CHAPTER 92

HOUSE BILL 2012

AN ACT

AMENDING SECTION 48-903, ARIZONA REVISED STATUTES; RELATING TO COUNTY IMPROVEMENT DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 48-903, Arizona Revised Statutes, is amended to read:

48-903. Petition to establish district; elected board; verification; plat

A. A petition addressed to the board of supervisors requesting the establishment of an improvement district may be filed with the clerk of the board if signed by a majority of the persons owning real property and by the owners of fifty-one percent or more of the real property within the limits of the proposed district.

B. A petition with the required number of signatures shall not be declared void on account of any alleged defect, but the board of supervisors shall allow the petition to be amended in form and substance to conform to the requirements of this article. One or more similar petitions, or copies of the same petition with additional signatures, for the establishment of any improvement district may be filed prior to the time of the hearing on the first petition, and shall be considered as though filed with the first petition. The petition shall be presumed to contain the signatures of the persons whose signatures appear thereon, unless the contrary is proved.

C. The petition shall set forth:

1. The name of the proposed improvement district.
2. The necessity for the proposed district.
3. That the public convenience, necessity or welfare will be promoted by the establishment of the district and that the property to be included in such district will be benefited.
4. The boundaries of the proposed district.
5. A general outline of the proposed improvement.
6. Such other matters as are required by this article.

D. In addition to the information required pursuant to subsection C of this section, a petition requesting the establishment of an improvement district for the purposes described in section 48-909, subsection A, paragraph 5 or 6 shall state whether the boundaries of the proposed district are wholly or partially within either of the following:

1. The boundaries of the existing service territory of a public service corporation that provides domestic water or wastewater services as defined by a certificate of convenience and necessity issued by the corporation commission.
2. The boundaries of the proposed service territory of a public service corporation that provides domestic water or wastewater services as defined in an application for a certificate of convenience and necessity that is pending before the corporation commission or that has been considered by the commission within one year before the date the petition for an improvement district is filed with the clerk of the board.
E. The petitioner shall obtain the information prescribed by subsection D of this section from the corporation commission. A request submitted to the commission pursuant to this subsection shall include a township, range and section map showing the boundaries of the proposed district. The commission shall provide to the petitioner a township, range and section map that shows the appropriate service areas within fifteen business days of the request.

F. A petition requesting the establishment of an improvement district for the purpose of purchasing an existing domestic water delivery system shall provide that the district be governed by a board of directors elected pursuant to article 4 of this chapter. Establishment of an improvement district with an elected board of directors shall be subject to the approval of the board of supervisors.

G. Upon compliance with the requirements prescribed by subsection A of this section, the owners of real property and qualified electors within the limits of an existing district formed for the purpose of purchasing an existing domestic water delivery system may petition the board of supervisors to allow an elected board of directors to govern the district.

H. Each copy of the petition shall be verified by one of the petitioners and shall be accompanied by a plat or sketch indicating the approximate area and boundaries of the district.

APPROVED BY THE GOVERNOR MARCH 30, 2022.