



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

VETOED

AMENDED

FACT SHEET FOR S.B. 1268

annexation; notice; approval

Purpose

Increases, from 50 percent to 60 percent, the percentage of property owners required to circulate and file petitions to the office of the county recorder for the purpose of extending and increasing the corporate limits of a city or town by annexation.

Background

A city or town may extend or increase the corporate limits of the city or town by annexing contiguous territory. To be considered contiguous and proper for annexation, a territory must: 1) adjoin the exterior boundary of the annexing city or town for at least 300 feet; 2) be at least 200 feet wide at all points; and 3) have a distance between the location where the annexed territory adjoins the annexing city or town and the farthest point of the annexed territory that is no more than twice the maximum width of the annexed territory. A city or town may not annex territory if it would result in an unincorporated territory that is completely surrounded by the annexing city or town or a combination of other cities or towns.

A city or town must file a blank petition with the office of the county recorder of the county in which the annexation is proposed. The blank petition must include the map and description of the territory to be annexed. Before petitions may be circulated, there must be a 30-day waiting period after filing the petition with the county recorder. Within the last 10 days of the waiting period, the city or town must hold a public hearing to discuss the annexation proposal. Notice of the public hearing must be sent by first-class mail to the chairperson of the board of supervisors of the county in which the territory proposed to be annexed is located. Within one year following the public hearing and the end of the waiting period, the petition containing signatures of at least 50 percent of eligible property owners must be filed with the county recorder. After outlined requirements are met, the city or town may adopt the annexation ordinance ([A.R.S. § 9-471](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Increases, from 50 percent to 60 percent, the percentage of real and personal property owners required to circulate and file petitions to the office of the county recorder for the purpose of extending and increasing the corporate limits of a city or town by annexation.

2. Requires notice of the public hearing be sent by certified mail, rather than first class mail.
3. Requires the governing body of the city or town to bear the cost of the certified mail for notice of the public hearing.
4. Makes conforming changes.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Requires the governing body of the city or town to bear the cost of the certified mail for notice of the public hearing.

Governor's Veto Message

The Governor indicates in her [veto message](#) that annexation is an important and common practice for the development of Arizona communities and that S.B. 1268 undermines the voices of property owners who, when in a majority, wish to be annexed.

Senate Action

GOV 2/8/23 DPA 5-3-0
3rd Read 2/28/23 16-14-0

House Action

GOV 3/15/23 DP 9-0-0-0
3rd Read 5/15/23 31-27-1-0-1

Vetoed by the Governor 6/5/23

Prepared by Senate Research
June 6, 2023
AN/SB/slp