

REFERENCE TITLE: school districts; boundary changes

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

# **HB 2277**

Introduced by  
Representative Fillmore

AN ACT

AMENDING SECTION 15-460, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT BOUNDARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 15-460, Arizona Revised Statutes, is amended to  
3 read:

4           15-460. Change of school district boundaries

5       A. On request of the governing board of a school district or on  
6 receipt of a petition bearing the signatures of ten ~~per cent~~ PERCENT or  
7 more of the qualified electors residing in the school district to change  
8 the boundaries of the school district in such a manner as to include  
9 adjacent unorganized territory, setting forth the boundaries desired and  
10 the reasons for such change, the county school superintendent shall submit  
11 the question of including the unorganized territory within the existing  
12 school district to the qualified electors of the new proposed school  
13 district. The election shall be held as provided in section 15-459,  
14 except that a majority of the qualified electors voting on the question in  
15 the unorganized territory and a majority of the qualified electors voting  
16 on the question in the existing school district must approve the  
17 change. If approved, the change is effective from and after June 30 next  
18 following the election.

19       B. When ten ~~per cent~~ PERCENT or more of the qualified electors  
20 residing in a school district desire that the boundaries of the school  
21 district be diminished, they may present a petition to the county school  
22 superintendent setting forth the change of boundaries desired and the  
23 reasons for such change. The county school superintendent shall prepare  
24 and transmit to the governing board of the school district proposed to be  
25 diminished a report providing specific information regarding the future  
26 availability of educational programs in the area of the district to be  
27 detached and in the area ~~which~~ THAT will constitute the remaining  
28 district, THE availability of pupil transportation services and the  
29 financial impact on taxpayers. The governing board shall mail or  
30 distribute the report to all households located in the school district.  
31 The county school superintendent shall submit the question of diminishing  
32 the school district boundaries to the qualified electors of the school  
33 district. The election shall be held as provided in section 15-459. A  
34 majority of the qualified electors voting on the question in the territory  
35 to remain in the existing school district and a majority of the qualified  
36 electors voting on the question in the territory to be excluded must  
37 approve the change. If approved, the change is effective from and after  
38 June 30 next following the election.

39       C. Notwithstanding subsections A and B of this section and this  
40 chapter, the governing boards of two adjacent common, union or unified  
41 school districts may authorize ~~minor~~ boundary adjustments to both school  
42 districts and the governing boards of a unified school district and  
43 adjacent common and union high school districts may authorize ~~minor~~  
44 boundary adjustments to the three school districts if all of the following  
45 are true:

1       1. The school districts authorizing the boundary adjustment have  
2 not previously made more than one minor boundary adjustment pursuant to  
3 this subsection.

4       2. A majority of the electors within the geographic boundaries of a  
5 portion of a school district, as specified in the petition, present a  
6 petition to the governing boards of the district or districts in which the  
7 petitioners currently reside and the district to which the petitioners  
8 desire to be annexed. If there are no electors within the geographic  
9 boundaries of the territory to be annexed, a majority of the property  
10 owners in the territory may submit the petition. The petition shall set  
11 forth the boundaries of the portion of the district to be annexed.

12      3. 1. A majority of the members of the governing boards of each  
13 district approve the ~~minor~~ boundary adjustment AND UNITE IN A PETITION TO  
14 THE COUNTY SCHOOL SUPERINTENDENT FOR THE BOUNDARY ADJUSTMENT. THE  
15 PETITION SHALL SET FORTH THE BOUNDARIES OF THE PORTION OF THE DISTRICT TO  
16 BE ANNEXED.

17      4. 2. The boundary adjustment would result in the transfer of ~~no~~  
18 NOT more than ~~one and one-half per cent~~ TEN PERCENT of the student count  
19 of the district from which the pupils will transfer.

20      5. ~~The boundary adjustment would not result in the transfer of any  
21 school buildings, equipment or furnishings from one school district to  
22 another school district.~~

23      6. ~~No member of the governing board of the school district to be  
24 diminished is a resident of the territory that is being transferred to the  
25 adjacent school district.~~

26      7. 3. The governing boards of the school districts ~~have agreed~~  
27 AGREE on a means to satisfy any liabilities.

28      4. ANY TAXPAYER WHO OWNS PROPERTY IN THE PROPOSED BOUNDARY  
29 ADJUSTMENT AREA THAT HAS A VALUE THAT IS THIRTY PERCENT OR MORE OF THE  
30 TOTAL VALUE OF ALL TAXABLE PROPERTY IN THE BOUNDARY ADJUSTMENT AREA  
31 APPROVES THE BOUNDARY ADJUSTMENT IN WRITING.

32      D. If a majority of the members of the governing boards of school  
33 districts ~~to which petitions were presented~~ UNITE IN A PETITION pursuant  
34 to subsection C of this section ~~approve the petitions~~, the ~~petitions~~  
35 ~~PETITION~~ shall be transmitted with the endorsements of the governing  
36 boards to the county school superintendent. The county school  
37 superintendent, if no petition opposing annexation signed by a majority of  
38 the school electors representing either the resident district or the  
39 district to which annexation is proposed is received within fifteen days  
40 after the transmittal of the petition requesting annexation, shall SUBMIT  
41 THE PETITION TO THE COUNTY BOARDS OF SUPERVISORS FOR FINAL APPROVAL. IF  
42 THE COUNTY BOARDS OF SUPERVISORS APPROVE THE PETITION, THE COUNTY SCHOOL  
43 SUPERINTENDENT SHALL make the records of boundaries conform to the  
44 petition for annexation and notify the boards of supervisors and the  
45 county assessor of the boundary change. The change is effective from and

1 after June 30 next following the notification of the boards of supervisors  
2 **AND COUNTY ASSESSOR.**

3 E. Notwithstanding subsection A of this section, if the qualified  
4 electors residing in a school district have previously voted to accept  
5 unorganized territory into the district's boundaries in two consecutive  
6 elections called for this purpose, the school district governing board may  
7 annex any election precinct within the unorganized territory that is  
8 contiguous to the school district if both of the following conditions  
9 exist:

10 1. At least one hundred fifty pupils who reside in the election  
11 precinct are enrolled in one or more school districts in the county.

12 2. The qualified electors of the precinct have previously voted in  
13 favor of the annexation.

14 F. Notwithstanding subsection A of this section, the governing  
15 board of a unified school district may authorize a change to the  
16 geographic boundaries of the school district to include a noncontiguous  
17 unorganized territory if all of the following criteria are met:

18 1. A majority of the qualified electors within the ~~geographical~~  
19 **GEOGRAPHIC** boundaries of an unorganized territory that is proposed to be  
20 included in the unified school district present a petition to the school  
21 district governing board. If there are no qualified electors within the  
22 geographic boundaries of the unorganized territory to be annexed, a  
23 majority of the property owners in the unorganized territory may submit a  
24 petition.

25 2. The unorganized territory to be included in the unified school  
26 district contains ~~less~~ FEWER than one hundred fifty pupils at the time of  
27 annexation.

28 3. The unorganized territory that is proposed to be included in the  
29 unified school district is adjacent to an unorganized territory that is  
30 part of an Indian reservation with a population of less than two thousand  
31 persons but is not adjacent to the unified school district.

32 G. If the governing board of the unified school district approves  
33 the petition pursuant to subsection F of this section, the petition shall  
34 be transmitted with the endorsement of the governing board to the county  
35 school superintendent. The county school superintendent, if no petition  
36 opposing annexation signed by a majority of the qualified electors within  
37 the school district is received within fifteen days after the transmittal  
38 of the petition requesting annexation, shall make the boundaries conform  
39 to the petition for annexation and notify the board of supervisors and the  
40 county assessor of the boundary change. The change is effective from and  
41 after June 30 next following the notification of the board of supervisors.

42 H. Notwithstanding subsections A and B of this section, if a  
43 majority of the qualified electors or property owners who reside in a  
44 residential subdivision, a recognized community or another type of  
45 geographic location within a school district present a petition to the

1 governing board of an adjacent school district to modify the adjacent  
2 school district's boundaries to include the property designated in the  
3 petition, the boundaries of the original school district of residence  
4 shall be changed to exclude the designated property and the boundaries of  
5 the adjacent school district shall be changed to include the designated  
6 property if all of the following conditions exist:

7       1. Both school districts are located in a county with a population  
8 of more than one hundred fifteen thousand persons but less than one  
9 hundred twenty thousand persons.

10      2. At least ninety ~~per cent~~ PERCENT of the pupils who reside on the  
11 property designated in the petition either currently are transported at  
12 least fifty miles each way to attend school or currently attend school in  
13 the adjacent school district.

14      3. The boundaries of either school district have not been  
15 previously changed to exclude or include the property designated in the  
16 petition.

17      4. The proposed boundary change does not result in the transfer of  
18 more than one hundred pupils from the original school district of  
19 residence to the adjacent school district.

20      5. The boundary change does not result in the transfer of any  
21 school facilities or school equipment between the affected school  
22 districts.