

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2084

AN ACT

AMENDING SECTIONS 9-467 AND 11-321, ARIZONA REVISED STATUTES; AMENDING
TITLE 37, CHAPTER 2, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING
SECTION 37-325; RELATING TO BUILDING PERMITS.

(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 subsequent owner; international boundary wall

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

14 B. A city or town may not require an applicant for a building
15 permit to hold a transaction privilege tax license or business license as
16 a condition for issuing the building permit. A city or town may require a
17 person that has been issued a building permit and that does not otherwise
18 hold a business license from the city or town to apply for a business
19 license within thirty days after issuing the building permit.

20 C. If a person has constructed a building or an addition to a
21 building without obtaining a building permit, a city or town shall not
22 require a subsequent owner to obtain a permit for the construction or
23 addition done by the prior owner before issuing a permit for a building
24 addition except that ~~nothing in this section shall be construed as~~
25 ~~prohibiting the enforcement of~~ DOES NOT PROHIBIT ENFORCING an applicable
26 ordinance or code provision ~~which~~ THAT affects the public health or
27 safety.

28 D. A CITY OR TOWN SHALL NOT REQUIRE A NONPROFIT CORPORATION OR
29 PROPERTY OWNER TO OBTAIN A BUILDING OR CONSTRUCTION PERMIT IF ALL OF THE
30 FOLLOWING APPLY:

31 1. THE PERMIT IS FOR CONSTRUCTION OF AN INTERNATIONAL BOUNDARY
32 WALL.

33 2. THE PROPOSED CONSTRUCTION IS ON OR ADJACENT TO THE INTERNATIONAL
34 BOUNDARY LINE.

35 3. THE LAND OWNER HAS PROVIDED WRITTEN CONSENT FOR THE
36 CONSTRUCTION.

37 WITHIN TWO MONTHS AFTER THE CONSTRUCTION OF THE INTERNATIONAL BOUNDARY
38 WALL IS COMPLETE, THE PROPERTY OWNER SHALL PROVIDE THE CITY OR TOWN WITH
39 AN AFFIDAVIT OF COMPLETION SIGNED AND SEALED BY A PROFESSIONAL ENGINEER
40 WHO IS REGISTERED PURSUANT TO TITLE 32, CHAPTER 1 CERTIFYING THAT THE
41 CONSTRUCTION OF THE INTERNATIONAL BOUNDARY WALL WAS BUILT ACCORDING TO THE
42 PLAN AND SAFETY REQUIREMENTS.

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

3 11-321. Building permits: issuance: distribution of copies:
4 subsequent owner: international boundary wall

5 A. Except in those cities and towns ~~which~~ THAT have an ordinance
6 relating to the issuance of building permits, the board of supervisors
7 shall require a building permit for any construction of a building or an
8 addition ~~thereto~~ TO A BUILDING exceeding a cost of ~~one thousand dollars~~
9 \$1,000 within its jurisdiction. The building permit shall be filed with
10 the board of supervisors or its designated agent.

11 B. The board of supervisors may not require an applicant for a
12 building permit to hold a transaction privilege tax license or business
13 license as a condition for issuing the building permit.

14 C. Where deemed of public convenience, the BOARD OF supervisors
15 shall ~~permit~~ ALLOW the application for and the issuance of building
16 permits by mail.

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

27 E. If a person has constructed a building or an addition to a
28 building without obtaining a building permit, a county shall not require a
29 subsequent owner to obtain a permit for the construction or addition done
30 by the prior owner before issuing a permit for a building addition except
31 that ~~nothing in~~ this section ~~shall be construed as prohibiting the~~
32 ~~enforcement of~~ DOES NOT PROHIBIT ENFORCING an applicable ordinance or code
33 provision ~~which~~ THAT affects the public health or safety.

34 F. A COUNTY SHALL NOT REQUIRE A NONPROFIT CORPORATION OR PROPERTY
35 OWNER TO OBTAIN A BUILDING OR CONSTRUCTION PERMIT IF ALL OF THE FOLLOWING
36 APPLY:

37 1. THE PERMIT IS FOR CONSTRUCTION OF AN INTERNATIONAL BOUNDARY
38 WALL.

39 2. THE PROPOSED CONSTRUCTION IS ON OR ADJACENT TO THE INTERNATIONAL
40 BOUNDARY LINE.

41 3. THE LAND OWNER HAS PROVIDED WRITTEN CONSENT FOR THE
42 CONSTRUCTION.

1 WITHIN TWO MONTHS AFTER THE CONSTRUCTION OF THE INTERNATIONAL BOUNDARY
2 WALL IS COMPLETE, THE PROPERTY OWNER SHALL PROVIDE THE COUNTY WITH AN
3 AFFIDAVIT OF COMPLETION SIGNED AND SEALED BY A PROFESSIONAL ENGINEER WHO
4 IS REGISTERED PURSUANT TO TITLE 32, CHAPTER 1 CERTIFYING THAT THE
5 CONSTRUCTION OF THE INTERNATIONAL BOUNDARY WALL WAS BUILT ACCORDING TO THE
6 PLAN AND SAFETY REQUIREMENTS.

7 Sec. 3. Title 37, chapter 2, article 5, Arizona Revised Statutes,
8 is amended by adding section 37-325, to read:

9 37-325. International boundary wall: presumption of approval

10 A PRESUMPTION EXISTS THAT PERMISSION FOR THE CONSTRUCTION OF AN
11 INTERNATIONAL BOUNDARY WALL ON STATE-OWNED LAND WILL BE GRANTED BY THE
12 STATE.