

Senate Engrossed House Bill

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 135

HOUSE BILL 2309

AN ACT

AMENDING SECTION 48-813, ARIZONA REVISED STATUTES; RELATING TO FIRE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 48-813, Arizona Revised Statutes, is amended to
3 read:

4 48-813. Deletion of annexed area from fire district territory;
5 provision for continued protection; proposed
6 annexation

7 A. If any part or all of the territory of a district is annexed to a
8 city or town, or is included within a newly organized city or town, the
9 territory within the city or town remains a part of the district until the
10 next July 1 following the time when the city or town elects to provide
11 regular fire department services to the annexed or included area. The
12 annexed or included area remains subject to taxes levied as provided in
13 section 48-806 for bonds of the district outstanding at the time of filing of
14 the petition seeking annexation or incorporation until final payment on the
15 bonds and is subject to taxes levied pursuant to section 48-807 until the
16 termination date.

17 B. On and after the termination date, no taxes may be levied pursuant
18 to section 48-807 on such area except as necessary to pay valid claims
19 existing against the district on the termination date.

20 C. If a city or town provides regular fire protection to its residents
21 and is unable to provide equal fire protection to annexed or included
22 territory, the city or town may contract with a fire district in proximity to
23 the annexed or included territory for the purpose of supplying fire
24 protection until the city or town is able to provide equal fire protection to
25 the annexed or included territory.

26 D. If any part but not all of the territory of a district is annexed
27 to a city or town or is included within a newly organized city or town, all
28 assets of the district remain the property of the district.

29 E. AT LEAST THIRTY DAYS BEFORE A CITY OR TOWN COMPLETES THE ANNEXATION
30 OF ANY PART OF A DISTRICT PURSUANT TO TITLE 9, CHAPTER 4, ARTICLE 7, THE CITY
31 OR TOWN SHALL NOTIFY THE AFFECTED DISTRICT IN WRITING OF THE PROPOSED
32 ANNEXATION. THE CITY OR TOWN AND THE DISTRICT MAY ENTER INTO AN
33 INTERGOVERNMENTAL AGREEMENT, PURSUANT TO TITLE 11, CHAPTER 7, ARTICLE 3, TO
34 MITIGATE ANY DETRIMENTAL EFFECTS ON DISTRICT SERVICES TO THE REMAINING
35 POPULATION IN THE DISTRICT AS A RESULT OF THE ANNEXATION.

~~APPROVED BY THE GOVERNOR APRIL 18, 2005.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2005.~~



Passed the House March 7, 2005

Passed the Senate April 6, 2005

by the following vote: 55 Ayes,

by the following vote: 28 Ayes,

0 Nays, 5 Not Voting

0 Nays, 2 Not Voting



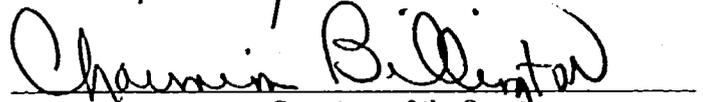
Speaker of the House



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. 2309

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 12, 2005,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting



Speaker of the House
Pro Tempore
Norman L. Fyrou

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April, 2005

at 12:00 o'clock P. M.

Jennifer L. Barra

Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1st o'clock P. M.



Governor of Arizona

H.B. 2309

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of April, 2005,

at 4:42 o'clock P. M.

Janice K. Brewer

Secretary of State