

REFERENCE TITLE: **municipal taxes and fees; notice**

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

# **SB 1409**

Introduced by  
Senator Gowan

**AN ACT**

**AMENDING SECTION 9-499.15, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL TAXES AND FEES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 9-499.15, Arizona Revised Statutes, is amended  
3 to read:

4 9-499.15. Proposed new or increased municipal taxes and fees;  
5 notification; exceptions

6 A. A municipality may not levy or assess any new taxes or fees or  
7 increase existing taxes or fees pursuant to statute on a business without  
8 complying with this section.

9 B. A municipality that proposes to levy or assess a tax or fee  
10 shall:

11 1. Prepare a schedule of the proposed new or increased tax or fee  
12 that includes the amount of the tax or fee and a written report or data  
13 that supports the new or increased tax or fee. A copy of the report or  
14 data shall be filed in the office of the clerk of the municipality.

15 2. If the imposition of the proposed tax or fee is a new charge,  
16 provide written notice of the proposed charge, the schedule of the  
17 proposed new charge and the written report or data that supports the new  
18 charge on the home page of the municipality's website at least sixty days  
19 before the date the proposed new tax or fee is approved or disapproved by  
20 the governing body of the municipality.

21 3. If the municipality proposes to increase the rate of an existing  
22 tax or fee on a business, provide written notice of the proposed increase,  
23 the schedule of the proposed increased tax or fee and the written report  
24 or data that supports the proposed increased tax or fee on the home page  
25 of the municipality's website at least sixty days before the date the  
26 proposed new rate is approved or disapproved by the governing body of the  
27 municipality.

28 4. Prepare a notice of intent to establish or increase taxes,  
29 assessments or fees including assessments **LEVIED** pursuant to section  
30 48-572, subsection B, paragraph ~~1~~ **2**. The notice of intent shall include  
31 the date, time and place of the meeting of the governing body of the  
32 municipality in which the proposed new or increased tax or fee will be  
33 considered and a statement that a schedule of the proposed new or  
34 increased tax or fee that includes the amount of the tax or fee and a  
35 written report or data that supports the new or increased tax or fee is  
36 available on the municipality's website. The notice of intent shall be  
37 **PROMINENTLY** posted on the municipality's website at least fifteen days  
38 before the date the proposed new or increased tax or fee will be approved  
39 or disapproved by the governing body of the municipality. If the  
40 municipality uses social media or other electronic communication tools,  
41 the notice of intent shall be distributed through the municipality's  
42 social media accounts or other electronic communication tools.

1 C. All departments, boards or other subdivisions of a municipality  
2 that are authorized to establish or modify taxes or fees shall follow the  
3 notice requirements prescribed in subsection B of this section before the  
4 date of the entity's consideration of the new or increased tax or fee.

5 D. Technological issues that either prevent the posting of the  
6 notice on the municipality's website or distribution of the notice through  
7 social media or other electronic communication tools ~~does~~ DO not preclude  
8 the governing body of the municipality from approving or disapproving the  
9 new or increased tax or fee at the meeting provided on the notice of  
10 intent.

11 E. A municipality shall demonstrate that the taxes or fees are  
12 imposed pursuant to statute.

13 F. Subsections A and B of this section do not apply to:

- 14 1. Any fee adopted pursuant to section 9-463.05.
- 15 2. Water and wastewater rates or rate components.
- 16 3. Fees for registration-based classes, programs or activities  
17 provided by the municipality.
- 18 4. Court fees established pursuant to state law.
- 19 5. Fees or charges established pursuant to federal law for public  
20 housing or other federally funded programs.
- 21 6. Other fees whose amounts are set by state or federal law.

22 G. If information is made available relating to the fees provided  
23 in subsection F of this section, that information shall be posted on the  
24 municipality's website and, if the municipality uses social media or other  
25 electronic communication tools, distributed through social media or other  
26 electronic communication tools.

27 H. In addition to any other limitation that may be imposed by law,  
28 a municipality shall not levy or impose an assessment, fee or tax on  
29 hospital revenues, discharges, beds or services for the purpose of  
30 receiving services or payments pursuant to title 36, chapter 29.