

REFERENCE TITLE: county bonding; regional committee

State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

## HB 2656

Introduced by  
Representatives Proud, Gowan, Judd, Stevens, Williams, Senators Antenori,  
Griffin, Smith: Representative Vogt, Senators Melvin, Shooter

AN ACT

AMENDING TITLE 11, CHAPTER 4, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6;  
RELATING TO THE REGIONAL BOND ACCOUNTABILITY COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 11, chapter 4, Arizona Revised Statutes, is amended  
3 by adding article 6, to read:

4 ARTICLE 6. REGIONAL BOND ACCOUNTABILITY COMMITTEE

5 11-691. Regional bond accountability committee; membership;  
6 duties; applicability; definitions

7 A. ANY COUNTY WITH A POPULATION OF AT LEAST NINE HUNDRED THOUSAND  
8 PERSONS BUT NOT MORE THAN ONE MILLION FIVE HUNDRED THOUSAND PERSONS SHALL  
9 ESTABLISH A REGIONAL BOND ACCOUNTABILITY COMMITTEE CONSISTING OF THE  
10 FOLLOWING MEMBERS:

11 1. ONE MEMBER APPOINTED BY THE COUNTY BOARD OF SUPERVISORS, WHO MAY BE  
12 A MEMBER OF THE BOARD OF SUPERVISORS.

13 2. ONE MEMBER APPOINTED BY THE CITY COUNCIL OF EACH INCORPORATED CITY  
14 IN THE COUNTY, WHO MAY BE A MEMBER OF THE CITY COUNCIL.

15 3. ONE MEMBER APPOINTED BY THE TOWN COUNCIL OF EACH INCORPORATED TOWN  
16 IN THE COUNTY, WHO MAY BE A MEMBER OF THE TOWN COUNCIL.

17 B. MEMBERS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SERVE AT THE  
18 PLEASURE OF THE GOVERNING BODY THAT APPOINTED THE MEMBER.

19 C. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL SELECT FROM THE  
20 COMMITTEE MEMBERSHIP A CHAIRPERSON AND MAY ADOPT ALL RULES AND PROCEDURES  
21 NECESSARY OR CONVENIENT FOR THE CONDUCT OF THE COMMITTEE'S BUSINESS.

22 D. ALL MEETINGS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE ARE  
23 SUBJECT TO TITLE 38, CHAPTER 3, ARTICLE 3.1.

24 E. ALL WORKING PAPERS AND RECORDS OF THE REGIONAL BOND ACCOUNTABILITY  
25 COMMITTEE ARE PUBLIC RECORDS AND SUBJECT TO TITLE 39, CHAPTER 1.

26 F. THE CLERK OF THE COUNTY BOARD OF SUPERVISORS SHALL ACT AS THE CLERK  
27 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, AND IS RESPONSIBLE FOR  
28 MAINTAINING THE RECORDS OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AND  
29 PERFORMING ALL REASONABLE ADMINISTRATIVE FUNCTIONS SUPPORTING THE REGIONAL  
30 BOND ACCOUNTABILITY COMMITTEE.

31 G. THE COUNTY SHALL PAY ALL REASONABLE ADMINISTRATIVE COSTS AUTHORIZED  
32 BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE AS NECESSARY FOR THE COMMITTEE  
33 TO CARRY OUT ITS FUNCTIONS AS DESCRIBED IN THIS SECTION, INCLUDING FACILITY  
34 USAGE FEES, PUBLICATION COSTS, PRINTING COSTS, MILEAGE REIMBURSEMENT FEES,  
35 OFFICE EQUIPMENT COSTS, INDEPENDENT AUDITOR FEES AND ATTORNEY FEES.  
36 ADMINISTRATIVE COSTS SHALL BE MINIMIZED BY USING EXISTING MEMBER JURISDICTION  
37 FACILITIES AND STAFF WHENEVER IT IS REASONABLY FEASIBLE TO DO SO. MEMBER  
38 JURISDICTION FACILITIES AND STAFF SHALL BE REIMBURSED AT THE MEMBER  
39 JURISDICTION'S ACTUAL COST.

40 H. IN ADDITION TO ANY OTHER REQUIREMENTS OF LAW AND BEFORE ANY  
41 REQUIRED VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT  
42 ISSUE OR SELL GENERAL OBLIGATION BONDS UNTIL THE FOLLOWING HAS OCCURRED:

43 1. THE BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND  
44 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED ALLOCATION OF  
45 AMOUNTS AND SPECIFIC PROJECT USES OF THE COUNTY GENERAL OBLIGATION BONDS.

1           2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC  
2 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN  
3 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER  
4 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE  
5 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN  
6 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

7           3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND  
8 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY VOTE OF THE FULL MEMBERSHIP OF  
9 THE COMMITTEE, DO ONE OF THE FOLLOWING:

10           (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

11           (b) AUTHORIZE THE COUNTY TO ISSUE OR SELL THE PROPOSED BONDS.

12           (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION  
13 OR ADDITIONAL INFORMATION.

14           (d) REJECT THE PROPOSED BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF  
15 THE OTHER ACTIONS AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED  
16 REJECTED.

17           I. AFTER A GENERAL OBLIGATION BOND HAS BEEN ISSUED OR SOLD OR APPROVED  
18 BY A VOTE OF THE QUALIFIED ELECTORS OF THE COUNTY, THE COUNTY SHALL NOT  
19 CHANGE THE PROPOSED AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE OR THE  
20 SPECIFIC PROJECT USES OF ANY COUNTY GENERAL OBLIGATION BONDS FROM THE AMOUNTS  
21 AND USES AUTHORIZED BY THE REGIONAL BOND ACCOUNTABILITY COMMITTEE WITHOUT THE  
22 PRIOR APPROVAL OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, PURSUANT TO THE  
23 FOLLOWING PROCEDURE:

24           1. THE COUNTY BOARD OF SUPERVISORS SHALL SUBMIT TO THE REGIONAL BOND  
25 ACCOUNTABILITY COMMITTEE A REPORT IDENTIFYING THE PROPOSED CHANGES TO THE  
26 AMOUNTS ALLOCATED FOR A SPECIFIC PROJECT USE AND THE SPECIFIC PROJECT USES OF  
27 THE COUNTY GENERAL OBLIGATION BONDS. ANY PROPOSED CHANGES TO THE AMOUNTS OR  
28 USES OF A COUNTY GENERAL OBLIGATION BOND SHALL BE CONSISTENT WITH THE AMOUNTS  
29 AND USES APPROVED IN THE ELECTION AUTHORIZING THE BONDS.

30           2. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE SHALL HOLD A PUBLIC  
31 HEARING ON THE REPORT AFTER PUBLISHING NOTICE OF THE PUBLIC HEARING IN AN  
32 ADVERTISEMENT THAT IS NO LESS THAN ONE-EIGHTH OF A FULL PAGE IN A NEWSPAPER  
33 WITH GENERAL CIRCULATION PUBLISHED IN THE COUNTY WHERE THE HEARING WILL BE  
34 HELD OR, IF NO NEWSPAPER WITH GENERAL CIRCULATION IS REGULARLY PUBLISHED, IN  
35 A NEWSPAPER WITH STATEWIDE GENERAL CIRCULATION.

36           3. AT THE CONCLUSION OF THE PUBLIC HEARING, THE REGIONAL BOND  
37 ACCOUNTABILITY COMMITTEE SHALL, BY A MAJORITY OF THE FULL MEMBERSHIP OF THE  
38 COMMITTEE, DO ONE OF THE FOLLOWING:

39           (a) HOLD ANOTHER PUBLIC HEARING AT A LATER TIME AND DATE.

40           (b) APPROVE THE PROPOSED CHANGES TO THE AMOUNTS ALLOCATED FOR A  
41 SPECIFIC PROJECT USE OR SPECIFIC PROJECT USES OF THE GENERAL OBLIGATION  
42 BONDS.

43           (c) RETURN THE REPORT TO THE COUNTY BOARD OF SUPERVISORS FOR REVISION  
44 OR ADDITIONAL INFORMATION.

1           (d) REJECT THE PROPOSED CHANGES TO THE AMOUNTS OR USES OF THE GENERAL  
2 OBLIGATION BONDS. IF THE COMMITTEE FAILS TO TAKE ONE OF THE OTHER ACTIONS  
3 AUTHORIZED IN THIS PARAGRAPH, THE PROPOSED BONDS ARE DEEMED REJECTED.  
4           J. THE REGIONAL BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF  
5 THE COUNTY'S BOND PROGRAM AT ANY TIME BY MAJORITY VOTE OF THE FULL MEMBERSHIP  
6 OF THE REGIONAL BOND ACCOUNTABILITY COMMITTEE, THE COSTS OF WHICH SHALL BE  
7 PAID BY THE COUNTY PURSUANT TO SUBSECTION G OF THIS SECTION.  
8           K. THE GOVERNING BODY OF ANY JURISDICTION REPRESENTED ON THE REGIONAL  
9 BOND ACCOUNTABILITY COMMITTEE MAY ORDER AN AUDIT OF THE COUNTY'S BOND PROGRAM  
10 AT ANY TIME BY ADOPTING A RESOLUTION ORDERING AND COMMITTING TO PAY ALL COSTS  
11 OF THE AUDIT.  
12           L. FOR THE PURPOSES OF THIS SECTION, A CITY OR TOWN IS CONSIDERED TO  
13 BE IN THE COUNTY IF ANY PORTION OF ITS JURISDICTIONAL LIMITS IS LOCATED IN  
14 THE COUNTY.  
15           M. FOR THE PURPOSES OF THIS SECTION:  
16           1. "AN AUDIT OF THE COUNTY'S BOND PROGRAM" MEANS AN AUDIT EXAMINING  
17 THE USES OF ALL PROCEEDS OF ALL COUNTY GENERAL OBLIGATION BONDS THAT ARE NOT  
18 FULLY REDEEMED ON THE DATE THE AUDIT IS ORDERED.  
19           2. "GENERAL OBLIGATION BONDS" MEANS ALL BONDS, OBLIGATIONS OR OTHER  
20 INDEBTEDNESS FOR WHICH THE FULL FAITH AND CREDIT OF THE COUNTY ARE PLEDGED AS  
21 A SOURCE OF REPAYMENT.  
22           N. NOTHING IN THIS SECTION AUTHORIZES A COUNTY OR THE REGIONAL BOND  
23 ACCOUNTABILITY COMMITTEE TO CHANGE THE TOTAL AMOUNT OR GENERAL USE OF ANY  
24 GENERAL OBLIGATION BOND APPROVED BY A VOTE OF THE QUALIFIED ELECTORS OF THE  
25 COUNTY.