

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 320

HOUSE BILL 2450

AN ACT

AMENDING SECTION 9-511.01, ARIZONA REVISED STATUTES; RELATING TO CITIES AND TOWNS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 9-511.01, Arizona Revised Statutes, is amended to
3 read:
4 9-511.01. Water and wastewater business; rates; procedures
5 A. A municipality engaging in a domestic water or wastewater business
6 shall not increase any water or wastewater rate or rate component, fee or
7 service charge without complying with the following:
8 1. Prepare a written report or supply data supporting the increased
9 rate or rate component, fee or service charge. A copy of the report shall be
10 made available to the public by filing a copy in the office of the clerk of
11 the municipality governing board at least thirty days before the public
12 hearing described in paragraph 2.
13 2. Adopt a notice of intention by motion at a regular council meeting
14 to increase water or wastewater rates or rate components, fees or service
15 charges and set a date for a public hearing on the proposed increase that
16 shall be held not less than thirty days after adoption of the notice of
17 intention. A copy of the notice of intention showing the date, time and
18 place of the hearing shall be published one time in a newspaper of general
19 circulation within the boundaries of the municipality not less than twenty
20 days before the public hearing date.
21 B. After holding the public hearing, the governing body may adopt, by
22 ordinance or resolution, the proposed rate or rate component, fee or service
23 charge increase or any lesser increase.
24 C. Notwithstanding section 19-142, subsection B, the increased rate or
25 rate component, fee or service charge shall become effective thirty days
26 after adoption of the ordinance or resolution.
27 D. Any proposed water or wastewater rate or rate component, fee or
28 service charge adjustment or increase shall be just and reasonable.
29 E. Rates and charges demanded or received by municipalities for water
30 and wastewater service shall be just and reasonable. Every unjust or
31 unreasonable rate or charge demanded or received by a municipality is
32 prohibited and unlawful.
33 F. FOR RESIDENTIAL PROPERTY OF FOUR OR FEWER UNITS, A MUNICIPALITY
34 SHALL NOT REQUIRE PAYMENT OF UNPAID WATER AND WASTEWATER SERVICE RATES AND
35 CHARGES BY ANYONE OTHER THAN THE PERSON WHO THE MUNICIPALITY HAS CONTRACTED
36 WITH TO PROVIDE THE SERVICE.
37 G. FOR RESIDENTIAL PROPERTY OF FOUR OR FEWER UNITS, A MUNICIPALITY
38 SHALL NOT REFUSE SERVICE WITHIN THE MUNICIPALITIES SERVICE AREA FOR THE
39 UNPAID WATER AND WASTEWATER RATES AND CHARGES TO ANYONE OTHER THAN THE PERSON
40 WHO THE MUNICIPALITY HAS CONTRACTED WITH TO PROVIDE THE SERVICE.

APPROVED BY THE GOVERNOR MAY 11, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2010.

Passed the House March 15, 2010

Passed the Senate April 28, 2010

by the following vote: 36 Ayes,

by the following vote: 21 Ayes,

19 Nays, 4 Not Voting
1 vacancy

9 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Assistant Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

29 day of April, 20 10

at 11:50 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 11th day of

May

at 11:57 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 12th day of May, 20 10

at 9:35 o'clock a M.

[Signature]
Secretary of State

H.B. 2450