House Engrossed Senate Bill

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 144

SENATE BILL 1123

AN ACT

AMENDING SECTION 48-5561, ARIZONA REVISED STATUTES; RELATING TO SPECIAL HEALTH CARE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 48-5561, Arizona Revised Statutes, is amended to read:

48-5561. Deposit of district monies

A. EXCEPT AS PROVIDED IN SUBSECTIONS D AND E OF THIS SECTION, ALL special health care district monies from any source shall be deposited with the county treasurer to the credit of the district and shall be paid out only on warrants approved by the district's board of directors. ALL DISTRICT MONIES SHALL BE INCLUDED IN THE COUNTY TREASURER'S INVESTMENT POOL.

B. EXCEPT AS PROVIDED IN SUBSECTIONS D AND E OF THIS SECTION, ALL PRIVATE INVESTMENT OF THE DISTRICT'S MONIES IS PROHIBITED. WARRANTS MAY BE ISSUED ONLY TO PAY FOR NECESSARY OPERATIONAL EXPENSES, INCLUDING, BUT NOT LIMITED TO, LAWFUL CLAIMS AGAINST THE DISTRICT, DISTRICT EMPLOYEE PAYROLL AND CONTRACTUAL OBLIGATIONS OF THE DISTRICT. WARRANTS MAY NOT BE ISSUED FOR INVESTMENT PURPOSES.

C. EXCEPT AS PROVIDED IN SUBSECTIONS D AND E OF THIS SECTION, FOR BANKING PURPOSES, THE DISTRICT SHALL USE THE SAME BANK AS THE BANK USED BY THE COUNTY AND COUNTY TREASURER AS THEIR SERVICING BANK. THE DISTRICT MAY NOT ESTABLISH OR MAINTAIN AN ACCOUNT WITH ANY OTHER BANK.

D. NOTWITHSTANDING SUBSECTIONS A, B AND C OF THIS SECTION, THE DISTRICT MAY APPOINT A TREASURER OTHER THAN THE COUNTY TREASURER TO HOLD, DEPOSIT INTO THE DISTRICT'S BANKING ACCOUNT, WITHDRAW AND INVEST ALL DISTRICT MONIES OTHER THAN SPECIAL PAYMENTS PURSUANT TO SECTION 48-5561.01, AND MAY ENTER INTO CONTRACTS WITH SERVICING BANKS OTHER THAN THE TREASURER'S SERVICING BANK IF ALL OF THE FOLLOWING CONDITIONS APPLY:

1. THE DISTRICT MAY ONLY USE INVESTMENT INSTRUMENTS UNDER TITLE 35.

2. ALL PROVISIONS RELATING TO AUDIT AND REPORTING REQUIREMENTS APPLICABLE TO THE COUNTY TREASURER SHALL, OTHER THAN SPECIAL PAYMENTS MADE PURSUANT TO SECTION 48-5561.01, ALSO BE APPLICABLE TO THE DISTRICT TREASURER.

3. IF THE DISTRICT APPOINTS A TREASURER OF THE DISTRICT OTHER THAN THE COUNTY TREASURER, THE COUNTY TREASURER SHALL PAY TO THE TREASURER OF THE DISTRICT ALL MONIES OF THE DISTRICT, OTHER THAN SPECIAL PAYMENTS PURSUANT TO SECTION 48-5561.01, IN ACCORDANCE WITH AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TREASURER AND THE DISTRICT AND SHALL TAKE THE RECEIPT OF THE TREASURER OF THE DISTRICT THEREFOR, WHICH SHALL CONSTITUTE THE COUNTY TREASURER'S DISCHARGE FROM ANY FURTHER LIABILITY FOR THE MONIES OR THE APPLICATION OF THE MONIES. INTEREST EARNED ON MONIES INVESTED BY THE DISTRICT IS NOT SUBJECT TO SUBSECTION A OF THIS SECTION.

E. IF THE DISTRICT ELECTS TO PROCEED PURSUANT TO SUBSECTION D OF THIS SECTION, AFTER EACH TRANSFER REQUIRED BY SECTION 48-5561.01, SUBSECTION A, HAS BEEN MADE, THE COUNTY TREASURER SHALL TRANSFER ANY REMAINING FUNDS AS DIRECTED BY THE DISTRICT BOARD. THE DISTRICT BOARD SHALL DIRECT THAT ANY TRANSFER PURSUANT TO THIS SUBSECTION SHALL BE TO THE DISTRICT TREASURER.

Sec. 2. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

APPROVED BY THE GOVERNOR APRIL 27, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 27, 2007.

Passed the House April 9, 20 07,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

with emergency

Speaker of the House

Chief Clerk of the House

Passed the Senate March 5, 20 07,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

President of the Senate

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

S.B. 1123

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 23, 2007

by the following vote: 20 Ayes,

6 Nays, 4 Not Voting

with Emergency

Timothy S. Lee
President of the Senate

Charmin Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

23rd day of April, 2007

at 12:48 o'clock p. M.

Jennifer Ybarra
Secretary to the Governor

Approved this 27 day of

April 2007

at 9 o'clock A M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 27 day of April, 2007

at 3:30 o'clock p. M.

Janice K. Brewer
Secretary of State

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