

COMMITTEE ON GOVERNMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1525

(Reference to Senate engrossed bill)

- 1 Page 1, line 20, strike "~~the~~ A" insert "the"
2 Line 30, after "FOR" insert "ANY OF THE FOLLOWING"
3 Line 40, strike "BETTER" insert "A HIGHER LEVEL OF"
4 Line 45, strike "PERMANENT"
5 Page 2, line 3, strike "SHALL NOT BE COLLECTED UNLESS" insert "MAY BE COLLECTED IF"
6 Line 4, strike "OCCUR" insert "OCCURS"
7 Line 10, strike "FIVE" insert "TEN"
8 Line 12, after "DEVELOPMENT" strike remainder of line; line 13, strike "TO DO
9 SO"
10 Line 24, after "DEVELOPMENTS" insert "FOR THE SAME CATEGORY OF INFRASTRUCTURE
11 IMPROVEMENTS"
12 Line 33, after "purposes" strike remainder of line; strike line 34, insert
13 "authorized by this section."
14 Page 3, line 30, strike the period; strike line 31; line 32, strike "SECTION,"
15 insert "AND THAT WERE NOT INCLUDED IN AN INFRASTRUCTURE IMPROVEMENTS PLAN.
16 12."
17 Strike lines 36, 37 and 38, insert "shall include these contributions in
18 determining the extent of the burden imposed by the development. IN
19 DETERMINING THE EXTENT OF THE BURDEN IMPOSED BY THE DEVELOPMENT, THE
20 MUNICIPALITY SHALL AWARD A CREDIT FOR ANY CONSTRUCTION CONTRACTING OR SIMILAR
21 EXCISE TAXES AND THE CAPITAL RECOVERY PORTION OF UTILITY FEES IN THE AMOUNT
22 DETERMINED IN SUBSECTION E, PARAGRAPH 7 OF THIS SECTION AGAINST ANY
23 DEVELOPMENT FEES ASSESSED ON DEVELOPMENT."
24 Line 43, after the first "THE" insert "APPROPRIATE"
25 Line 44, strike "AND NOTIFY THE ADVISORY COMMITTEE OF THE WAIVER AND
26 REIMBURSEMENT"
27 Page 4, line 10, after "public" insert ", AND POST ON ITS WEBSITE OR ON THE WEBSITE
28 OF AN ASSOCIATION OF CITIES IF THE MUNICIPALITY DOES NOT HAVE A WEBSITE,"

1 Page 4, line 18, strike "AND POST THE REPORT ON ITS WEBSITE"

2 Line 22, strike "new or modified"

3 Line 37, after "WEBSITE" insert "OR ON A WEBSITE OF AN ASSOCIATION OF CITIES IF
4 THE MUNICIPALITY DOES NOT HAVE A WEBSITE"

5 Page 6, line 20, strike the second comma; strike line 21; line 22, strike
6 "REQUIREMENTS PRESCRIBED IN THIS SUBSECTION"

7 Between lines 29 and 30, insert:

8 "10. NOTWITHSTANDING THE NOTICE AND HEARING REQUIREMENTS FOR AN UPDATE
9 TO THE INFRASTRUCTURE IMPROVEMENTS PLAN, A MUNICIPALITY MAY AMEND THE
10 INFRASTRUCTURE IMPROVEMENTS PLAN ADOPTED PURSUANT TO THIS SECTION WITHOUT A
11 PUBLIC HEARING IF THE AMENDMENT ADDRESSES ONLY ELEMENTS OF INFRASTRUCTURE
12 IMPROVEMENTS IN AN EXISTING INFRASTRUCTURE IMPROVEMENTS PLAN AND THE
13 AMENDMENT DOES NOT MAKE ANY CHANGES THAT WILL INCREASE THE DEVELOPMENT FEE
14 ASSESSED ON DEVELOPMENT. THE MUNICIPALITY SHALL PROVIDE NOTICE OF THOSE
15 AMENDMENTS, AND POST THE AMENDMENT ON ITS WEBSITE OR ON A WEBSITE OF AN
16 ASSOCIATION OF CITIES IF THE MUNICIPALITY DOES NOT HAVE A WEBSITE, AT LEAST
17 THIRTY DAYS BEFORE ADOPTION."

18 Page 7, line 14, after the comma insert "INCLUDING A FORECAST OF THE COSTS OF
19 INFRASTRUCTURE, IMPROVEMENTS, REAL PROPERTY AND FINANCING,"

20 Line 30, after the third comma strike remainder of line

21 Line 32, strike "IN THE SERVICE AREA"

22 Lines 33 and 34, strike "CREDIT THESE CONTRIBUTIONS AGAINST DEVELOPMENT" insert
23 "INCLUDE THESE CONTRIBUTIONS IN DETERMINING THE EXTENT OF THE BURDEN IMPOSED
24 BY THE DEVELOPMENT"

25 Line 43, after the first "THE" insert "NEW OR INCREASED PORTION OF A MODIFIED"

26 Page 8, line 17, strike "FORTY" insert "FIFTY"

27 Line 19, after the second comma strike remainder of line; line 20, strike "CENT
28 OF THE MEMBERS" insert "OF WHICH AT LEAST ONE MEMBER"

29 Line 23, strike "AND ASSIST"

30 Line 24, strike "DETERMINE" insert "IN DETERMINING"

31 Line 31, after "PLAN" insert "AND THE COLLECTION AND EXPENDITURES OF DEVELOPMENT
32 FEES"

1 Page 8, line 41, strike "THAT IS NOT SPENT"

2 Page 9, lines 3 and 5, strike "FIVE YEARS AFTER THE DATE OF PAYMENT" insert "TEN
3 YEARS AFTER THE ISSUANCE OF THE BUILDING PERMIT"

4 Line 15, after "SHALL" strike remainder of line; strike line 16, insert "INCLUDE
5 ANY INTEREST EARNED BY THE MUNICIPALITY FROM THE DATE OF COLLECTION TO THE
6 DATE OF REFUND OF THE AMOUNT OF THE REFUNDED FEE."

7 Line 20, after "PAID" strike remainder of line; line 21, strike "REPRESENTING
8 THE OWNER OF REAL PROPERTY"

9 Line 25, strike "AUGUST 1, 2012" insert "JANUARY 1, 2013"

10 Strike lines 27 through 31; line 32, strike "COSTS" insert "JANUARY 1, 2013
11 SHALL NOT COLLECT DEVELOPMENT FEES UNTIL THE DEVELOPMENT FEE HAS BEEN
12 REPLACED WITH A FEE THAT COMPLIES WITH THIS SECTION"

13 Line 33, strike "AUGUST 1, 2012" insert "JANUARY 1, 2013"

14 Line 37, after "BE" insert "USED FOR THE PURPOSE FOR WHICH IT WAS COLLECTED ON
15 OR BEFORE JANUARY 1, 2020, AFTER WHICH IF NOT SPENT SHALL BE"

16 Page 10, strike lines 40, 41 and 42, insert:

17 "Q. A MUNICIPALITY MAY ASSESS DEVELOPMENT FEES FOR ANY FACILITY THAT
18 WAS FINANCED AND CONSTRUCTED BEFORE DECEMBER 31, 2010 IF:

19 1. THE FACILITY WAS INCLUDED IN A PREVIOUSLY ADOPTED INFRASTRUCTURE
20 IMPROVEMENTS PLAN AND DEVELOPMENT FEES WERE PLEDGED TO REPAY DEBT SERVICE
21 OBLIGATIONS THAT WERE USED TO CONSTRUCT THE FACILITY.

22 2. ON OR AFTER JANUARY 1, 2013, ANY DEVELOPMENT FEES COLLECTED ARE
23 USED SOLELY FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE PORTION OF THE
24 BONDS, NOTES OR OTHER OBLIGATIONS ISSUED BEFORE DECEMBER 31, 2010 TO FINANCE
25 CONSTRUCTION OF THE FACILITY."

26 Page 11, lines 2 and 3, strike "THE IMPROVEMENT, FACILITIES" insert "AN
27 IMPROVEMENT, FACILITY"

28 Between lines 30 and 31, insert:

29 "(c) STORM WATER, DRAINAGE AND FLOOD CONTROL FACILITIES."

30 Reletter to conform

31 Line 34, after "APPURTENANCES" insert ", EQUIPMENT AND VEHICLES"

32 Line 43, after the second comma insert "AQUATIC CENTERS,"

1 Page 12, line 2, strike "SWIMMING POOLS,"

2 Line 5, strike "FOLLOWING"; strike lines 6 through 12, insert "REQUIREMENTS
3 PRESCRIBED IN SUBSECTION Q OF THIS SECTION."

4 Line 30, strike "SERVICE"; strike lines 31 through 33

5 After line 38, insert:

6 "Sec. 2. Effective date

7 Section 9-463.05, Arizona Revised Statutes, as amended by this act, is
8 effective from and after December 31, 2012."

9 Amend title to conform

and, as so amended, it do pass

JUDY M. BURGESS
Chairman

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3/22/11
H:jmb

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03/21/2011
3:20 PM
C: mo