

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

Senate Engrossed  
**FILED**  
**JANICE K. BREWER**  
**SECRETARY OF STATE**

CHAPTER 200

# **SENATE BILL 1443**

AN ACT

AMENDING LAWS 2005, CHAPTER 191, SECTION 4; RELATING TO THE SCHOOL DISTRICT  
REDISTRICTING COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Laws 2005, chapter 191, section 4 is amended to read:

3 Sec. 4. Unification approval; elections; small school district  
4 adjustment

5 A. Each county school superintendent in a county with a school  
6 district that is affected by the proposed school district unification plan  
7 submitted by the commission shall call an election of all qualified voters  
8 within the boundaries of the proposed unified school district to be held at  
9 the next general election to adopt the boundaries as proposed by the  
10 commission. The county school superintendent shall prepare a publicity  
11 pamphlet that shall be submitted to all registered voters in the affected  
12 school districts no later than thirty-five days before the election. The  
13 publicity pamphlet shall contain a complete description of the unification  
14 plan and the factors considered by the commission pursuant to LAWS 2005,  
15 CHAPTER 191, section 3, subsection ~~F of this act~~ H, AS AMENDED BY LAWS 2007,  
16 CHAPTER 283, SECTION 5, and shall include any arguments in favor of the plan  
17 and any arguments in opposition to the plan submitted by members of the  
18 governing boards of the affected school districts or from any elector who  
19 wishes to submit such an argument. A copy of the publicity pamphlet shall be  
20 submitted by the county school superintendent to the governor, the president  
21 of the senate and the speaker of the house of representatives. The cost of  
22 the election shall be paid by each affected school district in proportion to  
23 each district's registered voters to the total registered voters within the  
24 proposed unified district's boundary.

25 B. If the election pursuant to subsection A of this section is to  
26 create a unified district under the current boundaries of a common or high  
27 school district, the election ballot shall contain the following language:

28 Do you support the unification of the (insert name of  
29 school district affected), a political subdivision of the  
30 state of Arizona, to become a unified school district to provide  
31 instruction in preschool programs for pupils with disabilities  
32 and in kindergarten and grades one through twelve? Yes ( )  
33 No ( )

34 A yes vote shall have the effect of approving the  
35 unification of the \_\_\_\_\_ school district.

36 A no vote shall have the effect of denying the unification  
37 of the \_\_\_\_\_ school district.

38 C. If the election pursuant to subsection A of this section is to  
39 create a unified district that does not follow current boundaries of a common  
40 or high school district or if the unification is for more than one district  
41 affected, the election ballot shall contain the following language:

1 Do you support the unification of the (insert names of  
2 school districts affected), as political subdivisions of the  
3 state of Arizona, to become a unified school district to provide  
4 instruction in preschool programs for pupils with disabilities  
5 and in kindergarten and grades one through twelve? Yes ( )  
6 No ( )

7 A yes vote shall have the effect of approving the  
8 unification of the (insert names of school districts affected)  
9 into the (name of proposed unified school district).

10 A no vote shall have the effect of denying the unification  
11 of the (insert names of school districts affected) into the  
12 (name of proposed unified school district).

13 D. A majority of the qualified electors in each affected school  
14 district is required to approve the proposed unification plan. If the  
15 unification plan is approved, the unified school district will become  
16 operational at the beginning of the next fiscal year THAT BEGINS AT LEAST  
17 TWELVE MONTHS AFTER THE UNIFICATION PLAN IS APPROVED. If any of the affected  
18 districts fail to approve the proposed unification plan, the plan is void.  
19 The commission may revise the original unification plan and resubmit the plan  
20 to the qualified electors of each affected school district. If a majority of  
21 the qualified electors in any one of the affected school districts fails to  
22 approve the unification plan, the school district shall not become part of a  
23 unified school district.

24 E. NOTWITHSTANDING ANY OTHER LAW, IF A SCHOOL DISTRICT QUALIFIED FOR  
25 THE SMALL SCHOOL DISTRICT ADJUSTMENT PURSUANT TO SECTION 15-949, ARIZONA  
26 REVISED STATUTES, BEFORE THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION  
27 AND THAT SCHOOL DISTRICT IS SUBSEQUENTLY UNIFIED WITH ONE OR MORE OTHER  
28 SCHOOL DISTRICTS PURSUANT TO A UNIFICATION PLAN SUBMITTED BY THE COMMISSION,  
29 AND IF THE NEW UNIFIED SCHOOL DISTRICT NO LONGER QUALIFIES FOR THE SMALL  
30 SCHOOL DISTRICT ADJUSTMENT, THEN THE NEW UNIFIED SCHOOL DISTRICT MAY CONTINUE  
31 TO BUDGET MONIES OUTSIDE THE REVENUE CONTROL LIMIT PURSUANT TO SECTION  
32 15-949, ARIZONA REVISED STATUTES, FOR THE FIRST FOUR FISCAL YEARS AFTER THE  
33 NEW UNIFIED SCHOOL DISTRICT BECOMES OPERATIONAL. THE AMOUNT OF THE SMALL  
34 SCHOOL DISTRICT ADJUSTMENT IS DETERMINED AS FOLLOWS:

35 1. FOR THE FIRST YEAR THE NEW UNIFIED SCHOOL DISTRICT BECOMES  
36 OPERATIONAL, THE AMOUNT THAT THE NEW UNIFIED SCHOOL DISTRICT MAY BUDGET IS  
37 EQUAL TO THE SUM OF THE AMOUNTS THAT WAS BUDGETED IN THE FISCAL YEAR PRIOR TO  
38 VOTER APPROVAL UNIFICATION BY THE SCHOOL DISTRICTS THAT QUALIFIED FOR THE  
39 SMALL SCHOOL ADJUSTMENT PURSUANT TO SECTION 15-949, ARIZONA REVISED STATUTES.

40 2. IN THE SECOND YEAR THE NEW UNIFIED SCHOOL DISTRICT BECOMES  
41 OPERATIONAL, THE AMOUNT THAT THE NEW UNIFIED SCHOOL DISTRICT MAY BUDGET IS  
42 EQUAL TO SEVENTY-FIVE PER CENT OF THE AMOUNT USED IN PARAGRAPH 1.

43 3. IN THE THIRD YEAR THE NEW UNIFIED SCHOOL DISTRICT BECOMES  
44 OPERATIONAL, THE AMOUNT THAT THE NEW UNIFIED SCHOOL DISTRICT MAY BUDGET IS  
45 EQUAL TO FIFTY PER CENT OF THE AMOUNT USED IN PARAGRAPH 1.

1           4. IN THE FOURTH YEAR THE NEW UNIFIED SCHOOL DISTRICT BECOMES  
2 OPERATIONAL, THE AMOUNT THAT THE NEW UNIFIED SCHOOL DISTRICT MAY BUDGET IS  
3 EQUAL TO TWENTY-FIVE PER CENT OF THE AMOUNT USED IN PARAGRAPH 1.

4           F. IF A NEW UNIFIED SCHOOL DISTRICT BUDGETS FOR THE SMALL SCHOOL  
5 ADJUSTMENT PURSUANT TO SUBSECTION E OF THIS SECTION, THE AMOUNT SHALL BE  
6 FUNDED BY A LEVY ON THE PRIMARY PROPERTY TAXES IN THE NEW UNIFIED SCHOOL  
7 DISTRICT. THE PART OF THE PRIMARY TAX RATE SET TO FUND THE SMALL SCHOOL  
8 DISTRICT ADJUSTMENT AS PROVIDED IN SUBSECTIONS D AND E OF THIS SECTION SHALL  
9 NOT BE INCLUDED IN THE COMPUTATION OF ADDITIONAL STATE AID FOR EDUCATION AS  
10 PRESCRIBED IN SECTION 15-972, ARIZONA REVISED STATUTES.

~~APPROVED BY THE GOVERNOR MAY 12, 2008.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2008.~~