



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: GOV DPA 7-1-0-0 | 3rd Read 28-1-1-0
House: GE DP 12-1-0-0 | 3rd Read 57-3-0-0

SB 1351: fire districts; amendments

Sponsor: Senator Borrelli, LD 5

Transmitted to the Governor

Overview

Makes numerous changes to statute relating to fire districts and noncontiguous county island fire districts (county island districts).

History

Fire District Boards

Fire districts are governed by three-member or five-member district boards, depending on the population of the fire district. If a vacancy occurs on the district board for any reason other than expiration of a term, a quorum of the remaining board must fill the vacancy by appointment of an interim member ([A.R.S. § 48-803](#)).

Fire district boards are permitted to employ any personnel and provide services deemed necessary for fire protection, for preservation of life and for carrying out its other powers and duties, including providing ambulance transportation services when authorized to do so pursuant to statute. Additionally, they may construct, purchase, lease, lease-purchase or otherwise acquire apparatus, water and rescue equipment or land, buildings, equipment and furnishings to house equipment and personnel necessary or appropriate to carry out its purposes. These boards are also allowed to enforce, amend and revise the fire code of the district, contract with a city or town for fire protection services and procure the services of an organized private fire company or department of a neighboring city, town, district or settlement ([A.R.S. § 48-805](#)).

Statute allows for fire district consolidations to either be approved by the voters of the fire district at a consolidation election, or if certain conditions are met, the fire district board may vote to consolidate two or more fire districts by either unanimous or majority vote ([A.R.S. § 48-822](#)).

County Island Districts

County island districts are required to maintain and store all permanent public records in an electronic media or digital imaging format based off standards established by the Arizona State Library, Archives and Public Records (State Library). The Director of the State Library must approve an acceptable electronic or digital format for that fire district and the county in which the fire district is located must maintain an official copy of that district's permanent public records. ([A.R.S. § 48-853](#)).

Provisions

Fire Districts

1. Stipulates that a member's position on a fire district board is declared vacant upon expiration of their term of office, unless filled at a general election or by appointment if only one nominating petition is filed to fill the position. (Sec. 1)

<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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2. States that a vacancy that occurs due to the expiration of a fire district board member's position must be filled by:
 - a) Appointment by a quorum of the fire district board within 90 days of the beginning of the new term of office; or
 - b) The county board of supervisors, if the fire district is unable to establish a quorum. (Sec. 1)
3. Permits a fire district that contracts for fire and emergency medical services to designate the fire chief of the service provider as the fire district fire chief. (Sec. 1)
4. Requires a fire district board to obtain an appraisal of real property by a licensed or certified appraiser for the sale of real property. (Sec. 3)
5. Directs the appraiser to determine the market value for the real property and forbids a fire district board from accepting a bid that is less than 75% of the appraised market value. (Sec. 3)
6. Stipulates that if a real property has no market value or a net value of \$10,000 or less, the fire district board may use a market analysis that is based on comparable sale to value the property. (Sec. 3)
7. Permits a fire district board to sell or lease any district property to any other duly constituted government entity, including the state, a city, town, county, political subdivision or special taxing district, on any terms deemed advantageous to the fire district. (Sec. 3)
8. Allows a fire district board to grant by unanimous consent an easement on district property for public purposes to a utility as defined in statute. (Sec. 3)
9. Permits a fire district board, if a fire district consolidation is approved by a board vote pursuant to statutory requirements, to declare the fire district consolidated by resolution. (Sec. 4)
10. Requires a fire district, if a fire district consolidation is approved by a majority vote for a fire district that has obtained a consolidation, merger or joint alternatives study or has a tax rate above the allowable tax rate, to receive written consent to the consolidation from any tax payer within the fire districts that owns 30% or more of the net-assessed value of the fire district. (Sec. 4)

County Island Districts

11. Directs a county island district budget to be posted and published in a newspaper of general circulation in that district for *at least* 20 days before a public hearing can be called to adopt the budget. (Sec. 5)
12. Mandates that county island districts must adopt the Arizona Fire Codes, rather than the applicable municipal fire code. (Sec. 5)
13. Removes the following requirements from statute:
 - a) That all public records of a county island district be maintained in an electronic media or digital imaging format;
 - b) That the Director of the State Library must approve an acceptable electronic media or digital imaging format for a county island district;
 - c) A copy of the permanent public records of a county island district be maintained by the county in which the county island district resides; and
 - d) The copy of the permanent public records must be provided to the county by the district annually no later than 90 days after the end of the fiscal year. (Sec. 5)
14. Makes technical and conforming changes. (Sec. 1-5)