

REFERENCE TITLE: Charter Counties

State of Arizona  
Senate  
Thirtieth Legislature  
Second Regular Session

S. C. R. 1015

Introduced by

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A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA RELATING TO COUNTIES;  
PROVIDING FOR COUNTY CHARTERS, AND AMENDING ARTICLE 12, CONSTITUTION  
OF ARIZONA, BY ADDING SECTIONS 5 THROUGH 8.

1 Be it resolved by the Senate of the State of Arizona, the House of  
2 Representatives concurring:

3 1. The following amendment of article 12, Constitution of  
4 Arizona, by adding sections 5 through 8, is proposed, to become  
5 valid when approved by a majority of the qualified electors voting  
6 thereon and upon proclamation of the governor:

7 5. Charter committee

8 SECTION 5. THE BOARD OF SUPERVISORS OF ANY COUNTY  
9 HAVING A POPULATION OF MORE THAN THREE HUNDRED THOUSAND  
10 PERSONS MAY CALL AN ELECTION OF A CHARTER COMMITTEE AT  
11 ANY TIME. SUCH ELECTION SHALL BE CALLED BY THE BOARD OF  
12 SUPERVISORS OF ANY SUCH COUNTY WITHIN TEN DAYS AFTER RE-  
13 CEIPT OF A PETITION DEMANDING SUCH ELECTION, SIGNED BY  
14 A NUMBER OF QUALIFIED ELECTORS RESIDING WITHIN SUCH COUNTY  
15 EQUAL TO TEN PER CENT OF THE TOTAL NUMBER OF REGISTERED  
16 VOTERS OF SUCH COUNTY AT THE LAST PRECEDING GENERAL ELEC-  
17 TION. SUCH ELECTION SHALL BE HELD NO LATER THAN SIXTY  
18 DAYS AFTER THE CALL THEREFORE. THE CHARTER COMMITTEE

1 SHALL BE COMPOSED OF FIFTEEN QUALIFIED ELECTORS OF SUCH  
2 COUNTY WHO SHALL BE ELECTED AT LARGE BY THE QUALIFIED  
3 ELECTORS THEREOF. THE CHARTER COMMITTEE SHALL, WITHIN  
4 ONE HUNDRED TWENTY DAYS AFTER SUCH ELECTION, PREPARE A  
5 PROPOSED CHARTER FOR SUCH COUNTY. SUCH PROPOSED CHARTER  
6 SHALL BE SIGNED BY A MAJORITY OF THE MEMBERS OF SUCH  
7 COMMITTEE AND FILED WITH THE CLERK OF THE BOARD OF SU-  
8 PERVISORS. SUCH PROPOSED CHARTER SHALL THEN BE PUBLISHED  
9 IN THE OFFICIAL NEWSPAPER OF THE COUNTY FOR AT LEAST  
10 TWENTY-ONE DAYS, IF PUBLISHED IN A DAILY PAPER, OR IN  
11 THREE CONSECUTIVE ISSUES, IF PUBLISHED IN A WEEKLY PAPER.  
12 THE FIRST SUCH PUBLICATION SHALL BE MADE WITHIN SIXTY  
13 DAYS AFTER THE COMPLETION OF THE PROPOSED CHARTER. WITH-  
14 IN THIRTY DAYS, AND NOT EARLIER THAN TWENTY DAYS, AFTER  
15 SUCH PUBLICATION, SUCH PROPOSED CHARTER SHALL BE SUBMITTED  
16 TO THE VOTE OF THE QUALIFIED ELECTORS OF SUCH COUNTY AT  
17 A GENERAL OR SPECIAL ELECTION. IF A MAJORITY OF SUCH  
18 QUALIFIED ELECTORS VOTING THEREON RATIFY SUCH PROPOSED  
19 CHARTER, IT SHALL BE SUBMITTED TO THE GOVERNOR FOR HIS  
20 APPROVAL. THE GOVERNOR SHALL APPROVE SUCH CHARTER IF  
21 IT IS NOT IN CONFLICT WITH THIS CONSTITUTION OR WITH THE  
22 LAWS OF THE STATE. UPON SUCH APPROVAL, SUCH CHARTER  
23 SHALL BECOME THE ORGANIC LAW OF SUCH COUNTY. A COPY  
24 OF SUCH CHARTER, CERTIFIED BY THE CLERK OF THE BOARD  
25 OF SUPERVISORS, AND AUTHENTICATED BY THE SEAL OF SUCH  
26 COUNTY, TOGETHER WITH A STATEMENT SIMILARLY CERTIFIED  
27 AND AUTHENTICATED SETTING FORTH THE SUBMISSION OF SUCH  
28 CHARTER TO THE ELECTORS AND ITS RATIFICATION BY THEM,  
29 SHALL, AFTER THE APPROVAL OF SUCH CHARTER BY THE GOVERNOR,  
30 BE MADE IN DUPLICATE AND FILED, ONE COPY IN THE OFFICE OF  
31 THE SECRETARY OF STATE AND THE OTHER COPY WITH THE CLERK  
32 OF THE BOARD OF SUPERVISORS AFTER BEING RECORDED IN THE  
33 OFFICE OF SUCH COUNTY RECORDER. THEREAFTER ALL COURTS

1 SHALL TAKE JUDICIAL NOTICE OF SUCH CHARTER.

2 6. Amendment of charter

3 SECTION 6. A CHARTER MAY BE AMENDED BY AMENDMENTS  
4 PROPOSED AND SUBMITTED BY THE BOARD OF SUPERVISORS OF THE  
5 COUNTY, OR BY PETITION OF A NUMBER OF QUALIFIED ELECTORS  
6 EQUAL TO TEN PER CENT OF THE TOTAL NUMBER OF REGISTERED  
7 VOTERS OF SUCH COUNTY AT THE LAST PRECEDING GENERAL ELEC-  
8 TION, TO THE QUALIFIED ELECTORS THEREOF AT A GENERAL OR  
9 SPECIAL ELECTION, AND RATIFIED BY A MAJORITY OF THE  
10 QUALIFIED ELECTORS VOTING THEREON AND APPROVED BY THE  
11 GOVERNOR AS PROVIDED IN SECTION 5 OF THIS ARTICLE FOR  
12 THE APPROVAL OF THE CHARTER.

13 7. Surrender of charter

14 SECTION 7. THE CHARTER OF ANY COUNTY, ADOPTED  
15 UNDER THE AUTHORITY OF THIS ARTICLE, MAY BE SURRENDERED  
16 AND ANNULLED WITH THE ASSENT OF THE MAJORITY OF THE QUAL-  
17 IFIED ELECTORS OF SUCH COUNTY, VOTING AT A GENERAL OR  
18 SPECIAL ELECTION HELD FOR THAT PURPOSE. SUCH MEASURE  
19 SHALL BE PLACED ON THE BALLOT BY THE BOARD OF SUPERVISORS  
20 OF THE COUNTY UPON RECEIVING A WRITTEN PETITION, SIGNED  
21 AND CERTIFIED AS PROVIDED FOR THE PURPOSE OF THE ADOP-  
22 TION OF CHARTERS, REQUESTING SUCH BOARD OF SUPERVISORS  
23 TO SUBMIT THE QUESTION OF THE SURRENDER AND ANNULMENT  
24 OF SUCH CHARTER TO THE QUALIFIED ELECTORS OF SUCH COUNTY.  
25 IF SUCH CHARTER IS SURRENDERED OR ANNULLED, SUCH COUNTY  
26 SHALL THEREAFTER BE GOVERNED UNDER GENERAL LAWS IN FORCE  
27 FOR THE GOVERNMENT OF COUNTIES.

28 8. County charter provisions

29 SECTION 8. ANY SUCH COUNTY MAY FRAME A CHARTER FOR  
30 ITS OWN GOVERNMENT CONSISTENT WITH AND SUBJECT TO THE CON-  
31 STITUTION AND LAWS OF THE STATE. WHENEVER ANY COUNTY HAS  
32 FRAMED AND ADOPTED A CHARTER AND SUCH CHARTER HAS BEEN  
33 APPROVED BY THE GOVERNOR AS PROVIDED IN THIS ARTICLE,

1 THEN SECTIONS 3 AND 4 OF THIS ARTICLE AND THE GENERAL  
2 LAWS ADOPTED BY THE LEGISLATURE SHALL, AS TO SUCH  
3 COUNTY, BE SUPERSEDED BY SUCH CHARTER AS TO MATTERS  
4 FOR WHICH PROVISION IS MADE THEREIN, EXCEPT AS OTHER-  
5 WISE EXPRESSLY PROVIDED IN THIS SECTION. THE COUNTY  
6 CHARTER SHALL PROVIDE FOR:

7 1. A BOARD OF SUPERVISORS OF FIVE OR MORE  
8 MEMBERS, THEIR COMPENSATION, TERMS AND REMOVAL.

9 2. OTHER OFFICERS, THEIR ELECTION OR APPOINT-  
10 MENT, COMPENSATION, TERMS AND REMOVAL.

11 3. THE PERFORMANCE OF FUNCTIONS REQUIRED BY  
12 STATUTE.

13 4. THE POWERS AND DUTIES OF THE BOARD OF SUPER-  
14 VISORS AND ALL OTHER COUNTY OFFICERS, FOR CONSOLIDATION  
15 AND SEGREGATION OF COUNTY OFFICERS, AND FOR THE MANNER  
16 OF FILLING ALL VACANCIES OCCURRING THEREIN. ANY COUNTY  
17 OFFICE MAY BE ABOLISHED WHEN ALL THE DUTIES OF THE OFFICE  
18 PRESCRIBED BY LAW ARE TRANSFERRED TO ANOTHER OFFICE.

19 5. THE FIXING AND REGULATION BY THE BOARD OF  
20 SUPERVISORS, BY ORDINANCE, OF THE APPOINTMENT AND NUM-  
21 BER OF ASSISTANTS, DEPUTIES, CLERKS, ATTACHES, AND OTHER  
22 PERSONS TO BE EMPLOYED, THE POWERS, DUTIES, QUALIFICATIONS,  
23 AND COMPENSATION OF SUCH PERSONS, THE TIMES AT WHICH, THE  
24 TERMS FOR WHICH THEY SHALL BE APPOINTED, AND THE MANNER OF  
25 THEIR APPOINTMENT AND REMOVAL.

26 6. CHARTER COUNTIES SHALL HAVE ALL THE POWERS THAT  
27 ARE PROVIDED BY THIS CONSTITUTION OR BY STATUTE FOR COUNTIES.

28 2. The proposed amendment (approved by a majority of the members  
29 elected to each house of the legislature, and entered upon the respective  
30 journals thereof, together with the ayes and nays thereon) shall be by the  
31 secretary of state submitted to the qualified electors at the next regular  
32 general election (or at a special election called for that purpose), as  
33 provided by article 21, Constitution of Arizona.