

# 2022 ARIZONA LEGISLATIVE UPDATE

Effective Date: September 23, 2022  
(unless otherwise noted)

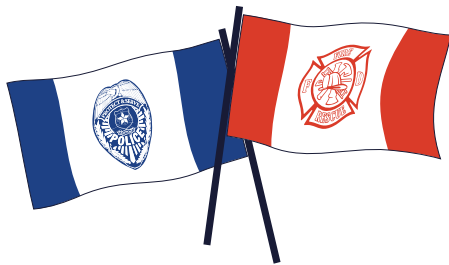
## SUMMARY

### HB2010 – Amending A.R.S. §§33-1261 and 33-1808 (FLAGS)

This statute adds more “flags” to the Flag Statutes that must be allowed if displayed in a manner consistent with the federal flag code. The added flags include:

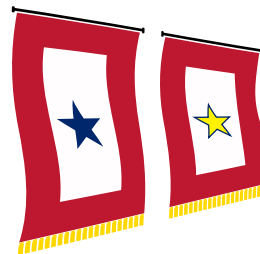
1

#### First responder flags.



2

#### Blue star service flags or a gold star service flags.



#### But what is a First responder flag?

“First Responder Flag” means a flag that recognizes and honors the services of any of the following:

- Law enforcement and that is limited to the colors blue, black and white, the words "law enforcement", "police", "officers", "first responder", "honor our", "support our" and "department" and the symbol of a generic police shield in a crest or star shape.
- Fire department and that is limited to the colors red, gold, black and white, the words "fire", "fighters", "F", "D", "FD", "first responder", "department", "honor our" and "support our" and the symbol of a generic maltese cross.
- Paramedics or emergency medical technicians and that is limited to the colors blue, black and white, the words "first responder", "paramedic", "emergency medical", "service", "technician", "honor our" and "support our" and the symbol of a generic star of life.

The statute replaced army, navy, air force, marine corps or coast guard flags, with “an official or replica of a flag of the uniformed services of the United States.” I think they did this to include Space Force.

## HB2131 – Adding A.R.S. §33-1819 (ARTIFICIAL TURF)

Generally, any post declarant planned community that allows natural grass on a member's lot must allow the installation or use of artificial turf on that lot. While artificial turf must be allowed, the association:

- Adopt rules relating to the installation and aesthetics of artificial turf but only if those rules mirror the natural grass rules, which includes location, percentage of property covered by artificial turf or grass, and the quality.
- Require the removal of artificial turf that causes health and safety issues.
- Require replacement or removal of artificial turf if it is not maintained in a reasonable manner consistent with the association's standards.



That said, Association may prohibit the installation of artificial turf if (1) the Association already prohibits natural grass, or (2) it is on a place the Association maintains or irrigates.

## HB2158 – Amending A.R.S. §33-1261 and 33-1808 (POLITICAL SIGNS AND ACTIVITY)

Associations may not prohibit the indoor and outdoor display of association-specific political sign on that owner's property (including the limited common elements in a condominium, other than the roof).

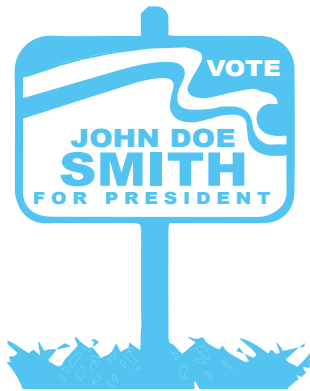
The association may adopt reasonable rules about these signs' placement, location and display but these rules cannot do any of the following:

1

Prohibit signs from being displayed between the date that the association provides written or absentee ballots to owners and three days after the association's election.

2

Limit the number of signs, except that the association may limit the aggregate total dimensions of all signs on the owner's property to nine square feet.



3

Require signs to be commercially produced, professionally manufactured, or prohibit using both sides of the sign.

4

Regulate the number of candidates supported or opposed, the number of board members supported or opposed in a recall, or the number of ballot measures supported or opposed on an association-specific sign.

5

Regulate the content of signs, except that the association may prohibit profanity, discriminatory text, images or content based on race, color, religion, sex, familial status, or national origin.

Additionally, associations cannot prohibit or unreasonably restrict owners' ability to peacefully assemble and use common areas "if done in compliance with reasonable restrictions for the use of that property adopted by the board of directors." In other words, owners can assemble to discuss matter relating to the association, "including board of director elections or recalls, potential or actual ballot issues or revisions" to the governing documents, "property maintenance or safety issues" or any association matters.

When owners assemble, they can invite "one political candidate or one non-owner guest to speak to an assembly of owners about matters" related to the association. "The association shall not prohibit an owner from posting notices regarding those assemblies of owners on bulletin boards located on the common elements or within common element facilities."

## **HB2275 – Amending A.R.S §§ 33-1227 and 33-1228 (CONDOMINIUM TERMINATIONS)**

For residential condominiums created before September 23, 2022, the condominium may be terminated only by agreement of unit owners of units to which at least 80% agree, or any larger percentage the declaration specifies. If all of the units are nonresidential units, the declaration may specify a smaller percentage for termination. For residential condominiums created on or after September 23, 2022, the condominium may be terminated only by agreement of unit owners of units to which 95% agree, or any larger percentage the declaration specifies. If all of the units are nonresidential units, the declaration may specify a smaller percentage for termination.



## SB1168 – Amends A.R.S. §§ 9-500.39, 11-269.17, 42-5042 (SHORT-TERM RENTALS)

This bill gives cities more firepower in how they regulate short-term rentals, which is helpful for associations that do not want them.

Here are some things that cities, towns and counties can regulate short-term rentals in addition to what they can already do:



- Require landlords provide an emergency point of contact who must respond to emergencies in a timely manner in person if required by public safety personnel.
- After giving 30-day's notice, impose a civil penalty of up to \$1,000 for every 30 days the landlord fails to provide the contact information above.
- Require the landlord acquire and maintain a local license.
- Require the landlord before offering a short-term rental for the first time to notify all single-family residential properties adjacent to, directly and diagonally across the street from the property. The city, town or county can dictate what the landlord tells the neighbors in the notice.
- Require the landlord display the license number or transaction privilege tax license number on each advertisement for a short-term rental that the owner maintains.
- Require the landlord to maintain liability insurance of at least \$500,000 or to advertise through an online lodging marketplace that provides equal or greater coverage.
- Suspend a license for a period of up to 12 months if certain activities or verified violations occur and assess civil penalties for verified violations.