

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1307

(Reference to printed bill)

1 Page 1, lines 10 and 15, after “INFORMATION” insert a comma; after “COMPARABLES”
2 insert a comma

3 Line 18, after “INFORMATION” insert “, INCLUDING COMPARABLE DATA”

4 Between lines 18 and 19, insert:

5 “B. VALUATION INFORMATION, INCLUDING COMPARABLE DATA, SUBMITTED TO THE
6 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION MUST INCLUDE INFORMATION
7 TYPICALLY USED FOR VALUATION PURPOSES. THE COMMISSIONER SHALL CONSIDER ALL
8 VALUATION INFORMATION, INCLUDING COMPARABLE DATA.

9 C. INDUSTRY, TRADE AND PROFESSIONAL ORGANIZATIONS THAT DO NOT RECEIVE
10 NOTICE PURSUANT TO SUBSECTION A, PARAGRAPH 2 OF THIS SECTION AND THAT WISH TO
11 PROVIDE COMMENTS AND VALUATION INFORMATION, INCLUDING COMPARABLE DATA, HAVE
12 NINETY DAYS FROM THE DATE OF THE NOTICE PROVIDED IN SUBSECTION A OF THIS
13 SECTION TO IDENTIFY THEMSELVES IN WRITING TO THE DEPARTMENT AND PROVIDE
14 COMMENTS AND VALUATION INFORMATION, INCLUDING COMPARABLE DATA.”

15 Reletter to conform

16 Line 21, after “STATE” insert “, TO THE EXTENT THAT ADEQUATE VALUATION
17 INFORMATION, INCLUDING COMPARABLE DATA, IS AVAILABLE”

18 Line 23, after “REQUIRE” strike remainder of line

19 Strike line 24, insert “THAT THESE DIFFERENT MARKETS ARE APPROPRIATELY ADDRESSED
20 IN THE MASS APPRAISAL.”

21 Line 25, after “INFORMATION” insert a comma; strike “COMPARABLES” insert
22 “COMPARABLE DATA,”

23 Line 26, after “ACCOUNT” insert “, IF APPLICABLE, THE SPECIFIC TERMS AND
24 CONDITIONS OF LEASES, PERMITS AND RIGHT-OF-WAY GRANTS AFFECTING THE LANDS,
25 INCLUDING”

26 Line 30, strike “LANDS” insert “LAND”

27 Line 31, strike “THIRD PARTY” insert “THIRD-PARTY”

1 Page 1, strike lines 34 through 45

2 Page 2, strike lines 1 through 17 and insert:

3 "F. AT LEAST SIXTY DAYS BEFORE THE COMMISSIONER SUBMITS A MASS
4 APPRAISAL TO THE BOARD OF APPEALS FOR APPROVAL, REJECTION OR MODIFICATION,
5 THE COMMISSIONER SHALL NOTIFY IN WRITING ALL PARTIES WHO WERE NOTIFIED OR
6 PROVIDED COMMENTS AND VALUATION INFORMATION PURSUANT TO SUBSECTION A OR C OF
7 THIS SECTION AND SHALL MAKE AVAILABLE ON THE DEPARTMENT'S WEBSITE A COPY OF
8 THE MASS APPRAISAL TO BE ACTED ON BY THE BOARD OF APPEALS. THE COMMISSIONER
9 SHALL PROVIDE A HARD COPY OF THE MASS APPRAISAL TO ANY PERSON WHO REQUESTS IT
10 PURSUANT TO SECTION 37-102, SUBSECTION F. THE NOTICE SHALL ADVISE THE
11 RECIPIENTS OF THEIR RIGHT TO APPEAR BEFORE THE BOARD OF APPEALS REGARDING THE
12 MASS APPRAISAL.

13 G. THE COMMISSIONER SHALL ADJUST THE MASS APPRAISAL AT ANY TIME IF THE
14 COMMISSIONER DETERMINES THAT SIGNIFICANT CHANGES IN MARKET CONDITIONS OR
15 TECHNOLOGY HAVE OCCURRED OR THAT OTHER CHANGED CONDITIONS WOULD MATERIALLY
16 AFFECT THE VALUATION OF LAND USES SUBJECT TO THE MASS APPRAISAL. BEFORE
17 MODIFYING A MASS APPRAISAL, THE COMMISSIONER SHALL GIVE WRITTEN NOTICE TO
18 HOLDERS OF LEASES, PERMITS AND RIGHT-OF-WAY GRANTS AFFECTED BY THE MASS
19 APPRAISAL AND TO THE PERSONS IDENTIFIED IN SUBSECTION A OF THIS SECTION. THE
20 COMMISSIONER SHALL REAPPRAISE ANY MASS APPRAISAL THAT HAS NOT BEEN ADJUSTED
21 IN A TEN-YEAR PERIOD."

22 Line 23, strike "CAN" insert "MAY"

23 Line 26, after the period insert "MULTIPLE APPLICATIONS FOR SIMILAR LAND USES IN
24 A DEFINED GEOGRAPHIC REGION THAT ARE APPRAISED BY A SINGLE APPRAISER SHALL
25 NOT BE CONSIDERED A MASS APPRAISAL.

26 Sec. 2. Appeal of preexisting mass appraisals

27 A. If the state land commissioner applies a mass appraisal adopted
28 after December 31, 2006 and before the effective date of this act to change
29 the rental or fee during the term of an existing short or long term
30 commercial lease, permit or right-of-way grant, the holder of the lease,
31 permit or right-of-way grant may appeal the mass appraisal and any
32 application to the lease, permit or right-of-way grant to the board of

1 appeals pursuant to section 37-215, Arizona Revised Statutes, except that the
2 thirty day deadline to file an appeal pursuant to section 37-215,
3 subsection A, Arizona Revised Statutes, shall not apply. An appeal must be
4 filed before April 1, 2010.

5 B. The holder of a short or a long term commercial lease, permit or
6 right-of-way grant who is subject to any mass appraisal conducted between
7 December 31, 2006 and the effective date of this act may request that the
8 state land department conduct a site-specific appraisal to set the rental or
9 fee for the use of the state land for the remainder of the term of the lease,
10 permit or right-of-way grant. The lessee, permittee or right-of-way grantee
11 shall pay for the site-specific appraisal pursuant to section 37-205, Arizona
12 Revised Statutes.

13 C. The department is not required to provide additional notice to
14 lessees, permittees or right-of-way grantees for mass appraisals adopted
15 after December 31, 2006 and before the effective date of this act.”

16 Amend title to conform

John Nelson

6/19/09
2:24 PM
S: TD:rbc