

House Engrossed

~~elderly assistance; property tax; appropriation~~
(now: elderly assistance fund; appropriation)

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

HOUSE BILL 2477

AN ACT

AMENDING SECTION 11-495, ARIZONA REVISED STATUTES; REPEALING TITLE 42, CHAPTER 17, ARTICLE 8, ARIZONA REVISED STATUTES; AMENDING TITLE 46, CHAPTER 1, ARTICLE 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 46-185; APPROPRIATING MONIES; RELATING TO THE ELDERLY ASSISTANCE FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-495, Arizona Revised Statutes, is amended to
3 read:

4 11-495. Taxpayers' information fund

5 A. A taxpayers' information fund is established in each county
6 treasury consisting of monies collected from the public records copy
7 surcharge imposed pursuant to section 11-496, the tax lien processing fee
8 imposed pursuant to section 42-18116, subsection C, ~~fifteen dollars~~ \$15 of
9 each judgment deed fee collected pursuant to section 42-18205, subsection
10 A, ~~interest earned from the elderly assistance fund pursuant to section~~
11 ~~42-17401~~, the community facilities district special assessment fee imposed
12 pursuant to section 48-721 and the fees authorized for collecting
13 municipal fire and emergency services fees in certain areas of the county
14 as prescribed in section 9-500.23.

15 B. The county treasurer shall administer the fund and spend monies
16 in the fund only to defray the cost of converting or upgrading an
17 automated public information system as follows:

- 18 1. Purchasing computer hardware and software.
- 19 2. Training employees to operate the system.
- 20 3. Maintaining the system, including purchasing equipment
21 maintenance agreements.
- 22 4. Updating the system hardware and software.
- 23 5. In counties with a population of more than two million persons,
24 notifying property owners of the tax and ownership status of a taxpayer's
25 parcel prior to the taxpayer's parcel being sold at a deed sale and the
26 tax and ownership status of any parcels being sold at a deed sale that are
27 adjacent to a taxpayer's parcel, prior to the deed sale.

28 C. The county treasurer shall annually submit to the board of
29 supervisors the amount of anticipated revenues under this section. If the
30 projected revenues are considered to be insufficient to establish and
31 maintain the fund at an adequate level, the monies may accumulate until
32 sufficient monies are available in the fund.

33 Sec. 2. Repeal

34 Title 42, chapter 17, article 8, Arizona Revised Statutes, is
35 repealed.

36 Sec. 3. Title 46, chapter 1, article 7, Arizona Revised Statutes,
37 is amended by adding section 46-185, to read:

38 46-185. Elderly assistance fund; property tax reduction;
39 appropriation; distribution; annual report;
40 definitions

41 A. THE ELDERLY ASSISTANCE FUND IS ESTABLISHED CONSISTING OF
42 LEGISLATIVE APPROPRIATIONS FOR THE PURPOSE OF REDUCING THE PROPERTY TAXES
43 ON A QUALIFIED INDIVIDUAL'S PRIMARY RESIDENCE. THE DEPARTMENT SHALL
44 ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

1 B. BEGINNING IN FISCAL YEAR 2022-2023 AND EACH FISCAL YEAR
2 THEREAFTER, THE SUM OF \$7,000,000 IS APPROPRIATED FROM THE STATE GENERAL
3 FUND TO THE ELDERLY ASSISTANCE FUND.

4 C. THE DEPARTMENT SHALL PROPORTIONATELY DISTRIBUTE THE MONIES IN
5 THE ELDERLY ASSISTANCE FUND TO EACH AREA AGENCY ON AGING ESTABLISHED
6 PURSUANT TO THE OLDER AMERICANS ACT OF 1965 (P.L. 89-73; 79 STAT. 218; 42
7 UNITED STATES CODE SECTIONS 3001 THROUGH 3058ff) THAT CHOOSES TO
8 PARTICIPATE IN THE ELDERLY ASSISTANCE FUND TO REDUCE UP TO SIXTY PERCENT
9 OF THE PROPERTY TAXES ON A QUALIFIED INDIVIDUAL'S OR EMERGENCY APPROVED
10 INDIVIDUAL'S PRIMARY RESIDENCE IN THAT AREA AGENCY ON AGING'S SERVICE
11 AREA.

12 D. AFTER RECEIVING APPROVAL FROM THE COUNTY ASSESSOR FOR THE
13 PROPERTY VALUATION PROTECTION OPTION PURSUANT TO ARTICLE IX, SECTION 18,
14 SUBSECTION (7), CONSTITUTION OF ARIZONA, THE INDIVIDUAL SHALL APPLY TO THE
15 PARTICIPATING AREA AGENCY ON AGING IN WHICH THE INDIVIDUAL LIVES TO
16 RECEIVE ASSISTANCE FROM THE ELDERLY ASSISTANCE FUND. THE PARTICIPATING
17 AREA AGENCY ON AGING SHALL:

18 1. APPROVE APPLICATIONS FOR ASSISTANCE FROM THE ELDERLY ASSISTANCE
19 FUND BASED ON THE GREATEST SOCIAL NEED AND GREATEST ECONOMIC NEED.

20 2. NOTIFY A QUALIFIED INDIVIDUAL THAT THE QUALIFIED INDIVIDUAL WILL
21 RECEIVE ASSISTANCE FROM THE ELDERLY ASSISTANCE FUND, THE DOLLAR AMOUNT OF
22 THE ASSISTANCE AND THAT THE QUALIFIED INDIVIDUAL IS RESPONSIBLE FOR PAYING
23 ANY REMAINING PROPERTY TAX AMOUNT DUE.

24 3. PAY THE MONIES TO THE APPROPRIATE COUNTY TREASURER ON BEHALF OF
25 THE QUALIFIED INDIVIDUAL.

26 4. DEVELOP AN EMERGENCY APPROVAL PROCESS FOR INDIVIDUALS WHO ARE
27 NOT QUALIFIED INDIVIDUALS DUE TO EXTENUATING CIRCUMSTANCES TO APPLY TO AND
28 RECEIVE ASSISTANCE FROM THE ELDERLY ASSISTANCE FUND. AN INDIVIDUAL MAY
29 RECEIVE EMERGENCY APPROVAL PURSUANT TO THIS PARAGRAPH FOR A TOTAL OF THREE
30 TAX YEARS OF WHICH ONLY TWO MAY BE CONSECUTIVE.

31 E. THE DEPARTMENT MAY RETAIN UP TO FIVE PERCENT OF THE MONIES IN
32 THE FUND FOR THE PURPOSES OF ADMINISTERING THE FUND.

33 F. AN AREA AGENCY ON AGING THAT RECEIVES MONIES PURSUANT TO
34 SUBSECTION C OF THIS SECTION MAY USE A PORTION OF THOSE MONIES FOR
35 ADMINISTRATIVE COSTS IN PROVIDING SERVICES RELATING TO THE ELDERLY
36 ASSISTANCE FUND AS FOLLOWS:

37 1. FOR THE FIRST YEAR, UP TO TEN PERCENT.

38 2. FOR EACH YEAR THEREAFTER, UP TO FIVE PERCENT.

39 G. ON OR BEFORE NOVEMBER 1 OF EACH YEAR, EACH PARTICIPATING AREA
40 AGENCY ON AGING SHALL REPORT TO THE DEPARTMENT THE NUMBER OF QUALIFIED
41 INDIVIDUALS WHO RECEIVED ASSISTANCE, THE TOTAL AMOUNT OF ASSISTANCE
42 PROVIDED, THE AVERAGE AMOUNT OF ASSISTANCE PROVIDED, THE TOTAL NUMBER OF
43 APPLICATIONS RECEIVED AND THE NUMBER OF APPLICANTS WHO RECEIVED
44 ASSISTANCE. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL
45 COMPILE THIS INFORMATION AND SUBMIT A REPORT TO THE GOVERNOR, THE

1 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
2 AND SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE.

3 H. FOR THE PURPOSES OF THIS SECTION:

4 1. "GREATEST ECONOMIC NEED" HAS THE SAME MEANING PRESCRIBED IN THE
5 OLDER AMERICANS ACT OF 1965 (P.L. 89-73; 79 STAT. 218; 42 UNITED STATES
6 CODE SECTION 3002).

7 2. "GREATEST SOCIAL NEED" HAS THE SAME MEANING PRESCRIBED IN THE
8 OLDER AMERICANS ACT OF 1965 (P.L. 89-73; 79 STAT. 218; 42 UNITED STATES
9 CODE SECTION 3002).

10 3. "PRIMARY RESIDENCE" HAS THE SAME MEANING PRESCRIBED IN ARTICLE
11 IX, SECTION 18, CONSTITUTION OF ARIZONA.

12 4. "QUALIFIED INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS APPROVED FOR
13 THE PROPERTY VALUATION PROTECTION OPTION PURSUANT TO ARTICLE IX, SECTION
14 18, SUBSECTION (7), CONSTITUTION OF ARIZONA, AND WHO IS DETERMINED TO HAVE
15 THE GREATEST SOCIAL NEED AND GREATEST ECONOMIC NEED BY THE AREA AGENCY ON
16 AGING IN WHICH THE INDIVIDUAL LIVES.