

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 80

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

SENATE BILL 1370

AN ACT

AMENDING SECTION 9-502, ARIZONA REVISED STATUTES; RELATING TO FRANCHISE BY MUNICIPALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 9-502, Arizona Revised Statutes, is amended to
3 read:

4 9-502. Petition for franchise; publication; estimate; election;
5 term; expenditures

6 A. A person desiring to obtain a franchise to operate a public utility
7 from a municipal corporation shall present the franchise desired to the
8 governing body of the municipal corporation, and it shall be filed among its
9 records.

10 B. If the governing body deems the granting of the franchise
11 beneficial to the municipal corporation, it shall pass a resolution, to be
12 spread ~~upon~~ ON its record, stating that fact, and shall submit the question
13 to the qualified electors as to whether or not the franchise shall be granted
14 at the following regular election held in the municipal corporation or at a
15 special election called for that purpose.

16 C. The proposed franchise shall be published in full in some newspaper
17 of general circulation published in the municipal corporation for at least
18 thirty consecutive days ~~prior to~~ BEFORE the election.

19 D. THE BALLOT SHALL INCLUDE AN ESTIMATE OF ANY PROPOSED FEES OR TAXES
20 THAT ARE NOT RELATED TO FRANCHISE WORK OR FRANCHISE FEES.

21 ~~D.~~ E. If a majority of the votes cast is in favor of granting the
22 franchise, the governing body shall grant the franchise only in the form
23 filed and published.

24 ~~E.~~ F. A franchise shall not be granted for a longer term than
25 twenty-five years.

26 ~~F.~~ G. An election held pursuant to this section shall be held on a
27 date prescribed by section 16-204.

28 ~~G.~~ H. A public utility that spends only its own monies or resources
29 in support of its proposed franchise from a municipal corporation to operate
30 a public utility is exempt from the requirements of title 16, chapter 6.

APPROVED BY THE GOVERNOR APRIL 10, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2013.

Passed the House April 3, 2013,

Passed the Senate February 28, 2013,

by the following vote: 36 Ayes,

by the following vote: 28 Ayes,

24 Nays, 0 Not Voting

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Cheryl Laube
Chief Clerk of the House

Susann Acasis
Assistant Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

8 day of April, 2013,

at 2:10 o'clock P M.

Mikhaila Howard
Secretary to the Governor

Approved this 10th day of
April, 2013

at 1:05 o'clock P M.
Janeé K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10th day of April, 2013,

at 4:58 o'clock P M.

Ken Blumett
Secretary of State

S.B. 1370