

House Engrossed Senate Bill

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KEN BENNETT
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CHAPTER 252

SENATE BILL 1387

AN ACT

AMENDING SECTIONS 48-251, 48-253, 48-261, 48-262, 48-266, 48-802, 48-803, 48-804, 48-805 AND 48-805.02, ARIZONA REVISED STATUTES; AMENDING TITLE 48, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 48-805.03; AMENDING SECTIONS 48-851 AND 48-853, ARIZONA REVISED STATUTES; RELATING TO SPECIAL TAXING DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 48-251, Arizona Revised Statutes, is amended to
3 read:

4 48-251. Annual report

5 A. Each district organized under this title and not exempted under
6 subsection C of this section shall submit an annual report as prescribed by
7 this section that contains the following information:

8 1. A schedule of the beginning and ending fund balances and all
9 revenues and expenditures for the preceding fiscal year on a form prescribed
10 by the auditor general or the same information contained in a financial
11 statement for the preceding fiscal year that has been attested to by an
12 independent certified public accountant. The schedule or statement shall
13 include all monies, gifts or donations that are received from all sources and
14 that have a value exceeding one hundred dollars.

15 2. Legal descriptions of any boundary changes occurring during the
16 preceding fiscal year.

17 3. The names, occupations and business telephone numbers of all
18 members of the governing board and officers of the district on the last day
19 of the preceding fiscal year.

20 4. The schedule and location of regular meetings of the district
21 governing board.

22 5. The location or locations where public notices of meetings are
23 posted pursuant to section 38-431.02.

24 6. The name and title of the person or persons completing the
25 reporting requirements pursuant to this subsection.

26 7. EXCEPT FOR A DISTRICT ORGANIZED PURSUANT TO CHAPTER 5, ARTICLE 3 OF
27 THIS TITLE, A COPY OF ANY AUDIT OR FINANCIAL REVIEW REQUIRED TO BE PREPARED
28 PURSUANT TO SECTION 48-253, SUBSECTION G.

29 B. The secretary or other officer of the district governing board
30 shall submit the report within two hundred forty days of the close of the
31 district's fiscal year to the clerk of the board of supervisors of each
32 county in which the district is located.

33 C. Districts organized under chapters 4, 6, 17, 22, 27 and 28 of this
34 title are exempt from the requirements of this section. Districts that do
35 not provide services or otherwise operate during the entire period covered by
36 the report and that notify the clerk of the board of supervisors in writing
37 of ~~such~~ THESE circumstances within the time for filing the report are exempt
38 from the requirements of subsection A of this section.

39 D. If a district fails to submit a report as required by this section,
40 any taxpayer residing in the district may petition the superior court in a
41 county in which the district is organized to order the district to show cause
42 why the report has not been submitted. On a failure to show cause the court
43 shall order the district to file all reports as required by this section. A
44 failure to obey the order of the court is punishable as contempt of court.

1 E. If the court finds that a district has violated this section, it
2 shall award the taxpayer attorney fees and costs associated with bringing the
3 action.

4 F. The board of supervisors of each county shall submit annually by
5 March 31 a report on compliance with the requirements of this section to the
6 president of the senate, the speaker of the house of representatives and the
7 governor. The annual report shall include a listing of all those districts
8 required to comply with the requirements of this section, the districts in
9 compliance and not in compliance with the requirements and an analysis of the
10 sufficiency of each district report.

11 G. The board of supervisors shall notify each district not in
12 compliance with the reporting requirements of this section to comply within
13 thirty days after receipt by certified mail of ~~such~~ THE noncompliance and
14 that the district is subject to a civil penalty if it fails to comply. The
15 board of supervisors shall assess, and the county treasurer shall collect
16 from the monies of a district remaining in noncompliance thirty days after
17 receipt of certified mail a penalty assessment of one hundred dollars per day
18 for each day that ~~such~~ THE district is not in compliance with the reporting
19 requirements of this section from thirty days after receipt by certified mail
20 of the noncompliance notice until such time as the board of supervisors
21 receives a copy of the district's annual report, to the extent that district
22 monies are available and unencumbered. Penalty monies collected shall be
23 deposited in the county general fund.

24 Sec. 2. Section 48-253, Arizona Revised Statutes, is amended to read:
25 48-253. District audits and financial reviews

26 A. Each district that is organized under this title, that is not
27 exempt under subsection G OR H of this section and that is required to make
28 an annual report under this article shall have its reports audited in
29 accordance with generally accepted government auditing standards and the
30 following:

31 1. Audits required by this section shall be performed annually for
32 districts whose budgets are one million dollars or more. Districts whose
33 budgets are one hundred thousand dollars or more but less than one million
34 dollars shall have a financial review performed annually. Districts whose
35 budgets are more than fifty thousand dollars and less than one hundred
36 thousand dollars shall have a financial review performed at least biennially.
37 Districts whose budgets are fifty thousand dollars or less shall have a
38 financial review performed at the request of the county board of supervisors
39 or on receipt of a request for a financial review that is signed by at least
40 ten residents of that district. A district shall not be required to perform
41 a financial review more than once per fiscal year.

42 2. A district may select an outside auditor who is a certified public
43 accountant or a representative who is selected by the board of supervisors
44 and who is trained as an auditor.

1 3. A district may advertise and use competitive bidding practices to
2 select an agent to perform the audits or financial reviews required by this
3 section.

4 B. Each district that submits a financial statement for the preceding
5 fiscal year that has been attested to by an independent certified public
6 accountant pursuant to section 48-251 is deemed to have complied with this
7 section by submitting a copy of the financial statement to the county
8 treasurer.

9 C. Each district shall submit a copy of the completed audit or
10 financial review to the county treasurer and the board of supervisors within
11 two hundred forty days after the close of the district's fiscal year or
12 within one hundred eighty days after a request for a financial review is
13 received by the district pursuant to subsection A, paragraph 1 of this
14 section.

15 D. If a district fails to submit an audit or financial review as
16 required by this section, any taxpayer residing in the district, the board of
17 supervisors or the county treasurer may petition the superior court in a
18 county where the district is organized to show cause why the audit or
19 financial review has not been submitted. On a failure to show cause the
20 court shall order the district to submit the audit or financial review within
21 ten days after the judgment is entered. EXCEPT FOR A DISTRICT ORGANIZED
22 PURSUANT TO CHAPTER 5, ARTICLE 3 OF THIS TITLE, ON COMPLAINT MADE TO THE
23 COUNTY ATTORNEY, THE COUNTY ATTORNEY MAY INVESTIGATE ANY CLAIMED FAILURE TO
24 COMPLY WITH THIS SECTION, REPORT PUBLICLY ON THE INVESTIGATION'S FINDINGS AND
25 TAKE ANY ENFORCEMENT ACTION DEEMED APPROPRIATE BY THE COUNTY ATTORNEY.

26 E. If the court enters a judgment against the district under this
27 section, the court may award the taxpayer, board of supervisors or county
28 treasurer reasonable attorney fees and costs associated with bringing the
29 action.

30 F. For districts organized under chapter 19 of this title, a district
31 with an annual budget of at least five million dollars shall have an audit
32 performed annually and a district with an annual budget of at least one
33 million dollars but less than five million dollars shall have an audit
34 performed every five years and a financial review performed each year an
35 audit is not performed. A district with an annual budget of at least one
36 hundred thousand dollars but less than one million dollars shall have an
37 audit performed every ten years and a financial review performed each year an
38 audit is not performed.

39 G. FOR DISTRICTS ORGANIZED UNDER CHAPTER 5 OF THIS TITLE AND EXCEPT
40 FOR DISTRICTS ORGANIZED UNDER CHAPTER 5, ARTICLE 3 OF THIS TITLE, A DISTRICT
41 THAT RECEIVES FIVE HUNDRED THOUSAND DOLLARS OR MORE IN TOTAL REVENUES SHALL
42 PERFORM AN ANNUAL AUDIT. FOR THE PURPOSES OF THIS SUBSECTION, REVENUES
43 INCLUDE MONIES GENERATED BY TAX LEVIES, MONIES RECEIVED THROUGH
44 APPROPRIATIONS, GRANTS AND OTHER FEDERAL AND STATE SOURCES AND MONIES
45 RECEIVED FROM SERVICES OR OTHER PRIVATE SOURCES, INCLUDING AMBULANCE AND

1 SIMILAR SERVICES. IF A DISTRICT'S TOTAL BUDGETED REVENUES IN A FISCAL YEAR
2 ARE LESS THAN FIVE HUNDRED THOUSAND DOLLARS AND THE DISTRICT RECEIVES TOTAL
3 ACTUAL REVENUES IN A FISCAL YEAR OF FIVE HUNDRED THOUSAND DOLLARS OR MORE,
4 THE DISTRICT SHALL HAVE AN AUDIT PERFORMED FOR THAT PRECEDING FISCAL YEAR AS
5 IF THE AUDIT HAD ORIGINALLY BEEN REQUIRED BY THIS SECTION. DISTRICTS WHOSE
6 TOTAL ANNUAL REVENUES ARE ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN
7 FIVE HUNDRED THOUSAND DOLLARS SHALL HAVE A FINANCIAL REVIEW PERFORMED
8 ANNUALLY. DISTRICTS WHOSE TOTAL ANNUAL REVENUES ARE MORE THAN FIFTY THOUSAND
9 DOLLARS AND LESS THAN ONE HUNDRED THOUSAND DOLLARS SHALL HAVE A FINANCIAL
10 REVIEW PERFORMED AT LEAST BIENNIALLY. DISTRICTS WHOSE TOTAL ANNUAL REVENUES
11 ARE FIFTY THOUSAND DOLLARS OR LESS SHALL HAVE A FINANCIAL REVIEW PERFORMED AT
12 THE REQUEST OF THE COUNTY BOARD OF SUPERVISORS OR ON RECEIPT OF A REQUEST FOR
13 A FINANCIAL REVIEW THAT IS SIGNED BY AT LEAST TEN RESIDENTS OF THAT
14 DISTRICT. A DISTRICT SHALL NOT BE REQUIRED TO PERFORM A FINANCIAL REVIEW
15 MORE THAN ONCE PER FISCAL YEAR. ALL FINANCIAL REVIEWS PRESCRIBED BY THIS
16 SECTION MUST BE CONDUCTED ACCORDING TO GENERALLY ACCEPTED GOVERNMENT AUDITING
17 STANDARDS.

18 ~~G.~~ H. Districts organized under chapters 4, 6, 17, 22, 27 and 28 of
19 this title are exempt from the requirements of this section.

20 Sec. 3. Section 48-261, Arizona Revised Statutes, is amended to read:

21 48-261. District creation; procedures; notice; hearing;
22 determinations; petitions

23 A. A fire district, community park maintenance district, sanitary
24 district or hospital district for either a hospital or an urgent care center
25 shall be created by the following procedures:

26 1. Any adult person desiring to propose creation of a district shall
27 provide a legal description of the area proposed for inclusion in the
28 district to the county assessor of the county in which the district is to be
29 located. The county assessor shall provide to the person proposing formation
30 of the district a detailed list of all ~~taxed~~ TAXABLE properties in the area
31 proposed for inclusion in the district. The person proposing formation of
32 the district shall prepare and submit a district impact statement to the
33 board of supervisors of the county in which the district is to be located.
34 Except for a proposed community park maintenance district that is to be
35 located in more than one county, if a proposed district is located in more
36 than one county, the impact statement shall be submitted to the board of
37 supervisors of the county in which the majority of the assessed valuation of
38 the proposed district is located. The boards of supervisors of any other
39 counties in which a portion of the district is to be located shall provide
40 information and assistance to the responsible board of supervisors. For a
41 community park maintenance district that is to be located in more than one
42 county, the impact statement shall be submitted to the board of supervisors
43 for each of the affected counties. If the person desiring to create a
44 district pursuant to this section is unable to complete the district impact
45 statement, the board of supervisors may assist in the completion of the

1 impact statement if requested to do so, provided the bond required in
2 subsection C of this section is in an amount sufficient to cover any
3 additional cost to the county. The district impact statement shall contain
4 at least the following information:

5 (a) A legal description of the boundaries of the proposed district and
6 a map and a general description of the area to be included in the district
7 sufficiently detailed to permit a property owner to determine whether a
8 particular property is within the proposed district.

9 (b) The detailed list of ~~taxed~~ TAXABLE properties provided by the
10 assessor pursuant to this paragraph.

11 (c) An estimate of the assessed valuation within the proposed
12 district.

13 (d) An estimate of the change in the property tax liability, as a
14 result of the proposed district, of a typical resident of the proposed
15 district.

16 (e) A list and explanation of benefits that will result from the
17 proposed district.

18 (f) A list and explanation of the injuries that may result from the
19 proposed district.

20 (g) The names, addresses and occupations of the proposed members of
21 the district's organizing board of directors.

22 (h) A description of the scope of services to be provided by the
23 district during its first five years of operation. At a minimum this
24 description shall include an estimate of anticipated capital expenditures,
25 personnel growth and enhancements to service.

26 2. On receipt of the district impact statement, the board of
27 supervisors shall set a day, ~~not fewer than~~ AT LEAST thirty ~~nor~~ BUT NOT more
28 than sixty days from that date, for a hearing on the impact statement. The
29 board of supervisors, at any time before making a determination pursuant to
30 paragraph 4 of this subsection, may require that the impact statement be
31 amended to include any information that the board of supervisors deems to be
32 relevant and necessary.

33 3. On receipt of the district impact statement, the clerk of the board
34 of supervisors shall mail, by first class mail, notice of the day, hour and
35 place of the hearing on the proposed district to each owner of taxable
36 property within the boundaries of the proposed district. The written notice
37 shall state the purpose of the hearing and shall state where a copy of the
38 impact statement may be viewed or requested. The clerk of the board of
39 supervisors shall post the notice in at least three conspicuous public places
40 in the area of the proposed district and shall publish twice in a daily
41 newspaper of general circulation in the area of the proposed district, at
42 least ten days before the hearing, or, if no daily newspaper of general
43 circulation exists in the area of the proposed district, at least twice at
44 any time before the date of the hearing, a notice setting forth the purpose

1 of the impact statement, the description of the area of the proposed district
2 and the day, hour and place of the hearing.

3 4. At the hearing called pursuant to paragraph 2 of this subsection,
4 the board of supervisors shall hear those who appear for and against the
5 proposed district and shall determine whether the creation of the district
6 will promote public health, comfort, convenience, necessity or welfare. If
7 the board of supervisors determines that the public health, comfort,
8 convenience, necessity or welfare will be promoted, it shall approve the
9 district impact statement and authorize the persons proposing the district to
10 circulate petitions as provided in this subsection. For a community park
11 maintenance district that is required to obtain the approval of more than one
12 county's board of supervisors, the petitions may only be circulated after
13 approval of the board of supervisors from each affected county. The order of
14 the board of supervisors shall be final, but if the request to circulate
15 petitions is denied, a subsequent request for a similar district may be
16 refiled with the board of supervisors after six months from the date of ~~such~~
17 THE denial. The county board of supervisors shall authorize the circulation
18 of petitions of only one proposed new district of the same type in which any
19 property owner's land is proposed for inclusion. ~~NO~~ A new petition
20 circulation shall NOT be authorized until the one-year period to submit
21 signatures prescribed by ~~section 48-261, subsection A,~~ paragraph 6, OF THIS
22 SUBSECTION of the original petition circulation has expired or has otherwise
23 been extinguished.

24 5. Within fifteen days after receiving the approval of the board of
25 supervisors as prescribed by paragraph 4 of this subsection, the clerk of the
26 board shall determine the minimum number of signatures and assessed valuation
27 required for compliance with paragraph 7 of this subsection. After making
28 that determination, the number of signatures shall remain fixed and the
29 assessed valuation of the ~~taxed~~ TAXABLE properties within the boundaries of
30 the proposed district shall remain fixed for purposes of determining
31 compliance with the property valuation requirement prescribed in paragraph 7
32 of this subsection.

33 6. After receiving the approval of the board of supervisors as
34 provided in paragraph 4 of this subsection, any adult person may circulate
35 and present petitions to the board of supervisors of the county in which the
36 district is located. All petitions circulated shall be returned to the board
37 of supervisors within one year from the date of the approval of the board of
38 supervisors pursuant to paragraph 4 of this subsection. Any petition that is
39 returned more than one year from that date is void.

40 7. The petitions presented pursuant to paragraph 6 of this subsection
41 shall comply with the provisions regarding verification in section 48-266 and
42 shall:

43 (a) At all times, contain a map and general description of the
44 boundaries of the proposed district sufficiently detailed to permit a
45 property owner to determine whether a particular property is within the

1 proposed district and the names, addresses and occupations of the proposed
2 members of the district's organizing board of directors. ~~No~~ AN alteration of
3 the proposed district shall NOT be made after receiving the approval of the
4 board of supervisors as provided in paragraph 4 of this subsection. The
5 items required to be contained with the petition under this ~~subsection~~
6 SUBDIVISION shall be printed on the back of the petition form required
7 pursuant to section 48-266 unless the size of the items ~~preclude~~ PRECLUDES
8 COMPLIANCE WITH this requirement. An error in the legal description of the
9 proposed district shall not invalidate the petitions if considered as a whole
10 the information provided is sufficient to identify the property as
11 illustrated in the map required pursuant to ~~subsection A of this section~~ THIS
12 SUBDIVISION.

13 (b) Be signed by owners of more than one-half of the ~~taxed~~ TAXABLE
14 property units in the area of the proposed district and be signed by persons
15 owning collectively more than one-half of the assessed valuation of the
16 property in the area of the proposed district. Property exempt pursuant to
17 title 42, chapter 11, article 3 shall not be considered in determining the
18 total assessed valuation of the proposed district nor shall owners of
19 property not subject to taxation be eligible to sign petitions.

20 8. On receipt of the petitions, INCLUDING ANY SUPPLEMENTAL SIGNATURES,
21 AND THE REPORT OF THE COUNTY ASSESSOR, the board of supervisors shall set a
22 day, ~~not fewer than ten nor more than thirty days from that date,~~ for a
23 hearing on the petition. ~~The hearing shall be postponed if a timely request~~
24 ~~to supplement petition signatures is made pursuant to section 48-266,~~
25 ~~subsection K, so that any supplemental petition signatures submitted pursuant~~
26 ~~to that section may be considered by the board of supervisors. The postponed~~
27 ~~hearing shall be held no more than thirty days after the submission of any~~
28 ~~supplemental petition signatures.~~

29 9. Before the hearing called pursuant to paragraph 8 of this
30 subsection, the board of supervisors shall determine the validity of the
31 petitions presented.

32 10. At the hearing called pursuant to paragraph 8 of this subsection,
33 the board of supervisors, if the petitions are valid, shall order the
34 creation of the district. The board of supervisors shall enter its order
35 setting forth its determination in the minutes of the meeting, not later than
36 ten days from the day of the hearing, and a copy of the order shall be filed
37 in the county recorder's office. The order of the board of supervisors shall
38 be final, and the proposed district shall be created thirty days after the
39 board of supervisors votes to create the district, except that for a
40 community park maintenance district that is proposed for more than one
41 county, the proposed district is created thirty days after the approval of
42 the board of supervisors of the final county of the counties in which the
43 district is to be located. A decision of the board of supervisors under this
44 subsection is subject to judicial review under title 12, chapter 7,
45 article 6.

1 B. For the purpose of determining the validity of the petitions
2 presented pursuant to subsection A, paragraph 6 of this section:

3 1. Property held in multiple ownership shall be treated as if it had
4 only one property owner, ~~so that~~ AND the signature of only one of the owners
5 of property held in multiple ownership is required on the formation petition.
6 The number of persons owning property inside the boundaries of the proposed
7 district shall be determined as follows:

8 (a) In the case of property assessed by the county assessor, the
9 number of persons owning property shall be as shown on the most recent
10 assessment of property.

11 (b) In the case of property valued by the department of revenue, the
12 number of persons owning property shall be as shown on the most recent
13 valuation of property.

14 (c) If an undivided parcel of property is owned by multiple owners,
15 those owners are deemed to be one owner for the purposes of this section.

16 (d) If a person owns multiple parcels of property, that owner is
17 deemed to be a single owner for the purposes of this section.

18 2. The value of property shall be determined as follows:

19 (a) In the case of property assessed by the county assessor, values
20 shall be the same as those shown on the last assessment roll of the county
21 containing ~~such~~ THE property.

22 (b) In the case of property valued by the department of revenue, the
23 values shall be those determined by the department in the manner provided by
24 law, for municipal assessment purposes. The county assessor and the
25 department of revenue, respectively, shall furnish to the board of
26 supervisors, within twenty days after ~~such~~ a request, a statement in writing
27 showing the owner, the address of each owner and the appraisal or assessment
28 value of properties contained within the boundaries of the proposed district
29 as described in subsection A of this section.

30 3. Petition signatures REPRESENTING REAL PROPERTY on which taxes and
31 assessments are not current at the time of petition review ~~shall be~~
32 ~~invalidated~~ ARE INVALID.

33 C. The board of supervisors may require of the person desiring to
34 propose creation of a district pursuant to subsection A, paragraph 1 of this
35 section a reasonable bond to be filed with the board at the start of
36 proceedings under this section. The bond shall be in an amount sufficient to
37 cover costs incurred by the county if the district is not finally organized.
38 County costs covered by the bond include any expense incurred from completion
39 of the district impact statement, mailing of the notice of hearing to
40 district property owners, publication of the notice of hearing and other
41 expenses reasonably incurred as a result of any requirements of this section.

42 D. If a district is created pursuant to this section, the cost of
43 publication of the notice of hearing, the mailing of notices to property
44 owners and all other costs incurred by the county as a result of this section
45 shall be a charge against the district.

1 E. If a proposed district would include property located within an
2 incorporated city or town, in addition to the other requirements of
3 subsection A of this section, the board shall approve the creation and
4 authorize the circulation of petitions only if the governing body of the city
5 or town has by ordinance or resolution endorsed ~~such~~ THE creation.

6 F. Except as provided in section 48-851 and section 48-2001,
7 subsection A, the area of a district created pursuant to this section shall
8 be contiguous.

9 G. A district organized pursuant to this section shall have an
10 organizing board of directors to administer the affairs of the district until
11 a duly constituted board of directors is elected as provided in this title.
12 The organizing board shall have all the powers, duties and responsibilities
13 of an elected board. The organizing board shall consist of the three
14 individuals named in the district impact statement and the petitions
15 presented pursuant to subsection A of this section. If a vacancy occurs on
16 the organizing board, the remaining board members shall fill the vacancy by
17 appointing an interim member. Members of the organizing board shall serve
18 without compensation but may be reimbursed for actual expenses incurred in
19 performing their duties. The organizing board shall elect from its members a
20 chairman and a clerk.

21 H. For the purposes of this section assessed valuation does not include
22 property exempt pursuant to title 42, chapter 11, article 3.

23 Sec. 4. Section 48-262, Arizona Revised Statutes, is amended to read:

24 48-262. District boundary changes; procedures; notice; hearing;
25 determinations; petitions

26 A. Except as prescribed by subsection I of this section, a fire
27 district, community park maintenance district or sanitary district shall
28 change its boundaries by the following procedures:

29 1. Any adult person desiring to propose any change to the boundaries
30 of a district shall provide a legal description of the area proposed for
31 inclusion in the district to the county assessor of the county in which the
32 district is to be located. The county assessor shall provide to the person
33 proposing any change to the boundaries of the district a detailed list of all
34 ~~taxed~~ TAXABLE properties in the area proposed for inclusion in the district.
35 The person proposing any change to the boundaries of the district shall
36 prepare and submit a boundary change impact statement to the governing body
37 of the district. The boundary change impact statement shall contain at least
38 the following information:

39 (a) A legal description of the boundaries of the area to be included
40 within the proposed change and a map and general description of the area
41 sufficiently detailed to permit a property owner to determine whether a
42 particular property is within the proposed district. The boundaries of the
43 proposed change shall not overlap with the boundaries of any other proposed
44 new district of the same type or any annexation by a district of the same

1 type for which petitions are being circulated on the date that the boundary
2 change impact statement is filed with the governing body.

3 (b) The detailed list of ~~taxed~~ TAXABLE properties provided by the
4 assessor pursuant to this paragraph.

5 (c) An estimate of the assessed valuation within the boundaries of the
6 proposed change.

7 (d) An estimate of the change in the tax rate of the district if the
8 proposed change is made.

9 (e) An estimate of the change in the property tax liability, as a
10 result of the proposed change, of a typical resident of a portion of the
11 district, not in the area of the proposed change, before and after the
12 proposed change and of a typical resident of the area of the proposed change.

13 (f) A list and explanation of benefits that will result from the
14 proposed change to the residents of the area and of the remainder of the
15 district.

16 (g) A list and explanation of the injuries that may result from the
17 proposed change to residents of the area and of the remainder of the
18 district.

19 2. On receipt of the boundary change impact statement, the governing
20 body shall set a day, ~~not fewer than~~ AT LEAST twenty ~~nor~~ BUT NOT more than
21 thirty days from that date, for a hearing on the boundary change impact
22 statement. The board of supervisors may at any time prior to making a
23 determination pursuant to paragraph 5 of this subsection require that the
24 impact statement be amended to include any information that the board of
25 supervisors deems to be relevant and necessary.

26 3. On receipt of the boundary change impact statement, the clerk of
27 the governing body shall mail, by first class mail, written notice of the
28 statement, its purpose and notice of the day, hour and place of the hearing
29 on the proposed change to each owner of taxable property within the
30 boundaries of the proposed change. The clerk of the governing body shall
31 post the notice in at least three conspicuous public places in the area of
32 the proposed change and also publish twice in a daily newspaper of general
33 circulation in the area of the proposed change, at least ten days before the
34 hearing, or if no daily newspaper of general circulation exists in the area
35 of the proposed change, at least twice at any time before the date of the
36 hearing, a notice setting forth the purpose of the impact statement, the
37 description of the boundaries of the proposed change and the day, hour and
38 place of the hearing.

39 4. On receipt of the boundary change impact statement the clerk shall
40 also mail notice, as provided in paragraph 3 of this subsection, to the
41 chairman of the board of supervisors of the county in which the district is
42 located. The chairman of the board of supervisors shall order a review of
43 the proposed change and may submit written comments to the governing body of
44 the district within ten days of receipt of the notice.

1 5. At the hearing called pursuant to paragraph 2 of this subsection,
2 the governing body shall consider the comments of the board of supervisors,
3 hear those who appear for and against the proposed change and determine
4 whether the proposed change will promote the public health, comfort,
5 convenience, necessity or welfare. If the governing body determines that the
6 public health, comfort, convenience, necessity or welfare will be promoted,
7 it shall approve the impact statement and authorize the persons proposing the
8 change to circulate petitions as provided in this subsection. The order of
9 the governing body shall be final, but if the request to circulate petitions
10 is denied, a subsequent request for a similar change may be refiled with the
11 governing body after six months from the date of ~~such~~ THE denial. The county
12 board of supervisors shall authorize the circulation of petitions for only
13 one boundary change of a district of the same type in which any property
14 owner's land is proposed for inclusion. ~~No~~ A new petition circulation shall
15 NOT be authorized until the one-year period to submit signatures set by
16 subsection B, paragraph 3 of this section of the original petition
17 circulation has expired or has otherwise been extinguished.

18 6. Except as provided by section 48-851, the governing body shall not
19 approve a proposed annexation if the property to be annexed is not contiguous
20 with the district's existing boundary. For THE purposes of determining
21 whether or not the proposed addition is contiguous, the addition is deemed
22 contiguous if land that is owned by or under the jurisdiction of the United
23 States government, this state or any political subdivision of this state,
24 other than an incorporated city or town, intervenes between the proposed
25 addition and the current district boundary.

26 7. The governing body shall not approve a proposed annexation if the
27 area proposed to be annexed surrounds any unincorporated territory and that
28 unincorporated territory is not also included in the district.

29 8. After receiving the approval of the governing body as provided in
30 paragraph 5 of this subsection and ~~provided~~ IF no appeal filed pursuant to
31 paragraph 14 of this subsection remains unresolved, any adult person may
32 circulate and present petitions to the governing body of the district.

33 9. Within fifteen days after receiving the approval of the governing
34 body as prescribed by paragraph 5 of this subsection, the clerk of the board
35 shall determine the minimum number of signatures and the assessed valuation
36 required to comply with paragraph 10, subdivision (b) of this subsection.
37 After making that determination, the number of signatures shall remain fixed
38 and the assessed valuation of the ~~taxed~~ TAXABLE properties within the
39 boundaries of the proposed change shall remain fixed for purposes of
40 determining compliance, notwithstanding any subsequent changes in ownership
41 of the property within the boundaries of the proposed change.

42 10. The petitions presented pursuant to paragraph 8 of this subsection
43 shall comply with the provisions regarding petition form in section 48-266
44 and shall:

1 (a) At all times, contain a map and general description of the
2 boundaries of the area to be included within the proposed change sufficiently
3 detailed to permit a property owner to determine whether a particular
4 property is included within the proposed change. ~~No~~ AN alteration of the
5 described area shall NOT be made after receiving the approval of the
6 governing body as provided in paragraph 5 of this subsection. The items
7 required to be contained with the petition under this ~~subsection~~ SUBDIVISION
8 shall be printed on the back of the petition form required pursuant to
9 section 48-266 unless the size of the items ~~preclude~~ PRECLUDES COMPLIANCE
10 WITH this requirement. An error in the legal description of the proposed
11 change shall not invalidate the petitions if considered as a whole the
12 information provided is sufficient to identify the property as illustrated in
13 the map required pursuant to ~~subsection A of this section~~ THIS SUBDIVISION.

14 (b) Be signed by owners of more than one-half of the ~~taxed~~ TAXABLE
15 property units within the boundaries of the proposed change and be signed by
16 persons owning collectively more than one-half of the assessed valuation of
17 the property within the boundaries of the proposed change. Property exempt
18 pursuant to title 42, chapter 11, article 3 shall not be considered in
19 determining the total assessed valuation of the proposed change nor shall
20 owners of property not subject to taxation be eligible to sign petitions.

21 11. On receipt of the petitions, INCLUDING ANY SUPPLEMENTAL SIGNATURES
22 AND THE REPORT OF THE COUNTY ASSESSOR, the governing body shall set a day,
23 ~~not fewer than~~ AT LEAST ten ~~nor~~ BUT NOT more than thirty days from that date,
24 for a hearing on the request. ~~The hearing shall be postponed if a timely~~
25 ~~request to supplement petition signatures is made pursuant to section 48-266,~~
26 ~~subsection K, so that any supplemental petition signatures submitted pursuant~~
27 ~~to that section may be considered by the board of supervisors. The postponed~~
28 ~~hearing shall be held no more than thirty days after the submission of any~~
29 ~~supplemental petition signatures.~~

30 12. Prior to the hearing called pursuant to paragraph 11 of this
31 subsection, the board of supervisors shall determine the validity of the
32 petitions presented pursuant to subsection B of this section.

33 13. At the hearing called pursuant to paragraph 11 of this subsection,
34 the governing body, if the petitions are valid, shall order the change to the
35 boundaries. The governing body shall enter its order setting forth its
36 determination in the minutes of the meeting, ~~not later than~~ AT LEAST ten days
37 from the day of the hearing, and a copy of the order shall be sent to the
38 officer in charge of elections and a copy shall be recorded in the county
39 recorder's office. The order of the governing body shall be final, and the
40 proposed change shall be made to the district boundaries thirty days after
41 the governing body votes.

42 14. On filing a verified complaint with the superior court, the
43 attorney general, the county attorney or any other interested party may
44 question the validity of the annexation for failure to comply with this
45 section. The complaint shall include a description of the alleged

1 noncompliance and shall be filed within thirty days after the governing body
2 of the district adopts a resolution that annexes the territory of the
3 district. The burden of proof is on the plaintiff to prove the material
4 allegations of the verified complaint. An action shall not be brought to
5 question the validity of an annexation resolution unless it is filed within
6 the time and for the reasons prescribed in this subsection. All hearings
7 that are held pursuant to this paragraph and all appeals of any orders shall
8 be preferred and shall be heard and determined in preference to all other
9 civil matters, except election actions. If more than one complaint
10 questioning the validity of an annexation resolution is filed, all ~~such~~
11 complaints shall be consolidated for the hearing.

12 B. For the purpose of determining the validity of the petitions
13 presented pursuant to subsection A, paragraph 8 of this section:

14 1. Property held in multiple ownership shall be treated as if it had
15 only one property owner, ~~so that~~ AND the signature of only one of the owners
16 of property held in multiple ownership is required on the boundary change
17 petition. The number of persons owning property inside the boundaries of the
18 proposed boundary change shall be determined as follows:

19 (a) In the case of property assessed by the county assessor, the
20 number of persons owning property shall be as shown on the most recent
21 assessment of property.

22 (b) In the case of property valued by the department of revenue, the
23 number of persons owning property shall be as shown on the most recent
24 valuation of property.

25 (c) If an undivided parcel of property is owned by multiple owners,
26 those owners are deemed to be one owner for the purposes of this section.

27 (d) If a person owns multiple parcels of property, that owner is
28 deemed to be a single owner for the purposes of this section.

29 2. The value of property shall be determined as follows:

30 (a) In the case of property assessed by the county assessor, values
31 shall be the same as those shown on the last assessment roll of the county
32 containing ~~such~~ THE property.

33 (b) In the case of property valued by the department of revenue, the
34 values shall be those determined by the department in the manner provided by
35 law, for municipal assessment purposes. The county assessor and the
36 department of revenue, respectively, shall furnish to the governing body,
37 within twenty days after ~~such~~ a THE request, a statement in writing showing
38 the owner, the address of each owner and the appraisal or assessment value of
39 properties contained within the area of a proposed change as described in
40 subsection A of this section.

41 3. All petitions circulated shall be returned to the governing body of
42 the district within one year from the date of the approval given by the
43 governing body pursuant to subsection A, paragraph 5 of this section. Any
44 petition returned more than one year from that date is void. If an appeal is
45 filed pursuant to subsection A, paragraph 14 of this section, this time

1 period for gathering signatures is tolled beginning on the date an action is
2 filed in superior court and continuing until the expiration of the time
3 period for any further appeal.

4 C. For the purposes of determining whether or not the proposed
5 addition is contiguous, the addition is deemed contiguous if land that is
6 owned by or under the jurisdiction of the United States government, this
7 state or any political subdivision of this state, other than an incorporated
8 city or town, intervenes between the proposed addition and the current
9 district boundary. Property shall not be approved for annexation if the area
10 proposed to be annexed surrounds any unincorporated territory and that
11 unincorporated territory is not also included in the district.

12 D. If the change in the boundaries proposed pursuant to subsection A
13 of this section would result in a withdrawal of territory from an existing
14 district, the petitions shall be approved by the governing body only if the
15 proposed withdrawal would not result in a noncontiguous portion of the
16 district that is less than one square mile in size.

17 E. If the impact statement described in subsection A of this section
18 relates to the withdrawal of property from a district, in addition to the
19 other requirements of subsection A of this section, the governing body shall
20 also determine:

21 1. If the district has any existing outstanding bonds or other
22 evidences of indebtedness.

23 2. If those bonds were authorized by an election and issued during the
24 time the property to be withdrawn was lawfully included within the district.

25 F. If the conditions of subsection E of this section are met:

26 1. The property withdrawn from the district shall remain subject to
27 taxes, special assessments or fees levied or collected to meet the contracts
28 and covenants of the bonds. The board of supervisors shall provide for the
29 levy and collection of ~~such~~ taxes, special assessments or fees.

30 2. The governing body shall:

31 (a) Annually determine the amount of special property taxes, special
32 assessments or fees that must be levied and collected from property withdrawn
33 from the district and the mechanism by which ~~such~~ THAT amount is to be
34 collected.

35 (b) Notify the board of supervisors on or before the third Monday in
36 July of the amount determined in subdivision (a) of this paragraph.

37 3. Property withdrawn from an existing district shall not be subject
38 to any further taxes, special assessments or fees arising from the
39 indebtedness of ~~such~~ THE district except as provided in this subsection.

40 G. If the statement described in subsection A, paragraph 1 of this
41 section requests the annexation of property located within an incorporated
42 city or town, in addition to the other requirements of subsection A of this
43 section, the governing body shall approve the district boundary change impact
44 statement and authorize the circulation of petitions only if the governing

1 body of the city or town has by ordinance or resolution endorsed ~~such~~ THE
2 annexation and ~~such~~ THE annexation is authorized pursuant to this title.

3 H. Except as provided in subsection D of this section and section
4 48-2002, ~~no~~ A change in the boundaries of a district pursuant to this section
5 shall NOT result in a district ~~which~~ THAT contains area that is not
6 contiguous.

7 I. Notwithstanding subsection A of this section, any property owner,
8 including a county, this state or the United States government, whose land is
9 within a county that contains a sanitary district or fire district and whose
10 land is contiguous to the boundaries of the sanitary district or fire
11 district may request in writing that the governing body of the district amend
12 the district boundaries to include that property owner's land. If the
13 property is located in an incorporated city or town, in addition to the other
14 requirements prescribed in this subsection, the governing body of the fire
15 district or sanitary district may approve the boundary change only if the
16 governing body of the affected city or town by ordinance or resolution has
17 approved the inclusion of the property in the district. If the governing
18 body determines that the inclusion of that property will benefit the district
19 and the property owner, the boundary change may be made by order of the
20 governing body and is final on the recording of the governing body's order
21 that includes a legal description of the property that is added to the
22 district. A petition and impact statement are not required for an amendment
23 to a sanitary district's or fire district's boundaries made pursuant to this
24 subsection.

25 J. Until August 1, 2014, in a county with a population greater than
26 two million persons, notwithstanding subsection I of this section, any
27 property owner, including the United States, this state or a county, whose
28 land is within two thousand six hundred forty feet of an adjacent sanitary
29 district or fire district, not contiguous to the boundaries of the sanitary
30 district or fire district and within an unincorporated area or county island
31 may request in writing that the governing body of the district amend the
32 district boundaries to include that property owner's land.

33 K. A fire district shall not annex or otherwise add territory that is
34 already included in another existing fire district, unless deannexed pursuant
35 to subsections D, E and F of this section.

36 L. A fire district, community park maintenance district or sanitary
37 district may appropriate and spend monies as necessary or reasonably required
38 to assist one or more individuals or entities to change the district's
39 boundaries pursuant to this section.

40 M. Notwithstanding subsection A of this section, if an incorporated
41 city or town has previously adopted a resolution designating a fire district
42 as the fire service agency for the city or town, the jurisdictional
43 boundaries of the fire district without further notice or election shall be
44 changed to include any property annexed into the city or town. If the
45 annexation occurs pursuant to a joint petition for annexation, any joint

1 petition for annexation shall clearly indicate in its title and in the notice
2 required in the petition that the property to be annexed will be subject to
3 the jurisdiction of both the city or town and the fire district. A joint
4 petition for annexation shall comply with both section 9-471 and this
5 section. Any fire district boundary change that occurs through city or town
6 annexation pursuant to this subsection is effective on the effective date of
7 the annexation by the incorporated city or town. If an incorporated city or
8 town that has designated a fire district as the fire service agency for that
9 city or town annexes property that is already part of another fire district,
10 the annexed property shall remain part of the fire district in which it was
11 located before the city or town's annexation.

12 N. Notwithstanding subsection I of this section, from ~~the effective~~
13 ~~date of this amendment to this section~~ AUGUST 2, 2012 until July 1, 2015, in
14 counties with a population of more than two million five hundred thousand
15 persons, any property owner, including the United States, this state or a
16 county, whose land is within two thousand six hundred forty feet of an
17 adjacent sanitary district or fire district, ~~AND IS~~ not contiguous to the
18 boundaries of the sanitary district or fire district may request in writing
19 that the governing body of the district amend the district boundaries to
20 include that property owner's land. If the property is located in an
21 incorporated city or town, in addition to the other requirements prescribed
22 in this subsection, the governing body of the sanitary district or fire
23 district may approve the boundary change only if the governing body of the
24 affected city or town, by ordinance or resolution, has approved the inclusion
25 of the property in the district. If the governing body determines that the
26 inclusion of that property will benefit the district and the property owner,
27 the boundary change may be made by order of the governing body and is final
28 on the recording of the governing body's order that includes a general
29 description of the property, including the assessor's parcel number, that is
30 added to the district. A petition and impact statement are not required for
31 an amendment to a sanitary district's or fire district's boundaries made
32 pursuant to this subsection.

33 O. For the purposes of this section, assessed valuation does not
34 include property exempt pursuant to title 42, chapter 11, article 3.

35 Sec. 5. Section 48-266, Arizona Revised Statutes, is amended to read:

36 48-266. Petitions of property owners; form; verification

37 A. The secretary of state shall promulgate sample petition forms, with
38 instructions for completing the form, that comply with the requirements of
39 this ~~statute~~ SECTION. Petitions that conform to the sample form will be
40 deemed to have complied with ~~sections~~ SUBSECTIONS B, C and D of this section.
41 Petitions that do not conform to the sample petition are void and shall not
42 be counted in determining the legal sufficiency of the petition.

43 B. A petition of property owners that is submitted to comply with
44 section 48-261, subsection A, paragraph 7 shall contain a heading that
45 clearly identifies the type of petition circulated and a statement that

1 clearly describes the type of action being proposed. The petition shall be
2 in a form that is substantially similar to the following:

3 Special taxing district creation petition

4 To the board of supervisors of (insert name) county:

5 We the undersigned, property owners of (insert name of
6 county), state of Arizona and owning property within the
7 boundaries as illustrated and defined on the attached
8 exhibit(s), legal description and map of the proposed
9 boundaries, petition the county board of supervisors to create a
10 (insert description of district) as described in the attached
11 exhibit(s). I have personally signed this petition with my
12 first and last names. I have not signed any other petition for
13 the same measure. I am a property owner of the state of
14 Arizona, county of _____.

15 Notice: this is only a description of the district sought
16 to be created by the sponsor of the measure. It may not include
17 every provision contained in the measure. Before signing, make
18 sure the exhibits are attached. You have the right to read or
19 examine the district impact statement before signing.

20 Warning

21 It is a class 1 misdemeanor for any person to knowingly do
22 any of the following:

23 1. Sign a district creation petition with a name other
24 than the person's own name, except in a circumstance where the
25 person signs for another person, in the presence of and at the
26 specific request of that person, who is incapable of signing
27 that person's own name because of physical infirmity.

28 2. Sign the person's name more than once for the same
29 measure.

30 3. Sign a district creation petition if the person is not
31 a property owner.

32	Signature	Name	Actual	Arizona	City or	Date
33		(first and	Address	Post Office	Town	
34		last name	(street &	Address	(if any)	
35		printed)	no. and if	& Zip		
36			no street	Code		
37			address,			
38			describe			
39			residence			
40			location)			

41 (Fifteen numbered lines for signatures)

42 C. A petition of property owners that is submitted to comply with
43 section 48-262, subsection A, paragraph 10 shall contain a heading that
44 clearly identifies the type of petition circulated and a statement that

1 clearly describes the type of action being proposed. The petition shall be
2 in a form substantially similar to the following:

3 Special taxing district annexation petition

4 To the governing body of the (insert name) district:

5 We the undersigned, property owners of (insert name of
6 county), state of Arizona and owning property within the
7 boundaries as illustrated and defined on the attached
8 exhibit(s), legal description and map of the proposed
9 boundaries, petition the district to annex the territory as
10 described in the attached exhibit(s). The area petitioning for
11 annexation, if approved by the governing body of the district,
12 shall become part of the annexing district and subject to all
13 relevant provisions of the Arizona Revised Statutes. I have
14 personally signed this petition with my first and last names. I
15 have not signed any other petition for the same measure. I am a
16 property owner of the state of Arizona, county of _____.

17 Notice: this is only a description of the territory
18 sought to be annexed by the sponsor of the measure. It may not
19 include every provision contained in the measure. Before
20 signing, make sure the exhibits are attached. You have the
21 right to read or examine the boundary change impact statement
22 before signing.

23 Warning

24 It is a class 1 misdemeanor for any person to knowingly do
25 any of the following:

- 26 1. Sign a district annexation petition with a name other
27 than the person's own name, except in a circumstance where the
28 person signs for another person, in the presence of and at the
29 specific request of that person, who is incapable of signing
30 that person's own name because of physical infirmity.
- 31 2. Sign the person's name more than once for the same
32 measure.
- 33 3. Sign a district annexation petition if the person is
34 not a property owner.

35 Signature	Name	Actual	Arizona	City or	Date
	(first and	Address	Post Office	Town	
	last name	(street &	Address	(if any)	
	printed)	no. and if	& Zip		
		no street	Code		
		address,			
		describe			
		residence			
		location)			

44 (Fifteen numbered lines for signatures)

1 D. Each petition sheet shall have printed in capital letters in no
2 less than twelve point bold-faced type in the upper right-hand corner of the
3 face of the petition sheet the following:

4 "_____ paid circulator" "_____ volunteer"

5 E. A circulator of petitions shall state whether the circulator is a
6 paid circulator or volunteer by checking the appropriate line on the petition
7 form before circulating the petition for signatures.

8 F. Signatures obtained on petitions in violation of subsection ~~G~~ D of
9 this section are void and shall not be counted in determining the legal
10 sufficiency of the petition. The presence of signatures that are invalidated
11 under this subsection on a petition does not invalidate other signatures on
12 the petition that were obtained as prescribed by this section.

13 G. At the time of signing, the property owner shall sign the property
14 owner's first and last names in the spaces provided and the property owner so
15 signing for the person circulating the petition shall print the first and
16 last names and write, in the appropriate spaces following the signature, the
17 signer's residence address, giving street and number, and if THE property
18 owner has no street address, a description of the residence location. The
19 property owner so signing or the person circulating the petition shall write,
20 in the appropriate spaces following the property owner's address, the date on
21 which the property owner signed the petition.

22 H. The title and text of petitions shall be in at least eight point
23 type.

24 I. The eight point type required by subsection ~~G~~ H of this section
25 does not apply to maps, charts or other graphics.

26 J. The board of supervisors or other governing body of a political
27 subdivision that receives a petition pursuant to this section shall submit a
28 copy of the signature sheets to the county assessor for verification. The
29 county assessor shall:

30 1. Verify that the petition contains the names of more than one-half
31 of the property owners in the area of the proposed district.

32 2. Determine the total assessed valuation of the property owned by the
33 persons whose names are signed on the petition.

34 K. The county assessor shall report the results of the verification to
35 the board of supervisors or other governing body within ten days after
36 receiving the copy of the signature sheets, not including Saturdays, Sundays
37 and other legal holidays.

38 L. If the report of the county assessor prepared pursuant to
39 subsection K of this section determines that the valid signatures submitted
40 are insufficient to meet the requirements of section 48-261, subsection A,
41 paragraph 7, subdivision (b) and the one-year period to submit signatures
42 pursuant to section 48-261, subsection A, paragraph 6 has not yet expired or
43 TO MEET THE REQUIREMENTS OF section 48-262, subsection A, paragraph 10,
44 subdivision (b),— and the one-year period to submit signatures pursuant to
45 section 48-262, subsection B, paragraph 3 has not yet expired, the person

1 submitting the petitions may ~~request that any hearing on the petitions be~~
2 ~~extended by a period of up to thirty days to permit submission of~~ SUBMIT
3 additional petition signatures. ~~The request to extend must be made within~~
4 ~~five days from the preparation of the county assessor's report or before the~~
5 ~~conclusion of the board of supervisors' hearing on the petitions, whichever~~
6 ~~is earlier. Only one request to extend may be made, and only one additional~~
7 ~~submission of petitions may be made during the extension period.~~ THE
8 ORIGINAL PETITION SIGNATURES MAY BE SUBMITTED ANY TIME DURING THE ONE-YEAR
9 PERIOD FOR SUBMITTAL AND the additional submission must ALSO be made within
10 the SAME one-year period to submit signatures set by section 48-261,
11 subsection A, paragraph 6 or section 48-262, subsection B, paragraph 3. If
12 additional signatures are submitted, they shall be submitted to the county
13 assessor for verification pursuant to subsections ~~I~~ and J AND K of this
14 section.

15 Sec. 6. Section 48-802, Arizona Revised Statutes, is amended to read:
16 48-802. Election procedures; qualifications

17 A. All elections held pursuant to this article shall conform to the
18 requirements of this section.

19 B. Except as otherwise provided in this article, the manner of
20 conducting and voting at an election, contesting an election, keeping poll
21 lists, canvassing votes and certifying returns shall be the same, as nearly
22 as practicable, as in elections for county officers. If the fire district is
23 administered by a board, after consultation with the officer in charge of
24 elections, a fire district may divide itself into precincts. To the extent
25 practicable, the precincts shall be equal or as nearly equal in population
26 and shall conform to the boundaries of precincts adopted by the board of
27 supervisors of the county. The fire district shall thereafter conduct its
28 elections using those precincts.

29 C. No person may vote at the election other than a qualified elector
30 of this state who has registered to vote at least twenty-nine days before the
31 election as a resident within the district boundaries, proposed district
32 boundaries created by the merger of fire districts or the proposed district
33 boundaries created by a consolidated district. A person offering to vote at
34 a fire district election for which no fire district register has been
35 supplied shall sign an affidavit stating the person's address and the fire
36 district in which the person resides and swearing the person is qualified to
37 vote and has not voted at the fire district election being held. A person
38 offering to vote at a fire district election for which a fire district
39 register has been supplied shall proceed as required for voting at any
40 election at which precinct registers are used.

41 D. In elections for an ~~elected chief and secretary-treasurer or~~
42 district board members:

43 1. The person or persons within the district or precinct, as
44 applicable, receiving the highest number of votes shall be declared elected.

1 2. Candidates must be, and during incumbency must remain, qualified
2 electors of the fire district AND, EXCEPT FOR A DISTRICT FORMED PURSUANT TO
3 ARTICLE 3 OF THIS CHAPTER, MUST BE A RESIDENT OF THE DISTRICT FOR AT LEAST
4 ONE YEAR IMMEDIATELY PRECEDING THE DATE OF THE ELECTION. In a fire district
5 that is divided into precincts as prescribed by subsection B of this section,
6 candidates shall be qualified electors of the precinct in which they are
7 candidates and during incumbency must remain qualified electors of that
8 precinct. EXCEPT FOR A DISTRICT FORMED PURSUANT TO ARTICLE 3 OF THIS
9 CHAPTER, A PERSON IS NOT ELIGIBLE TO BE A CANDIDATE FOR ELECTION TO THE FIRE
10 DISTRICT BOARD IF THAT PERSON IS RELATED BY AFFINITY OR CONSANGUINITY WITHIN
11 THE THIRD DEGREE TO A PERSON WHO SERVES ON THE BOARD DURING THE POTENTIAL
12 CANDIDATE'S TERM OF OFFICE. ANY PERSON WHO VIOLATES THIS PARAGRAPH IS NOT
13 ELIGIBLE TO SERVE ON THE BOARD.

14 3. Elections, other than special elections to fill a vacancy or
15 elections to merge or dissolve fire districts, shall be held on the first
16 Tuesday after the first Monday in November of the first even numbered year
17 following the year the district is declared organized by the board of
18 supervisors and, ~~in the case of a fire district administered by a district~~
19 ~~board, every two years thereafter on the first Tuesday after the first Monday~~
20 ~~in November. Elections shall be held every four years thereafter in~~
21 ~~districts administered by an elected chief.~~

22 4. Except for an election to reorganize a fire district, nominating
23 petitions shall be filed with the board of supervisors as prescribed by title
24 16, chapter 3. If only one person files or no person files a nominating
25 petition for an election to fill a position on the district board ~~or the~~
26 ~~position of elected fire chief or elected secretary-treasurer~~ for which the
27 term of office is to expire, the board of supervisors may cancel the election
28 for that position and appoint the person who filed the nominating petition to
29 fill the position. If no person files a nominating petition for an election
30 to fill a district office, the board of supervisors may cancel the election
31 for those offices and those offices are deemed vacant and shall be filled as
32 otherwise provided by law. A person who is appointed pursuant to this
33 paragraph is fully vested with the powers and duties of the office as if
34 elected to that office.

35 5. The names of all nominated persons for office within the district
36 or precinct, as applicable, shall appear on the ballot without partisan
37 designation.

38 E. In an election to reorganize, notice of the appropriate order of
39 the board of supervisors or governing body of the district shall be given as
40 prescribed by title 16.

41 F. In an election to merge fire districts, notice of the appropriate
42 order of the board of supervisors shall be given as prescribed by title 16.
43 In addition, notice of the election with an accurate map of the territory
44 proposed to be merged shall be sent by first class mail to each owner of
45 property that would be subject to taxation by the merged district at least

1 sixty days before the election. An order to hold an election shall be issued
2 not more than thirty days after the receipt of the resolution to merge fire
3 districts pursuant to section 48-820.

4 G. In an election to consolidate fire districts, notice of the
5 appropriate order of the board of supervisors shall be given as prescribed by
6 title 16. In addition, notice of the election with an accurate map of the
7 territory proposed to be consolidated shall be sent by first class mail to
8 each owner of property that would be subject to taxation by the consolidated
9 district at least sixty days before the election. An order to hold an
10 election shall be issued not more than thirty days after the receipt of the
11 resolution to consolidate fire districts pursuant to section 48-822.

12 Sec. 7. Section 48-803, Arizona Revised Statutes, is amended to read:
13 48-803. District administered by a district board; report

14 A. In a district that the board of supervisors estimates has a
15 population of fewer than four thousand inhabitants, the district board may
16 consist of three or five members. In a district that the board of
17 supervisors estimates has a population of four thousand or more inhabitants,
18 the district board shall consist of five members, and for a noncontiguous
19 county island fire district formed pursuant to section 48-851, the board
20 shall consist of five members. The estimate of population by the board of
21 supervisors is conclusive and shall be based on available census information,
22 school attendance statistics, election or voter registration statistics,
23 estimates provided by state agencies or the county assessor, or other
24 information as deemed appropriate by the board of supervisors. If the board
25 of supervisors determines, at any time prior to one hundred twenty days
26 before the next regular scheduled election for members of a district board,
27 that the population of a fire district administered by a district board
28 consisting of three members exceeds four thousand inhabitants, estimated as
29 provided in this section, the board of supervisors shall order an increase in
30 the number of members of the district board. If the board of supervisors
31 determines at any time prior to one hundred eighty days before the next
32 regularly scheduled election for members of a district board that the
33 population of a fire district administered by a district board that consists
34 of five members exceeds fifty thousand inhabitants as prescribed in this
35 section, the board of supervisors shall inform the district board that it may
36 expand to seven members. Any expansion to seven members shall occur by
37 majority vote of the district board. The increase is effective for the
38 election of the additional members at the next regular election of members of
39 the district board.

40 B. If a vacancy occurs on the district board other than from
41 expiration of a term, the remaining board members shall fill the vacancy by
42 appointment of an interim member AND EXCEPT FOR A DISTRICT FORMED PURSUANT TO
43 ARTICLE 3 OF THIS CHAPTER, THE REMAINING BOARD MEMBERS SHALL FILL THE VACANCY
44 WITHIN NINETY DAYS AFTER THE DATE THE VACANCY OCCURS. EXCEPT FOR A DISTRICT
45 FORMED PURSUANT TO ARTICLE 3 OF THIS CHAPTER, IF THE REMAINING DISTRICT BOARD

1 MEMBERS DO NOT APPOINT AN INTERIM MEMBER WITHIN THAT NINETY-DAY PERIOD, THE
2 BOARD OF SUPERVISORS SHALL APPOINT AN INTERIM MEMBER TO THE DISTRICT BOARD
3 WITHIN SIXTY DAYS AFTER EXPIRATION OF THE NINETY-DAY PERIOD, AND IF THE
4 DISTRICT IS LOCATED IN MORE THAN ONE COUNTY, THE BOARD OF SUPERVISORS OF THE
5 COUNTY IN WHICH THE MAJORITY OF THE ASSESSED VALUATION OF THE DISTRICT IS
6 LOCATED SHALL MAKE THE APPOINTMENT AFTER THE EXPIRATION OF THE NINETY-DAY
7 PERIOD. If the entire board resigns or for any reason cannot fulfill its
8 duties, the board of supervisors shall appoint an administrator to administer
9 the district with the same duties and obligations of the elected board. If
10 the board of supervisors fails to appoint an administrator within thirty days
11 AFTER THE RESIGNATION OF THE ENTIRE BOARD OR ITS INABILITY TO FULFILL ITS
12 DUTIES, a special election shall be held to fill the vacancies on the fire
13 district board.

14 C. Members of the district board shall serve without compensation, but
15 may be reimbursed for actual expenses incurred in performing duties required
16 by law.

17 D. The board of a fire district shall appoint or hire a fire chief.

18 E. The district board shall elect from its members a chairman and a
19 clerk. EXCEPT FOR A DISTRICT FORMED PURSUANT TO ARTICLE 3 OF THIS CHAPTER,
20 THE ELECTION OF THE CHAIRMAN AND THE CLERK MUST OCCUR AT THE DISTRICT BOARD
21 MEETING THAT FIRST OCCURS IN THE MONTH IMMEDIATELY FOLLOWING EACH GENERAL
22 ELECTION.

23 F. FOR DISTRICTS FORMED UNDER ARTICLE 3 OF THIS CHAPTER, of the
24 members first elected to district boards consisting of three members, the two
25 people receiving the first and second highest number of votes shall be
26 elected to four-year terms, and the person receiving the third highest number
27 of votes shall be elected to a two-year term. Of the members first elected
28 to district boards consisting of five members, the three people receiving the
29 first, second and third highest number of votes shall be elected to four-year
30 terms, and the two people receiving the fourth and fifth highest number of
31 votes shall be elected to two-year terms. Thereafter, the term of office of
32 each district board member shall be four years from the first day of the
33 month next following such member's election. Of the members elected as
34 additional members to a five-member district board, the person with the
35 highest number of votes is elected to a four-year term and the person with
36 the second highest number of votes is elected to a two-year term. If a
37 district resolves to increase the governing board to seven members pursuant
38 to subsection A OF THIS SECTION, the governing board may appoint two
39 additional members to serve until the next general election. After the
40 general election at which the two additional members are elected, the newly
41 elected member with the highest number of votes serves a four-year term and
42 the other member serves a two-year term. Thereafter, the term of office for
43 these two new members is four years.

1 G. FOR ANY FIRE DISTRICT ADMINISTERED BY A THREE-MEMBER BOARD AND THAT
2 LEVIES TAXES IN A FISCAL YEAR IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS
3 OR MORE, THE DISTRICT MUST BE ADMINISTERED BY A FIVE-MEMBER BOARD, BEGINNING
4 WITH THE FIRST GENERAL ELECTION HELD AFTER THE END OF THE FISCAL YEAR IN
5 WHICH THE DISTRICT LEVIED THE PRESCRIBED AMOUNT, THE CHANGE TO A FIVE-MEMBER
6 BOARD MUST OCCUR AS PRESCRIBED IN THIS SUBSECTION. ON LEVYING THE PRESCRIBED
7 AMOUNT, THE DISTRICT MAY NOT REORGANIZE AS A THREE-MEMBER BOARD REGARDLESS OF
8 ANY SUBSEQUENT CHANGE IN THE DISTRICT'S LEVY. FOR THREE-PERSON BOARDS WITH A
9 SINGLE VACANCY FOR AN EXISTING BOARD MEMBERSHIP POSITION AND THAT ARE ADDING
10 TWO ADDITIONAL MEMBERS, THE THREE PERSONS WITH THE HIGHEST NUMBER OF VOTES
11 ARE ELECTED TO A FOUR-YEAR TERM OF OFFICE. FOR THREE-PERSON BOARDS WITH TWO
12 VACANCIES FOR EXISTING BOARD MEMBERSHIP POSITIONS AND THAT ARE ADDING TWO
13 ADDITIONAL MEMBERS, THE THREE PERSONS WITH THE FIRST, SECOND AND THIRD
14 HIGHEST NUMBERS OF VOTES ARE ELECTED TO FOUR-YEAR TERMS OF OFFICE AND THE
15 PERSON WITH THE FOURTH HIGHEST NUMBER OF VOTES IS ELECTED TO A TWO-YEAR TERM
16 OF OFFICE. THEREAFTER, ALL TERMS OF OFFICE FOR MEMBERS OF THESE FIVE-PERSON
17 BOARDS OF DIRECTORS MUST BE FOUR YEARS. THIS SUBSECTION APPLIES TO ANY
18 THREE-MEMBER BOARD THAT IS EXPANDING TO A FIVE-MEMBER BOARD, REGARDLESS OF
19 WHETHER THE EXPANSION IS THE RESULT OF THE AMOUNT OF THE DISTRICT'S LEVY.
20 THIS SUBSECTION DOES NOT APPLY TO DISTRICTS FORMED UNDER ARTICLE 3 OF THIS
21 CHAPTER.

22 H. BEGINNING WITH THE 2014 GENERAL ELECTION AND EXCEPT FOR A DISTRICT
23 FORMED PURSUANT TO ARTICLE 3 OF THIS CHAPTER, ALL PERSONS WHO ARE ELECTED OR
24 APPOINTED TO A FIRE DISTRICT BOARD AND THE FIRE CHIEF WHO IS APPOINTED OR
25 HIRED BY THE DISTRICT BOARD SHALL ATTEND PROFESSIONAL DEVELOPMENT TRAINING
26 THAT IS PROVIDED BY AN ASSOCIATION OF ARIZONA FIRE DISTRICTS. DISTRICT BOARD
27 MEMBERS AND THE FIRE CHIEF SHALL COMPLETE AT LEAST SIX HOURS OF PROFESSIONAL
28 DEVELOPMENT TRAINING, WITH BOARD MEMBERS COMPLETING THEIR TRAINING WITHIN ONE
29 YEAR AFTER THE DATE OF THE CERTIFICATION OF THEIR ELECTION AND FOR THE FIRE
30 CHIEF, WITHIN ONE YEAR AFTER THE DATE OF HIRING. THE FIRE DISTRICT SHALL
31 REIMBURSE BOARD MEMBERS AND THE FIRE CHIEF FOR THE REASONABLE COSTS OF THE
32 TRAINING. THE PROFESSIONAL DEVELOPMENT TRAINING MUST INCLUDE TRAINING ON
33 OPEN MEETINGS LAWS, FINANCE AND BUDGET MATTERS AND LAWS RELATING TO FIRE
34 DISTRICT GOVERNANCE AND OTHER MATTERS THAT ARE REASONABLY NECESSARY FOR THE
35 EFFECTIVE ADMINISTRATION OF A FIRE DISTRICT.

36 I. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE FIRE DISTRICT
37 ASSOCIATION THAT HAS PROVIDED TRAINING REQUIRED PURSUANT TO SUBSECTION H OF
38 THIS SECTION SHALL SUBMIT A REPORT THAT DESCRIBES THE COMPLIANCE WITH THE
39 TRAINING REQUIREMENTS TO THE COUNTY BOARD OF SUPERVISORS FOR EVERY COUNTY IN
40 WHICH THE FIRE DISTRICT OPERATES. THE ANNUAL REPORT MUST INCLUDE AT LEAST
41 THE FOLLOWING:

42 1. A COMPILATION OF THE PROFESSIONAL DEVELOPMENT TRAINING DELIVERED BY
43 THE ASSOCIATION PURSUANT TO THIS SECTION AND THE NAMES OF THE FIRE DISTRICT
44 BOARD MEMBERS AND FIRE CHIEFS WHO ARE COMPLIANT AND NONCOMPLIANT WITH THE
45 REQUIREMENTS OF THIS SECTION.

1 ~~C. The secretary-treasurer is responsible for keeping records of all~~
2 ~~meetings of the district.~~

3 ~~D.~~ A. Beginning with the first term of office that commences
4 immediately after the next regular election for that fire district after the
5 ~~effective date of this amendment to this section~~ JULY 29, 2010, all districts
6 that are administered by an elected chief and secretary-treasurer shall be
7 administered by a three-member elected board of directors or a five-member
8 elected board of directors as provided in section 48-803, subsection A and
9 the ~~position~~ POSITIONS of elected chief and elected secretary-treasurer no
10 longer exist for that district and have no legal or administrative authority
11 for and in the district. Persons elected to a three-member board of
12 directors or a five-member board of directors pursuant to this subsection
13 shall be designated to serve staggered terms of four years, with the initial
14 terms of office for the three-member board or five-member board determined as
15 prescribed in section 48-803, subsection ~~F~~ G. Thereafter, all terms of
16 office for members of these three-person or five-person boards of directors
17 shall be four years.

18 ~~E.~~ B. Beginning ~~on the effective date of this amendment to this~~
19 ~~section~~ JULY 29, 2010, no new fire district may be established with an
20 elected chief and secretary-treasurer and no existing fire district may be
21 reorganized into a district with an elected chief and secretary-treasurer.

22 Sec. 9. Section 48-805, Arizona Revised Statutes, is amended to read:
23 48-805. Fire district; powers and duties

24 A. A fire district, through its board, shall:

25 1. Hold public meetings at least once each calendar month UNLESS A
26 BOARD CONSISTS OF THREE MEMBERS AND THE FIRE DISTRICT LEVIES LESS THAN FIVE
27 HUNDRED THOUSAND DOLLARS ANNUALLY THEN THE BOARD SHALL MEET IN JULY AND AT
28 LEAST EVERY TWO MONTHS THEREAFTER. A BOARD FOR A DISTRICT ORGANIZED PURSUANT
29 TO ARTICLE 3 OF THIS CHAPTER SHALL HOLD PUBLIC MEETINGS AT LEAST EVERY TWO
30 MONTHS.

31 2. Determine the compensation payable to district personnel.

32 3. Require probationary employees in a paid sworn firefighter
33 position, a reserve firefighter position or a volunteer firefighter position
34 to submit a full set of fingerprints to the fire district. The fire district
35 shall submit the fingerprints to the department of public safety for the
36 purpose of obtaining a state and federal criminal records check pursuant to
37 section 41-1750 and Public Law 92-544. The department of public safety may
38 exchange this fingerprint data with the federal bureau of investigation.

39 B. A fire district, through its board, may:

40 1. Employ any personnel and provide services deemed necessary for fire
41 protection, for preservation of life and for carrying out its other powers
42 and duties, including providing ambulance transportation services when
43 authorized to do so pursuant to title 36, chapter 21.1, article 2, but a
44 member of a district board shall not be an employee of the district. The
45 merger of two or more fire districts pursuant to section 48-820 or the

1 consolidation with one or more fire districts pursuant to section 48-822
2 shall not expand the boundaries of an existing certificate of necessity
3 unless authorized pursuant to title 36, chapter 21.1, article 2.

4 2. Construct, purchase, lease, lease-purchase or otherwise acquire the
5 following or any interest therein and, in connection with the construction or
6 other acquisition, purchase, lease, lease-purchase or grant a lien on any or
7 all of its present or future property, including:

8 (a) Apparatus, water and rescue equipment, including ambulances and
9 equipment related to any of the foregoing.

10 (b) Land, buildings, equipment and furnishings to house equipment and
11 personnel necessary or appropriate to carry out its purposes.

12 3. Finance the acquisition of property as provided in this section and
13 costs incurred in connection with the issuance of bonds as provided in
14 section 48-806. Bonds shall not be issued without the consent of a majority
15 of the electors of the district voting at an election held for that purpose.
16 For the purposes of an election held under this paragraph, all persons who
17 are eligible to vote in fire district elections under section 48-802 are
18 eligible to vote.

19 4. Enforce the fire code adopted by the district, if any, and assist
20 the state fire marshal in the enforcement of fire protection standards of
21 this state within the fire district including enforcement of a nationally
22 recognized fire code if expressly authorized by the state fire marshal.

23 5. After the approval of the qualified electors of the fire district
24 voting at a regular district election or at a special election called for
25 ~~such~~ THAT purpose by the district board, as appropriate, or at any election
26 held in the county that encompasses the fire district, adopt the _____
27 fire code, which is a nationally recognized fire code approved by the state
28 fire marshal. The words appearing on the ballots shall be "should
29 _____ fire district adopt the _____ fire code, which is a
30 nationally recognized fire code approved by the state fire marshal--yes",
31 "should _____ fire district adopt the _____ fire code,
32 which is a nationally recognized fire code approved by the state fire
33 marshal--no". The code shall be enforced by the county attorney in the same
34 manner as any other law or ordinance of the county. Any inspection or
35 enforcement costs are the responsibility of the fire district involved. The
36 district shall keep the code on file which shall be open to public inspection
37 for a period of thirty days before any election for the purpose of adopting a
38 fire code. Copies of the order of election shall be posted in three public
39 places in the district at least twenty days before the date of the election,
40 and if a newspaper is published in the county having a general circulation in
41 the district, the order shall be published in the newspaper at least once a
42 week during each of the three calendar weeks preceding the calendar week of
43 the election.

44 6. Amend or revise the adopted fire code, including replacement of the
45 adopted fire code with an alternative nationally recognized fire code, with

1 the approval of the state fire marshal and after a hearing held pursuant to
2 posted and published notice as prescribed by section 48-805.02, subsection A.
3 The district shall keep three copies of the adopted code, amendments and
4 revisions on file for public inspection.

5 7. Enter into an agreement procuring the services of an organized
6 private fire protection company or a fire department of a neighboring city,
7 town, district or settlement without impairing the fire district's powers.

8 8. Contract with a city or town for fire protection services for all
9 or part of the city or town area until the city or town elects to provide
10 regular fire department services to the area.

11 9. Retain a certified public accountant to perform an annual audit of
12 district books.

13 10. Retain private legal counsel.

14 11. Accept gifts, contributions, bequests and grants and comply with
15 any requirements of those gifts, contributions, bequests and grants that are
16 not inconsistent with this article.

17 12. Appropriate and expend annually monies as are necessary for the
18 purpose of fire districts belonging to and paying dues in the Arizona fire
19 district association and other professional affiliations or entities.

20 13. Adopt resolutions establishing fee schedules both within and
21 outside of the jurisdictional boundaries of the district for providing fire
22 protection services and services for the preservation of life, including
23 emergency fire and emergency medical services, plan reviews, standby charges,
24 fire cause determination, users' fees or facilities benefit assessments or
25 any other fee schedule that may be required.

26 14. With the approval of two of the three members of a three-member
27 board, four of the five members of a five-member board or five of the seven
28 members of a seven-member board, change the district's name and on so doing
29 shall give written notice to the board of supervisors of the change. The
30 governing board of a fire district may place a question on the general
31 election ballot as to whether the fire district shall change its name.

32 15. Require all employees to submit a full set of fingerprints as
33 prescribed by subsection A, paragraph 3 of this section.

34 16. Enter into intergovernmental agreements or contracts as follows:

35 (a) Enter into an intergovernmental agreement with another political
36 subdivision for technical or administrative services or to provide fire
37 services to the property owned by the political subdivision, including
38 property that is outside the district boundary.

39 (b) Enter into a contract with individuals to provide technical or
40 administrative services.

41 (c) Enter into a contract with individuals to provide fire protection
42 services or emergency medical services, or both, to the extent not regulated
43 by title 36, chapter 21.1 to property owned by the individual located outside
44 the district boundaries if the individual's property is not located in a

1 county island as defined in section 11-251.12 and at least one of the
2 following apply:

3 (i) The existing fire service provider where the individual's property
4 is located has issued a notice to the individual that the provider plans to
5 discontinue service.

6 (ii) Fire service is not available to the individual's property.

7 (iii) Fire service is offered pursuant to a contract or subscription
8 and the individual has not obtained service for a period of twenty-four
9 months before the date of the contract with the district.

10 (d) Enter into a contract with individuals to provide fire services to
11 property owned by the individual located outside the district boundaries,
12 where the individual's property is located in a county island as defined in
13 section 11-251.12, if both of the following apply:

14 (i) The existing fire service provider where the individual's property
15 is located has issued a notice to the residents of the county island and the
16 individual that the provider plans to discontinue or substantially reduce
17 service.

18 (ii) The district offers contracts to all residents and property
19 owners of the county island who will be affected by the discontinuance or
20 substantial reduction in service by the current fire service provider.

21 (e) For the purposes of subdivision (a), (b), (c) or (d) of this
22 paragraph, a district may contract with any public or private fire service
23 provider to provide some or all of the contractual services the district is
24 contracting to deliver.

25 (f) Any contract entered into pursuant to subdivisions (b), (c) and
26 (d) of this paragraph shall include a provision setting forth the cost of
27 service and performance criteria.

28 C. A FIRE DISTRICT MAY NOT ADMINISTRATIVELY ADD OR ANNEX ADDITIONAL
29 PROPERTY OR DELETE PROPERTY OR OTHERWISE MODIFY ITS BOUNDARIES EXCEPT IN A
30 MERGER OR CONSOLIDATION PURSUANT TO THIS CHAPTER OR IN A BOUNDARY CHANGE MADE
31 PURSUANT TO SECTION 48-262. THIS SUBSECTION DOES NOT APPLY TO A DISTRICT
32 ORGANIZED PURSUANT TO ARTICLE 3 OF THIS CHAPTER.

33 ~~C.~~ D. The chairman and clerk of the district board or their
34 respective designees, as applicable, shall draw warrants on the county
35 treasurer for money required to operate the district in accordance with the
36 budget and, as so drawn, the warrants shall be sufficient to authorize the
37 county treasurer to pay from the fire district fund.

38 ~~D.~~ E. For any fire district that designates one or more board members
39 to have access to the financial books and records of the district, those
40 board members are authorized by law to have full access to those financial
41 books and records.

42 ~~E.~~ F. The district board may assess and levy a secondary property tax
43 pursuant to this article to pay for the costs of fire protection services or
44 emergency medical services except for services regulated pursuant to title
45 36, chapter 21.1.

1 ~~F~~ G. The county attorney may advise and represent the district if in
2 the county attorney's judgment the advice and representation are appropriate
3 and not in conflict with the county attorney's duties under section 11-532.
4 If the county attorney is unable to advise and represent the district due to
5 a conflict of interest, the district may retain private legal counsel or may
6 request the attorney general to represent it, or both.

7 Sec. 10. Section 48-805.02, Arizona Revised Statutes, is amended to
8 read:

9 48-805.02. Fire district annual budget; levy; requirements

10 A. A fire district shall prepare an annual budget that contains
11 detailed estimated expenditures for each fiscal year and that clearly shows
12 salaries payable to employees of the district. The budget summary shall be
13 posted in three public places and a complete copy of the budget shall be
14 published on the district's official website for twenty days before a public
15 hearing at a meeting called by the board to adopt the budget. Copies of the
16 budget shall also be available to members of the public on written request to
17 the district. Following the public hearing, the district board shall adopt a
18 budget. A complete copy of the adopted budget shall be posted in a prominent
19 location on the district's official website within seven business days after
20 final adoption and shall be retained on the website for at least sixty
21 months. For any fire district that does not maintain an official website,
22 the fire district may comply with this subsection by posting on a website of
23 an association of fire districts in this state.

24 B. Not more than ten days after the organization of a fire district
25 and not later than August 1 of each year thereafter, the chairman of the
26 district board shall submit to the county board of supervisors a budget
27 estimate that contains certifications by item and that specifies the amount
28 of money required for the maintenance and operation of the district for the
29 ensuing year.

30 C. Based on the budget submitted by the district, the board of
31 supervisors shall levy the tax as prescribed in section 48-807, subsection E.

32 D. Every budget adopted by a fire district shall include the
33 following:

34 1. A certification by the chairman and clerk of the district board as
35 to both of the following:

36 (a) That the district has not incurred any debt or liability in excess
37 of taxes levied and to be collected and the money actually available and
38 unencumbered at that time in the district general fund, except for those
39 liabilities as prescribed in section 48-805, subsection B, paragraph 2 and
40 sections 48-806 and 48-807.

41 (b) That the district complies with subsection ~~E~~ F of this section.

42 2. For each of the items listed in the budget summary approved
43 pursuant to subsection A of this section, the district shall estimate the
44 revenue or expense for the next two fiscal years. Estimates shall be based
45 on the average increase or decrease of the item for the previous two fiscal

1 years unless more certain information is available to the district.
2 Estimates shall include any applicable levy or rate limitations.

3 3. If a district's total estimate of expenses exceeds its total
4 estimate of revenues for any fiscal year, the district shall undertake a
5 study of merger, consolidation or joint operating alternatives. The study
6 required by this ~~subsection~~ PARAGRAPH shall be presented to the fire district
7 board in a special public meeting called for the sole purpose of evaluating
8 the study. The study shall include an identification of districts available
9 for merger, consolidation or joint operations, an analysis of the level of
10 service and cost of service that may be provided to the residents of a
11 merged, consolidated or jointly operated district as compared to the level
12 and cost of service to the residents of the districts without any merger,
13 consolidation or joint operations.

14 E. FOR ANY DISTRICT THAT AMENDS ITS BUDGET AFTER ITS INITIAL ADOPTION,
15 THE DISTRICT BOARD SHALL HOLD AT LEAST TWO HEARINGS ON THE REVISION OF THE
16 BUDGET AND THE REVISED BUDGET MUST BE CONSIDERED AND ADOPTED IN A SPECIAL
17 MEETING THAT IS CALLED FOR THE ADOPTION OF THE REVISED BUDGET. THE SPECIAL
18 MEETING MUST BE HELD ONE WEEK AFTER THE CONSIDERATION OF THE REVISION OF THE
19 BUDGET AT A REGULARLY SCHEDULED MEETING OF THE BOARD OF DIRECTORS OF THE
20 DISTRICT. THIS SUBSECTION DOES NOT APPLY TO A DISTRICT ORGANIZED PURSUANT TO
21 ARTICLE 3 OF THIS CHAPTER.

22 ~~E.~~ F. When a fire district has adopted a budget and the board of
23 supervisors has levied a fire district tax as provided in subsection C of
24 this section and the district has insufficient monies in its general fund
25 with the county treasurer to operate the district, the chairman of the fire
26 district board of directors, on or after August 1 of each year, may draw
27 warrants for the purposes prescribed in section 48-805 on the county
28 treasurer, payable on November 1 of that year or on April 1 of the succeeding
29 year. The aggregate amounts of the warrants may not exceed ninety per cent
30 of the taxes levied by the county for the district's current fiscal year. If
31 the treasurer cannot pay a warrant for lack of monies in the fire district
32 general fund, the warrant shall be endorsed, be registered, bear interest and
33 be redeemed as provided by law for county warrants, except that the warrants
34 are payable only from the fire district general fund.

35 ~~F.~~ G. Any audit or report of a fire district made pursuant to section
36 48-253 shall be presented in person to the district board by the auditor and
37 the district board shall accept the audit or report. The audit or report
38 shall include a certification by the auditor of the district as to both of
39 the following:

40 1. That the district has not incurred any debt or liability in excess
41 of taxes levied and to be collected and the monies actually available and
42 unencumbered at that time in the district general fund except for those
43 liabilities as prescribed in section 48-805, subsection B, paragraph 2 and
44 sections 48-806 and 48-807.

45 2. That the district complies with subsection ~~E~~- F of this section.

1 (d) A list and explanation of benefits that will result from the
2 proposed district.

3 (e) A list and explanation of the injuries that will result from the
4 proposed district.

5 (f) The names, addresses and occupations of the three proposed members
6 of the district's organizing board of directors.

7 (g) A description of the scope of services to be provided by the
8 district during its first five years of operation.

9 3. On receipt of the revised map and the impact statement, the board
10 of supervisors shall set a day for a hearing on the proposed district
11 formation not more than sixty days from the date the map and impact statement
12 are received.

13 4. The clerk of the board of supervisors shall mail, by first class
14 mail, written notice of the day, hour and place of the hearing on the
15 proposed district to each owner of taxable property within the boundaries of
16 the proposed district. The written notice shall state the purpose of the
17 hearing and shall state where a copy of the impact statement may be viewed or
18 requested. The clerk of the board of supervisors shall post the notice in at
19 least three conspicuous public places in the area of the proposed district
20 and shall publish twice in a daily newspaper of general circulation in the
21 area of the proposed district, at least ten days before the hearing, or, if
22 no daily newspaper of general circulation exists in the area of the proposed
23 district, at least twice at any time before the date of the hearing, a notice
24 setting forth the purpose of the proposed district formation, the description
25 of the area of the proposed district and the day, hour and place of the
26 hearing.

27 5. At the hearing called pursuant to paragraph 3 of this subsection,
28 the board of supervisors shall hear those who appear for and against the
29 proposed district and shall determine whether the creation of the district
30 will promote public health, comfort, convenience, necessity or welfare. If
31 the board of supervisors determines that the public health, comfort,
32 convenience, necessity or welfare will be promoted, it shall authorize the
33 persons proposing the district to circulate petitions as provided in this
34 subsection. The order of the board of supervisors shall be final, but if the
35 request to circulate petitions is denied, a subsequent request for a similar
36 district may be refiled with the board of supervisors after six months from
37 the date of the denial.

38 6. Within fifteen days after receiving the approval of the board of
39 supervisors as prescribed by paragraph 5 of this subsection, the clerk of the
40 board shall:

41 (a) Determine the minimum number of signatures required for compliance
42 with paragraph 8, subdivision (b) of this subsection. After making that
43 determination, that number of signatures shall remain fixed.

44 (b) Certify whether the petition form to be used is valid and in
45 compliance with section 48-266.

1 7. After receiving the approval of the board of supervisors as
2 provided in paragraph 5 of this subsection, any adult person may circulate
3 and present petitions to the board of supervisors of the county in which the
4 district is located. All petitions circulated shall be returned to the board
5 of supervisors within one year from the date of the approval of the board of
6 supervisors pursuant to paragraph 5 of this subsection. Any petition that is
7 returned more than one year from that date is void. ~~On authorization of the~~
8 ~~board of supervisors to circulate petitions, the organizing board of the~~
9 ~~district established pursuant to this subsection may enter into written~~
10 ~~agreements with third parties to provide services related to the formation of~~
11 ~~the district that may include the cost of circulating petitions and~~
12 ~~associated expenses, but in no event may the cost of reimbursable expenses~~
13 ~~exceed fifteen dollars per parcel. The district shall reimburse third~~
14 ~~parties subject to the successful formation of the district and on receipt of~~
15 ~~secondary property tax revenues by the district.~~

16 8. The petitions presented pursuant to paragraph 7 of this subsection
17 shall comply with the provisions regarding verification in section 48-266 and
18 shall:

19 (a) At all times, contain a general description of the boundaries of
20 the proposed district, the assessor's map of the proposed district and the
21 names, addresses and occupations of the proposed members of the district's
22 organizing board of directors. No alteration of the proposed district shall
23 be made after receiving the approval of the board of supervisors as provided
24 in paragraph 5 of this subsection.

25 (b) Be signed by more than one-half of the aggregate number of
26 property owners in the county island areas contained in the proposed
27 district.

28 9. On receipt of the petitions, the board of supervisors shall set a
29 day, not more than thirty days from that date, for a hearing on the petition.

30 10. Before the hearing called pursuant to paragraph 9 of this
31 subsection, the board of supervisors shall determine the validity of the
32 petition signatures presented. At the hearing called pursuant to paragraph 9
33 of this subsection, the board of supervisors, if the petitions are valid,
34 shall order the formation of the district. The board of supervisors shall
35 enter its order setting forth its determination in the minutes of the
36 meeting, not later than ten days from the day of the hearing, and a copy of
37 the order shall be filed in the county recorder's office. The order of the
38 board of supervisors shall be final, and the proposed district is formed
39 thirty days after the board of supervisors votes to form the district. A
40 decision of the board of supervisors under this subsection is subject to
41 judicial review under title 12, chapter 7, article 6.

42 B. For the purpose of determining the validity of the petitions
43 presented pursuant to subsection A, paragraph 7 of this section property held
44 in multiple ownership shall be treated as if it had only one property owner,

1 so that the signature of only one of the owners of property held in multiple
2 ownership is required on the formation petition.

3 C. If a district is formed pursuant to this section, the cost of
4 publication of the notice of hearing and the mailing of notices to electors
5 and property owners and all other costs incurred by the county as a result of
6 this section shall be a charge against the district.

7 D. A district organized pursuant to this section shall have an
8 organizing board of directors to administer the affairs of the district until
9 a duly constituted board of directors is elected as provided in this title.
10 The organizing board shall have all the powers, duties and responsibilities
11 of an elected board. The organizing board shall consist of the three
12 individuals named in the petitions presented pursuant to subsection A of this
13 section. If a vacancy occurs on the organizing board, the remaining board
14 members shall fill the vacancy by appointing an interim member. Members of
15 the organizing board shall serve without compensation but may be reimbursed
16 for actual expenses incurred in performing their duties. The organizing
17 board shall elect from its members a chairperson and a clerk. For any
18 challenge to the formation of the district, the district board is a proper
19 party to the challenge and any petition circulators are not proper parties.

20 E. For the purposes of this article, "noncontiguous county island fire
21 district" means a district that is formed pursuant to this section and for
22 which either ALL of the following applies APPLY:

23 1. The district consists of only noncontiguous county islands in a
24 geographic boundary area that is contained in a municipal planning area and:
25 (a) is within the boundaries of an automatic aid or mutual aid
26 consortium.

27 (b) 2. Fire protection services are not funded pursuant to section
28 48-807 at the time of the district's formation.

29 (c) 3. There is only one fire district within the geographic area of
30 the municipal planning area for any one city or town.

31 ~~2. The district consists of only one or more noncontiguous county
32 islands that are not contained in a municipal planning area in which the
33 geographic boundary area of the district is surrounded by any combination of
34 federal, state, county, municipal or fire district jurisdictional boundaries
35 and:~~

36 ~~(a) The area is currently served by a private fire protection service
37 provider.~~

38 ~~(b) Fire protection services are not funded pursuant to section 48-807
39 at the time of the district's formation.~~

40 Sec. 13. Section 48-853, Arizona Revised Statutes, is amended to read:
41 48-853. District board; powers and duties; intergovernmental
42 agreements; contract; administration; definition

43 A. A fire district formed pursuant to this article, through its board
44 shall:

1 1. Hold public meetings as necessary to carry out its powers and
2 duties but at least once every ninety days.

3 2. Prepare an annual budget that contains detailed estimated
4 expenditures for each fiscal year and that clearly shows expenses of the
5 district. The budget shall be posted in three public places and published in
6 a newspaper of general circulation in the district twenty days before a
7 public hearing at a meeting called by the board to adopt the budget. The
8 budget shall be posted in a prominent location on the official website no
9 later than seven business days after the estimates of revenues and expenses
10 are tentatively adopted. A complete copy of the approved estimates of
11 revenues and expenses shall be posted in a prominent location on the official
12 website no later than seven business days after final adoption. Copies of
13 the budget shall also be available to members of the public on written
14 request to the district. Following the public hearing, the district board
15 shall adopt a budget. Both the tentatively adopted estimates of revenues and
16 expenses and the budget finally adopted under this section shall be retained
17 and accessible in a prominent location on the official website for at least
18 sixty months.

19 3. Maintain a website for the purpose of providing access to public
20 records. The district shall post permanent public records to its website.

21 4. Maintain and store all permanent public records in an electronic
22 media or digital imaging format according to standards for the storage of
23 permanent public records established by the director of the Arizona state
24 library, archives and public records. The director of the Arizona state
25 library, archives and public records shall approve an acceptable electronic
26 media or digital imaging format for the district. The county in which the
27 district is located shall maintain an official copy of the permanent public
28 records of the district. The copy of the permanent public records shall be
29 provided to the county by the district annually no later than ninety days
30 after the end of the fiscal year.

31 5. Appoint the fire chief of the fire service provider selected
32 pursuant to paragraph 9 of this subsection, either public or private, as the
33 fire chief for the district.

34 6. Adopt the fire code of the municipality whose municipal planning
35 area includes the district except that the fire district's authority to
36 conduct inspections shall apply only to commercial and industrial properties
37 and shall not apply to residential properties.

38 7. Keep three copies of the applicable fire code, amendments and
39 revisions on file for public inspection.

40 8. Notify the county board of supervisors of the cost of providing
41 fire protection service and emergency medical service for each household or
42 other structure in the district if the district provides service pursuant to
43 paragraph 9, subdivision (a) or ~~(e)~~ (b) of this subsection.

44 9. Act within sixty days after the formation of the district to do any
45 of the following:

1 ~~(a) If the district is formed pursuant to section 48-851,~~
2 ~~subsection E, paragraph 1, Enter into an intergovernmental agreement with a~~
3 ~~municipal provider for fire protection services for the district. A~~
4 ~~municipal provider seeking to enter into an agreement with the district~~
5 ~~formed pursuant to section 48-851, subsection E, paragraph 1 shall make a~~
6 ~~formal expression of intent to enter into an agreement with the district~~
7 ~~within twenty-one days of district formation.~~

8 ~~(b) If the district is formed pursuant to section 48-851,~~
9 ~~subsection E, paragraph 2, enter into a contract with a private fire~~
10 ~~protection service provider for the district. The private fire protection~~
11 ~~service provider seeking to enter into a contract with the district shall~~
12 ~~make a formal expression of intent within twenty one days of district~~
13 ~~formation to enter into the contract with the district. If the private fire~~
14 ~~protection service provider makes a formal expression of intent to enter into~~
15 ~~a contract with the district, the provider shall have a right of first~~
16 ~~refusal to contract with the district on terms established by the district~~
17 ~~pursuant to subdivision (c) of this paragraph.~~

18 ~~(c)~~ (b) Issue a request for proposals for nonmunicipal private
19 providers of fire protection services for the district if the current private
20 provider fails to notify the district of its intention to enter into a
21 contract with the district or for any contract to be awarded pursuant to
22 subdivision (b) of this paragraph. Notwithstanding any other law, municipal
23 annexation shall not be undertaken during the term of any contract entered
24 into between the district and a private fire service provider, except that in
25 the one hundred eighty day period before the end of the contract, the
26 municipality shall notify the residents of the opportunity to annex into the
27 municipality. A resident shall notify the district and the municipality
28 within ninety days before the end of the contract that the resident is
29 annexing into the municipality and shall complete the annexation within ten
30 days after the completion of the contract. If no district residents notify
31 the municipality that the resident is annexing, the district may renew the
32 contract automatically. If a resident proposes to annex into the
33 municipality, the district shall issue a request for proposals again as
34 prescribed in this subdivision.

35 ~~(d)~~ (c) Before applying this subdivision, request an independent
36 review by the county attorney of the negotiations, if any, that were
37 conducted as prescribed in subdivision (a) of this paragraph and the request
38 for proposals and resulting bids. After the independent review, the county
39 attorney shall certify whether the negotiations and proposals were based on
40 commercially reasonable assumptions. If the county attorney certifies that
41 any one or more of the provisions are not commercially reasonable, the
42 district and the other party to the negotiations have ten days to cure and
43 continue negotiations before resubmitting information on the negotiations and
44 proposals to the county attorney for certification. Notwithstanding any
45 other law, the county attorney shall have access to sealed bids for purposes

1 of this subdivision. The county attorney shall review and issue a
2 certification pursuant to this subdivision within thirty days after the
3 information and documents regarding negotiations and proposals are submitted
4 to the county attorney. If a fire district ~~as defined in section 48-851,~~
5 ~~subsection E, paragraph 1~~ does not enter into an intergovernmental agreement
6 pursuant to subdivision (a) of this paragraph or enter into a contract
7 pursuant to subdivision ~~(e)~~ (b) of this paragraph, the surrounding
8 municipality shall provide fire protection and emergency medical services
9 except for services regulated pursuant to title 36, chapter 21.1 in the
10 district immediately on request by the district, following final
11 certification by the county attorney. The municipality shall be compensated
12 by the district as follows:

13 (i) A three person board shall set the secondary property tax rate for
14 the district. The district shall appoint one person to the board, the
15 surrounding municipality shall appoint one person to the board, and the two
16 appointees shall agree on a third person for the board. If the two
17 appointees cannot agree on a third appointee within five days after the two
18 persons are appointed, the county board of supervisors shall appoint the
19 third person to the board.

20 (ii) The three person board shall meet and set the tax rate within
21 thirty days after the third person is appointed to the board.

22 (iii) The district shall levy the tax at the rate as determined by the
23 three person board and the tax shall be collected as other property taxes are
24 collected. On receipt of monies from the property tax levied, the district
25 shall reimburse the county for the costs associated with the formation of the
26 district, including administrative expenses.

27 ~~(e) On formation and subject to the availability of funds, reimburse~~
28 ~~third parties for services rendered pursuant to section 48-851, subsection A,~~
29 ~~paragraph 7.~~

30 10. Require that any intergovernmental agreement or contract between
31 the district and a provider of fire protection services include:

32 (a) A term of duration between three and five years.

33 (b) A provision setting forth the cost of service and performance
34 criteria.

35 (c) An acknowledgment of the right of the municipality to determine
36 the location of future infrastructure if the district is in the
37 municipality's planning area at the time of the execution of the contract.

38 11. If necessary, issue a request for proposals for providers of
39 emergency medical services and enter into an intergovernmental agreement or
40 contract with a provider of emergency medical services except for those
41 services regulated by title 36, chapter 21.1.

42 12. Assess and levy a secondary property tax to pay for the costs of
43 the fire protection service or emergency medical service except for those
44 services regulated by title 36, chapter 21.1. A secondary property tax

1 assessed pursuant to this section is not subject to the levy limitation
2 prescribed by section 48-807.

3 13. Defend, indemnify and hold harmless a municipal provider or any
4 other provider of fire protection from and against any claims or expenses to
5 which it may be subjected by reason of injury or death of any person or loss
6 or damage to any property directly attributable to the provision of the
7 services unless the services were provided in a grossly negligent manner.
8 The fire district shall secure insurance sufficient to cover liability
9 exposure.

10 B. A fire district formed pursuant to this article, through its board,
11 may:

12 1. Contract for administrative staff services, if any, deemed
13 necessary or appropriate to carry out its powers and duties, but a member of
14 a district board shall not be an employee of the district.

15 2. Retain a certified public accountant to perform an annual audit of
16 district books.

17 3. Retain private legal counsel.

18 4. Sue and be sued.

19 5. Accept gifts, contributions, bequests and grants and comply with
20 any requirements of such gifts, contributions, bequests and grants not
21 inconsistent with this article.

22 6. Appropriate and expend annually such monies as are necessary for
23 the purpose of fire districts belonging to and paying dues in the Arizona
24 fire district association and other professional affiliations or entities.

25 7. Expand its boundaries pursuant to the requirements of section
26 48-262 to include unincorporated parcels within a ~~city~~ CITY'S or a town's
27 municipal planning area with the permission of the city or town.

28 C. The county attorney may advise and represent the district when in
29 the county attorney's judgment such advice and representation are appropriate
30 and not in conflict with the county attorney's duties under section 11-532.
31 If the county attorney is unable to advise and represent the district due to
32 a conflict of interest, the district may retain private legal counsel or may
33 request the attorney general to represent it, or both.

34 D. The chairperson and clerk of the district board or their respective
35 designees, as applicable, shall draw warrants on the county treasurer for
36 money required to operate the district in accordance with the budget and, as
37 so drawn, the warrants shall be sufficient to authorize the county treasurer
38 to pay from the fire district fund.

39 E. The district shall not incur any debt or liability in excess of
40 taxes levied and to be collected and the money actually available and
41 unencumbered at the time in the fund, except as provided in section 48-807.

42 F. If a district formed under section 48-851 agrees to provide fire
43 and emergency medical services in a county island where a private provider of
44 fire or emergency services has facilities and provides fire service, or where
45 the private provider is the closest responding fire service provider, the

1 district and the private provider shall enter into an agreement covering the
2 roles and relationships regarding mutual aid or backup and any services for
3 which the district wishes to contract. The agreement shall include an
4 allocation of the district's property tax revenues to the municipal
5 contractor and or the private provider, OR BOTH, based on the proportionate
6 share of the fire services each contractor will provide to the district. The
7 agreement shall be executed before the district begins providing service in
8 the county island. If an agreement is not reached within ninety days after
9 the district requests the private provider to establish a plan, either party
10 may request that the matter be arbitrated pursuant to title 12, chapter 21.

11 G. This section does not require a fire district or a city or town to
12 provide fire protection or emergency medical services to an area of the
13 county that is receiving services from a private provider, except as provided
14 by a mutual aid or backup agreement pursuant to this section.

15 H. For the purposes of this article, "fire service" and "fire
16 protection" include fire prevention, emergency medical services and
17 inspection of commercial or industrial property.

18 Sec. 14. Approved petitions for fire district formation;
19 reimbursement

20 Notwithstanding section 48-851, subsection A, paragraph 7, Arizona
21 Revised Statutes, as amended by this act, for any petition approved for
22 circulation by the county board of supervisors before the effective date of
23 this act, an organizing board may lawfully reimburse third parties for
24 agreed-upon services relating to the formation of the district that may
25 include reimbursement of expenses of not more than fifteen dollars per
26 parcel.

27 Sec. 15. Emergency

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

APPROVED BY THE GOVERNOR APRIL 30, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2014.

Passed the House April 16, 2014,

Passed the Senate March 10, 2014,

by the following vote: 57 Ayes,

by the following vote: 25 Ayes,

2 Nays, 1 Not Voting

0 Nays, 5 Not Voting

[Signature]
Speaker of the House

[Signature] With Emergency
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
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

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

S.B. 1387

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 23, 2014

by the following vote: 25 Ayes,

0 Nays, 5 Not Voting

ASB with Emergency
President of the Senate

Charmie Balentine
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

24 day of April, 2014

at 9:25 o'clock A M.

Michaels Howard
Secretary to the Governor

Approved this 30th day of

April

at 12:20 o'clock P M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 30th day of April, 2014

at 4:21 o'clock P M.

Ken Blumenthal
Secretary of State

S.B. 1387