

REFERENCE TITLE: **municipal population estimates; use**

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

HB 2483

Introduced by
Representatives Olson, Coleman, Fann, Livingston, Townsend, Senators
Hobbs, Kavanagh, Sherwood, Worsley: Representatives Borrelli, Leach,
Mesnard, Meyer, Petersen, Pratt, Shope, Thorpe, Weninger, Senator Shooter

AN ACT

**AMENDING SECTIONS 28-6532, 42-5033 AND 42-5033.01, ARIZONA REVISED STATUTES;
RELATING TO MUNICIPAL POPULATION ESTIMATES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-6532, Arizona Revised Statutes, is amended to
3 read:

4 28-6532. Population determination: decennial or special census:
5 population estimates

6 A. Except as provided by section 42-5033.01, the population as shown
7 by the decennial census as certified by the United States bureau of the
8 census shall be used as the basis for the apportionment of monies pursuant to
9 this article on July 1 in the year after the decennial census.

10 B. During the fifth year after the decennial census, a county, city or
11 town may request the United States bureau of the census to take a special
12 census of the population of the county, city or town. The results of the
13 special census shall be certified to the state treasurer and shall be used on
14 July 1 in the year after the special census as the basis for the
15 apportionment of monies pursuant to this article, ~~EXCEPT THAT A CITY OR TOWN~~
16 ~~MAY ELECT TO USE EITHER THE RESULTS OF THE SPECIAL CENSUS OR THE MOST RECENT~~
17 ~~POPULATION ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS AS PROVIDED~~
18 ~~UNDER SECTION 42-5033.01. A CITY OR TOWN MAY USE THE RESULTS OF THE SPECIAL~~
19 ~~CENSUS FOR ONLY ONE YEAR, AND BEGINNING ON JULY 1 IN THE SECOND YEAR AFTER~~
20 ~~THE SPECIAL CENSUS, THE CITY OR TOWN SHALL USE THE MOST RECENT POPULATION~~
21 ~~ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS AS PROVIDED UNDER~~
22 ~~SECTION 42-5033.01 AS THE BASIS FOR THE APPORTIONMENT OF MONIES PURSUANT TO~~
23 ~~THIS ARTICLE.~~

24 C. Notwithstanding any other law, a city or town that is initially
25 incorporated after the decennial census or July 1 of the fifth year after the
26 decennial census and that has caused a special census of the population
27 within the city or town limits to be taken by the United States bureau of the
28 census may cause the result of the special census to be certified to the
29 state treasurer. Beginning on July 1 after the completion of the special
30 census, the ~~RESULTS OF THE special census shall OR THE MOST RECENT POPULATION~~
31 ~~ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS MAY~~ be used as the
32 basis of the apportionment of monies pursuant to this article in determining
33 the amount payable to the city or town ~~until the next United States decennial~~
34 ~~census or special census as provided in subsection B of this section.~~ A CITY
35 OR TOWN MAY USE THE RESULTS OF THE SPECIAL CENSUS FOR ONLY ONE YEAR, AND
36 BEGINNING ON JULY 1 IN THE SECOND YEAR AFTER THE SPECIAL CENSUS, THE CITY OR
37 TOWN SHALL USE THE MOST RECENT POPULATION ESTIMATES FROM THE UNITED STATES
38 BUREAU OF THE CENSUS AS PROVIDED UNDER SECTION 42-5033.01 AS THE BASIS FOR
39 THE APPORTIONMENT OF MONIES PURSUANT TO THIS ARTICLE.

40 D. A county may request and utilize a special census for the purposes
41 of subsection B of this section even if one or more incorporated cities or
42 towns in the county do not request a special census. The county special
43 census shall include only those persons residing in unincorporated areas of
44 the county.

1 Sec. 2. Section 42-5033, Arizona Revised Statutes, is amended to read:
2 42-5033. Special census

3 A. During the fifth year following the decennial census, a county,
4 city or town may cause to be taken by the United States bureau of the census
5 a special census of the population of the county, city or town. The results
6 of the special census may be certified by the director. Beginning July 1 in
7 the sixth year following the decennial census, the special census plus any
8 revisions to the special census certified by the United States bureau of the
9 census shall be used as the basis of apportionment of the taxes under section
10 42-5029, subsection D until the next federal decennial census, ~~EXCEPT THAT A~~
11 ~~CITY OR TOWN MAY ELECT TO USE EITHER THE RESULTS OF THE SPECIAL CENSUS OR THE~~
12 ~~MOST RECENT POPULATION ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS~~
13 ~~AS PROVIDED UNDER SECTION 42-5033.01. A CITY OR TOWN MAY USE THE RESULTS OF~~
14 ~~THE SPECIAL CENSUS FOR ONLY ONE YEAR, AND BEGINNING ON JULY 1 IN THE SECOND~~
15 ~~YEAR AFTER THE SPECIAL CENSUS, THE CITY OR TOWN SHALL USE THE MOST RECENT~~
16 ~~POPULATION ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS AS PROVIDED~~
17 ~~UNDER SECTION 42-5033.01 AS THE BASIS FOR THE APPORTIONMENT OF MONIES~~
18 ~~PURSUANT TO THIS ARTICLE.~~

19 B. Notwithstanding any of the provisions of section 42-5029, any
20 municipality ~~which~~ THAT is initially incorporated subsequent to the decennial
21 census or July 1 of the fifth year thereafter and ~~which~~ THAT has caused a
22 special census of the population within the municipal limits to be taken by
23 the United States census bureau may cause the result of such special census
24 to be certified to the director. Commencing on July 1 following the
25 completion of such A special census, ~~it shall be used~~ THE CITY OR TOWN MAY
26 USE THE RESULTS OF THE SPECIAL CENSUS OR THE MOST RECENT POPULATION ESTIMATES
27 FROM THE UNITED STATES BUREAU OF THE CENSUS as the basis of apportionment of
28 the taxes collected under this article in determining the amount payable to
29 ~~such~~ THAT municipality ~~until the next federal decennial census or special~~
30 ~~census~~ as provided under section 28-6532. THE CITY OR TOWN MAY USE THE
31 RESULTS OF THE SPECIAL CENSUS FOR ONLY ONE YEAR, AND BEGINNING ON JULY 1 IN
32 THE SECOND YEAR AFTER THE SPECIAL CENSUS, THE CITY OR TOWN SHALL USE THE MOST
33 RECENT POPULATION ESTIMATES FROM THE UNITED STATES BUREAU OF THE CENSUS AS
34 PROVIDED UNDER SECTION 42-5033.01 AS THE BASIS FOR THE APPORTIONMENT OF
35 MONIES PURSUANT TO THIS ARTICLE.

36 Sec. 3. Section 42-5033.01, Arizona Revised Statutes, is amended to
37 read:

38 42-5033.01. Use of population estimates for state shared
39 revenues

40 ~~A.~~ In lieu of conducting a special census as provided by sections
41 28-6532 and 42-5033, ~~before May 1, 2006:~~

42 1. BEFORE MAY 1 OF THE SIXTH YEAR FOLLOWING A FEDERAL DECENNIAL
43 CENSUS, a ~~city, town or~~ county may submit to the director of the department
44 of revenue, the director of the department of transportation and the state
45 treasurer ~~its July 2005~~ THE COUNTY'S population estimate AS OF THE FIFTH YEAR

1 FOLLOWING THE LAST DECENNIAL CENSUS as approved by the ~~director of the~~
 2 ~~department of economic security~~ OFFICE OF EMPLOYMENT AND POPULATION
 3 STATISTICS. On submittal, that population, plus any revisions due to
 4 annexations certified by the United States bureau of the census, shall be
 5 used for distribution of state shared tax revenues pursuant to sections
 6 28-5808, 28-6540, 42-5029 and 43-206 to the ~~city, town or~~ county beginning
 7 July 1, ~~2006~~ OF THE SIXTH YEAR FOLLOWING THE LAST DECENNIAL CENSUS through
 8 June 30, ~~2011~~ OF THE YEAR FOLLOWING THE NEXT DECENNIAL CENSUS.

9 2. BEFORE MAY 1 OF THE SIXTH YEAR FOLLOWING A FEDERAL DECENNIAL
 10 CENSUS, a ~~city, town or~~ county may contract with the United States bureau of
 11 the census to conduct a sample survey that results in a 2005 MID-DECADE
 12 resident population and submit the results of that survey to the director of
 13 the department of revenue, the director of the department of transportation
 14 and the state treasurer. The survey shall also report total resident
 15 population in housing units, total resident population in group quarters,
 16 total housing units and total occupied housing units for the ~~city, town or~~
 17 county. On submittal, that 2005 MID-DECADE resident population, plus any
 18 revisions due to annexations certified by the United States bureau of the
 19 census, shall be used as the base for the calculation of population estimates
 20 for ~~2006 through 2010~~ THE SIXTH YEAR FOLLOWING THE DECENNIAL CENSUS UNTIL THE
 21 NEXT DECENNIAL CENSUS by the ~~department of economic security~~ OFFICE OF
 22 EMPLOYMENT AND POPULATION STATISTICS and for distribution of state shared tax
 23 revenues pursuant to sections 28-5808, 28-6540, 42-5029 and 43-206 to the
 24 ~~city, town or~~ county beginning July 1, ~~2006 through June 30, 2011. Any city,~~
 25 ~~town or~~ IN THE SIXTH YEAR FOLLOWING THE DECENNIAL CENSUS THROUGH JUNE 30 OF
 26 THE YEAR FOLLOWING THE NEXT DECENNIAL CENSUS. A county contracting for the
 27 survey may not exercise the option provided in paragraph 1 of this
 28 subsection.

29 3. BEFORE MAY 1 OF THE SIXTH YEAR FOLLOWING A FEDERAL DECENNIAL
 30 CENSUS, a ~~city, town or~~ county may request the director of the department of
 31 revenue, the director of the department of transportation and the state
 32 treasurer to continue to use the 2000 MOST RECENT United States decennial
 33 census through June 30, ~~2011~~ OF THE YEAR FOLLOWING THE NEXT DECENNIAL CENSUS
 34 for distribution of state shared tax revenues pursuant to sections 28-5808,
 35 28-6540, 42-5029 and 43-206.

36 4. THE MOST RECENT POPULATION ESTIMATES OF THE UNITED STATES BUREAU OF
 37 THE CENSUS SHALL BE USED ANNUALLY FOR DISTRIBUTION OF STATE SHARED TAX
 38 REVENUES PURSUANT TO SECTIONS 28-5808, 28-6540, 42-5029 AND 43-206 TO CITIES
 39 AND TOWNS BEGINNING ON JULY 1 IN THE SECOND YEAR FOLLOWING THE DECENNIAL
 40 CENSUS THROUGH JUNE 30 OF THE YEAR FOLLOWING THE NEXT DECENNIAL CENSUS.

41 ~~B. No later than July 31, 2006, the joint legislative budget committee~~
 42 ~~shall prepare a report on the use of population estimates pursuant to this~~
 43 ~~section and shall include a comparison of:~~

44 ~~1. The population estimate data produced by the department of economic~~
 45 ~~security for purposes of this section with any available census data.~~

1 ~~2. State shared revenue amounts distributed to cities, towns and~~
2 ~~counties using the special census or sample survey population data with~~
3 ~~amounts that would have been distributed using the population estimate data~~
4 ~~produced by the department of economic security for the purposes of this~~
5 ~~section.~~

6 Sec. 4. Emergency

7 This act is an emergency measure that is necessary to preserve the
8 public peace, health or safety and is operative immediately as provided by
9 law.