

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

CHAPTER 226

HOUSE BILL 2365

AN ACT

AMENDING SECTION 48-4004, ARIZONA REVISED STATUTES; AMENDING TITLE 48, CHAPTER 25, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 48-4023.01; 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 48-4004, Arizona Revised Statutes, is amended to
3 read:

4 48-4004. Juvenile detention facilities

5 A. If a county jail district was established before the effective date
6 of this section AUGUST 6, 1999 OR IF APPROVED PURSUANT TO SECTION 48-4023.01,
7 the board of supervisors on joint application of the presiding juvenile judge
8 and the sheriff may adopt a resolution authorizing the district to acquire,
9 construct, operate, maintain and finance juvenile detention facilities.

10 B. The resolution shall set a date for a hearing on the resolution,
11 no less than twenty-one or more than forty days from the date of the
12 resolution. The notice of the hearing shall be published once each week for
13 at least three consecutive weeks before the hearing in a newspaper of general
14 circulation in the county and shall be posted at least three weeks before the
15 hearing in at least three public places in the county. The board shall meet
16 at the time and place fixed for the hearing. At the hearing, the board shall
17 hear all persons who wish to appear in favor OF or against the resolution.

18 C. If, after the hearing, it appears to the board that the public
19 interest, convenience and necessity will be served by authorizing the
20 district to acquire, construct, operate, maintain and finance juvenile
21 detention facilities, the board shall declare its findings and either call
22 a district-wide special election or place the issue on the ballot of a
23 regular general election held in the district. The board shall specify on
24 the ballot:

25 1. A summary of the board's findings under this section.

26 2. A summary of the projected costs of the facility over the first
27 five years of acquisition, construction and operation.

28 3. The amount of additional tax revenues that will be required to
29 finance the facility.

30 D. If approved by the qualified electors voting at the election, the
31 district may proceed to acquire, construct, operate, maintain and finance
32 juvenile detention facilities as provided in this chapter.

33 E. If the board of supervisors determines that there are insufficient
34 revenues to operate and maintain all facilities of the district, the board
35 of supervisors shall ensure that the adult jail facilities have priority for
36 district revenues. The county shall continue to have authority to fund
37 juvenile detention facilities.

38 Sec. 2. Title 48, chapter 25, article 2, Arizona Revised Statutes, is
39 amended by adding section 48-4023.01, to read:

40 48-4023.01. Property tax levy for juvenile detention facilities

41 A. IF A MAJORITY OF THE QUALIFIED ELECTORS VOTING AT AN ELECTION HELD
42 PURSUANT TO SECTION 48-4021 APPROVES AN AD VALOREM PROPERTY TAX FOR THE
43 DISTRICT THAT INCLUDES JUVENILE DETENTION FACILITIES OR IF A MAJORITY OF THE
44 QUALIFIED ELECTORS VOTING AT AN ELECTION HELD PURSUANT TO SECTION 48 4004
45 APPROVES THE INCLUSION OF JUVENILE DETENTION FACILITIES IN A DISTRICT THAT

1 WAS CREATED BY AN ELECTION HELD PURSUANT TO SECTION 48-4021, THE DISTRICT MAY
2 IMPOSE AN AD VALOREM PROPERTY TAX PURSUANT TO THIS SECTION. THE DISTRICT
3 SHALL CERTIFY TO THE COUNTY BOARD OF SUPERVISORS ON OR BEFORE THE THIRD
4 MONDAY IN AUGUST OF EACH YEAR THE AMOUNT OF TAXES TO BE LEVIED IN ADDITION
5 TO THE LEVY IN SECTION 48-4023 FOR THE TAXABLE YEAR ON THE TAXABLE PROPERTY
6 IN THE DISTRICT. THE AMOUNT CERTIFIED TOGETHER WITH UNEXPENDED BALANCES
7 CARRIED FORWARD FROM THE PREVIOUS FISCAL YEAR AND REVENUES FROM ALL OTHER
8 SOURCES SHALL BE THE AMOUNT NECESSARY TO PAY THE MAINTENANCE AND OPERATION
9 EXPENSES OF THE DISTRICT IN CARRYING OUT THIS CHAPTER IN RELATION TO JUVENILE
10 DETENTION FACILITIES.

11 B. THE BOARD OF SUPERVISORS MAY LEVY A SECONDARY PROPERTY TAX ON THE
12 TAXABLE PROPERTY IN THE DISTRICT AT THE SAME TIME AND IN THE SAME MANNER AS
13 COUNTY TAXES ARE LEVIED IN AN AMOUNT THAT IS SUFFICIENT TO PROVIDE THE AMOUNT
14 CERTIFIED PURSUANT TO SUBSECTION A OF THIS SECTION. THE TAX RATE IS LIMITED
15 TO TEN CENTS PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION. THE TAX REVENUES
16 COLLECTED PURSUANT TO THIS SECTION SHALL BE PAID TO THE DISTRICT TREASURER
17 FOR DEPOSIT IN THE COUNTY JAIL DISTRICT GENERAL FUND AND SHALL BE USED SOLELY
18 FOR JUVENILE DETENTION FACILITIES.

19 C. THE TAX SHALL BE LEVIED ON ALL OF THE TAXABLE PROPERTY IN THE
20 DISTRICT.

APPROVED BY THE GOVERNOR APRIL 23, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2001.

Passed the House February 28, 2001,

Passed the Senate April 11, 2001,

by the following vote: 40 Ayes,

by the following vote: 21 Ayes,

19 Nays, 1 Not Voting

9 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
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

H.B. 2365

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.

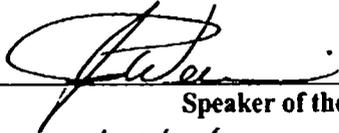
Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

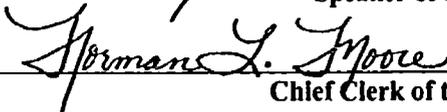
April 17, 2001,

by the following vote: 41 Ayes,

13 Nays, 6 Not Voting



Speaker of the House



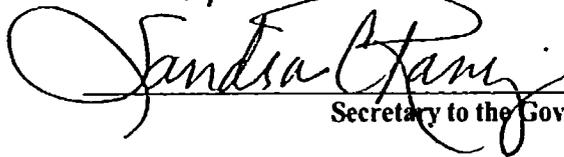
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of April, 2001,

at 11:00 o'clock A M.



Secretary to the Governor

Approved this 23 day of

April, 2001,

at 5:52 o'clock P M.



Governor of Arizona

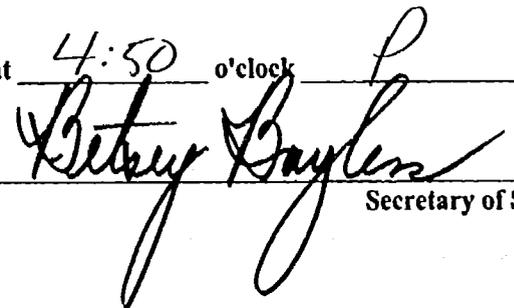
H.B. 2365

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24 day of April, 2001,

at 4:50 o'clock P M.



Secretary of State