

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2478

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 42-12009, Arizona Revised Statutes, is amended to
3 read:

4 42-12009. Class nine property

5 A. For purposes of taxation, class nine is established consisting of:

6 1. Improvements that are located on federal, state, county or
7 municipal property and owned by the lessee of the property if:

8 (a) The improvements **ARE REQUIRED TO** become the property of the
9 federal, state, county or municipal owner of the property on termination of
10 the leasehold interest in the property.

11 (b) Both the improvements and the property are used **primarily**
12 **EXCLUSIVELY** for athletic, recreational, entertainment, artistic, cultural or
13 convention **activities FACILITIES**.

14 2. Improvements that are located on federal, state, county or
15 municipal property and owned by the lessee of the property if:

16 (a) The improvements **ARE REQUIRED TO** become the property of the
17 federal, state, county or municipal owner of the property on termination of
18 the leasehold interest in the property.

19 (b) Both the improvements and the property are:

20 (i) Used for or in connection with aviation, including hangars,
21 tie-downs, aircraft maintenance, sales of aviation related items, charter and
22 rental activities, parking facilities and restaurants, stores and other
23 services located in a terminal.

24 (ii) Located on a state, county, city or town airport or a public
25 airport operating pursuant to sections 28-8423, 28-8424 and 28-8425.

26 3. Property that is defined as "contractor-acquired property" or
27 "government-furnished property" in the federal acquisition regulations

1 (48 Code of Federal Regulations section 45.101) and that is leased to or
2 acquired by the government and used to perform a government contract.

3 4. Property of a corporation that is organized by or at the direction
4 of this state or a county, city or town to develop, construct, improve,
5 repair, replace or own any property, improvement, building or other facility
6 to be used for public purposes that the state, county, city or town pledges
7 to lease or lease-purchase with state, county or municipal special or general
8 revenues and that is not otherwise exempt under chapter 11, article 3 of this
9 title.

10 5. Real property and improvements, including land, buildings,
11 furniture and equipment, regardless of ownership, that are leased for the
12 entire valuation year to, and used exclusively by, a nonprofit organization
13 that is recognized under section 501(c)(3) of the internal revenue code and
14 that operates on the premises as a charter school pursuant to section 15-183.
15 If only part of a parcel of real property or improvements to real property is
16 leased for operation of a charter school as provided by this paragraph, only
17 the portion so leased qualifies for classification under this section. A
18 property owner who leases property to a charter school shall file an
19 affidavit with the county assessor stating that the charter school shall be
20 the sole beneficiary of the change in property tax classification pursuant to
21 this section and that the lease rate that is charged to the charter school is
22 consistent with the lease rates that are charged to other tenants of the
23 property or a fair market rate.

24 B. Improvements that are located in an area defined as a research park
25 pursuant to section 35-701 may not be classified under this section.

26 C. All property classified as class nine is subject to valuation at
27 full cash value."

28 Amend title to conform

JUSTIN OLSON

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2/9/12
9:20 AM
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