold, leased or  
8 disposed of to the county in which the airport is located, to ~~the~~ THIS  
9 state or to the United States or any of its agencies, may sell, lease or  
10 dispose of the airport for a nominal consideration without advertising and  
11 without ~~holding a special election as~~ FOLLOWING THE PROCEDURES prescribed  
12 by sections 9-402 and 9-403.