

State of Arizona
Senate
Forty-fourth Legislature
Second Regular Session
2000

SENATE BILL 1164

AN ACT

AMENDING TITLE 32, CHAPTER 20, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2107.01; RELATING TO REAL PROPERTY DISCLOSURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 32, chapter 20, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-2107.01, to read:

4 32-2107.01. Recorded disclaimer of unlawful restrictions

5 A. THE COMMISSIONER SHALL EXECUTE AND RECORD A DOCUMENT IN THE OFFICE
6 OF THE COUNTY RECORDER IN EACH COUNTY IN THIS STATE THAT DISCLAIMS THE
7 VALIDITY AND ENFORCEABILITY OF CERTAIN RESTRICTIONS AND COVENANTS. THE
8 DOCUMENT SHALL CONTAIN A DISCLAIMER IN SUBSTANTIALLY THE FOLLOWING FORM:

9 IT IS THE LAW OF THIS STATE THAT ANY COVENANTS OR
10 RESTRICTIONS THAT ARE BASED ON RACE, RELIGION, COLOR, HANDICAP
11 STATUS OR NATIONAL ORIGIN ARE INVALID AND UNENFORCEABLE. IF THE
12 INVALID COVENANT OR RESTRICTION IS CONTAINED IN A DOCUMENT THAT
13 IS RECORDED IN THIS COUNTY, IT IS HEREBY DECLARED VOID.

14 B. THE DOCUMENT THAT IS EXECUTED AND RECORDED BY THE COMMISSIONER
15 SHALL INCLUDE THE LEGAL DESCRIPTION SPECIFIED BY TITLE 11, CHAPTER 1, ARTICLE
16 1 FOR THE APPROPRIATE COUNTY.

17 C. THIS SECTION DOES NOT AFFECT ANY OTHER COVENANT, CONDITION OR
18 RESTRICTION.