

REFERENCE TITLE: county improvement districts; formation

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

# HB 2012

Introduced by  
Representative Kavanagh

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.