

REFERENCE TITLE: multipurpose facilities districts; debt prohibition

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1007

Introduced by
Senator Farnsworth D

AN ACT

AMENDING SECTION 48-4203, ARIZONA REVISED STATUTES; RELATING TO STADIUM DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 48-4203, Arizona Revised Statutes, is amended to
3 read:

4 48-4203. Powers and duties of board of directors; report;
5 conflict of interest

6 A. The board of directors, on behalf of the district, may:

7 1. Adopt and use a corporate seal.

8 2. Sue and be sued.

9 3. Enter into contracts, including intergovernmental agreements
10 under title 11, chapter 7, article 3, as necessary to carry out the
11 purposes and requirements of this chapter. The district may contract with
12 a county sports authority established under title 11, chapter 5 to carry
13 out any power of the district.

14 4. Adopt administrative rules as necessary to administer and
15 operate the district and any property under its jurisdiction.

16 5. Adopt rules that allow weighted voting by board members and
17 establish conditions for terminating the district.

18 6. Employ an executive director and administrative and clerical
19 employees, or contract for other management personnel, and prescribe the
20 terms and conditions of their employment as necessary to carry out the
21 purposes of the district.

22 7. Acquire by any lawful means and operate, maintain, encumber and
23 dispose of real and personal property and interests in property. A
24 district established under section 48-4202, subsection A may acquire real
25 property by eminent domain. A district established under section 48-4202,
26 subsection B shall not acquire real property by eminent domain. A
27 district established under section 48-4202, subsection C shall not acquire
28 or own real property or interests in real property.

29 8. Administer trusts declared or established for the district,
30 receive and hold in trust or otherwise property located in or out of this
31 state and, if not otherwise provided, dispose of the property for the
32 benefit of the district.

33 9. Retain legal counsel and other consultants as necessary to carry
34 out the purposes of the district.

35 B. The board of directors, on behalf of a district established
36 pursuant to section 48-4202, subsection B, may:

37 1. Use revenues paid to the district pursuant to section 42-5031
38 and other revenues the district may receive from other sources, for the
39 purposes set forth in section 48-4204, subsection B.

40 2. Enter into agreements with developers, contractors, tenants and
41 other users of all or part of a multipurpose facility as determined
42 appropriate.

43 3. Pledge all or part of the revenues described in section 42-5031,
44 subsection B to secure the district's bonds or other financial obligations

1 issued or incurred under this chapter for the construction of all or part
2 of a multipurpose facility.

3 C. The board of directors of a district established pursuant to
4 section 48-4202, subsection B shall provide public outreach and education
5 on the purpose and activities of the district, including:

6 1. Presentations to the governing bodies of the municipalities in
7 the county in which the district is located.

8 2. Presentations to community, civic and business organizations.

9 3. Printed or electronic materials that support the purposes of
10 this subsection.

11 D. The board of directors shall:

12 1. Appoint from among its members a chairman, a secretary and such
13 other officers as may be necessary to conduct its business. The board of
14 directors may appoint the chief financial officer of the county as the
15 district treasurer of a countywide district established under section
16 48-4202, subsection A. If the board does not appoint the chief financial
17 officer, the county treasurer is designated ex officio as the treasurer.
18 The board of directors of a district that is established pursuant to
19 section 48-4202, subsection B shall designate a member of the board with
20 financial management or accounting experience or a person with whom the
21 board has contracted for financial management as treasurer of the
22 district. The county treasurer is designated ex officio as the treasurer
23 of a district that is established pursuant to section 48-4202,
24 subsection C.

25 2. Keep and maintain a complete and accurate record of all its
26 proceedings. All proceedings and records of the board shall be open to
27 the public as required by title 38, chapter 3, article 3.1 and title 39,
28 chapter 1.

29 3. Provide for the use, maintenance and operation of the properties
30 and interests controlled by the district.

31 E. The board of directors of a district that is established
32 pursuant to section 48-4202, subsection B shall:

33 1. Determine by agreement the distribution of revenues from
34 operating and using the multipurpose facilities among the municipalities
35 and any participating Indian tribe or community.

36 2. Report to the legislature by October 1 of each year regarding
37 the activities, operations, revenues and expenditures of the district for
38 the immediately preceding fiscal year. The board shall submit the annual
39 report to the president of the senate and the speaker of the house of
40 representatives and provide a copy of the report to the secretary of
41 state. At the discretion of the chairpersons of the senate finance
42 committee and the house of representatives ways and means committee, or
43 their successor committees, the committees may hold separate or joint
44 hearings to consider the annual report prepared by the district.

1 3. Present to the joint legislative committee on capital review
2 each project for the construction or reconstruction of any facility,
3 structure, infrastructure or other improvement to real property of any
4 kind in an amount exceeding ~~five hundred thousand dollars~~ \$500,000.

5 F. BEGINNING SEPTEMBER 1, 2020, A DISTRICT THAT IS ESTABLISHED
6 PURSUANT TO SECTION 48-4202, SUBSECTION B SHALL NOT INCUR ANY NEW
7 LONG-TERM INDEBTEDNESS.

8 ~~F.~~ G. The directors, officers and employees of the district are
9 subject to title 38, chapter 3, article 8 relating to conflicts of
10 interest.

11 ~~G.~~ H. This state and political subdivisions of this state other
12 than the district are not liable for any financial or other obligations of
13 the district and the financial or other obligations do not constitute a
14 debt or liability of this state or any political subdivision of this
15 state, other than the district.