



States' Biofuels Statutes

STATE OF ARIZONA

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#). These statutes are placed in reverse chronological order using the date of the most recent amendment to the statute. Many biofuels laws were enacted as amendments to previously passed laws.

Current through the 2013 Legislative Session of the Arizona General Assembly.

§ 37-802. Disposition of real property by state agency; alternative fuel delivery systems; definition

- A. Unless another procedure is prescribed by law, the director or other chief administrative officer of a state agency may lease or convey real property or any right, title or interest in real property as prescribed by this section if the agency director or other chief administrative officer of a state agency determines that it is no longer needed or used for public purposes.
- B. Unless the property is subject to a right of reversion to a previous owner or the previous owner's successors in interest, the agency director or other chief administrative officer of a state agency may lease or convey:
 - 1. Real property to another agency of this state, any county, municipality or other political subdivision or any school district of this state without the necessity of a public sale if the real property will be used for an alternative fuel delivery system. The transferee agency shall pay the transferor agency for a conveyance made pursuant to this section based on a current appraisal establishing the fair market value of the property.
 - 2. Other marketable real property to the highest and most responsible bidder at a public auction or by direct sale or exchange after at least thirty days' notice in a newspaper of general circulation in the county in which the property is located. At least two independent appraisals are required for property that is offered and the property shall not be offered or conveyed for less than the amount of the low appraisal. All purchase offers are public and any person may submit a subsequent offer that matches or exceeds a previous purchase offer.
- C. The sale shall be for cash or on terms of at least twenty per cent down payment with the balance payable in annual amortized installments for ten years, the unpaid balance to bear interest at a rate determined by the agency director.

- D. The agency director or other chief administrative officer may execute all deeds or conveyances necessary to lease or convey any real property or interest in the real property to be leased or conveyed under this section and may assess a fee for the costs of preparing and executing any lease or conveyance under this section. The agency director or other chief administrative officer may insert in any deed or conveyance conditions, covenants, exceptions and reservations the agency director considers to be in the public interest or may convey in fee simple absolute.
- E. A conclusive presumption exists in favor of any purchaser for value and without notice of any real property or interest in the real property leased or conveyed pursuant to this section that the agency acted within its lawful authority in acquiring the property, and that the agency director or other chief administrative officer acted under lawful authority in executing any deed, conveyance or lease authorized by this section.
- F. For purposes of this section, “alternative fuel delivery system” means any facility that provides for the fueling of an alternative fuel vehicle.

Credits

Added by Laws 1994, Ch. 353, § 8, eff. April 25, 1994.