STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

May 11, 2010

The Honorable Ken Bennett
Secretary of State
1700 W. Washington
Phoenix, Arizona 85007

RE: House Bill 2502; taxation of solar energy property

Dear Secretary Bennett:

Today I have vetoed House Bill 2502. The bill would have required solar energy production plants, a class one property, to be valued in the same manner as agricultural property, a class two property. Article IX, Section 1 of the Arizona Constitution provides that all taxes shall be uniform upon the same class of property in Arizona. House Bill 2502 proposes to tax solar energy real property at lower rate than other land associated with renewable energy equipment, such as a wind farm, thereby violating the uniformity requirement.

Not only does this provision raise constitutional issues with respect to uniformity in taxation, it will have a negative impact on local governments and school districts. For these and other reasons, I have vetoed the bill.

Sincerely,

Janice K. Brewer
Governor

cc: The Honorable Kirk Adams
The Honorable Robert Burns
The Honorable Rick Murphy

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