

REFERENCE TITLE: multipurpose facilities districts; report; committees

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

# SB 1009

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~~ SHALL hold EITHER separate  
44 or joint 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. The directors, officers and employees of the district are  
6 subject to title 38, chapter 3, article 8 relating to conflicts of  
7 interest.

8           G. This state and political subdivisions of this state other than  
9 the district are not liable for any financial or other obligations of the  
10 district and the financial or other obligations do not constitute a debt  
11 or liability of this state or any political subdivision of this state,  
12 other than the district.