



Bill Number: H.B. 2148

Griffin Floor Amendment

Reference to: House engrossed bill

Amendment drafted by: Sharon Langford

## FLOOR AMENDMENT EXPLANATION

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The Griffin Floor Amendment to H.B. 2148 does the following:

- establishes requirements for the conversion of a county street light improvement district that is entirely annexed into a city or town to a municipal street light improvement district.
- prescribes the procedures and outlines governance guidelines for the converted municipal street light improvement district.
- contains an applicability clause.

Amendment explanation prepared by Bryan Durham

3/28/2014

GRIFFIN FLOOR AMENDMENT

SENATE AMENDMENTS TO H.B. 2148

(Reference to House engrossed bill)

1 Page 5, after line 13, insert:

2 "Sec. 2. Title 48, chapter 6, article 1, Arizona Revised Statutes, is  
3 amended by adding section 48-961.01, to read:

4 48-961.01. Transfer of county improvement district to purchase energy  
5 for lighting public streets and parks to municipal  
6 jurisdiction

7 A. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, A COUNTY  
8 IMPROVEMENT DISTRICT THAT IS FORMED PURSUANT TO SECTION 48-960 OR 48-961 FOR  
9 PURCHASING ENERGY FOR THE LIGHTING OF PUBLIC STREETS AND PARKS AND THAT IS  
10 ENTIRELY ANNEXED INTO A CITY OR TOWN PURSUANT TO SECTION 9-471 SHALL BE  
11 CONVERTED FROM A COUNTY IMPROVEMENT DISTRICT TO A MUNICIPAL IMPROVEMENT  
12 DISTRICT ON COMPLETION OF ALL OF THE FOLLOWING:

13 1. THE CITY OR TOWN SHALL ADOPT A RESOLUTION DECLARING THE CITY'S OR  
14 TOWN'S INTENT TO ASSUME JURISDICTION OVER THE IMPROVEMENT DISTRICT AND TO  
15 CONVERT THE IMPROVEMENT DISTRICT TO A MUNICIPAL IMPROVEMENT DISTRICT. THE  
16 RESOLUTION MUST INCLUDE OR REFERENCE AS AN ATTACHMENT THE LEGAL DESCRIPTION  
17 OF THE PROPERTY TO BE CONVERTED TO A MUNICIPAL IMPROVEMENT DISTRICT AND MUST  
18 SPECIFY THE FUTURE DATE ON WHICH THE CITY OR TOWN GOVERNING BODY IS TO  
19 COMMENCE AS THE GOVERNING BODY OF THE COUNTY IMPROVEMENT DISTRICT. THE  
20 CONVERSION OF ANY COUNTY IMPROVEMENT DISTRICT TO A MUNICIPAL IMPROVEMENT  
21 DISTRICT MUST INCLUDE THE ENTIRETY OF THE DISTRICT.

22 2. THE CITY OR TOWN SHALL DELIVER TO THE CLERK OF THE COUNTY BOARD OF  
23 SUPERVISORS A CERTIFIED COPY OF THE CITY'S OR TOWN'S RESOLUTION OF INTENT TO  
24 ASSUME JURISDICTION, INCLUDING THE LEGAL DESCRIPTION OF THE AFFECTED  
25 PROPERTY.

26 3. NOT LATER THAN JULY 1 IMMEDIATELY FOLLOWING ADOPTION OF THE  
27 RESOLUTION PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION, THE CITY OR TOWN

1 SHALL RECORD IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY IN WHICH THE  
2 PROPERTY IS LOCATED A CERTIFIED COPY OF THE CITY'S OR TOWN'S RESOLUTION WITH  
3 THE LEGAL DESCRIPTION OF THE AFFECTED PROPERTY.

4 B. BEGINNING ON THE DATE SPECIFIED IN THE RESOLUTION ADOPTED BY THE  
5 CITY OR TOWN GOVERNING BODY, SECTIONS 48-960 AND 48-961, RELATING TO COUNTY  
6 IMPROVEMENT DISTRICTS, NO LONGER APPLY AND THE CITY OR TOWN GOVERNING BODY  
7 SHALL BEGIN GOVERNANCE OF THE IMPROVEMENT DISTRICT PURSUANT TO SECTIONS  
8 48-616, 48-617 AND THIS SECTION.

9 C. THIS SECTION DOES NOT ESTABLISH A NEW DISTRICT OR A NEW POLITICAL  
10 SUBDIVISION OF THIS STATE AND THE PREVIOUS GOVERNING BODY OF THE COUNTY  
11 IMPROVEMENT DISTRICT AND THE GOVERNING BODY OF THE CITY OR TOWN THAT ASSUMES  
12 JURISDICTION OVER THE DISTRICT IS NOT REQUIRED TO COMPLY WITH SECTION  
13 42-17257. ON ASSUMPTION OF JURISDICTION, THE CITY OR TOWN SHALL COMPLY WITH  
14 ALL EXISTING POWER OR ENERGY PURCHASE AGREEMENTS OF THE COUNTY IMPROVEMENT  
15 DISTRICT FOR THE REMAINDER OF THE TERMS OF THE AGREEMENTS.

16 D. AFTER THE DATE ON WHICH THE CITY'S OR TOWN'S GOVERNING BODY  
17 COMMENCES GOVERNANCE AS PRESCRIBED BY SUBSECTION B OF THIS SECTION AND UNTIL  
18 JULY 1 IMMEDIATELY FOLLOWING ADOPTION OF THE RESOLUTION PRESCRIBED BY  
19 SUBSECTION A OF THIS SECTION, THE EXISTING COUNTY GOVERNING BODY OF THE  
20 COUNTY IMPROVEMENT DISTRICT SHALL CONTINUE TO OPERATE THE DISTRICT AND SHALL  
21 CONTINUE TO COMPLY WITH ANY EXISTING POWER OR ENERGY PURCHASE AGREEMENTS.  
22 THE GOVERNING BODY OF THE CITY OR TOWN THAT IS ASSUMING JURISDICTION SHALL  
23 HAVE CONCURRENT JURISDICTION WITH THE COUNTY GOVERNING BODY TO TAKE ALL  
24 ACTIONS THAT ARE REASONABLY NECESSARY PURSUANT TO SECTION 48-916 TO PROVIDE  
25 FOR THE ASSESSMENT AND LEVY OF A TAX FOR THE NEXT FISCAL YEAR FOR THE  
26 MAINTENANCE, REPAIR AND REPLACEMENT OF A DISTRICT'S STREET LIGHTING  
27 FACILITIES AND TO PURCHASE ENERGY FOR STREET AND PUBLIC PARK LIGHTING WITHIN  
28 THE DISTRICT. AS SOON AS IS PRACTICABLE AFTER JULY 1 AS PRESCRIBED IN  
29 SUBSECTION A OF THIS SECTION, THE COUNTY TREASURER SHALL PAY OVER TO THE CITY  
30 OR TOWN THAT IS ASSUMING JURISDICTION OVER THE DISTRICT ALL UNOBLIGATED

1 MONIES THAT ARE COLLECTED ON BEHALF OF THE DISTRICT, WHETHER BEFORE OR AFTER  
2 JULY 1.

3 Sec. 3. Applicability: existing and future improvement districts  
4 formed for purchasing energy for the lighting of public  
5 streets and parks

6 This act applies to:

7 1. Any county improvement district that is formed for purchasing  
8 energy for the lighting of public streets and parks before or after the  
9 effective date of this act, and a city or town governing body may lawfully  
10 assume jurisdiction over an existing county improvement district pursuant to  
11 this act or a county improvement district that is formed after the effective  
12 date of this act.

13 2. Any municipal improvement districts that are formed by a city or  
14 town for purchasing energy for the lighting of public streets and parks  
15 before or after the effective date of this act.”

16 Amend title to conform

3/24/14  
10:15 AM  
S: SLL/BD/tf