

REFERENCE TITLE: **intergovernmental public transportation authorities;
formation**

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1320

Introduced by
Senator Kerr

AN ACT

**AMENDING SECTIONS 28-9102 AND 28-9104, ARIZONA REVISED STATUTES; RELATING
TO INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITIES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-9102, Arizona Revised Statutes, is amended to
3 read:

4 28-9102. Formation

5 A. An intergovernmental public transportation authority may be
6 organized as provided by this section in any county with a population of
7 ~~two~~ FOUR hundred thousand persons or less.

8 B. The governing body of one or more incorporated cities or towns
9 may petition the county board of supervisors to establish an authority
10 consisting of the area within the incorporated boundary of the
11 municipality or municipalities.

12 C. If the organizing municipalities are not contiguous, the
13 unincorporated areas between the organizing municipalities must also be
14 included in the authority with the approval of the county board of
15 supervisors. The board of supervisors shall establish the boundaries of
16 the unincorporated area to be included in the authority.

17 D. Incorporated cities and towns in different counties, each of
18 which meet the population limit prescribed by subsection A **OF THIS**
19 **SECTION**, may petition their respective county boards of supervisors to
20 establish a joint authority consisting of the combined areas within their
21 respective municipal boundaries and including any intervening
22 unincorporated areas in the counties.

23 E. The board of supervisors shall hold at least one hearing on the
24 petition in one of the petitioning municipalities to determine public
25 support for the authority and whether establishing the authority would be
26 in the public interest. In the case of petitioning municipalities in
27 different counties, the board of supervisors of each county shall hold
28 separate hearings and each board shall make its determination separately.

29 F. If the board of supervisors determines that establishing the
30 authority would serve the public convenience, necessity, safety or
31 welfare, the board of supervisors shall establish the authority by a
32 resolution that includes a description of the boundaries of the authority.
33 In the case of an authority in different counties, the county boards of
34 supervisors shall establish the authority by an intergovernmental
35 agreement.

36 G. If an authority is established under this chapter, any
37 university that is under the jurisdiction of the Arizona board of regents
38 and that is located in a municipality in the authority, any community
39 college district that is located in a municipality in the authority, or
40 any Indian nation that has a boundary within a county in which an
41 authority is established, may become a member of the authority by
42 intergovernmental agreement.

1 Sec. 2. Section 28-9104, Arizona Revised Statutes, is amended to
2 read:

3 28-9104. Dissolution

4 A. A majority of the board of directors of an authority may propose
5 that the authority be dissolved, but only if all contractual obligations
6 and debts of the authority are satisfied and if another governmental
7 entity or entities accept dedication of all authority property and
8 obligations.

9 B. After a hearing, the board shall adopt by resolution a plan of
10 termination to be executed within a stated period of time after it is
11 adopted.

12 C. The growth of a county population to more than ~~two~~ FOUR hundred
13 thousand persons does not cause the dissolution of an authority by
14 operation of law.