

REFERENCE TITLE: school district overrides; bonds; information

State of Arizona  
Senate  
Fifty-first Legislature  
Second Regular Session  
2014

## **SB 1182**

Introduced by  
Senator Yarbrough

AN ACT

AMENDING SECTIONS 15-481 AND 35-454, ARIZONA REVISED STATUTES; RELATING TO  
SCHOOL DISTRICT ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-481, Arizona Revised Statutes, is amended to  
3 read:

4 15-481. Override election; budget increases; notice; ballot;  
5 effect

6 A. If a proposed budget of a school district exceeds the aggregate  
7 budget limit for the budget year, at least ninety days before the proposed  
8 election the governing board shall order an override election to be held on  
9 the first Tuesday following the first Monday in November as prescribed by  
10 section 16-204, subsection B, paragraph 1, subdivision (d) for the purpose of  
11 presenting the proposed budget to the qualified electors of the school  
12 district who by a majority of those voting either shall affirm or reject the  
13 budget. At the same time as the order of the election, the governing board  
14 shall publicly declare the deadline for submitting arguments, as set by the  
15 county school superintendent pursuant to subsection B, paragraph 9 of this  
16 section, to be submitted in the informational report and shall immediately  
17 post the deadline in a prominent location on the district's website. In  
18 addition, the governing board shall prepare an alternate budget that does not  
19 include an increase in the budget of more than the amount permitted as  
20 provided in section 15-905. If the qualified electors approve the proposed  
21 budget, the governing board of the school district shall follow the  
22 procedures prescribed in section 15-905 for adopting a budget that includes  
23 the authorized increase. If the qualified electors disapprove the proposed  
24 budget, the governing board shall follow the procedures prescribed in section  
25 15-905 for adopting a budget that does not include the proposed increase or  
26 the portion of the proposed increase that exceeds the amount authorized by a  
27 previously approved budget increase as prescribed in subsection P of this  
28 section.

29 B. The county school superintendent shall prepare an informational  
30 report on the proposed increase in the budget and a sample ballot and, at  
31 least forty days prior to the election, shall transmit the report and the  
32 sample ballot to the governing board of the school district. The governing  
33 board, upon receipt of the report and the ballot, shall mail or distribute  
34 the report and the ballot to the households in which qualified electors  
35 reside within the school district at least thirty-five days prior to the  
36 election. Any distribution of material concerning the proposed increase in  
37 the budget shall not be conducted by children enrolled in the school  
38 district. The report shall contain the following information:

- 39 1. The date of the election.
- 40 2. The voter's polling place and the times it is open.
- 41 3. The proposed total increase in the budget that exceeds the amount  
42 permitted pursuant to section 15-905.
- 43 4. The total amount of the current year's budget, the total amount of  
44 the proposed budget and the total amount of the alternate budget.

1           5. If the override is for a period of more than one year, a statement  
2 indicating the number of years the proposed increase in the budget would be  
3 in effect and the percentage of the school district's revenue control limit  
4 that the district is requesting for the future years.

5           6. The proposed total amount of revenues that will fund the increase  
6 in the budget and the amount that will be obtained from a levy of taxes upon  
7 the taxable property within the school district for the first year for which  
8 the budget increase was adopted.

9           7. The proposed amount of revenues that will fund the increase in the  
10 budget and that will be obtained from other than a levy of taxes upon the  
11 taxable property within the school district for the first year for which the  
12 budget increase was adopted.

13           8. The dollar amount and the purpose for which the proposed increase  
14 in the budget is to be expended for the first year for which the budget  
15 increase was adopted. **THE EXPLANATION OR JUSTIFICATION FOR THE REQUEST IS**  
16 **STRICTLY LIMITED TO THE ARGUMENTS SUBMITTED PURSUANT TO PARAGRAPH 9 OF THIS**  
17 **SUBSECTION.**

18           9. At least two arguments, if submitted, but no more than ten  
19 arguments for and two arguments, if submitted, but no more than ten arguments  
20 against the proposed increase in the budget. The arguments shall be in a  
21 form prescribed by the county school superintendent, and each argument shall  
22 not exceed two hundred words. Arguments for the proposed increase in the  
23 budget shall be provided in writing and signed by the governing board. If  
24 submitted, additional arguments in favor of the proposed increase in the  
25 budget shall be provided in writing and signed by those in favor. Arguments  
26 against the proposed increase in the budget shall be provided in writing and  
27 signed by those in opposition. The names of persons and entities submitting  
28 written arguments shall be included in the report. The county school  
29 superintendent shall review all factual statements contained in the written  
30 arguments and correct any inaccurate statements of fact. The superintendent  
31 shall not review and correct any portion of the written arguments that are  
32 identified as statements of the author's opinion. The county school  
33 superintendent shall make the written arguments available to the public as  
34 provided in title 39, chapter 1, article 2. A deadline for submitting  
35 arguments to be included in the informational report shall be set by the  
36 county school superintendent.

37           10. A statement that the alternate budget shall be adopted by the  
38 governing board if the proposed budget is not adopted by the qualified  
39 electors of the school district.

40           11. The current limited property value and the net assessed valuation  
41 provided by the department of revenue, the first year tax rate for the  
42 proposed override and the estimated amount of the secondary property taxes if  
43 the proposed budget is adopted for each of the following:

1 (a) An owner-occupied residence whose assessed valuation is the  
2 average assessed valuation of property classified as class three, as  
3 prescribed by section 42-12003 for the current year in the school district.

4 (b) An owner-occupied residence whose assessed valuation is one-half  
5 of the assessed valuation of the residence in subdivision (a) of this  
6 paragraph.

7 (c) An owner-occupied residence whose assessed valuation is twice the  
8 assessed valuation of the residence in subdivision (a) of this paragraph.

9 (d) A business whose assessed valuation is the average of the assessed  
10 valuation of property classified as class one, as prescribed by section  
11 42-12001, paragraphs 12 and 13 for the current year in the school district.

12 12. If the election is conducted pursuant to subsection L or M of this  
13 section, the following information:

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

16 (b) A complete list of each proposed capital improvement that will be  
17 funded with the budget increase and a description of the proposed cost of  
18 each improvement, including a separate aggregation of capital improvements  
19 for administrative purposes as defined by the school facilities board.

20 (c) The tax rate associated with each of the proposed capital  
21 improvements and the estimated cost of each capital improvement for ~~the owner~~  
22 ~~of a single family home that is valued at eighty thousand dollars~~ AN  
23 OWNER-OCCUPIED RESIDENCE WITH AN AVERAGE ASSESSED VALUATION OF PROPERTY  
24 CLASSIFIED AS CLASS THREE AS PRESCRIBED BY SECTION 42-12003 IN THE SCHOOL  
25 DISTRICT FOR THE CURRENT YEAR.

26 C. For the purpose of this section, the school district may use its  
27 staff, equipment, materials, buildings or other resources only to distribute  
28 the informational report at the school district office or at public hearings  
29 and to produce such information as required in subsection B of this section,  
30 provided that nothing in this subsection shall preclude school districts from  
31 holding or participating in any public hearings at which testimony is given  
32 by at least one person for the proposed increase and one person against the  
33 proposed increase. Any written information provided by the district  
34 pertaining to the override election shall include financial information  
35 showing the estimated first year tax rate for the proposed budget override  
36 amount.

37 D. If any amount of the proposed increase will be funded by a levy of  
38 taxes in the district, the election prescribed in subsection A of this  
39 section shall be held on the first Tuesday following the first Monday in  
40 November as prescribed by section 16-204, subsection B, paragraph 1,  
41 subdivision (d). If the proposed increase will be fully funded by revenues  
42 from other than a levy of taxes, the elections prescribed in subsection A of  
43 this section shall be held on any date prescribed by section 16-204. The  
44 elections shall be conducted as nearly as practicable in the manner

1 prescribed in article 1 of this chapter, sections 15-422 through 15-424 and  
2 section 15-426, relating to special elections, except that:

3 1. The notices required pursuant to section 15-403 shall be posted not  
4 less than twenty-five days before the election.

5 2. Ballots shall be counted pursuant to title 16, chapter 4,  
6 article 10.

7 E. If the election is to exceed the revenue control limit and if the  
8 proposed increase will be fully funded by a levy of taxes upon the taxable  
9 property within the school district, the ballot shall contain the words  
10 "budget increase, yes" and "budget increase, no", and the voter shall signify  
11 his desired choice. The ballot shall also contain the amount of the proposed  
12 increase of the proposed budget over the alternate budget, a statement that  
13 the amount of the proposed increase will be based on a percentage of the  
14 school district's revenue control limit in future years, if applicable, as  
15 provided in subsection P of this section and the following statement:

16 Any budget increase authorized by this election shall be  
17 entirely funded by a levy of taxes upon the taxable property  
18 within this school district for the year for which adopted and  
19 for \_\_\_\_ subsequent years, shall not be realized from monies  
20 furnished by the state and shall not be subject to the  
21 limitation on taxes specified in article IX, section 18,  
22 Constitution of Arizona. Based on the current net assessed  
23 valuation used for secondary property tax purposes, to fund the  
24 proposed increase in the school district's budget would require  
25 an estimated tax rate of \_\_\_\_\_ dollar per one hundred  
26 dollars of net assessed valuation used for secondary property  
27 tax purposes and is in addition to the school district's tax  
28 rate which will be levied to fund the school district's revenue  
29 control limit allowed by law.

30 F. If the election is to exceed the revenue control limit and if the  
31 proposed increase will be fully funded by revenues from other than a levy of  
32 taxes upon the taxable property within the school district, the ballot shall  
33 contain the words "budget increase, yes" and "budget increase, no", and the  
34 voter shall signify the voter's desired choice. The ballot shall also  
35 contain:

36 1. The amount of the proposed increase of the proposed budget over the  
37 alternate budget.

38 2. A statement that the amount of the proposed increase will be based  
39 on a percentage of the school district's revenue control limit in future  
40 years, if applicable, as provided in subsection P of this section.

41 3. The following statement:

42 Any budget increase authorized by this election shall be  
43 entirely funded by this school district with revenues from other  
44 than a levy of taxes on the taxable property within the school  
45 district for the year for which adopted and for \_\_\_\_\_

1 subsequent years and shall not be realized from monies furnished  
 2 by the state.

3 G. Except as provided in subsection H of this section, the maximum  
 4 budget increase that may be requested and authorized as provided in  
 5 subsection E or F of this section or the combination of subsections E and F  
 6 of this section is fifteen per cent of the revenue control limit as provided  
 7 in section 15-947, subsection A for the budget year. If a school district  
 8 requests an override pursuant to section 15-482 or to continue with a budget  
 9 override pursuant to section 15-482 for pupils in kindergarten programs and  
 10 grades one through three that was authorized before December 31, 2008, the  
 11 maximum budget increase that may be requested and authorized as provided in  
 12 subsection E or F of this section or the combination of subsections E and F  
 13 of this section is ten per cent of the revenue control limit as provided in  
 14 section 15-947, subsection A for the budget year.

15 H. Special budget override provisions for school districts with a  
 16 student count of less than one hundred fifty-four in kindergarten programs  
 17 and grades one through eight or with a student count of less than one hundred  
 18 seventy-six in grades nine through twelve are as follows:

19 1. The maximum budget increase that may be requested and authorized as  
 20 provided in subsections E and F of this section is the greater of the amount  
 21 prescribed in subsection G of this section or a limit computed as follows:

22 (a) For common or unified districts with a student count of less than  
 23 one hundred fifty-four in kindergarten programs and grades one through eight,  
 24 the limit computed as prescribed in item (i) or (ii) of this subdivision,  
 25 whichever is appropriate:

26 (i)

	Small School	Support Level Weight		Phase Down
Student	Student	for Small Isolated		Reduction
<u>Count</u>	<u>Count Limit</u>	<u>School Districts</u>	<u>Base Level</u>	<u>Factor</u>
_____	- 125	x 1.358 + (0.0005 x	x \$ _____	= \$ _____
		(500 - Student Count))		
	Phase Down	Phase Down	Small Isolated	
	<u>Base</u>	<u>Reduction Factor</u>	<u>School District</u>	
	\$150,000	- \$ _____	= \$ _____	<u>Elementary Limit</u>

36 (ii)

	Small School	Support Level Weight		Phase Down
Student	Student	for Small		Reduction
<u>Count</u>	<u>Count Limit</u>	<u>School Districts</u>	<u>Base Level</u>	<u>Factor</u>
_____	- 125	x 1.278 + (0.0003 x	x \$ _____	= \$ _____
		(500 - Student Count))		
	Phase Down	Phase Down	Small	
	<u>Base</u>	<u>Reduction Factor</u>	<u>School District</u>	
	\$150,000	- \$ _____	= \$ _____	<u>Elementary Limit</u>

1 (b) For unified or union high school districts with a student count of  
 2 less than one hundred seventy-six in grades nine through twelve, the limit  
 3 computed as prescribed in item (i) or (ii) of this subdivision, whichever is  
 4 appropriate:

5 (i)

6	Small School	Support Level Weight	Phase Down
7	Student	for Small Isolated	Reduction
8	<u>Count</u>	<u>School Districts</u>	<u>Factor</u>
9	- <u>100</u>	x 1.468 + (0.0005 x	x \$ <u>Base Level</u> = \$ <u>Secondary Limit</u>
10		(500 - Student Count))	
11			Small Isolated
12	Phase Down	Phase Down	District
13	<u>Base</u>	<u>Reduction Factor</u>	<u>Secondary Limit</u>
14	\$350,000	- \$ <u>Secondary Limit</u>	= \$ <u>Secondary Limit</u>

15 (ii)

16	Small School	Support Level Weight	Phase Down
17	Student	for Small	Reduction
18	<u>Count</u>	<u>School Districts</u>	<u>Factor</u>
19	- <u>100</u>	x 1.398 + (0.0004 x	x \$ <u>Base Level</u> = \$ <u>Secondary Limit</u>
20		(500 - Student Count))	
21			Small
22	Phase Down	Phase Down	School District
23	<u>Base</u>	<u>Reduction Factor</u>	<u>Secondary Limit</u>
24	\$350,000	- \$ <u>Secondary Limit</u>	= \$ <u>Secondary Limit</u>

25 (c) If both subdivisions (a) and (b) of this paragraph apply to a  
 26 unified school district, its limit for the purposes of this paragraph is the  
 27 combination of its elementary limit and its secondary limit.

28 (d) If only subdivision (a) or (b) of this paragraph applies to a  
 29 unified school district, the district's limit for the purposes of this  
 30 paragraph is the sum of the limit computed as provided in subdivision (a) or  
 31 (b) of this paragraph plus ten per cent of the revenue control limit  
 32 attributable to those grade levels that do not meet the eligibility  
 33 requirements of this subsection. If a school district budgets monies outside  
 34 the revenue control limit pursuant to section 15-949, subsection E, the  
 35 district's limit for the purposes of this paragraph is only the ten per cent  
 36 of the revenue control limit attributable to those grade levels that are not  
 37 included under section 15-949, subsection E. For the purposes of this  
 38 subdivision, the revenue control limit is separated into elementary and  
 39 secondary components based on the weighted student count as provided in  
 40 section 15-971, subsection B, paragraph 2, subdivision (a).

41 2. If a school district utilizes this subsection to request an  
 42 override of more than one year, the ballot shall include an estimate of the  
 43 amount of the proposed increase in the future years in place of the statement  
 44 that the amount of the proposed increase will be based on a percentage of the

1 school district's revenue control limit in future years, as prescribed in  
2 subsections E and F of this section.

3 3. Notwithstanding subsection P of this section, the maximum period of  
4 an override authorized pursuant to this subsection is five years.

5 4. Subsection P, paragraphs 1 and 2 of this section do not apply to  
6 overrides authorized pursuant to this subsection.

7 I. If the election is to exceed the revenue control limit as provided  
8 in section 15-482 and if the proposed increase will be fully funded by a levy  
9 of taxes on the taxable property within the school district, the ballot shall  
10 contain the words "budget increase, yes" and "budget increase, no", and the  
11 voter shall signify the voter's desired choice. The ballot shall also  
12 contain the amount of the proposed increase of the budget over the alternate  
13 budget, a statement that the amount of the proposed increase will be based on  
14 a percentage of the school district's revenue control limit in future years,  
15 if applicable, as provided in subsection Q of this section, and the following  
16 statement:

17 Any budget increase authorized by this election shall be  
18 entirely funded by a levy of taxes on the taxable property  
19 within this school district for the year for which adopted and  
20 for \_\_\_\_\_ subsequent years, shall not be realized from monies  
21 furnished by the state and shall not be subject to the  
22 limitation on taxes specified in article IX, section 18,  
23 Constitution of Arizona. Based on the current net assessed  
24 valuation used for secondary property tax purposes, to fund the  
25 proposed increase in the school district's budget which will be  
26 funded by a levy of taxes upon the taxable property within this  
27 school district would require an estimated tax rate of  
28 \_\_\_\_\_ dollar per one hundred dollars of net assessed  
29 valuation used for secondary property tax purposes and is in  
30 addition to the school district's tax rate that will be levied  
31 to fund the school district's revenue control limit allowed by  
32 law.

33 J. If the election is to exceed the revenue control limit as provided  
34 in section 15-482 and if the proposed increase will be fully funded by  
35 revenues other than a levy of taxes on the taxable property within the school  
36 district, the ballot shall contain the words "budget increase, yes" and  
37 "budget increase, no", and the voter shall signify the voter's desired  
38 choice. The ballot shall also contain the amount of the proposed increase of  
39 the proposed budget over the alternate budget, a statement that the amount of  
40 the proposed increase will be based on a percentage of the school district's  
41 revenue control limit in future years, if applicable, as provided in  
42 subsection Q of this section and the following statement:

43 Any budget increase authorized by this election shall be  
44 entirely funded by this school district with revenues from other  
45 than a levy of taxes on the taxable property within the school

1 district for the year for which adopted and for \_\_\_\_\_ subsequent  
 2 years and shall not be realized from monies furnished by the  
 3 state.

4 K. The maximum budget increase that may be requested and authorized as  
 5 provided in subsection I or J of this section, or a combination of both of  
 6 these subsections, is five per cent of the revenue control limit as provided  
 7 in section 15-947, subsection A for the budget year. For a common school  
 8 district not within a high school district or a common school district within  
 9 a high school district that offers instruction in high school subjects as  
 10 provided in section 15-447, five per cent of the revenue control limit means  
 11 five per cent of the revenue control limit attributable to the weighted  
 12 student count in preschool programs for children with disabilities,  
 13 kindergarten programs and grades one through eight as provided in section  
 14 15-971, subsection B. For a unified school district, five per cent of the  
 15 revenue control limit means five per cent of the revenue control limit  
 16 attributable to the weighted student count in preschool programs for children  
 17 with disabilities, kindergarten programs and grades one through twelve. For  
 18 a union high school district, five per cent of the revenue control limit  
 19 means five per cent of the revenue control limit attributable to the weighted  
 20 student count in grades nine through twelve.

21 L. If the election is to exceed district additional assistance and if  
 22 the proposed increase will be fully funded by a levy of taxes upon the  
 23 taxable property within the school district, the ballot shall contain the  
 24 words "budget increase, yes" and "budget increase, no", and the voter shall  
 25 signify the voter's desired choice. An election held pursuant to this  
 26 subsection shall be held on the first Tuesday after the first Monday of  
 27 November. The ballot shall also contain the amount of the proposed increase  
 28 of the proposed budget over the alternate budget and the following statement:

29 Any budget increase authorized by this election shall be  
 30 entirely funded by a levy of taxes upon the taxable property  
 31 within this school district for the year in which adopted and  
 32 for \_\_\_\_\_ subsequent years, shall not be realized from monies  
 33 furnished by the state and shall not be subject to the  
 34 limitation on taxes specified in article IX, section 18,  
 35 Constitution of Arizona. Based on the current net assessed  
 36 valuation used for secondary property tax purposes, to fund the  
 37 proposed increase in the school district's budget would require  
 38 an estimated tax rate of \_\_\_\_\_ dollar per one hundred  
 39 dollars of net assessed valuation used for secondary property  
 40 tax purposes and is in addition to the school district's tax  
 41 rate which will be levied to fund the school district's district  
 42 additional assistance allowed by law.

1 M. If the election is to exceed district additional assistance and if  
2 the proposed increase will be fully funded by revenues from other than a levy  
3 of taxes upon the taxable property within the school district, the ballot  
4 shall contain the words "budget increase, yes" and "budget increase, no", and  
5 the voter shall signify the voter's desired choice. An election held  
6 pursuant to this subsection shall be held on the first Tuesday after the  
7 first Monday of November. The ballot shall also contain the amount of the  
8 proposed increase of the proposed budget over the alternate budget and the  
9 following statement:

10 Any budget increase authorized by this election shall be  
11 entirely funded by this school district with revenues from other  
12 than a levy of taxes on the taxable property within the school  
13 district for the year in which adopted and for \_\_\_\_\_ subsequent  
14 years and shall not be realized from monies furnished by the  
15 state.

16 N. If the election is to exceed a combination of the revenue control  
17 limit as provided in subsection E or F of this section, the revenue control  
18 limit as provided in subsection I or J of this section or district additional  
19 assistance as provided in subsection L or M of this section, the ballot shall  
20 be prepared so that the voters may vote on each proposed increase separately  
21 and shall contain statements required in the same manner as if each proposed  
22 increase were submitted separately.

23 O. If the election provides for a levy of taxes on the taxable  
24 property within the school district, at least thirty days prior to the  
25 election, the department of revenue shall provide the school district  
26 governing board and the county school superintendent with the current net  
27 assessed valuation of the school district. The governing board and the  
28 county school superintendent shall use the current net assessed valuation of  
29 the school district to translate the amount of the proposed dollar increase  
30 in the budget of the school district over that allowed by law into a tax rate  
31 figure.

32 P. If the voters in a school district vote to adopt a budget in excess  
33 of the revenue control limit as provided in subsection E or F of this  
34 section, any additional increase shall be included in the aggregate budget  
35 limit for each of the years authorized. Any additional increase shall be  
36 excluded from the determination of equalization assistance. The school  
37 district governing board, however, may levy on the net assessed valuation  
38 used for secondary property tax purposes of the property in the school  
39 district the additional increase if adopted under subsection E of this  
40 section for the period of one year, two years or five through seven years as  
41 authorized. If an additional increase is approved as provided in subsection  
42 F of this section, the school district governing board may only use revenues  
43 derived from the school district's prior year's maintenance and operation  
44 fund ending cash balance to fund the additional increase. If a budget  
45 increase was previously authorized and will be in effect for the budget year

1 or budget year and subsequent years, as provided in subsection E or F of this  
2 section, the governing board may request a new budget increase as provided in  
3 the same subsection under which the prior budget increase was adopted, which  
4 shall not exceed the maximum amount permitted under subsection G of this  
5 section. If the voters in the school district authorize the new budget  
6 increase amount, the existing budget increase no longer is in effect. If the  
7 voters in the school district do not authorize the budget increase amount,  
8 the existing budget increase remains in effect for the time period for which  
9 it was authorized **AND THE SCHOOL DISTRICT GOVERNING BOARD MAY NOT ORDER A**  
10 **CONTINUATION OF THE EXISTING OVERRIDE MORE THAN ONCE BEFORE THE EXPIRATION OF**  
11 **THE EXISTING OVERRIDE.** The maximum additional increase authorized as  
12 provided in subsection E or F of this section and the additional increase  
13 that is included in the aggregate budget limit is based on a percentage of a  
14 school district's revenue control limit in future years, if the budget  
15 increase is authorized for more than one year. If the additional increase:

16 1. Is for two years, the proposed increase in the second year is equal  
17 to the initial proposed percentage increase.

18 2. Is for five years or more, the proposed increase is equal to the  
19 initial proposed percentage increase in the following years of the proposed  
20 increase, except that in the next to last year it is two-thirds of the  
21 initial proposed percentage increase and it is one-third of the initial  
22 proposed percentage increase in the last year of the proposed increase.

23 Q. If the voters in a school district vote to adopt a budget in excess  
24 of the revenue control limit as provided in subsection I or J of this  
25 section, any additional increase shall be included in the aggregate budget  
26 limit for each of the years authorized. Any additional increase shall be  
27 excluded from the determination of equalization assistance. The school  
28 district governing board, however, may levy on the net assessed valuation  
29 used for secondary property tax purposes of the property in the school  
30 district the additional increase if adopted under subsection I of this  
31 section for the period of one year, two years or five through seven years as  
32 authorized. If an additional increase is approved as provided in subsection  
33 J of this section, the increase may only be budgeted and expended if  
34 sufficient monies are available in the maintenance and operation fund of the  
35 school district. If a budget increase was previously authorized and will be  
36 in effect for the budget year or budget year and subsequent years, as  
37 provided in subsection I or J of this section, the governing board may  
38 request a new budget increase as provided in the same subsection under which  
39 the prior budget increase was adopted that does not exceed the maximum amount  
40 permitted under subsection K of this section. If the voters in the school  
41 district authorize the new budget increase amount, the existing budget  
42 increase no longer is in effect. If the voters in the school district do not  
43 authorize the budget increase amount, the existing budget increase remains in  
44 effect for the time period for which it was authorized **AND THE SCHOOL**  
45 **DISTRICT GOVERNING BOARD MAY NOT ORDER A CONTINUATION OF THE EXISTING**

1 **OVERRIDE MORE THAN ONCE BEFORE THE EXPIRATION OF THE EXISTING OVERRIDE.** The  
2 maximum additional increase authorized as provided in subsection I or J of  
3 this section and the additional increase that is included in the aggregate  
4 budget limit is based on a percentage of a school district's revenue control  
5 limit in future years, if the budget increase is authorized for more than one  
6 year. If the additional increase:

7 1. Is for two years, the proposed increase in the second year is equal  
8 to the initial proposed percentage increase.

9 2. Is for five years or more, the proposed increase is equal to the  
10 initial proposed percentage increase in the following years of the proposed  
11 increase, except that in the next to last year it is two-thirds of the  
12 initial proposed percentage increase and it is one-third of the initial  
13 proposed percentage increase in the last year of the proposed increase.

14 R. If the voters in a school district vote to adopt a budget in excess  
15 of district additional assistance as provided in subsection L of this  
16 section, any additional increase shall be included in the aggregate budget  
17 limit for each of the years authorized. The additional increase shall be  
18 excluded from the determination of equalization assistance. The school  
19 district governing board, however, may levy on the net assessed valuation  
20 used for secondary property tax purposes of the property in the school  
21 district the additional increase for the period authorized but not to exceed  
22 ten years. For overrides approved by a vote of the qualified electors of the  
23 school district at an election held from and after October 31, 1998, the  
24 period of the additional increase prescribed in this subsection shall not  
25 exceed seven years for any capital override election.

26 S. If the voters in a school district vote to adopt a budget in excess  
27 of district additional assistance as provided in subsection M of this  
28 section, any additional increase shall be included in the aggregate budget  
29 limit for each of the years authorized. The additional increase shall be  
30 excluded from the determination of equalization assistance. The school  
31 district governing board may only use revenues derived from the school  
32 district's prior year's maintenance and operation fund ending cash balance  
33 and capital outlay fund ending cash balance to fund the additional increase  
34 for the period authorized but not to exceed ten years. For overrides  
35 approved by a vote of the qualified electors of the school district at an  
36 election held from and after October 31, 1998, the period of the additional  
37 increase prescribed in this subsection shall not exceed seven years for any  
38 capital override election.

39 T. In addition to subsections P and S of this section, from the  
40 maintenance and operation fund and capital outlay fund ending cash balances,  
41 the school district governing board shall first use any available revenues to  
42 reduce its primary tax rate to zero and shall use any remaining revenues to  
43 fund the additional increase authorized as provided in subsections F and M of  
44 this section.

1 U. If the voters in a school district disapprove the proposed budget,  
2 the alternate budget that, except for any budget increase authorized by a  
3 prior election, does not include an increase in the budget in excess of the  
4 amount provided in section 15-905 shall be adopted by the governing board as  
5 provided in section 15-905.

6 V. The governing board may request that any override election be  
7 cancelled if any change in chapter 9 of this title changes the amount of the  
8 aggregate budget limit as provided in section 15-905. The request to cancel  
9 the override election shall be made to the county school superintendent at  
10 least eighty days prior to the date of the scheduled override election.

11 W. For any election conducted pursuant to subsection L or M of this  
12 section:

13 1. The ballot shall include the following statement in addition to any  
14 other statement required by this section:

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

18 \_\_\_\_\_ school district is proposing to increase its  
19 budget by \$\_\_\_\_\_ to fund capital improvements over and  
20 above those funded by the state. Under the students first  
21 capital funding system, \_\_\_\_\_ school district is entitled to  
22 state monies for new construction and renovation of school  
23 buildings in accordance with state law.

24 2. The ballot shall contain the words "budget increase, yes" and  
25 "budget increase, no", and the voter shall signify the voter's desired  
26 choice.

27 3. At least eighty-five days before the election, the school district  
28 shall submit proposed ballot language to the director of the Arizona  
29 legislative council. The director of the Arizona legislative council shall  
30 review the proposed ballot language to determine whether the proposed ballot  
31 language complies with this section. If the director of the Arizona  
32 legislative council determines that the proposed ballot language does not  
33 comply with this section, the director, within ten calendar days of the  
34 receipt of the proposed ballot language, shall notify the school district of  
35 the director's objections and the school district shall resubmit revised  
36 ballot language to the director for approval.

37 X. If the voters approve the budget increase pursuant to subsection L  
38 or M of this section, the school district shall not use the override proceeds  
39 for any purposes other than the proposed capital improvements listed in the  
40 publicity pamphlet, except that up to ten per cent of the override proceeds  
41 may be used for general capital expenses, including cost overruns of proposed  
42 capital improvements.

43 Y. Each school district that currently increases its budget pursuant  
44 to this section is required to hold a public meeting each year between  
45 September 1 and October 31 at which an update of the programs or capital

1 improvements financed through the override is discussed and at which the  
2 public is permitted an opportunity to comment and:

3 1. If the increase is pursuant to subsection L or M of this section,  
4 at a minimum, the update shall include the progress of capital improvements  
5 financed through the override, a comparison of the current status and the  
6 original projections on the construction of capital improvements, the costs  
7 of capital improvements and the costs of capital improvements in progress or  
8 completed since the prior meeting and the future capital plans of the school  
9 district. The school district shall include in the public meeting a  
10 discussion of the school district's use of state capital aid and  
11 voter-approved bonding in funding capital improvements, if any.

12 2. If the increase is pursuant to subsection E, F, I or J of this  
13 section, the update shall include at a minimum the amount expended in the  
14 previous fiscal year and the amount included in the current budget for each  
15 of the purposes listed in the informational report prescribed by subsection B  
16 of this section.

17 Z. If a budget in excess of district additional assistance was  
18 previously adopted by the voters in a school district and will be in effect  
19 for the budget year or budget year and subsequent years, as provided in  
20 subsection L or M of this section, the governing board may request an  
21 additional budget in excess of district additional assistance. If the voters  
22 in a school district authorize the additional budget in excess of district  
23 additional assistance, the existing district additional assistance budget  
24 increase remains in effect.

25 AA. Notwithstanding any other law, the maximum budget increase that  
26 may be authorized pursuant to subsection L or M of this section is ten per  
27 cent of the school district's revenue control limit.

28 BB. If the election is to continue to exceed the revenue control limit  
29 and if the proposed override will be fully funded by a continuation of a levy  
30 of taxes on the taxable property in the school district, the ballot shall  
31 contain the words "budget override continuation, yes" and "budget override  
32 continuation, no", and the voter shall signify the voter's desired choice.  
33 The ballot shall also contain the amount of the proposed continuation of the  
34 budget increase of the proposed budget over the alternate budget, a statement  
35 that the amount of the proposed increase will be based on a percentage of the  
36 school district's revenue control limit in future years, if applicable, as  
37 provided in subsection P of this section and the following statement:

38 Any budget increase continuation authorized by this  
39 election shall be entirely funded by a levy of taxes on the  
40 taxable property in this school district for the year for which  
41 adopted and for \_\_\_\_ subsequent years, shall not be realized  
42 from monies furnished by the state and shall not be subject to  
43 the limitation on taxes specified in article IX, section 18,  
44 Constitution of Arizona. Based on the current net assessed  
45 valuation used for secondary property tax purposes, to fund the

1 proposed continuation of the increase in the school district's  
2 budget would require an estimated continuation of a tax rate of  
3 \_\_\_\_\_ dollar per one hundred dollars of assessed  
4 valuation used for secondary property tax purposes and is in  
5 addition to the school district's tax rate that will be levied  
6 to fund the school district's revenue control limit allowed by  
7 law.

8 CC. If the election is to continue to exceed the revenue control limit  
9 as provided in section 15-482 and if the proposed override will be fully  
10 funded by a continuation of a levy of taxes on the taxable property in the  
11 school district, the ballot shall contain the words "budget override  
12 continuation, yes" and "budget override continuation, no", and the voter  
13 shall signify the voter's desired choice. The ballot shall also contain the  
14 amount of the proposed continuation of the budget increase of the proposed  
15 budget over the alternate budget, a statement that the amount of the proposed  
16 increase will be based on a percentage of the school district's revenue  
17 control limit in future years, if applicable, as provided in subsection P of  
18 this section and the following statement:

19 Any budget increase continuation authorized by this  
20 election shall be entirely funded by a levy of taxes on the  
21 taxable property in this school district for the year for which  
22 adopted and for \_\_\_\_ subsequent years, shall not be realized  
23 from monies furnished by the state and shall not be subject to  
24 the limitation on taxes specified in article IX, section 18,  
25 Constitution of Arizona. Based on the current net assessed  
26 valuation used for secondary property tax purposes, to fund the  
27 proposed continuation of the increase in the school district's  
28 budget would require an estimated continuation of a tax rate of  
29 \_\_\_\_\_ dollar per one hundred dollars of net assessed  
30 valuation used for secondary property tax purposes and is in  
31 addition to the school district's tax rate that will be levied  
32 to fund the school district's revenue control limit allowed by  
33 law.

34 Sec. 2. Section 35-454, Arizona Revised Statutes, is amended to read:

35 35-454. Informational pamphlet for election; review; election;  
36 return; canvass of vote; certificate of election

37 A. The governing body or board of the political subdivision shall:

38 1. Not less than thirty-five days before the bond election, mail a  
39 copy of an informational pamphlet to every household within the political  
40 subdivision that contains a registered voter. The pamphlet shall contain  
41 information on the:

42 (a) Amount of the bond authorization.

43 (b) Maximum interest rate of the bonds.

44 (c) Estimated debt retirement schedule for the current amount of bonds  
45 outstanding, showing both principal and interest payments, the current net

1 assessed valuation as reported by the department of revenue and the current  
2 adopted and estimated tax rates. For the purposes of this paragraph, "net  
3 assessed valuation" may include the values used to determine voluntary  
4 contributions collected pursuant to title 9, chapter 4, article 3 and title  
5 48, chapter 1, article 8.

6 (d) Estimated debt retirement schedule for the proposed bond  
7 authorization, showing both the estimated principal and interest payments and  
8 the estimated average annual tax rate for the proposed bond authorization.  
9 In preparing this information and the information prescribed by subdivision  
10 (c), the projected total annual increase in net assessed valuation for any  
11 future year shall not exceed:

12 (i) For the first five years of the estimated debt retirement  
13 schedule, the average of the annual percentage growth for the previous ten  
14 years in the net assessed valuation of the political subdivision.

15 (ii) For the remaining years of the estimated debt retirement  
16 schedule, twenty per cent of the average of the annual percentage growth for  
17 the previous ten years in the net assessed valuation of the political  
18 subdivision.

19 (e) Source of repayment.

20 (f) Estimated issuance costs.

21 (g) Estimated tax impact of debt service for the bonds on an  
22 owner-occupied residence classified as class three pursuant to section  
23 42-12003, on commercial property classified as class one pursuant to section  
24 42-12001, paragraph 12 and on agricultural or other vacant property  
25 classified as class two pursuant to section 42-12002, assuming the net  
26 assessed valuation of the property increases annually at the lesser of five  
27 per cent or fifty per cent of the projected total annual increase in net  
28 assessed valuation as determined pursuant to subdivision (d) of this  
29 paragraph over the term of the bonds using the same average annual tax rate  
30 as under subdivision (d) of this paragraph, as follows:

31 The tax impact over the term of the bonds on an  
32 owner-occupied residence valued by the county assessor at  
33 \$250,000 is estimated to be \$\_\_\_ per year for \_\_\_ years, or \$\_\_\_  
34 total cost.

35 The tax impact over the term of the bonds on commercial  
36 property valued by the county assessor at \$1,000,000 is  
37 estimated to be \$\_\_\_ per year for \_\_\_ years, or \$\_\_\_\_\_ total  
38 cost.

39 The tax impact over the term of the bonds on agricultural  
40 or other vacant property valued by the county assessor at  
41 \$100,000 is estimated to be \$\_\_\_ per year for \_\_\_ years, or  
42 \$\_\_\_\_\_ total cost.

43 (h) In bold-faced type, estimated total cost of the proposed bond  
44 authorization, including principal and interest.

1 (i) Current outstanding general obligation debt and constitutional  
2 debt limitation.

3 (j) PROJECTS AND EXPENDITURES FOR WHICH THE BONDS ARE TO BE ISSUED.  
4 THE EXPLANATION OR JUSTIFICATION FOR THE REQUEST IS STRICTLY LIMITED TO THE  
5 ARGUMENTS SUBMITTED PURSUANT TO SUBDIVISION (n) OF THIS PARAGRAPH.

6 ~~(j)~~ (k) Purpose for which the bonds are to be issued and, if  
7 applicable, in bold-faced type, that the amount of the proposed bond  
8 authorization combined with the current outstanding debt exceeds the  
9 political subdivision's constitutional debt limit.

10 ~~(k)~~ (l) Polling location for the addressee.

11 ~~(l)~~ (m) Hours during the day when the polls will be open.

12 ~~(m)~~ (n) Arguments for and against the authorization of one or more of  
13 the bond propositions.

14 2. Set a deadline to submit arguments for and against the  
15 authorization of one or more of the bond propositions at a public meeting and  
16 publish the deadline in a newspaper of general circulation in the  
17 jurisdiction of the political subdivision.

18 3. Submit a copy of the informational pamphlet to the department of  
19 revenue within thirty days after the bond election. The department of  
20 revenue shall maintain copies of the pamphlets.

21 B. The failure of any one or more electors to receive the  
22 informational pamphlet shall not be grounds to invalidate the election. The  
23 election shall conform with the general election laws of the state. The  
24 return of the election held in a county shall be made to the board of  
25 supervisors and, in any other case, to the governing body or board of the  
26 municipal corporation or district within twelve days after the election.

27 C. For any proposed general obligation bond authorization where the  
28 principal and interest will be paid by a levy of property taxes, the ballot  
29 shall contain the phrase "the issuance of these bonds will result in a  
30 property tax increase sufficient to pay the annual debt service on bonds".  
31 Any written information provided by the political subdivision pertaining to  
32 the bond election shall include financial information showing the estimated  
33 average tax rate for the proposed bond authorization.

34 D. If the governing body intends to use revenues other than property  
35 taxes to pay the debt on proposed general obligation bonds, the ballot shall  
36 contain the phrase "the issuance of these bonds will result in a property tax  
37 increase sufficient to pay the annual debt service on bonds, unless the  
38 governing body provides for payment from other sources".

39 E. The board of supervisors, governing body or governing board shall  
40 hold a special meeting within twenty days after the election to canvass the  
41 votes cast and certify the result. The certificate of the result shall be  
42 prima facie evidence of full performance of all conditions and requirements  
43 precedent to holding the election.

1           F. The governing board or body shall file and record in the office of  
2 the county recorder a certificate disclosing the purpose of the election, the  
3 total number of votes cast and the total number of votes for and against  
4 creating the indebtedness, and stating whether or not the indebtedness is  
5 ordered. Upon filing and recording the certificate, the governing board or  
6 body shall carry out the purpose of the election.  
7           G. Variations between the estimates required by subsection A of this  
8 section and the actual debt retirement schedules, issuance costs, annual and  
9 total costs and tax rates shall not invalidate either the election or the  
10 bonds.