



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: GE DPA 7-6-0-0

HB 2787: Maricopa county; division; new counties

Sponsor: Representative Hoffman, LD 12

Caucus & COW

Overview

Modifies the boundaries of Maricopa County and creates three new counties.

History

Current statute divides the state of Arizona into 15 counties and prescribes the boundaries and county seat of each county. Counties are permitted to be formed or divided by legislative enactment, statewide initiative or by county initiative ([A.R.S. Title 11, Chapter 1](#)).

Provisions

1. Revises the boundaries of Maricopa County and authorizes the creation of three new counties, Hohokam, Mogollon and O'odham, and prescribes their borders. (Sec. 1, 2)
2. Stipulates that Maricopa County will continue full jurisdictional operation for Maricopa, Hohokam, Mogollon and O'odham counties until the election of the boards of supervisors in Hohokam, Maricopa, Mogollon and O'odham counties. (Sec. 3)
3. Directs the boards of supervisors in Hohokam, Maricopa, Mogollon and O'odham counties to be elected at a special election within 120 days of January 1, 2023 and specifies that the supervisors will serve staggered, abbreviated terms until the next presidential election. (Sec. 3)
4. Maintains that currently elected Maricopa County supervisors will continue in their elected capacity for the remainder of their term in the new county, if applicable. (Sec. 3)
5. Asserts that control of existing special districts is assumed by the county where the special district is located and counties must enter into an intergovernmental agreement regarding control of the special district within one year of the board of supervisors election if the special district is located in more than one county. (Sec. 3)
6. Instructs the elected boards of supervisors in Hohokam, Mogollon and O'odham counties to determine an application process for municipalities to apply to be the county seat which must be determined at a special election not more than 120 days after the election of the boards of supervisors. (Sec. 3)
7. Authorizes Hohokam, Maricopa, Mogollon and O'odham counties to enter into a 10-year shared use agreement for the use of existing shared capital assets and directs the counties to divide fixtures, furniture and equipment on a pro-rata basis based on the items located in each county. (Sec. 3)
8. Directs the Legislative Council staff to prepare proposed conforming legislation for consideration in the Fifty-sixth Legislature, First Regular Session. (Sec. 4)
9. Contains an effective date of January 1, 2023. (Sec. 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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Amendments

Committee on Government & Elections

1. Removes language relating to Maricopa County continuing full jurisdictional operation until the election of the new boards of supervisors.
2. States that Maricopa County operations must continue in its existing form through a transition period of no more than three years after January 1, 2023.
3. Directs the existing Maricopa County operations, on the election of the boards of supervisors in Hohokam, Maricopa, Mogollon and O'odham counties, to continue under the supervision of the intercounty oversight and accountability board for the duration of the transition period.
4. Maintains that the current Maricopa County board of supervisors retains authority over the operation of Maricopa County during the transition period until the new boards of supervisors are sworn into office, which must take place no later than June 15, 2023.
5. Requires supervisors of the newly formed counties to be elected at large for their initial term and elected by supervisorial district at subsequent elections.
6. Directs the board of supervisors to approve supervisorial districts within 180 days of being sworn in.
7. Stipulates that the chairperson of each county's board of supervisors must serve on an intercounty oversight and accountability board during the three-year transition period.
8. Instructs the intercounty oversight and accountability board to make intercounty decisions and enter into mutually beneficial shared use or intergovernmental agreements for the continuation of services for Hohokam, Maricopa, Mogollon and O'odham counties.
9. Specifies that the intercounty oversight and accountability board will terminate at the end of the transition period unless approved for continuation by a majority of the board of supervisors of Hohokam, Maricopa, Mogollon and O'odham counties.
10. Requires the election of unfilled elected county seats in Hohokam, Maricopa, Mogollon and O'odham counties to take place at the same time as the election of the board of supervisors for such counties.
11. States that current election officials must finish their current terms in the county in which they reside.
12. Asserts that the newly formed counties must enter into an intergovernmental agreement for the continued operation of community colleges for a period of no less than 10 years after January 1, 2023.
13. Makes a technical change.