

COMMITTEE ON FINANCE
SENATE AMENDMENTS TO S.B. 1352
(Reference to printed bill)

1 Page 1, strike lines 28 through 35, insert:

2 "E. WITHIN SIXTY DAYS AFTER THE MAILING OF THE NOTICE OF VALUATION
3 PURSUANT TO THIS SECTION, IF THE ASSESSOR DISCOVERS THAT PROPERTY
4 CHARACTERISTIC DATA APPLICABLE TO A GROUPING OF PROPERTIES DELINEATED BY
5 NEIGHBORHOOD OR CLASSIFICATION RESULTED IN AN INCORRECT OPINION OF VALUE, THE
6 ASSESSOR MAY AMEND THE NOTICE OF VALUATION AND, IF AMENDED, SHALL NOTIFY THE
7 PROPERTY OWNER OF THE AMENDED VALUE PURSUANT TO SUBSECTION B OF THIS SECTION.
8 THE ASSESSOR SHALL CERTIFY THE AMENDED NOTICES OF VALUATION PURSUANT TO
9 SUBSECTION C OF THIS SECTION."

10 Page 3, between lines 6 and 7, insert:

11 "Sec. 4. Section 42-16214, Arizona Revised Statutes, is amended to
12 read:

13 42-16214. Refund or credit of excess payments

14 A. If judgment is awarded to a taxpayer who paid the taxes to the
15 county treasurer:

16 1. The county treasurer of the county in which the property is located
17 shall pay the judgment out of monies collected from property taxes during the
18 next fiscal year, unless there are sufficient amounts available in funds
19 budgeted for that purpose by the county to allow an immediate refund, or, if
20 both parties agree, the amount of the judgment may be credited toward any
21 taxes that may be remaining due on the property that is the subject of the
22 appeal, subject in either case to the approval of the board of supervisors.

23 2. The amount of the judgment shall be subtracted from the amounts due
24 to taxing jurisdictions in the next fiscal year in proportion to the amount
25 each received from the appellant's overpayment of taxes. The affected taxing
26 jurisdictions shall include in their budgets for the next fiscal year the
27 proportional amount of the judgment for which each is liable. Any increase
28 in the budget because of the portion of the judgment being included is not
29 subject to any budget limitation that may be prescribed by law.

- 1 3. Interest at the legal rate on the overpayment or underpayment is
2 payable from the date of overpayment or underpayment. For the purpose of
3 computing interest under the judgment, if the tax was paid in installments, a
4 pro rata share of the total overpayment or underpayment is considered to be
5 attributable to each installment. FOR THE PURPOSES OF THIS PARAGRAPH, "LEGAL
6 RATE" MEANS THE RATE SET BY THE DEPARTMENT AS PRESCRIBED BY SECTION 42-1123.
7 B. A judgment in favor of an appellant who paid the taxes to the
8 department shall be paid from the state general fund."
9 Renumber to conform
10 Page 4, line 18, strike "ASSESSED valuation"; insert "CHANGE IN LEGAL
11 CLASSIFICATION"
12 Page 7, line 5, strike "~~with interest at the rate determined~~" insert "with interest
13 at the rate determined"; strike "~~42-1123~~"
14 Line 6, strike "42-16259" insert "42-1123"
15 Line 20, strike "THIRTY" insert "SIXTY"
16 Line 42, after "court" insert "IN AN APPEAL"
17 Page 8, line 5, strike the second "the" insert "ANY"; after "error" insert "THAT
18 WAS ALREADY THE SUBJECT OF A NOTICE OF PROPOSED CORRECTION UNDER SECTION
19 42-16252 OR A NOTICE OF CLAIM UNDER SECTION 42-16254"
20 Line 6, after "year" insert "WITHOUT REQUIRING THE PARTIES TO EXHAUST THEIR
21 ADMINISTRATIVE APPEAL REMEDIES UNDER THIS ARTICLE"
22 Line 30, after "PROPERTY" strike remainder of line
23 Strike lines 31 and 32, insert "THAT IS NOT THE RESULT OF AN ERROR AS DEFINED IN
24 SECTION 42-16251."
25 Amend title to conform

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C: lrh