

Senate Engrossed House Bill

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
Second Regular Session  
2014

CHAPTER 203

# **HOUSE BILL 2167**

AN ACT

AMENDING SECTIONS 5-1102 AND 5-1103, ARIZONA REVISED STATUTES; RELATING TO  
SPORTS AUTHORITY DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 5-1102, Arizona Revised Statutes, is amended to  
3 read:

4 5-1102. Formation of district; board of directors; duties

5 A. A sports authority district is established in each county having a  
6 population of more than five hundred thousand but less than two million  
7 persons. The boundaries of the district are the boundaries of the county.

8 B. The county board of supervisors shall serve as the board of  
9 directors of the district. The directors shall not receive compensation or  
10 reimbursement of expenses for their services as the board of directors.

11 C. THE BOARD OF DIRECTORS MAY CALL AN ELECTION FOR THE ESTABLISHMENT  
12 OF A SPORTS AUTHORITY DISTRICT IN THE COUNTY AS PROVIDED BY SECTION 5-1103,  
13 SUBSECTION A.

14 ~~D.~~ D. The board of directors shall:

15 ~~1. Call an election for the establishment of a sports authority in the~~  
16 ~~county as provided by section 5-1103, subsection A.~~

17 ~~2.~~ 1. Appoint certain members of the governing board of the sports  
18 authority as provided by section 5-1103, subsection D.

19 ~~3.~~ 2. Approve a budget of the authority pursuant to section 5-1131.

20 ~~4.~~ 3. Approve the issuance of revenue bonds of the authority pursuant  
21 to article 3 of this chapter.

22 ~~D.~~ E. The district is a corporate and political body, separate and  
23 independent of this state or the county, and except as otherwise limited,  
24 modified or provided by this chapter, has all of the rights, powers and  
25 immunities of municipal corporations except to acquire real property by  
26 eminent domain. The board of directors and the district do not have the  
27 authority to levy or otherwise impose any tax or assessment, other than  
28 charges for the use of facilities owned or managed by the district. The  
29 qualified electors residing in the district may levy a tax for the fiscal  
30 needs of the authority as provided by this chapter, but the board of  
31 directors has no independent authority to impose a tax. Subject to that  
32 limitation, the district is considered to be a tax levying public improvement  
33 district for the purposes of article XIII, section 7, Constitution of  
34 Arizona.

35 Sec. 2. Section 5-1103, Arizona Revised Statutes, is amended to read:

36 5-1103. Sports authority; establishment; authority board

37 A. The board of directors ~~shall~~ MAY call an election of the qualified  
38 electors of the district to authorize the establishment of a sports authority  
39 within and coterminous with the boundaries of the district. The election, IF  
40 HELD, shall ~~be held~~ OCCUR on one of the next ~~five~~ EIGHT general election  
41 dates held on the first Tuesday after the first Monday in November following  
42 the establishment of the district.

1 B. The election ballot shall include the following questions:

2 1. "Shall a sports authority be established in \_\_\_\_ county?".

3 2. "Shall the sports authority district be authorized to levy and  
4 collect taxes as provided by sections 5-1133 through 5-1137, Arizona Revised  
5 Statutes?".

6 3. "Shall the sports authority district issue revenue bonds to finance  
7 the construction, renovation, expansion or repair of cactus league baseball  
8 stadiums, youth sports facilities and multipurpose facilities, to be paid  
9 exclusively from revenues of the authority?".

10 C. The board of directors shall order the establishment of the  
11 authority on the approval of all questions by a majority of the qualified  
12 electors voting on each issue in the election. If any question is  
13 disapproved, the authority shall not be established and further proceedings  
14 under this chapter shall be terminated.

15 D. Members of the authority board, who must reside in the district,  
16 shall be appointed within thirty days after the formation of the district as  
17 follows:

18 1. One member who is appointed by the board of directors and who is  
19 selected from a list of nominees submitted by the largest industry  
20 organization or trade association, as measured by its members' gross  
21 revenues, representing hotel, motel and lodging businesses in the district.

22 2. One member who is appointed by the board of directors and who is  
23 selected from a list of nominees submitted by the largest industry  
24 organization or trade association, as measured by its members' gross  
25 revenues, representing restaurant businesses in the district.

26 3. One member who is appointed by the board of directors and who is  
27 selected from a list of nominees submitted by the largest industry  
28 organization or trade association in this state specializing in on-sale and  
29 off-sale retail liquor distribution.

30 4. One member who is appointed by the board of directors, who  
31 represents youth and amateur sports in the district and who is selected from  
32 a list of nominees submitted by the largest youth or amateur sports  
33 organization in the district as measured by the size of its membership.

34 5. One member who is appointed by the governing body of the largest  
35 city in the district, as measured by population, and who is selected from a  
36 list of nominees submitted by the largest industry organization or trade  
37 association representing automobile rental businesses in the district.

38 6. One member who is appointed by the governing body of the largest  
39 city in the district, as measured by population, and who is selected from a  
40 list of nominees submitted by the largest industry organization or trade  
41 association, as measured by its members' gross revenues, representing tourism  
42 businesses generally in the district.

1           7. One member who is appointed pursuant to subsection G of this  
2 section and who is selected from a list of nominees submitted by the largest  
3 industry organization or trade association, as measured by its members' gross  
4 revenues, representing tourism businesses generally in the district.

5           8. One member who is appointed pursuant to subsection G of this  
6 section and who is selected from a list of nominees submitted by the largest  
7 chamber of commerce in the city making the appointment representing retail  
8 businesses generally in the district.

9           9. One member who is appointed pursuant to subsection G of this  
10 section and who has substantial knowledge and experience regarding major  
11 league baseball.

12           10. Two additional members who are appointed by the county board of  
13 supervisors, or by any city or town, that contributes at least twenty per  
14 cent of the cost of a project pursuant to section 5-1106, subsection C if the  
15 contribution has a value of at least fifteen million dollars. Members shall  
16 be appointed pursuant to this paragraph within thirty days after the  
17 execution of a binding agreement to make a qualifying contribution.

18           E. The appointing entities prescribed in subsection D of this section  
19 shall receive nominations for appointment to the authority board from  
20 specified commercial interests, and shall appoint the members from the  
21 nominees. The appointing entities shall make appointments to the authority  
22 board to provide broad geographic representation among the members. The  
23 initial members shall be appointed to terms of two, three and four years,  
24 chosen by lot. All subsequent members shall be appointed to terms of four  
25 years, except for interim appointments to fill unexpired terms. A member of  
26 the board may be removed on a two-thirds vote of all members. The removal is  
27 effective immediately.

28           F. A member of the authority board shall not hold any elected office  
29 while serving on the board. An authority board member who takes elective  
30 office, who files nominating petitions for elective office or who is  
31 appointed to an elective office is considered to have resigned from the  
32 authority board effective immediately.

33           G. The appointment of the authority board ~~member~~ MEMBERS pursuant to  
34 subsection D, paragraphs 7, 8 and 9 of this section shall be determined as  
35 follows:

36           1. The first appointment shall be made by the governing body of the  
37 second largest city in the district.

38           2. The second appointment shall be made by the governing body of the  
39 third largest city in the district.

40           3. Each subsequent appointment shall be made by the governing bodies  
41 of the next largest cities in the district in order of population, until  
42 governing bodies of all cities in the district have made an appointment.

43           4. Subsequent appointments shall repeat the sequence of appointments  
44 provided in paragraphs 1, 2 and 3 of this subsection.

1           5. For the purposes of this subsection, the population of cities and  
2 towns in the district shall be based on the population at the time of each  
3 appointment made by the second largest city in the district.

4           6. If there is a vacancy of a member of the authority board appointed  
5 pursuant to subsection D, ~~paragraphs~~ PARAGRAPH 7, 8 and OR 9 of this section,  
6 the governing body that appointed the vacating member shall appoint a  
7 replacement for the remainder of the unexpired term.

APPROVED BY THE GOVERNOR APRIL 23, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2014.

Passed the House March 6, 20 14

by the following vote: 54 Ayes,

3 Nays, 3 Not Voting



Speaker of the House

*Pro Tempore*

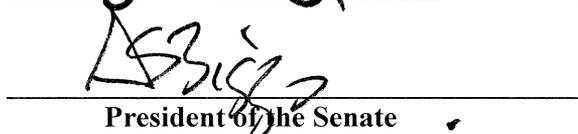


Chief Clerk of the House

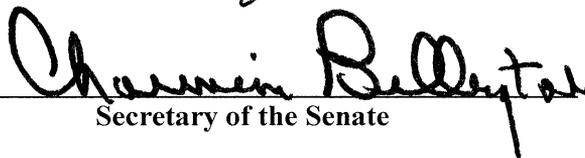
Passed the Senate April 16, 20 14

by the following vote: 20 Ayes,

8 Nays, 2 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2167

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 21, 2014,

by the following vote: 45 Ayes,

10 Nays, 5 Not Voting

  
Speaker of the House

  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

22 day of April, 2014,

at 8:30 o'clock A M.

  
Secretary to the Governor

Approved this 23rd day of

April, 2014,

at 11:07 o'clock A M.

  
Governor of Arizona

H.B. 2167

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 24<sup>th</sup> day of April, 2014,

at 8:57 o'clock a M.

  
Secretary of State