

COMMITTEE ON WAYS AND MEANS

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1226

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. City or town levy limit override; election; delayed  
3 repeal

4 A. Pursuant to article IX, section 19, subsection (5), Constitution of  
5 Arizona, the governing body of a city or town with a population of at least  
6 twenty-five thousand but not more than forty thousand persons may conduct an  
7 election to authorize a property tax levy that is not within the limitations  
8 on primary property taxation otherwise prescribed by section 42-17051,  
9 Arizona Revised Statutes, in the following 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 or before November 6, 2012.

24 B. If the levy is approved by the qualified electors, the maximum  
25 amount of taxes that the city or town may levy for any year in which the levy  
26 is in effect is the amount stated in the resolution requesting approval of  
27 the levy. The city or town shall levy the tax in the same manner as city or  
28 town secondary property taxes provided in title 42, chapter 17, article 4,  
29 Arizona Revised Statutes.

1 C. The city or town may use monies it collects pursuant to this  
2 section only for the purposes stated in the resolution requesting approval of  
3 the levy. If an unexpended balance of the monies collected pursuant to this  
4 section remains after satisfying the requirements of the resolution, the city  
5 or town shall use the balance to reduce the levy in the following year. If  
6 the balance exceeds the requirements for the following year, or if the  
7 authority to collect taxes pursuant to this section expires and is not  
8 renewed, the city or town shall use the balance to reduce the city or town  
9 primary property tax in the following year.

10 D. The governing body shall deposit and separately account for the  
11 revenues collected pursuant to this section in a special fund in the city or  
12 town treasury.

13 E. The revenues collected pursuant to this section:

14 1. Shall not be included in the primary property tax levy limitation  
15 prescribed by section 42-17051, Arizona Revised Statutes, for any year except  
16 as provided by this section.

17 2. Shall be collected as a levy of secondary property taxes.

18 3. Are not subject to limitations on taxes prescribed by article IX,  
19 section 18, Constitution of Arizona.

20 F. This section is repealed from and after December 31, 2012, but the  
21 authority to levy secondary property taxes approved by the voters pursuant to  
22 this section continues for the full term of years as approved by the voters."

23 Amend title to conform

and, as so amended, it do pass

JANSON T. VOGT  
Vice-Chairman

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3/14/11  
H:jmb

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5:25 PM  
C: dmt