

Senate Engrossed

municipal notices and ordinances; posting

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1006

AN ACT

AMENDING SECTIONS 9-802 AND 9-812, ARIZONA REVISED STATUTES; RELATING TO
MUNICIPAL ORDINANCES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 9-802, Arizona Revised Statutes, is amended to
3 read:

4 9-802. Procedure for adoption by reference

5 A municipality may enact the provisions of a code or public record
6 theretofore in existence without setting forth the provisions, but the
7 adopting ordinance shall be published in full. **EXHIBITS ARE NOT REQUIRED**
8 **TO BE PUBLISHED AS LONG AS THE WORDS "EXHIBITS ON FILE AT" AND THE**
9 **LOCATION WHERE THEY CAN BE LOCATED ARE PRINTED ON THE BOTTOM OF THE**
10 **ADOPTING ORDINANCE.** At least three paper copies or one paper copy and one
11 electronic copy maintained in compliance with section 44-7041 of the code
12 or public record shall be filed in the office of the clerk of the
13 municipality and kept available for public use and inspection. A code or
14 public record enacted by reference may be amended in the same manner.

15 Sec. 2. Section 9-812, Arizona Revised Statutes, is amended to
16 read:

17 9-812. Publication and posting of notices and ordinances;
18 applicability

19 A. Notices of election, invitations for bids, notices of letting
20 contracts, laws and ordinances, and other notices of a public character
21 issued by authority of the governing body of any city or town, shall be
22 published in one of the following:

23 1. A newspaper that is printed and published within the city or
24 town.

25 2. A newspaper **THAT IS** printed and published within the county in
26 which the city or town is located with a greater circulation to residents
27 of the city or town.

28 **B. A CITY OR TOWN LOCATED WITHIN A COUNTY WITH A POPULATION OF FOUR**
29 **MILLION PERSONS OR MORE SHALL HAVE THE OPTION TO POST THE NOTICE REQUIRED**
30 **PURSUANT TO SUBSECTION A OF THIS SECTION ON THE CITY OR TOWN'S WEBSITE. A**
31 **CITY OR TOWN THAT POSTS NOTICES ON THE CITY'S OR TOWN'S WEBSITE SHALL**
32 **PROVIDE ON THE WEBSITE'S HOME PAGE A LINK TO A LISTING OF ALL CURRENT**
33 **NOTICES AND ORDINANCES.**

34 ~~B.~~ C. In cases of laws or ordinances enacted on behalf of a
35 private person, ~~the~~ **THE PRIVATE PERSON** shall pay the expense of
36 publication, and may designate the newspaper.

37 ~~C.~~ D. ~~Subsection~~ **SUBSECTIONS A AND B** of this section ~~shall further~~
38 apply to notices and resolutions that require newspaper publication under
39 title 48, chapter 4 unless otherwise stated in title 48.