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2023 LEGISLATION

The following is a brief summary of changes to the law governing condominiums and planned communities effective 10/30/23. All of the statutes referenced are available on my website under the statute library tab.

HOUSE BILL 2298

Amends the statute in the Planned Community Act concerning public roadways (A.R.S. §33-1818). For communities that have CC&R's that regulate parking on public roadways, the statute now requires that a membership vote be held prior to 6/15/25 to decide whether to continue with those restrictions.

SENATE BILL 1049

Amends the statute in the Planned Community and Condominium Acts governing an owner's right to display certain flags (A.R.S. §§33-1808 and 33-1261) by adding an additional flag: "any historic version of the American flag, including the Betsy Ross flag, without regard to how the stars and stripes are arranged on the flag."

HOUSE BILL 2607

Amends the statutes in the Planned Community and Condominium Acts (A.R.S. §§33-1813 and 33-1243) regarding the removal of directors. If an association fails to hold a special meeting within 30 days after receiving a petition for the removal of directors, the directors are automatically removed on the 31st day.

HOUSE BILL 2301

Amends the Planned Community and Condominium Acts (A.R.S. §§33-1808 and 33-1261) concerning political activity. It no longer allows gated community associations to prohibit certain political activities (door-to-door solicitations, circulation of petitions, etc.), but does allow them to require that people engaged in those activities be accompanied by a community member.

HOUSE BILL 2251

Amends the Condominium Act to allow owners to file claims under the condo association's policy. Before an owner can file a claim, however, the owner must report the loss to the association and the association has 10 business days to provide the owner with a written decision whether it will report the claim. If the association decides not to report the claim, it must provide the reason in the written decision. The amendment also requires that the Association inform owners annually, in writing, whether the unit owner is responsible for the deductibles applicable to property and liability coverage and the amount of the deductibles applicable to the association's policies.