

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 85

SENATE BILL 1253

AN ACT

AMENDING SECTION 15-395.01, ARIZONA REVISED STATUTES; RELATING TO JOINT
TECHNICAL EDUCATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-395.01, Arizona Revised Statutes, is amended to
3 read:

4 15-395.01. Reducing the size of a joint district

5 A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, to withdraw a
6 school district from a joint district, the governing boards of a majority of
7 the school districts participating in the joint district shall approve by a
8 majority vote the withdrawal of the district. If a majority of the governing
9 boards approve the withdrawal, the joint board shall consider the withdrawal,
10 and to approve the withdrawal the proposed withdrawal must receive the
11 affirmative vote of a majority of the members of the board. If the joint
12 board approves, the question of the withdrawal from the joint district shall
13 be submitted to the qualified electors of the school district seeking to
14 withdraw from the joint district at the next general election.

15 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, TO WITHDRAW AN
16 ELEMENTARY SCHOOL DISTRICT FROM A JOINT DISTRICT, THE GOVERNING BOARD OF THE
17 ELEMENTARY SCHOOL DISTRICT THAT DESIRES TO WITHDRAW FROM THE JOINT DISTRICT
18 SHALL APPROVE BY A MAJORITY VOTE THE WITHDRAWAL OF THE DISTRICT. THE
19 GOVERNING BOARD OF THE ELEMENTARY SCHOOL DISTRICT SHALL NOTIFY THE GOVERNING
20 BOARD OF THE JOINT DISTRICT NO LATER THAN TEN DAYS AFTER THE GOVERNING BOARD
21 OF THE ELEMENTARY SCHOOL DISTRICT APPROVES THE WITHDRAWAL OF THE
22 DISTRICT. IF THE GOVERNING BOARD OF THE ELEMENTARY SCHOOL DISTRICT THAT
23 DESIRES TO WITHDRAW FROM THE JOINT DISTRICT APPROVES, THE QUESTION OF THE
24 WITHDRAWAL FROM THE JOINT DISTRICT SHALL BE SUBMITTED TO THE QUALIFIED
25 ELECTORS OF THE ELEMENTARY DISTRICT SEEKING TO WITHDRAW FROM THE JOINT
26 DISTRICT AT THE NEXT GENERAL ELECTION. A COMMON SCHOOL DISTRICT THAT IS
27 WITHIN THE BOUNDARIES OF A UNION HIGH SCHOOL DISTRICT THAT IS A MEMBER OF THE
28 JOINT TECHNICAL EDUCATION DISTRICT SHALL NOT BE ELIGIBLE TO WITHDRAW FROM THE
29 JOINT DISTRICT PURSUANT TO THIS SUBSECTION.

30 ~~B.~~ C. If the withdrawal of a school district is approved as
31 prescribed in ~~subsection A~~ SUBSECTIONS A OR B of this section, the qualifying
32 tax rate shall remain in effect for the remainder of the current tax year.

33 ~~C.~~ D. The school district withdrawn pursuant to this section shall
34 not be entitled to ownership of any assets held by the joint district.

35 ~~D.~~ E. If a joint district from which a school district withdraws
36 pursuant to this section has outstanding bonded indebtedness, the debt shall
37 continue to be levied ~~upon~~ ON taxable property for all bonds issued prior to
38 the withdrawal of the school district in the same manner as was levied and
39 collected prior to the withdrawal of the school district.

40 Sec. 2. Emergency

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

APPROVED BY THE GOVERNOR MARCH 27, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2012.

Passed the House March 19, 2012,

Passed the Senate February 16, 2012,

by the following vote: 57 Ayes,

by the following vote: 30 Ayes,

1 Nays, 2 Not Voting

0 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 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~~

S.B. 1253

~~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~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 21, 20 12

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

Steve Fleen *With Emergency*
President of the Senate

Chermin Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

21 day of March, 20 12

at 2:50 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 27th day of

March

at 2:10 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 27th day of March, 20 12

S.B. 1253

at 5:12 o'clock P M.

[Signature]
Secretary of State