

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

CHAPTER 193

# HOUSE BILL 2419

AN ACT

AMENDING SECTIONS 19-141 AND 35-454, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 19-141, Arizona Revised Statutes, is amended to  
3 read:

4 19-141. Initiative and referendum in counties, cities and towns

5 A. The provisions of this chapter shall apply to the legislation of  
6 cities, towns and counties, except as specifically provided to the contrary  
7 in this article. The duties required of the secretary of state as to state  
8 legislation shall be performed in connection with such legislation by the  
9 city or town clerk, county officer in charge of elections or person  
10 performing the duties as such. The duties required of the governor shall be  
11 performed by the mayor or the chairman of the board of supervisors, the  
12 duties required of the attorney general shall be performed by the city, town  
13 or county attorney, and the printing and binding of measures and arguments  
14 shall be paid for by the city, town or county in like manner as payment is  
15 provided for by the state with respect to state legislation. The provisions  
16 of section 19-124 with respect to the legislative council analysis do not  
17 apply in connection with initiatives and referenda in cities, towns and  
18 counties. The printing shall be done in the same manner as other municipal  
19 or county printing is done.

20 B. Distribution of pamphlets shall be made to every household  
21 containing a registered voter in the city or county, so far as possible, by  
22 the city or town clerk or by the county officer in charge of elections either  
23 by mail ~~or carrier~~, ~~not~~ BEFORE THE EARLIEST DATE FOR RECEIPT BY REGISTERED  
24 VOTERS OF ANY REQUESTED EARLY BALLOT FOR THE ELECTION AT WHICH THE MEASURES  
25 ARE TO BE VOTED ON. IF THE PAMPHLET IS NOT MAILED BEFORE THE EARLIEST DATE  
26 FOR RECEIPT OF A REQUESTED EARLY BALLOT, THE OFFICER IN CHARGE OF ELECTIONS  
27 SHALL PROVIDE A NOTICE WITH THE EARLY BALLOTS STATING WHEN THE PAMPHLETS WILL  
28 BE MAILED AND WHERE AND WHEN THE PAMPHLETS MAY BE ACCESSED OR VIEWED.  
29 PAMPHLETS SHALL NOT BE MAILED OR CARRIED less than ten days before the  
30 election at which the measures are to be voted upon.

31 ~~B.~~ C. Arguments supporting or opposing municipal or county initiative  
32 and referendum measures shall be filed with the city or town clerk or the  
33 county officer in charge of elections not less than ~~sixty~~ NINETY days before  
34 the election at which they are to be voted upon.

35 ~~C.~~ D. The procedure with respect to municipal and county legislation  
36 shall be as nearly as practicable the same as the procedure relating to  
37 initiative and referendum provided for the state at large, except the  
38 procedure for verifying signatures on initiative or referendum petitions may  
39 be established by a city or town by charter or ordinance.

40 ~~D.~~ E. References in this section to duties to be performed by city  
41 or town officers apply only with respect to municipal legislation, and  
42 references to duties to be performed by county officers apply only with  
43 respect to county legislation.

1           E. F. The duties required of the county recorder with respect to  
2 state legislation shall also be performed by the county recorder with respect  
3 to municipal or county legislation.

4           Sec. 2. Section 35-454, Arizona Revised Statutes, is amended to read:  
5           35-454. Informational pamphlet for election; review; election;  
6                           return; canvass of vote; certificate of election

7           A. The governing body or board of the political subdivision shall:

8           1. Not less than ten days and not more than forty days before the bond  
9 election mail a copy of an informational pamphlet to the residence of each  
10 registered voter within the political subdivision. The pamphlet shall  
11 contain information on the:

12           (a) Amount of the bond authorization.

13           (b) Maximum interest rate of the bonds.

14           (c) Estimated debt retirement schedules for the proposed bond  
15 authorization and the current amount of bonds outstanding, showing both  
16 principal and interest payments and the estimated tax rates.

17           (d) Source of repayment.

18           (e) Estimated issuance costs.

19           (f) Estimated tax rate impact on the average assessed valuation of  
20 both owner-occupied residential property and commercial and industrial  
21 property for the current year in the political subdivision, as determined by  
22 the governing body or board.

23           (g) Current outstanding general obligation debt and constitutional  
24 debt limitation.

25           (h) Purpose for which the bonds are to be issued.

26           (i) Polling location for the addressee.

27           (j) Hours during the day when the polls will be open.

28           (k) ARGUMENTS FOR AND AGAINST THE AUTHORIZATION OF ONE OR MORE OF THE  
29 BOND PROPOSITIONS.

30           2. Submit a copy of the informational pamphlet to the department of  
31 revenue within thirty days after the bond election. The department of  
32 revenue shall maintain copies of the pamphlets.

33           B. The failure of any one or more electors to receive the  
34 informational pamphlet shall not be grounds to invalidate the election. The  
35 election shall conform with the general election laws of the state. The  
36 return of the election held in a county shall be made to the board of  
37 supervisors and, in any other case, to the governing body or board of the  
38 municipal corporation or district within twelve days after the election.

39           C. The board of supervisors, governing body or governing board shall  
40 hold a special meeting within seven days from the twelfth day after the  
41 election to canvass the votes cast and certify the result. The certificate  
42 of the result shall be prima facie evidence of full performance of all  
43 conditions and requirements precedent to holding the election.

44           D. The governing board or body shall file and record in the office of  
45 the county recorder a certificate disclosing the purpose of the election, the

1 total number of votes cast and the total number of votes for and against  
2 creating the indebtedness, and stating whether or not the indebtedness is  
3 ordered. Upon filing and recording the certificate, the governing board or  
4 body shall carry out the purpose of the election.

5 E. Variations between the estimates required by subsection A of this  
6 section and the actual debt retirement schedule SCHEDULES, issuance costs and  
7 tax rates shall not invalidate either the election or the bonds.

APPROVED BY THE GOVERNOR APRIL 21, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2001.

Passed the House February 6, 2001,

Passed the Senate April 11, 2001,

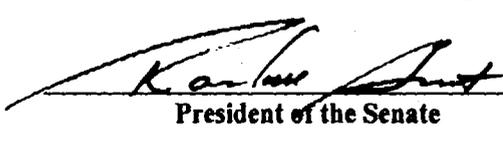
by the following vote: 55 Ayes,

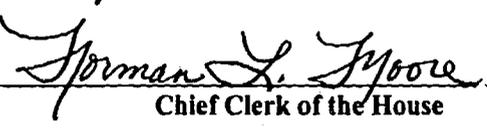
by the following vote: 27 Ayes,

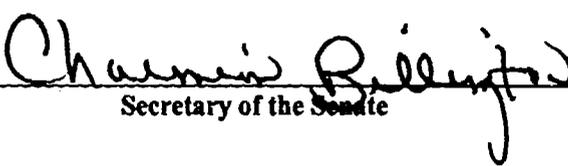
2 Nays, 3 Not Voting

3 Nays, 0 Not Voting

  
\_\_\_\_\_  
Speaker of the House

  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Chief Clerk of the House

  
\_\_\_\_\_  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2419

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 17, 2001,

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of April, 2001,

at 11:06 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 21 day of

April, 2001,

at 9:16 o'clock A M.

[Signature]  
Governor of Arizona

H.B. 2419

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of April, 2001,

at 4:45 o'clock P M.

[Signature]  
Secretary of State