

State of Arizona
House of Representatives
Forty-second Legislature
Second Regular Session
1996

FILED

**Jane Dee Hull
Secretary of State**

CHAPTER 210

HOUSE BILL 2245

AN ACT

AMENDING SECTION 48-1012, ARIZONA REVISED STATUTES; RELATING TO DOMESTIC WATER IMPROVEMENT DISTRICTS.

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

2 Section 1. Section 48-1012, Arizona Revised Statutes, is amended to
3 read:

4 48-1012. Elected board of directors; initial members;
5 qualifications; terms; filling vacancy; chairman;
6 qualifications of electors

7 A. At the option of the board of supervisors after presentation of a
8 petition requesting the establishment of a domestic water improvement
9 district, or upon the submission of a separate petition following the
10 establishment of an improvement district as prescribed by section 48-903, and
11 subsequent to the approval of the county board of supervisors, such district
12 shall be governed by an elected board of directors. Such elected board shall
13 consist of the number of members, not less than three, specified in the
14 petition for establishment of the district. The first directors of such
15 board shall be selected by the board of supervisors at the time the district
16 is established. Members of the board of directors shall be qualified
17 electors of the district and, after the members first appointed by the board
18 of supervisors, shall be elected by the qualified electors of the district.

19 B. Immediately after the selection and qualification of the first
20 directors of the board, the directors shall meet and divide themselves by lot
21 into two classes as nearly equal in number as possible. Directors of the
22 first class shall serve for a term of four years and directors of the second
23 class for a term of two years. Every director shall continue to discharge

1 a successor is elected and qualifies. The dates of elections and of
2 expiration of terms shall be specified in the petition for establishment of
3 the district.

4 C. IF A VACANCY IN THE DISTRICT BOARD OCCURS DUE TO DEATH, DISABILITY,
5 RESIGNATION, OR ANY OTHER CAUSE, THE BOARD OF DIRECTORS OF THE DISTRICT SHALL
6 APPOINT A QUALIFIED ELECTOR OF THE DISTRICT TO FILL THE OFFICE FOR THE
7 REMAINING PORTION OF THAT TERM.

8 ~~C~~ D. The board of directors shall annually elect a chairman from
9 among its members.

10 E. IF ONLY ONE PERSON FILES A NOMINATING PETITION FOR ELECTION TO FILL
11 A POSITION ON THE BOARD OF DIRECTORS OF THE DISTRICT, THE COUNTY BOARD OF
12 SUPERVISORS, BY RESOLUTION, MAY CANCEL THE ELECTION FOR THAT OFFICE AND
13 APPOINT THE PERSON WHO FILED THE NOMINATING PETITION TO FILL THAT POSITION.

14 ~~D~~ F. For purposes of a domestic water improvement district that is
15 organized pursuant to this article only, in addition to any other qualified
16 elector of the district, any natural person who is a qualified elector of
17 this state and a real property owner within the district is eligible to vote
18 in a district election without regard to that person's residency.

APPROVED BY THE GOVERNOR APRIL 18, 1996

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 1996