

COMMITTEE ON FINANCE
SENATE AMENDMENTS TO S.B. 1226
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 42, chapter 17, article 5, Arizona Revised Statutes,
3 is amended by adding section 42-17204, to read:

4 42-17204. City or town levy limit override

5 A. PURSUANT TO ARTICLE IX, SECTION 19, SUBSECTION (5), CONSTITUTION OF
6 ARIZONA, THE GOVERNING BODY OF A CITY OR TOWN MAY CONDUCT AN ELECTION TO
7 AUTHORIZE A PROPERTY TAX LEVY THAT IS NOT WITHIN THE LIMITATIONS ON PRIMARY
8 PROPERTY TAXATION OTHERWISE PRESCRIBED BY SECTION 42-17051 IN THE FOLLOWING
9 MANNER:

10 1. THE GOVERNING BODY MUST ADOPT A RESOLUTION, BY AFFIRMATIVE VOTE OF
11 AT LEAST TWO-THIRDS OF ITS MEMBERSHIP, REQUESTING THE QUALIFIED ELECTORS OF
12 THE CITY OR TOWN TO APPROVE THE TAX LEVY.

13 2. THE RESOLUTION MUST STATE:

14 (a) THE NUMBER OF YEARS, AT LEAST TWO BUT NOT MORE THAN SEVEN YEARS,
15 IN WHICH THE AUTHORITY TO LEVY TAXES IN EXCESS OF THE LIMITATIONS OTHERWISE
16 PRESCRIBED WILL BE IN EFFECT.

17 (b) THE PURPOSE FOR PROVIDING REVENUE TO THE CITY OR TOWN.

18 (c) THE MAXIMUM DOLLAR AMOUNT OF SECONDARY PROPERTY TAXES THAT MAY BE
19 COLLECTED IN EACH YEAR DURING THE TIME THE LEVY WILL BE IN EFFECT.

20 (d) THE ESTIMATED SECONDARY PROPERTY TAX RATE THAT WILL BE LEVIED IN
21 THE FIRST YEAR IF THE LEVY IS APPROVED.

22 3. THE GOVERNING BODY MUST SUBMIT THE QUESTION TO THE QUALIFIED
23 ELECTORS AT AN ELECTION HELD ON THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY
24 IN NOVEMBER AS PRESCRIBED BY SECTION 16-204, SUBSECTION B, PARAGRAPH 1,
25 SUBDIVISION (d).

26 B. IF THE LEVY IS APPROVED BY THE QUALIFIED ELECTORS, THE MAXIMUM
27 AMOUNT OF TAXES THAT THE CITY OR TOWN MAY LEVY FOR ANY YEAR IN WHICH THE LEVY
28 IS IN EFFECT IS THE AMOUNT STATED IN THE RESOLUTION REQUESTING APPROVAL OF

1 THE LEVY. THE CITY OR TOWN SHALL LEVY THE TAX IN THE SAME MANNER AS CITY OR
2 TOWN SECONDARY PROPERTY TAXES PROVIDED IN ARTICLE 4 OF THIS CHAPTER.

3 C. THE CITY OR TOWN MAY USE MONIES IT COLLECTS PURSUANT TO THIS
4 SECTION ONLY FOR THE PURPOSES STATED IN THE RESOLUTION REQUESTING APPROVAL OF
5 THE LEVY. IF AN UNEXPENDED BALANCE OF THE MONIES COLLECTED PURSUANT TO THIS
6 SECTION REMAINS AFTER SATISFYING THE REQUIREMENTS OF THE RESOLUTION, THE CITY
7 OR TOWN SHALL USE THE BALANCE TO REDUCE THE LEVY IN THE FOLLOWING YEAR. IF
8 THE BALANCE EXCEEDS THE REQUIREMENTS FOR THE FOLLOWING YEAR, OR IF THE
9 AUTHORITY TO COLLECT TAXES PURSUANT TO THIS SECTION EXPIRES AND IS NOT
10 RENEWED, THE CITY OR TOWN SHALL USE THE BALANCE TO REDUCE THE CITY OR TOWN
11 PRIMARY PROPERTY TAX IN THE FOLLOWING YEAR.

12 D. THE GOVERNING BODY SHALL DEPOSIT AND SEPARATELY ACCOUNT FOR THE
13 REVENUES COLLECTED PURSUANT TO THIS SECTION IN A SPECIAL FUND IN THE CITY OR
14 TOWN TREASURY.

15 E. THE REVENUES COLLECTED PURSUANT TO THIS SECTION:

16 1. SHALL NOT BE INCLUDED IN THE PRIMARY PROPERTY TAX LEVY LIMITATION
17 PRESCRIBED BY SECTION 42-17051 FOR ANY YEAR EXCEPT AS PROVIDED BY THIS
18 SECTION.

19 2. SHALL BE COLLECTED AS A LEVY OF SECONDARY PROPERTY TAXES.

20 3. ARE NOT SUBJECT TO LIMITATIONS ON TAXES PRESCRIBED BY ARTICLE IX,
21 SECTION 18, CONSTITUTION OF ARIZONA."

22 Amend title to conform

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S: CS/KC/tf