

House Engrossed

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

CHAPTER 209

HOUSE BILL 2092

AN ACT

AMENDING SECTIONS 11-251.06 AND 48-4024, ARIZONA REVISED STATUTES; RELATING TO COUNTY JAIL DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-251.06, Arizona Revised Statutes, is amended to
3 read:

4 11-251.06. Reimbursement for county services to special
5 districts

6 A. Notwithstanding any other statute, the board of supervisors may
7 require the following special districts to reimburse the county for the cost
8 of services provided to the special districts:

9 1. Antinoxious weed districts formed pursuant to title 48, chapter 2.

10 2. Pest control districts formed pursuant to title 48, chapter 3.

11 3. Fire districts formed pursuant to title 48, chapter 5.

12 4. County improvement districts formed pursuant to title 48, chapter

13 6.

14 5. County improvement districts for lighting formed pursuant to
15 sections 48-960 and 48-961.

16 6. Domestic water improvement districts formed pursuant to title 48,
17 chapter 6, article 4.

18 7. County television improvement districts formed pursuant to title
19 48, chapter 7.

20 8. Community park maintenance districts formed pursuant to title 48,
21 chapter 8.

22 9. Special road districts formed pursuant to title 48, chapter 10.

23 10. Power districts formed pursuant to title 48, chapter 11.

24 11. Electrical districts formed pursuant to title 48, chapter 12.

25 12. Hospital districts formed pursuant to title 48, chapter 13.

26 13. Sanitary districts formed pursuant to title 48, chapter 14.

27 14. Pest abatement districts formed pursuant to title 48, chapter 15.

28 15. Health service districts formed pursuant to title 48, chapter 16.

29 16. Agricultural improvement districts formed pursuant to title 48,
30 chapter 17.

31 17. Drainage and flood protection districts formed pursuant to title
32 48, chapter 18.

33 18. Irrigation and water conservation districts formed pursuant to
34 title 48, chapter 19.

35 19. Irrigation water delivery districts formed pursuant to title 48,
36 chapter 20.

37 20. County flood control districts formed pursuant to title 48, chapter
38 21.

39 21. Multi-county water conservation districts formed pursuant to title
40 48, chapter 22.

41 22. COUNTY JAIL DISTRICTS FORMED PURSUANT TO TITLE 48, CHAPTER 25.

42 B. The board of supervisors shall establish a schedule for
43 reimbursement of county services and shall distribute this schedule to the
44 special districts prior to providing any service named in the schedule. The
45 schedule may include charges to newly organized special taxing districts for

1 county services rendered to these districts before and during
2 organization. The reimbursement schedule shall not exceed the actual costs
3 for the services provided by the county.

4 C. If the board of supervisors requires reimbursement for county
5 services pursuant to subsections A and B of this section, the governing body
6 of a special district listed in subsection A of this section may elect to
7 perform for itself any of the services provided by the county in lieu of
8 reimbursement, except election and financial services provided by the county.

9 D. Subsection C of this section does not authorize the governing body
10 of any of the named special districts to levy any additional taxes not
11 otherwise specified by statute.

12 Sec. 2. Section 48-4024, Arizona Revised Statutes, is amended to read:

13 48-4024. County maintenance of effort

14 A. The county in which a county jail district is established shall
15 maintain its support of corrections facilities and services operated,
16 maintained and performed by the district. If the district includes juvenile
17 detention facilities and services, the county shall also maintain its support
18 of the juvenile detention facilities and services operated, maintained and
19 performed by the district. Each fiscal year the county shall pay the amount
20 determined under subsection B of this section to the district treasurer in
21 twelve equal monthly installments for deposit in the county jail district
22 general fund.

23 B. The auditor general shall determine the amount expended by the
24 county for maintenance and operation of correctional facilities and programs
25 in the fiscal year immediately preceding the first fiscal year in which a
26 county jail district tax levy is effective under this article. If the
27 district includes juvenile detention facilities and services, the auditor
28 general shall determine the amount spent by the county for maintenance and
29 operation of juvenile detention facilities and services in the fiscal year
30 immediately preceding the first fiscal year in which the expenditures for
31 juvenile detention facilities and services are transferred to the district.
32 This total amount is the base expenditure. Any outstanding debt due from a
33 city, the state or the United States for the county housing prisoners
34 pursuant to section 31-121 shall be excluded from the base expenditure
35 calculation. As part of the annual county audit the auditor general shall
36 determine the amount to be paid by the county to the district treasurer for
37 the fiscal year by adjusting the amount the county paid to the district
38 treasurer in the preceding fiscal year, or the base expenditure, by the
39 lesser of the percentage change in the county's primary property tax levy
40 limitation from the preceding year pursuant to section 42-17051 or the annual
41 change in the GDP price deflator, as defined in section 41-563.

42 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, THE DISTRICT
43 MAY REIMBURSE THE COUNTY FOR THE ACTUAL COST OF INDIRECT OR COLLATERAL
44 SERVICES PROVIDED TO THE DISTRICT BY THE COUNTY, INCLUDING SERVICES RELATING
45 TO HUMAN RESOURCES, INFORMATION SYSTEMS, PURCHASING, BUDGET AND FINANCE AND

1 THE OFFICES OF THE COUNTY MANAGER, THE COUNTY TREASURER, THE COUNTY RECORDER
2 AND THE COUNTY ATTORNEY. THE DISTRICT MAY CHOOSE TO PERFORM FOR ITSELF ANY
3 OF THE SERVICES PROVIDED BY THE COUNTY INSTEAD OF RECEIVING SERVICES FROM THE
4 COUNTY EXCEPT FOR ELECTION AND FINANCIAL SERVICES AND THOSE OTHER SERVICES
5 THAT THE COUNTY IS REQUIRED BY LAW TO PROVIDE TO THE DISTRICT.

APPROVED BY THE GOVERNOR APRIL 20, 2001.

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

Passed the House March 19, 2001,

Passed the Senate April 12, 2001,

by the following vote: 34 Ayes,

by the following vote: 17 Ayes,

21 Nays, 5 Not Voting

12 Nays, 1 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
German L. Moore
Chief Clerk of the House

Robert Hunt
President of the Senate
Charmian Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of April, 2001,

at 1:03 o'clock P M.

Jonda Taylor
Secretary to the Governor

Approved this 20 day of

April, 2001,

at 6:27 o'clock P M.

Jane Dee Hull
Governor of Arizona

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.

Betsy Bayless
Secretary of State

H.B. 2092