

REFERENCE TITLE: health services districts; voter approval

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

## **HB 2303**

Introduced by  
Representatives Crump, Kavanagh, Lesko: Antenori, Barto, Boone, Hendrix,  
Montenegro, Seel

AN ACT

AMENDING SECTION 48-5802, ARIZONA REVISED STATUTES; RELATING TO HEALTH  
SERVICES DISTRICT FORMATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 48-5802, Arizona Revised Statutes, is amended to  
3 read:

4 48-5802. Formation of district; election

5 ~~A. A county board of supervisors may establish a public health  
6 services district pursuant to either subsection B or C of this section.~~

7 A. A PUBLIC HEALTH SERVICES DISTRICT MAY BE ESTABLISHED IN A COUNTY AS  
8 PROVIDED BY THIS SECTION.

9 B. BEGINNING JANUARY 1, 2010, TO ESTABLISH A PUBLIC HEALTH SERVICES  
10 DISTRICT the board of supervisors may provide for an election on the  
11 formation of the district and shall submit the question to the qualified  
12 electors of the county on a date prescribed by section 16-204. The ballot  
13 for the election shall contain the words "district formation, yes" and  
14 "district formation, no". The county shall administer the election as  
15 otherwise provided by law. If a majority of the persons voting on the  
16 question approves the question, the district shall be formed to consist of  
17 the entire county including the cities and towns that are located in whole or  
18 in part in the county. If a district is formed pursuant to this subsection,  
19 the county shall not reduce expenditures for public health to an amount that  
20 is less than fifty per cent of the county's fiscal year general fund public  
21 health expenditures as determined by calculating the average of the fiscal  
22 year expenditure amounts for the three fiscal years immediately preceding the  
23 year of the election. Costs for financing construction of any building shall  
24 not be included in the calculation of expenditures.

25 C. THROUGH DECEMBER 31, 2009, the board of supervisors may establish a  
26 district by unanimous vote of the board. If established by unanimous vote  
27 PURSUANT TO THIS SUBSECTION, the district shall be formed to consist of the  
28 entire county including the cities and towns that are located in whole or in  
29 part in the county. If a district is formed pursuant to this subsection, the  
30 county shall not reduce expenditures for public health to an amount that is  
31 less than sixty per cent of the county's fiscal year general fund public  
32 health expenditures as determined by calculating the average of the fiscal  
33 year expenditure amounts for the three fiscal years immediately preceding the  
34 year of the district's formation. Costs for financing construction of any  
35 building shall not be included in the calculation of expenditures.

36 D. If the county does not form a public health services district  
37 pursuant to this section, the county shall provide equally public health  
38 services to all residents of the county including residents of cities and  
39 towns. The county may spend monies for public health services to address a  
40 specific public health need that is unique to a particular area or condition.  
41 The county shall not reduce expenditures for public health to an amount that  
42 is less than fifty per cent of the county's general fund public health  
43 expenditures in fiscal year 1998-1999. Costs for financing construction of  
44 any building shall not be included in the calculation of expenditures. Any  
45 city or town may provide services to its residents beyond the county's basic

1 level of service and may use any combination of internal municipal  
2 departments or any other provider.

3 E. A city or town that contributed monies to a county's public health  
4 budget in fiscal year 1999-2000:

5 1. In fiscal year 2000-2001, shall pay to the county one hundred per  
6 cent of the city's or town's original public health expenditure.

7 2. In fiscal year 2001-2002, shall pay to the county ninety-five per  
8 cent of the city's or town's original public health expenditure.

9 3. If the district is formed pursuant to this section or for any  
10 fiscal year after 2001-2002, shall no longer be obligated to pay monies to  
11 the county for public health expenditures.

12 4. Shall determine the city's or town's original public health  
13 expenditure level by calculating the fiscal year expenditure amount for  
14 fiscal year 1999-2000. Costs for financing construction of any building and  
15 payments made for expenditures incurred for any previous fiscal year shall  
16 not be included in the calculation of expenditures.

17 Sec. 2. Retroactivity

18 Section 48-5802, Arizona Revised Statutes, as amended by this act,  
19 applies retroactively to from and after December 31, 2009.