

COMMITTEE ON NATURAL RESOURCES  
SENATE AMENDMENTS TO S.B. 1113  
(Reference to printed bill)

Amendment instruction key:  
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.  
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.  
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.  
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.  
<<Green carets>> indicate a section added to the bill.  
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 40, chapter 2, Arizona Revised Statutes, is  
3 amended by adding article 13, to read:

4 ARTICLE 13. RENEWABLE ENERGY

5 40-501. Renewable energy resources; public service  
6 corporation; public power entity; right of first  
7 refusal; rules; exemption; definitions

8 A. A PUBLIC SERVICE CORPORATION THAT IS REGULATED BY THE COMMISSION  
9 OR A PUBLIC POWER ENTITY SHALL HAVE THE RIGHT OF FIRST REFUSAL TO  
10 CONSTRUCT, OWN OR MAINTAIN ANY [PROPOSED] RENEWABLE ENERGY RESOURCE [THAT  
11 IS PROPOSED] IN THIS STATE [THAT IS NOT PROPOSED BY A PUBLIC SERVICE  
12 CORPORATION THAT IS REGULATED BY THE COMMISSION OR A PUBLIC POWER ENTITY].

13 B. WITHIN NINETY DAYS AFTER A COUNTY APPROVES A ZONING OR SPECIAL  
14 LAND USE PERMIT FOR A RENEWABLE ENERGY RESOURCE:

15 1. A PUBLIC SERVICE CORPORATION THAT IS OPERATING IN THIS STATE  
16 BEFORE THE EFFECTIVE DATE OF THIS SECTION SHALL GIVE WRITTEN NOTICE TO THE  
17 COMMISSION OF THE PUBLIC SERVICE CORPORATION'S INTENTION TO CONSTRUCT, OWN  
18 OR MAINTAIN THE RENEWABLE ENERGY RESOURCE IN ORDER TO EXERCISE THE RIGHT  
19 OF FIRST REFUSAL TO CONSTRUCT, OWN OR MAINTAIN THE RENEWABLE ENERGY  
20 RESOURCE. IF THE PUBLIC SERVICE CORPORATION FAILS TO PROVIDE NOTICE, THE  
21 PUBLIC SERVICE CORPORATION SURRENDERS THE RIGHT OF FIRST REFUSAL TO  
22 CONSTRUCT, OWN OR MAINTAIN THE RENEWABLE ENERGY RESOURCE AND ANY OTHER  
23 PUBLIC SERVICE CORPORATION MAY FILE AN APPLICATION WITH THE COMMISSION ON  
24 A FORM PRESCRIBED BY THE COMMISSION TO CONSTRUCT, OWN OR MAINTAIN THE  
25 RENEWABLE ENERGY RESOURCE.

26 2. A PUBLIC POWER ENTITY THAT IS OPERATING IN THIS STATE BEFORE THE  
27 EFFECTIVE DATE OF THIS SECTION SHALL GIVE WRITTEN NOTICE TO THE COUNTY  
28 WHERE THE RENEWABLE ENERGY RESOURCE IS PROPOSED TO BE LOCATED OF THE  
29 PUBLIC POWER ENTITY'S INTENTION TO CONSTRUCT, OWN OR MAINTAIN THE

1 RENEWABLE ENERGY RESOURCE IN ORDER TO EXERCISE THE RIGHT OF FIRST REFUSAL  
2 TO CONSTRUCT, OWN OR MAINTAIN THE RENEWABLE ENERGY RESOURCE. IF THE  
3 PUBLIC POWER ENTITY FAILS TO PROVIDE NOTICE, THE PUBLIC POWER ENTITY  
4 SURRENDERS THE RIGHT OF FIRST REFUSAL TO CONSTRUCT, OWN OR MAINTAIN THE  
5 RENEWABLE ENERGY RESOURCE AND ANY OTHER PUBLIC POWER ENTITY MAY FILE AN  
6 APPLICATION WITH THE COUNTY WHERE THE RENEWABLE ENERGY RESOURCE IS  
7 PROPOSED TO BE LOCATED ON A FORM PRESCRIBED BY THE COUNTY TO CONSTRUCT,  
8 OWN OR MAINTAIN THE RENEWABLE ENERGY RESOURCE.  
9 C. THE COMMISSION MAY ADOPT RULES TO IMPLEMENT THIS ARTICLE.  
10 D. THIS SECTION DOES NOT APPLY TO:  
11 1. RESIDENTIAL ROOFTOP SOLAR SYSTEMS, WHETHER EXPORTING OR  
12 NONEXPORTING.  
13 2. NONEXPORTING RENEWABLE ENERGY RESOURCES THAT ARE NOT  
14 INTERCONNECTED TO TRANSMISSION INFRASTRUCTURE AND THAT GENERATE POWER FOR  
15 SOLELY ON-SITE USE.  
16 E. FOR THE PURPOSES OF THIS SECTION:  
17 1. "PUBLIC POWER ENTITY" HAS THE SAME MEANING PRESCRIBED IN SECTION  
18 30-801.  
19 2. "RENEWABLE ENERGY RESOURCE" HAS THE SAME MEANING PRESCRIBED IN  
20 SECTION 41-1520.

21 Enroll and engross to conform  
22 Amend title to conform

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10:06 AM  
S: SB/slp