

House Engrossed

county improvement districts; formation

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

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)

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

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

4 48-903. Petition to establish district; elected board;
5 verification; plat

6 A. A petition addressed to the board of supervisors requesting the
7 establishment of an improvement district may be filed with the clerk of
8 the board, ~~if~~ if signed by a majority of the persons owning real property ~~or~~
9 AND by the owners of fifty-one ~~per cent~~ PERCENT or more of the real
10 property within the limits of the proposed district.

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

21 C. The petition shall set forth:

22 1. The name of the proposed improvement district.

23 2. The necessity for the proposed district.

24 3. That the public convenience, necessity or welfare will be
25 promoted by the establishment of the district and that the property to be
26 included in such district will be benefited.

27 4. The boundaries of the proposed district.

28 5. A general outline of the proposed improvement.

29 6. Such other matters as are required by this article.

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

35 1. The boundaries of the existing service territory of a public
36 service corporation that provides domestic water or wastewater services as
37 defined by a certificate of convenience and necessity issued by the
38 corporation commission.

39 2. The boundaries of the proposed service territory of a public
40 service corporation that provides domestic water or wastewater services as
41 defined in an application for a certificate of convenience and necessity
42 that is pending before the corporation commission or that has been
43 considered by the commission within one year before the date the petition
44 for an improvement district is filed with the clerk of the board.

1 E. The petitioner shall obtain the information prescribed by
2 subsection D of this section from the corporation commission. A request
3 submitted to the commission pursuant to this subsection shall include a
4 township, range and section map showing the boundaries of the proposed
5 district. The commission shall provide to the petitioner a township,
6 range and section map that shows the appropriate service areas within
7 fifteen business days ~~of~~ AFTER the request.

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

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

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

APPROVED BY THE GOVERNOR MARCH 30, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 30, 2022.