

FREE CONFERENCE COMMITTEE AMENDMENTS TO H.B. 2402
(Reference to Senate engrossed House bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 9-526, Arizona Revised Statutes, is amended to
3 read:

4 9-526. Form of ballot

5 A. EXCEPT AS PROVIDED BY SUBSECTION B OF THIS SECTION, at the
6 election the ballot shall contain the phrases "for the bonds" and "against
7 the bonds~~."~~ AND to the right of and opposite each phrase shall be placed
8 a square approximately the size of squares placed opposite the names of
9 candidates on ballots. The voter shall indicate ~~his~~ THE VOTER'S vote "for
10 the bonds" or "against the bonds" by inserting the mark "X" in the square
11 opposite such phrase.

12 B. IF THE BONDS ARE TO BE TAX SECURED BONDS, THE ELECTION BALLOT
13 SHALL APPEAR IN THE FORM AND CONTAIN THE STATEMENT PRESCRIBED BY SECTION
14 35-454, SUBSECTION C.

15 C. No other question, word or figure need be printed on the
16 ballot. The ballot need not be any particular size, nor need sample
17 ballots be printed, posted or distributed. A number of ballots, exceeding
18 by not less than ten ~~per-cent~~ PERCENT the number of registered voters
19 whose names appear on the precinct register of the precinct, town or city
20 for which printed, shall be printed and furnished TO each polling place.

1 Sec. 2. Section 11-374, Arizona Revised Statutes, is amended to
2 read:

3 11-374. Ballots

4 A. EXCEPT AS PROVIDED BY SUBSECTION B OF THIS SECTION, at the
5 election the ballot shall contain the words "for the bonds" and "against
6 the bonds" and to the right of and opposite each ~~thereof~~ PHRASE shall be
7 placed a square approximately the size of the squares placed opposite the
8 names of candidates on ballots. The voter shall indicate ~~his~~ THE VOTER'S
9 vote "for the bonds" or "against the bonds" by inserting the mark "X" in
10 the square opposite such words.

11 B. IF THE BONDS ARE TO HAVE ADDITIONAL SECURITY PURSUANT TO SECTION
12 11-377, SUBSECTION I FROM THE COUNTY'S PLEDGE OF ITS FULL FAITH AND CREDIT
13 OBLIGATION TO PAY THE BONDS, WITH INTEREST, TO THE SAME EXTENT AS OTHER
14 GENERAL OBLIGATION BONDS OF THE COUNTY, THE ELECTION BALLOT SHALL APPEAR
15 IN THE FORM AND CONTAIN THE STATEMENT PRESCRIBED BY SECTION 35-454,
16 SUBSECTION C.

17 C. No other question, word or figure need be printed on any
18 ballot. The ballot shall not be of any particular size, and sample
19 ballots may or may not be printed, posted or distributed. A number of
20 ballots exceeding by not less than ten ~~per-cent~~ PERCENT the number of
21 registered voters whose names appear on the precinct register prepared for
22 the precinct shall be printed for and furnished to each polling place.

23 Sec. 3. Section 15-491, Arizona Revised Statutes, is amended to
24 read:

25 15-491. Elections on school property; exceptions

26 A. The governing board of a school district may, and on petition of
27 fifteen ~~per-cent~~ PERCENT of the school electors as shown by the poll list
28 at the last preceding annual school election shall, call an election for
29 the following purposes:

- 30 1. To locate or change the location of school buildings.
31 2. To purchase or sell school sites or buildings or sell school
32 sites pursuant to section 15-342 or to build school buildings, but the

1 authorization by vote of the school district shall not necessarily specify
2 the site to be purchased.

3 3. To decide whether the bonds of the school district shall be
4 issued and sold for the purpose of raising money for purchasing or leasing
5 school lots, for building or renovating school buildings, for supplying
6 school buildings with furniture, equipment and technology, for improving
7 school grounds, for purchasing pupil transportation vehicles or for
8 liquidating any indebtedness already incurred for such purposes. Bonds
9 issued for furniture, equipment and technology, other than fixtures, shall
10 mature no later than the July 1 that follows the fifth year after the
11 bonds were issued. A school district shall not issue class B bonds until
12 the school district has obligated in contract the entire proceeds of any
13 class A bonds issued by the school district. The total amount of class A
14 and class B bonds issued by a school district shall not exceed the debt
15 limitations prescribed in article IX, sections 8 and 8.1, Constitution of
16 Arizona.

17 4. To lease for ten or more years, as lessor or as lessee, school
18 buildings or grounds. Approval by a majority of the school district
19 electors voting authorizes the governing board to negotiate for and enter
20 into a lease. The ballot shall list the school buildings or grounds for
21 which a lease is sought. If the governing board does not enter into a
22 lease of ten or more years of the school buildings or grounds listed on
23 the ballot within ten years of the date of the election and the board
24 continues to seek such a lease, the governing board shall call a special
25 election to reauthorize the board to negotiate for and to enter into a
26 lease of ten or more years.

27 5. To change the list of capital projects or the purposes
28 authorized by prior voter approval to issue bonds.

29 6. To extend from six to ten years the time period to issue class B
30 bonds authorized in 2009 or earlier. Elections pursuant to this paragraph
31 may not be held later than the sixth November after the election approving
32 the issuance of the bonds.

1 B. No petition shall be required for the holding of the first
2 election to be held in a joint common school district for any of the
3 purposes specified in subsection A of this section. The notice of
4 election required by section 15-492 shall be published in each of the
5 counties that comprise the joint common school district. The
6 certification of election results required by section 15-493 shall be made
7 to the board of supervisors of the jurisdictional county.

8 C. When the election is called to determine whether or not bonds of
9 the school district shall be issued and sold for the purposes enumerated
10 in the call for the election, the question shall be submitted to the vote
11 of the qualified electors of the school district as defined in section
12 15-401 and subject to section 15-402.

13 D. The governing board shall order the election to be held in the
14 manner prescribed in title 35, chapter 3, article 3. If a petition for an
15 election has been filed with the governing board as provided in subsection
16 A of this section, the board shall act on the petition within sixty days
17 by ordering the election to be held as provided in this subsection. If a
18 school district bond election is scheduled for the same date a school
19 district will hold an override election, the governing body shall deliver
20 a copy of the notice of election and ballot to the county school
21 superintendent who shall include the notice of election and ballot with
22 the information report and ballot prepared for the override
23 election. Mailing of the information required for both the override and
24 bond elections shall constitute compliance with the notice provisions of
25 this section.

26 E. The elections to be held pursuant to this section shall only be
27 held on dates prescribed by section 16-204, except that elections held
28 pursuant to this section to decide whether class B bonds shall be issued,
29 or any other obligation incurred that will require the assessment of
30 secondary property taxes, shall only be held on the first Tuesday after
31 the first Monday of November.

1 F. Subsection A, paragraph 2 of this section does not apply to the
2 sale of school property if the market value of the school property is less
3 than fifty thousand dollars.

4 G. Bond counsel fees, financial advisory fees, printing costs and
5 paying agent and registrar fees for bonds issued pursuant to an election
6 under this section shall be paid from either the amount authorized by the
7 qualified electors of the school district or current operating
8 funds. Bond election expenses shall be paid from current operating funds
9 only.

10 H. For any election conducted to decide whether class B bonds will
11 be issued pursuant to this section:

12 1. Except as provided in paragraph 2 of this subsection, the ballot
13 shall include the following statement:

14 The capital improvements that are proposed to be funded
15 through this bond issuance are to exceed the state standards
16 and are in addition to monies provided by the state.

17 _____ school district is proposing to issue class
18 B general obligation bonds totaling \$_____ to fund
19 capital improvements over and above those funded by the state.
20 Under the students first capital funding system, _____
21 school district is entitled to state monies for new
22 construction and renovation of school buildings in accordance
23 with state law.

24 THE ISSUANCE OF THESE BONDS WILL RESULT IN A PROPERTY
25 TAX INCREASE TO PAY DEBT SERVICE ON THE BONDS. FOR A HOME
26 VALUED AT \$ (MEDIAN FULL CASH VALUE OF RESIDENTIAL PROPERTY
27 IN THE DISTRICT), THESE BONDS WILL COST \$_____ ANNUALLY
28 AND \$_____ OVER THE TERM OF THE BONDS.

29 2. For a school district that is a joint technical education
30 district, the ballot shall include the following statement:

31 _____, a joint technical education district, is
32 proposing to issue class B general obligation bonds totaling

1 \$_____ to fund capital improvements at a campus owned or
2 operated and maintained by the joint technical education
3 district.

4 THE ISSUANCE OF THESE BONDS WILL RESULT IN A PROPERTY
5 TAX INCREASE TO PAY DEBT SERVICE ON THE BONDS. FOR A HOME
6 VALUED AT \$ (MEDIAN FULL CASH VALUE OF RESIDENTIAL PROPERTY
7 IN THE DISTRICT), THESE BONDS WILL COST \$_____ ANNUALLY
8 AND \$_____ OVER THE TERM OF THE BONDS.

9 3. The ballot shall contain the words "bond approval, yes" and
10 "bond approval, no", and the voter shall signify the voter's desired
11 choice.

12 4. The ballot shall also contain the phrase "the issuance of these
13 bonds will result in an annual levy of property taxes sufficient to pay
14 the debt on the bonds".

15 5. At least eighty-five days before the election, the school
16 district shall submit proposed ballot language to the director of the
17 Arizona legislative council. The director of the Arizona legislative
18 council shall review the proposed ballot language to determine whether the
19 proposed ballot language complies with this section. If the director of
20 the Arizona legislative council determines that the proposed ballot
21 language does not comply with this section, the director, within ten
22 calendar days of the receipt of the proposed ballot language, shall notify
23 the school district of the director's objections and the school district
24 shall resubmit revised ballot language to the director for approval.

25 6. No later than thirty-five days before a class B bond election
26 conducted pursuant to this section, the school district shall mail a
27 publicity pamphlet to each household that contains a qualified elector in
28 the school district. The publicity pamphlet shall contain, at a minimum,
29 the following information:

30 (a) An executive summary of the school district's most recent
31 capital plan submitted to the school facilities board.

1 (b) A complete list of each proposed capital improvement that will
2 be funded with the proceeds of the bonds and a description of the proposed
3 cost of each improvement, including a separate aggregation of capital
4 improvements for administrative purposes as defined by the school
5 facilities board.

6 (c) The tax rate associated with each of the proposed capital
7 improvements and the estimated cost of each capital improvement for the
8 owner of a single family home that is valued at one hundred thousand
9 dollars.

10 I. For any election conducted to decide whether impact aid revenue
11 bonds shall be issued pursuant to this section:

12 1. The ballot shall include the following statement:

13 The capital improvements that are proposed to be funded
14 through this bond issuance are to exceed the state standards
15 and are in addition to monies provided by the state.

16 _____ school district is proposing to issue impact
17 aid revenue bonds totaling \$_____ to fund capital
18 improvements over and above those funded by the state. Under
19 the students first capital funding system, _____ school
20 district is entitled to state monies for new construction and
21 renovation of school buildings in accordance with state law.

22 2. The ballot shall contain the words "bond approval, yes" and
23 "bond approval, no", and the voter shall signify the voter's desired
24 choice.

25 3. At least eighty-five days before the election, the school
26 district shall submit proposed ballot language to the director of the
27 legislative council. The director of the legislative council shall review
28 the proposed ballot language to determine whether the proposed ballot
29 language complies with this section. If the director of the legislative
30 council determines that the proposed ballot language does not comply with
31 this section, the director, within ten calendar days of the receipt of the
32 proposed ballot language, shall notify the school district of the

1 director's objections and the school district shall resubmit revised
2 ballot language to the director for approval.

3 4. No later than thirty-five days before an impact aid revenue bond
4 election conducted pursuant to this section, the school district shall
5 mail a publicity pamphlet to each household that contains a qualified
6 elector in the school district. The publicity pamphlet shall contain, at
7 a minimum, the following information:

8 (a) The date of the election.

9 (b) The voter's polling place and the times it is open.

10 (c) An executive summary of the school district's most recent
11 capital plan submitted to the school facilities board.

12 (d) A complete list of each proposed capital improvement that will
13 be funded with the proceeds of the bonds and a description of the proposed
14 cost of each improvement, including a separate aggregation of capital
15 improvements for administrative purposes as defined by the school
16 facilities board.

17 (e) A statement that impact aid revenue bonds will be fully funded
18 by aid that the school district receives from the federal government and
19 do not require a levy of taxes in the district.

20 (f) A statement that if the bonds are approved, the first priority
21 for the impact aid will be to pay the debt service for the bonds and that
22 other uses of the monies are prohibited until the debt service obligation
23 is met.

24 (g) A statement that if the impact aid revenue bonds are approved,
25 the school district shall not issue or sell class B bonds while the
26 district has existing indebtedness from impact aid revenue bonds, except
27 for bonds issued to refund any bonds issued by the board.

28 J. If the voters approve the issuance of school district class B
29 bonds or impact aid revenue bonds, the school district shall not use the
30 bond proceeds for any purposes other than the proposed capital
31 improvements listed in the publicity pamphlet, except that up to ten ~~per~~
32 ~~cent~~ PERCENT of the bond proceeds may be used for general capital

1 expenses, including cost overruns of proposed capital improvements. The
2 proposed capital improvements may be changed by a subsequent election as
3 provided by this section.

4 K. Each school district that issues bonds under this section is
5 required to hold a public meeting each year between September 1 and
6 October 31, until the bond proceeds are spent, at which an update of the
7 progress of capital improvements financed through bonding is discussed and
8 at which the public is permitted an opportunity to comment. At a minimum,
9 the update shall include a comparison of the current status and the
10 original projections on the construction of capital improvements, the
11 costs of capital improvements and the costs of capital improvements in
12 progress or completed since the prior meeting and the future capital
13 bonding plans of the school district. The school district shall include
14 in the public meeting a discussion of the school district's use of state
15 capital aid and voter-approved capital overrides in funding capital
16 improvements, if any.

17 L. If an election is held to change the purpose or list of capital
18 projects authorized by prior voter approval to issue bonds pursuant to
19 subsection A, paragraph 5 of this section, the following requirements
20 apply:

21 1. The election may be held only on the first Tuesday after the
22 first Monday in November.

23 2. No later than thirty-five days before the election, the school
24 district shall mail a publicity pamphlet to each household in the school
25 district that contains a qualified elector. The publicity pamphlet shall
26 contain, at a minimum, the following information:

27 (a) The date of the election.

28 (b) The voter's polling place and the times it is open.

29 (c) A statement as to why the election was called.

30 (d) A complete list of each proposed capital improvement that is in
31 addition to the initial capital improvements presented in the publicity
32 pamphlet when the bonds were approved and the proposed cost of each

1 improvement, including a separate aggregation of capital improvements for
2 administrative purposes as defined by the school facilities board.

3 (e) A complete list of each capital improvement that was presented
4 in the publicity pamphlet when the bonds were initially approved and that
5 is proposed to be eliminated or to have its cost reduced, and the proposed
6 cost of each improvement, including a separate aggregation of capital
7 improvements for administrative purposes as defined by the school
8 facilities board.

9 (f) Arguments for and against the proposed change, if submitted, as
10 provided by section 15-481, subsection B, paragraph 9.

11 3. The ballot shall contain the words "change capital improvements,
12 yes" and "change capital improvements, no", and the voter shall signify
13 the voter's desired choice.

14 4. If the election is to add a purpose that was not on the initial
15 ballot, the ballot shall list the purpose that is proposed to be added.

16 M. If an election is held to extend the time to issue bonds
17 pursuant to subsection A, paragraph 6 of this section, the following
18 requirements apply:

19 1. The election may be held only on the first Tuesday after the
20 first Monday in November.

21 2. No later than thirty-five days before the election, the school
22 district shall mail a publicity pamphlet to each household in the school
23 district that contains a qualified elector. The publicity pamphlet shall
24 contain, at a minimum, the following information:

25 (a) The date of the election.

26 (b) The voter's polling place and the times it is open.

27 (c) A statement as to why the election was called.

28 (d) Arguments for and against the proposed change, if submitted, as
29 provided in section 15-481, subsection B, paragraph 9.

30 3. The ballot shall contain the words "extend time to issue bonds,
31 yes" and "extend time to issue bonds, no", and the voter shall signify the
32 voter's desired choice."

1 Renumber to conform

2 Page 3, strike lines 7 through 24, insert:

3 "C. For any proposed general obligation bond authorization ~~where~~
4 ~~FOR WHICH~~ the principal and interest will be paid by a levy of property
5 taxes: ~~, the ballot shall contain the phrase "the issuance of these bonds~~
6 ~~will result in a property tax increase sufficient to pay the annual debt~~
7 ~~service on bonds".~~

8 1. Any written information provided by the political subdivision
9 pertaining to the bond election shall include financial information
10 showing the estimated average tax rate for the proposed bond
11 authorization. ~~If the bonds are to be repaid with secondary property~~
12 ~~taxes,~~

13 2. The ballot shall contain the words "bond approval, yes" and
14 "bond approval, no", and the voter shall signify the voter's desired
15 choice.

16 3. The ballot shall ~~also~~ contain the following statement:

17 A "yes" vote ~~shall~~ WILL authorize the (NAME OF COUNTY,
18 CITY, TOWN OR DISTRICT) governing body to issue and sell
19 \$_____ of (NAME OF COUNTY, CITY, TOWN OR DISTRICT) bonds
20 ~~of the district~~ to be repaid with secondary property
21 taxes. THE ISSUANCE OF THESE BONDS WILL RESULT IN A PROPERTY
22 TAX INCREASE TO PAY DEBT SERVICE ON THE BONDS. OTHER REVENUE
23 SOURCES MAY BE USED TO PAY FOR THE OPERATION AND MAINTENANCE
24 OF PROJECTS FUNDED BY THE BONDS. FOR A HOME VALUED AT
25 \$ (MEDIAN FULL CASH VALUE OF RESIDENTIAL PROPERTY IN THE
26 COUNTY, CITY, TOWN OR DISTRICT), THESE BONDS WILL COST
27 \$_____ ANNUALLY AND \$_____ OVER THE TERM OF THE
28 BONDS.

29 A "no" vote ~~shall not authorize the _____ governing~~
30 ~~body~~ WILL DENY THE (NAME OF COUNTY, CITY, TOWN OR
31 DISTRICT) GOVERNING BODY THE AUTHORITY to issue and sell
32 such bonds ~~of the district."~~

1 Page 3, after line 44, insert:

2 "H. THE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO ANY SPECIAL
3 TAXING DISTRICT THAT MEASURES ITS TAX LEVY OR ASSESSMENT BY ACREAGE OR BY
4 ANY OTHER MEASUREMENT THAT DOES NOT USE THE ASSESSED VALUATION OF
5 PROPERTY.

6 Sec. 5. Section 48-685, Arizona Revised Statutes, is amended to
7 read:

8 48-685. Ballots

9 A. EXCEPT AS PROVIDED BY SUBSECTION B OF THIS SECTION, at the
10 election the ballot shall contain the words "for the bonds" and "against
11 the bonds" and to the right of and opposite each ~~thereof~~ PHRASE shall be
12 placed a square approximately the size of the squares placed opposite the
13 names of candidates on ballots. The voter shall indicate ~~his~~ THE VOTER'S
14 vote "for the bonds" or "against the bonds" by inserting a mark as defined
15 in section 16-400 in the square opposite such words.

16 B. IF THE BONDS ARE TO HAVE ADDITIONAL SECURITY PURSUANT TO SECTION
17 48-688, SUBSECTION H FROM THE CITY'S OR TOWN'S PLEDGE OF ITS FULL FAITH
18 AND CREDIT OBLIGATION TO PAY THE BONDS, WITH INTEREST, TO THE SAME EXTENT
19 AS OTHER GENERAL OBLIGATION BONDS OF THE CITY OR TOWN, THE ELECTION BALLOT
20 SHALL APPEAR IN THE FORM AND CONTAIN THE STATEMENT PRESCRIBED BY SECTION
21 35-454, SUBSECTION C.

22 C. No other question, word or figure need be printed on any
23 ballot. The ballot shall not be of any particular size, and sample
24 ballots may or may not be printed, posted or distributed. A number of
25 ballots exceeding by not less than two ~~per-cent~~ PERCENT the number of
26 registered voters whose names appear on the precinct register prepared for
27 the precinct, town or city shall be printed for and furnished to each
28 polling place.

1 Sec. 6. Section 48-707, Arizona Revised Statutes, is amended to
2 read:

3 48-707. Notice and conduct of elections; waiver

4 A. Any election under this article shall be a nonpartisan election
5 called by posting notices in three public places within the boundaries of
6 the district not less than twenty days before the election. Notice shall
7 also be published in a newspaper of general circulation in the
8 municipality or county or if there is no newspaper so circulated in the
9 municipality in a newspaper of general circulation in the county in which
10 the municipality is located once a week for two consecutive weeks before
11 the election. The notice shall state:

12 1. The place of holding the election.

13 2. The hours during the day, not less than six, in which the polls
14 will be open.

15 3. If it is a formation election, the boundaries of the proposed
16 district.

17 4. If it is a bond election, the amount of bonds to be authorized
18 for the district, the maximum rate of interest to be borne on the bonds,
19 the maximum term of the bonds, not exceeding twenty-five years, and the
20 purposes for which the monies raised will be used.

21 5. If it is an ad valorem tax levy election pursuant to section
22 48-723, the maximum tax rate per one hundred dollars of assessed valuation
23 to be imposed, the purposes for which the monies raised will be used and
24 the existing maximum tax rate, if any.

25 6. That a general plan is on file with the clerk.

26 B. The district board or the governing body, as applicable, shall
27 determine the date of the election and the polling places for the election
28 and may consolidate county precincts. For other than a formation election
29 pursuant to section 48-705, subsection B, and an election held pursuant to
30 subsection G of this section, precinct registers shall be used. The
31 county recorder shall submit precinct registers on the request of the
32 clerk, and if the district includes land lying partly in and partly out of

1 any county election precinct, the precinct registers may contain the names
2 of all registered voters in the precinct and the election boards at those
3 precincts shall require that a prospective elector execute an affidavit
4 stating that the elector is also a qualified elector of the district. For
5 formation elections and elections held pursuant to subsection G of this
6 section, a prospective elector shall execute an affidavit stating that the
7 elector is the owner of land in the proposed district and is a qualified
8 elector of this state or otherwise qualified to vote pursuant to section
9 48-3043 and stating the area of land in acres owned by the elector.
10 Election board members may administer oaths or take all affirmations for
11 these purposes. A community facilities district election held pursuant to
12 this article is not subject to title 16, chapter 2, article 3.

13 C. Except as otherwise provided by this article, the election shall
14 comply with the general election laws of this state, except that the words
15 to appear on the ballots shall be for a formation election "district, yes"
16 and "district, no", ~~for a bond election "bonds, yes" and "bonds, no", for~~
17 ~~a tax election if no tax is in place "tax, yes" and "tax, no" and for a~~
18 tax election to change an existing maximum or eliminate an existing tax
19 "tax change, yes" and "tax change, no". **FOR AN ELECTION TO APPROVE THE**
20 **ISSUANCE OF GENERAL OBLIGATION BONDS OF THE DISTRICT PURSUANT TO SECTION**
21 **48-719, THE BALLOT SHALL APPEAR IN THE FORM AND CONTAIN THE STATEMENT**
22 **PRESCRIBED BY SECTION 35-454, SUBSECTION C.** The returns of election shall
23 be made to the governing body or, if after formation, to the district
24 board.

25 D. Within fourteen days after an election, the governing body, or
26 if after formation, the district board, shall meet and canvass the
27 returns, and if a majority of the votes cast at the election is in favor
28 of formation, issuing the bonds, imposing the tax or changing the tax, the
29 governing body or the district board, as appropriate, shall enter that
30 fact on its minutes. The canvass may be continued from time to
31 time. Failure of a majority to vote in favor of the matter submitted does

1 not prejudice the submission of the same or similar matters at a later
2 election.

3 E. If a person listed on the assessment roll is no longer the owner
4 of land in the district and the name of the successor owner becomes known
5 and is verified by recorded deed or other similar evidence of transfer of
6 ownership, the successor owner is deemed to be the owner for the purposes
7 of this article.

8 F. Notwithstanding any other provision of this article, if a
9 petition for formation is signed by owners of all of the land in the
10 district described in the petition and is approved by the municipality or
11 county, the municipality or county may waive any or all requirements of
12 posting, publication, mailing, notice, hearing and landowner election. On
13 receipt of such a petition, and after approval by an election of resident
14 electors, if any, the municipality or county shall declare the district
15 formed without being required to comply with the provisions of this
16 article for posting, publication, mailing, notice, hearing or landowner
17 election.

18 G. Notwithstanding any other provision of this article, if no
19 person has registered to vote within the district within fifty days
20 immediately preceding any scheduled election date, any election required
21 to be held pursuant to this article shall be held with the vote by the
22 owners of land within the district who are qualified electors of this
23 state and other landowners according to section 48-3043. Each owner has
24 the number of votes or portion of votes equal to the number of acres or
25 portion of acres rounded upward to the nearest one-fifth of an acre owned
26 in the district by that person.

27 H. For a district that is proposed to be formed by a county, a
28 district may be formed only if a petition for formation is signed by the
29 owners of all of the land in the district that is described in the
30 petition and if it is approved by the county. If the district is proposed
31 to be formed in a county island, as defined in section 11-251.12, in
32 existence on ~~the effective date of this amendment to this section~~

1 ~~SEPTEMBER 21, 2006~~, the petition must be signed by the owners of all of
2 the land in the district that is described in the petition and the
3 district must be approved by the county and by the municipality or all
4 municipalities that form the county island. If the petition is signed by
5 the owners of all of the land in the district, the county may waive any or
6 all requirements of posting, publication, mailing, notice, hearing and
7 landowner election. On receipt of such a petition, and after approval by
8 an election of one hundred ~~per-cent~~ PERCENT of the resident electors, if
9 any, the county shall declare the district formed without being required
10 to comply with the provisions of this article for posting.

11 Sec. 7. Section 48-806, Arizona Revised Statutes, is amended to
12 read:

13 48-806. Bond election; issuance and sale of bonds

14 A. Except for a district formed pursuant to section 48-851, the
15 district board or the elected chief and secretary-treasurer may order an
16 election by the qualified electors of the district to be held pursuant to
17 title 16, chapter 2, article 1 to determine whether bonds shall be issued
18 on behalf of the district. The order shall specify the maximum principal
19 amount of bonds to be issued, the maximum number of years bonds of any
20 issue or series may run from their date not exceeding thirty years, the
21 purpose for which the bonds are to be issued, the maximum rate of interest
22 ~~which~~ THAT the bonds are to bear, the date and hours of the election and
23 the location of the polling places. Copies of the order shall be posted
24 in three public places within the district not less than twenty days prior
25 to the date of the election, and if a newspaper is published within the
26 county having a general circulation within the district, the order shall
27 be published in the newspaper not less than once a week during each of the
28 three calendar weeks preceding the calendar week of the election.

29 B. A district board formed pursuant to section 48-851 shall not
30 order an election for or issue bonds under this section.

31 C. Instead of publishing the notice described in subsection A of
32 this section, the board of directors may mail a notice of election to each

1 household containing a qualified elector of the district. The notice
2 shall contain the same information described in subsection A of this
3 section except that the notice shall not contain the location of all the
4 polling places for that election. The notice shall contain the location
5 of the polling place for that household's qualified electors. The notice
6 shall be mailed at least thirty-five days before the election.

7 D. At the election the ballot shall ~~contain the phrases "for the~~
8 ~~bonds" and "against the bonds". There shall be placed a square or other~~
9 ~~designated marking space in the same manner as used for candidates on~~
10 ~~ballots. The voter shall indicate a vote "for the bonds" or "against the~~
11 ~~bonds"~~ APPEAR IN THE FORM AND CONTAIN THE STATEMENT PRESCRIBED BY SECTION
12 35-454, SUBSECTION C. No other question, word or figure need be printed
13 on the ballot. The ballot need not be any particular size, nor need
14 sample ballots be printed, posted or distributed but ballots shall comply
15 with standards otherwise provided by law, including requirements for
16 electronic voting, if applicable.

17 E. If a majority of the qualified electors of the district voting
18 at the election approves the issuance of bonds, the district board or the
19 elected chief and secretary-treasurer, as appropriate, may issue bonds in
20 an aggregate principal amount not exceeding the lesser of six ~~per cent~~
21 PERCENT of the value of the taxable property in the district as shown on
22 the last property tax assessment roll before issuing the bonds or the
23 maximum amount specified in the election order.

24 F. Bonds may be in such denominations, may be in registered or
25 bearer form either as to principal or interest, or both, may mature at
26 such times not exceeding the maximum maturity specified in the election
27 order and may be subject to redemption prior to maturity, all as specified
28 by the district board or elected chief and secretary-treasurer, as
29 appropriate, as provided in subsection E of this section. The district
30 may engage the services of a depository to administer a book entry system
31 for the bonds. The costs and expenses of such depository and any
32 registrar or paying agent for the bonds shall be deemed to be interest

1 expenses that may also be paid from the tax levy made pursuant to
2 subsection I of this section.

3 G. Bonds shall be executed by the manual or facsimile signatures of
4 the chairman and clerk of the district board or elected chief and
5 secretary-treasurer of the district. Coupons attached to the bonds shall
6 bear the facsimile signature of the chairman of the district board or the
7 elected chief of the district, as appropriate.

8 H. The district board may sell the bonds at public or private sale
9 or through an ~~on-line~~ ONLINE bidding process. In addition, the district
10 board may negotiate loan agreements or loan repayment agreements with the
11 greater Arizona development authority in lieu of selling bonds where
12 authority to sell bonds has been granted by the district's voters. The
13 proceeds of sale on the bonds shall be deposited in an account of the fire
14 district fund to be known as the capital fund to be applied for the
15 purpose for which the bonds were issued.

16 I. After the bonds are issued, the district board or elected chief
17 and secretary-treasurer, as appropriate, shall enter on the district's
18 minutes a record of the bonds sold and shall annually determine the amount
19 of the tax levy to pay the bonds and certify such amount to the board of
20 supervisors of the county. The board of supervisors shall annually cause
21 to be levied and collected a tax, at the same time and in the same manner
22 as other taxes are levied and collected ~~upon~~ ON all taxable property in
23 the district, sufficient to pay principal of and interest on the bonds as
24 they become due and payable. Monies derived from the levy of the tax when
25 collected shall be deposited in the debt service fund and shall be applied
26 only to payment of the principal of and interest on the bonds. On payment
27 of the outstanding bonded indebtedness of the district, any monies
28 remaining in the debt service fund shall be used to reduce the district's
29 property tax levy in the next fiscal year.

1 Sec. 8. Section 48-1037, Arizona Revised Statutes, is amended to
2 read:

3 48-1037. Notice and conduct of elections; waiver

4 A. Any election under this article shall be called by posting
5 notices in three public places within the boundaries of the district not
6 less than twenty days before the election. Notice shall also be published
7 in a newspaper of general circulation in the county once a week for two
8 consecutive weeks before the election. The notice shall state:

9 1. The place of holding the election.

10 2. The hours during the day, not less than six, when the polls will
11 be open.

12 3. If it is a formation election, the boundaries of the proposed
13 district.

14 4. If it is a bond election, the amount of bonds to be authorized
15 for the district, the maximum rate of interest to be borne on the bonds,
16 the maximum term of the bonds, not exceeding thirty years, and the
17 purposes for which the monies raised will be used.

18 B. A bond election under this section must be held on the first
19 Tuesday following the first Monday in November as prescribed by section
20 16-204, subsection ~~B, paragraph 1, subdivision (d)~~ F.

21 C. The district board or the board of supervisors, as applicable,
22 shall determine the polling places for the election and may consolidate
23 county precincts. For other than a formation election, precinct registers
24 shall be used. The county recorder shall submit precinct registers on the
25 request of the clerk, and if the district includes land lying partly in
26 and partly out of any county election precinct, the precinct registers may
27 contain the names of all registered voters in the precinct and the
28 election boards at such precincts shall require that a prospective elector
29 execute an affidavit stating that he is also a qualified elector of the
30 district. For formation elections a prospective elector shall execute an
31 affidavit stating that he is the owner of land in the district, is a
32 qualified elector of this state and stating the area of land in acres

1 owned by the elector. Election board members may give oaths or take all
2 affirmations for these purposes.

3 D. Except as otherwise provided by this article, the election shall
4 comply with the general election laws of this state, except that the words
5 to appear on the ballots shall be for a formation election "district, yes"
6 and "district, no" ~~or for a bond election "bonds, yes" and "bonds, no".~~
7 FOR AN ELECTION TO APPROVE THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE
8 DISTRICT PURSUANT TO SECTION 48-1045, THE BALLOT SHALL APPEAR IN THE FORM
9 AND CONTAIN THE STATEMENT PRESCRIBED BY SECTION 35-454, SUBSECTION C. The
10 returns of election shall be made to the district board.

11 E. On the seventh day after the election or within seven days of
12 the election, the board of supervisors, or if after formation, the
13 district board, shall meet and canvass the returns, and if a majority of
14 the votes cast at the election is in favor of formation or issuing the
15 bonds, the board shall enter that fact on its minutes. The board may
16 continue the canvass from time to time.

17 F. Notwithstanding any other provision of this article, a petition
18 for formation signed by owners of all of the land in the district
19 described and approved by the board of supervisors waives any requirements
20 of posting, publication, mailing, notice, hearing and election. On
21 receipt of such a petition, the board of supervisors shall declare the
22 district formed without being required to comply with this article for
23 posting, publication, mailing, notice, hearing or election.

24 Sec. 9. Section 48-1409, Arizona Revised Statutes, is amended to
25 read:

26 48-1409. Conduct of election

27 A. The election shall be held, except as otherwise provided by this
28 article, in conformity with the general election laws of the state, except
29 that:

30 1. The election shall be held on the first Tuesday following the
31 first Monday in November as prescribed by section 16-204, subsection ~~B,~~
32 ~~paragraph 1, subdivision (d)~~ F.

1 ~~2. The words to appear on the ballots shall be "bonds, yes. (—),~~
2 ~~"bonds, no. (—)".~~

3 2. THE BALLOT SHALL APPEAR IN THE FORM AND CONTAIN THE STATEMENT
4 PRESCRIBED BY SECTION 35-454, SUBSECTION C.

5 3. The returns of election shall be made to the board of trustees
6 of the district.

7 B. On the seventh day after the election at 1:00 p.m., the board of
8 trustees shall meet and canvass the returns, and if a majority of the
9 votes cast at the election is in favor of issuing the bonds, ~~then~~ the
10 board of trustees shall make an entry of that fact ~~upon their~~ ON THE
11 BOARD'S minutes, and certify to the board of supervisors all proceedings
12 had in the premises.

13 Sec. 10. Section 48-4543, Arizona Revised Statutes, is amended to
14 read:

15 48-4543. General obligation bond election; results

16 A. On determining the amount of money that is necessary to be
17 raised for any of the purposes set forth in section 48-4542 and that may
18 be subject to repayment under section 48-4503, subsection B, paragraph 1,
19 the board shall immediately call an election to submit to the electors of
20 the district the question of whether the bonds of the district shall be
21 issued in the amount so determined. The election must be held on the
22 first Tuesday following the first Monday in November as prescribed by
23 section 16-204, subsection ~~B, paragraph 1, subdivision (d)~~ F.

24 B. Notice of the election shall be posted in three public places in
25 each election precinct of the district for at least twenty days and by
26 publication in a newspaper published in the county in which the office of
27 the board of directors of the district is located once a week for at least
28 two consecutive weeks. The notice shall state the date of the election,
29 the amount of bonds proposed to be issued, the maximum rate of interest to
30 be borne on the bonds and the denominations.

31 C. The election shall be held and the results shall be determined
32 and declared in a manner as nearly as practicable as provided by section

1 48-4433 governing the election of board members. Informalities in
2 conducting the election do not invalidate the election if it has been
3 otherwise fairly conducted.

4 D. At the election the ballots shall ~~contain the words~~
5 ~~"bonds yes" and "bonds no"~~ APPEAR IN THE FORM AND CONTAIN THE
6 STATEMENT PRESCRIBED BY SECTION 35-454, SUBSECTION C. If a majority of
7 the votes cast at the election ~~is "bonds yes"~~ APPROVE THE BONDS, the
8 board of directors shall cause the bonds to be issued. If a majority of
9 the votes cast ~~is "bonds no"~~ REJECT THE BONDS, the result of the
10 election shall be declared by the board of directors and entered on its
11 record, and at any time thereafter when a petition signed by one-fourth or
12 more of the qualified electors of the district is presented to the board
13 of directors, the board shall record such presentation in its minutes and
14 shall again submit the question to the electors of the district in the
15 same manner and with similar effect as at the previous election."

16 Amend title to conform

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