

ARIZONA

COUNTY GOVERNMENT OVERVIEW

Counties

15

Government Form

Traditional¹

Governing Body Size

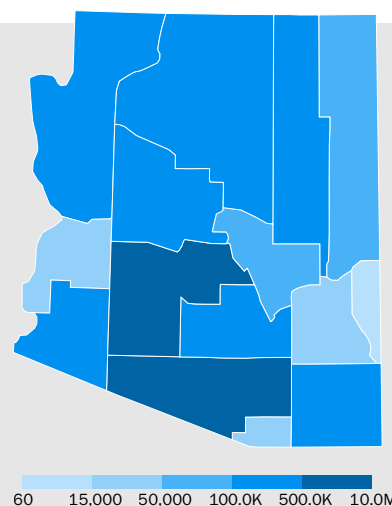
3-5

Population (2020)

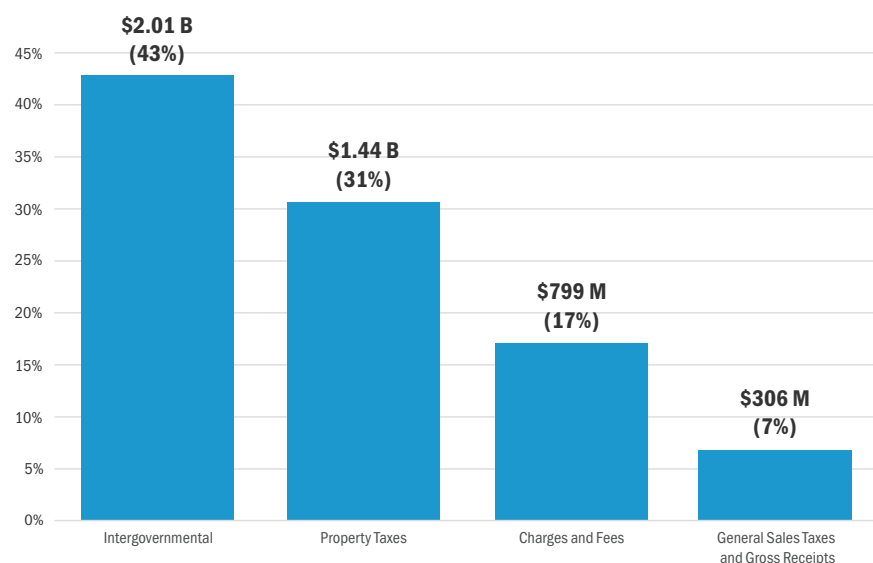
7.2 million²

County Authority

Dillon's Rule with Optional Home Rule. All Arizona counties are governed under Dillon's Rule. They act as arms of the state and are limited to the authorities that have been explicitly granted by the state legislature. Counties with a population over 500,000 have the option to adopt a charter, but this option currently only applies to Maricopa and Pima counties, neither of which have adopted a charter.



TOP REVENUE SOURCES FOR ARIZONA COUNTIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

¹"Government Form" refers to the distribution of executive decision making authority in a county. "Traditional" county states mandate that counties exercise executive decision making power solely through the board of elected officials (commissioners, supervisors, etc.). "Reformed" county states mandate that counties employ an elected or appointed county executive, manager or similar position to take on at least some of the county's executive decision making authority. "Mixed" county states means that some counties in that state are "traditional" and some are "reformed."

²NACo Analysis of U.S. Census Bureau - 2020 Decennial Census

Summary of County Services

Services counties MUST provide:

- Establish a county department of health.
- Provide emergency management, including preparedness, response, recovery and mitigation activities.
- Plan and provide for future county growth and improvement.
- Provide opportunities to engage in recycling and waste reduction.

Services counties CAN provide:

- Build dikes, levees or other structures to control flood waters or lessen their destructive effects.
- Maintain a county library.

Services counties CANNOT provide:

- Own a commercial cable television system or pay television system.

STRUCTURE/AUTHORITY

SUMMARY

All Arizona counties are governed by a board of 3-5 supervisors which have authority over both the legislative and executive government powers. Whether a county has three supervisors or five is partially determined by state statute and is based on the county's population. Every county also appoints a chief administrative officer. Boards of supervisors have several powers and duties that have been established by state law, including the supervision of all row officers. Despite being governed under general law, counties maintain broad jurisdiction and autonomy over many essential functions, including the ability to declare a local emergency. Unlike some other Dillon's Rule states, counties may determine exactly how they divide up election districts.

Row Officers	Elected/ Appointed	Required/ Optional
Assessor	Elected	Mandatory
Clerk of the Court	Elected	Mandatory
Constable	Elected	Mandatory
County Attorney	Elected	Mandatory
Justice of the Peace	Elected	Mandatory
Recorder	Elected	Mandatory
School Superintendent	Elected	Mandatory
Sheriff	Elected	Mandatory
Treasurer	Elected	Mandatory
Clerk of the Board	Appointed	Mandatory
Engineer	Appointed	Optional
Medical Examiner	Appointed	Optional
Public Defender	Appointed	Optional



COUNTY STRUCTURE

Legislative Branch: A board of 3-5 county supervisors acts as the sole legislative decision-making body for Arizona counties.

Executive Branch: The board of county supervisors also acts as the sole executive decision-making body for Arizona counties.

Judicial Branch: The superior court is a single entity within Arizona that has locations in each of the 15 counties and is the general jurisdiction court. In the superior court system, each court is entitled to one superior court judge and one additional judge for every 30,000 county residents. State law contains a provision for election and/or merit selection of judges. Superior courts act as appellate courts for judgments issued by justice courts and municipal courts. The superior court has jurisdiction over tort, contract, real property rights regarding amounts over \$5,000, exclusive estate, mental health, miscellaneous civil, misdemeanor, miscellaneous criminal, exclusive felony, criminal appeals and juvenile cases.

Optional Forms of Government: All counties are governed by a board of 3-5 supervisors that performs legislative and executive duties and have an appointed administrator who oversees internal government management. There are no alternative forms of county government.



COUNTY AUTHORITY

Executive Power: All Arizona counties have executive powers that include the supervision of official conduct of all county officers, managing election precincts, selling public property and erecting public buildings. A county may also purchase land, make contracts to purchase and hold personal property and levy and collect taxes.

Ability to Form Partnerships: Counties may contract with a municipality to provide emergency fire or medical services. Counties with an animal control county enforcement agent may also enter agreements with foundations or charitable organizations to solicit donations, property or services to perform non-mandated services and to fund capital improvements for animal control. Counties may also contract with federal, state or local governments to provide welfare services.

Call a State of Emergency: The chairman of a board of supervisors may declare an emergency for the unincorporated portions of a county in response to any natural or human-made disaster or threat of disaster (such as a riot) which endangers life or property within the county.

Special Districts: Arizona has approximately 300 special districts consisting of around 40 different types including fire and irrigation districts. Counties may organize many types of special district, usually in response to a petition citizen.

SERVICES

OVERVIEW OF COUNTY SERVICES

As a Dillon's Rule state, most services that Arizona counties can provide have to be explicitly authorized by the state legislature. Counties are authorized to provide most public buildings that are necessary for the health, safety and benefit of residents within unincorporated areas, including hospitals, jails and courthouses. There is also a large focus on environmental conservation through laws that permit or require counties to provide certain services such as recycling and waste reduction opportunities, as well as renewable energy incentive districts. Boards of supervisors also have a great deal of authority over land use and programs for developing affordable housing. Unlike many other states, school superintendents are employed by county governments instead of the state to provide support to the administration of local education.



PUBLIC AMENITIES

Parks and Recreation: A county may establish a parks and recreation department. The board of supervisors may establish a county parks commission or may supervise and control all county parks and recreation programs. The board may also levy a tax for the acquisition and maintenance of public parks.

Libraries: A board of county supervisors may establish and maintain a free library district for the county and for all incorporated municipalities within the county that choose to participate in the district.

County Fair: The board of supervisors may appropriate money from the general fund for a county fair fund. The board may expend the money in aid of a county fair, to aid a district fair with two or more counties or to make an exhibit of the county's resources at the state fair.

Art Organizations: The board of supervisors may appropriate money from the general fund for an arts support fund which can be expended on arts organizations operated within the county, including within incorporated cities and towns.

Sports Development: The board of supervisors of a county having a population of more than 1.5 million may appropriate and contribute money to any governmental agency corporation for the purpose of stadium development planning and for sports-related economic development activities.



INFRASTRUCTURE

Roads: A board of supervisors may lay out, maintain, control and manage public roads and bridges within the county and may levy taxes for those purposes. A highway in the county may be altered by the county engineer's recommendation, by a petition of county residents or by the request of the governing body of an incorporated city or town.

Commercial Cable Television: A county cannot own a commercial cable or pay television system, except for in a license transfer or sale.

Renewable Energy Incentive Districts: The board of supervisors may designate a renewable energy incentive district in any unincorporated area of the county if certain conditions are met within that area. If such district is established, it must adopt a renewable energy incentive plan to encourage the construction and operation of renewable energy equipment in the district.

Flood Water Control Works: When flood waters threaten resident safety or public property, the board of supervisors may build dikes, levees or other structures to control the flood waters.

Recycling and Trash: A county must provide its residents with an opportunity to engage in recycling and waste reduction.

Utilities:

- **Sewage:** Any county with a population between one million and two million may purchase, construct and operate a sewage system and may charge fees and levy taxes to cover the expenses.
- **Onsight Wastewater:** Counties are responsible for the review and approval of onsite wastewater systems.
- **Well Permit Review:** Counties must review well permits for referral to the Arizona Department of Water Resources on parcels of five acres and smaller.

SERVICES, CONTINUED



HEALTH AND HUMAN SERVICES

County Health Department: Counties must establish a county department of health or a public health services district. Counties must also appoint a board for the department of health, which may adopt fees for issuing permits and other services.

Environmental Health: Counties must provide for general public health and safety within the county and must appoint and oversee a public health director. Counties must also ensure health and safety in food establishments, public accommodations and recreational health.

Hospitals: Although authorized to do so, county health departments generally do not establish hospitals. Instead, counties pay into the state's health care programs.

Health Care: Counties have no administrative responsibility over the state's Medicaid and long-term care programs. However, counties pay part of the state matching funds to access federal resources.

Indigent Burials: Counties must provide aid for eligible persons who died within the county and who do not have the personal resources to provide for the cost and neither do their next of kin.

Accessibility: A county must ensure effective communication for people with disabilities.

Mental Health: A county that has a population of less than 600,000 must provide the benefit levels and categories of services for the behavioral health hospitalization and treatment of persons who are mentally ill. Other counties must maintain intergovernmental agreements with the state department of health services for the provision of these services.

Welfare: Counties may implement programs to provide services to senior citizens or persons with disabilities and may contract for the provision of related services including, but not limited to, nursing care, transportation and nutrition.



ZONING AND DEVELOPMENT

Zoning Power: The board of supervisors must plan and provide for the future growth and improvement of its area of jurisdiction and coordinate public improvements. The board may also adopt a zoning ordinance to conserve and promote the public health, safety, convenience and general welfare of the county.

Zoning Supervision: A board of county supervisors may form a planning and zoning commission to provide advice regarding matters of planning, zoning and subdivision platting and adopt and enforce those rules, regulations, ordinances and plans.

Zoning Restriction: Zoning ordinances cannot affect existing uses of property, nor the right to its continued use, repair or alteration. If the tract concerned is five or more contiguous commercial acres, zoning ordinances cannot prevent, restrict or regulate the use of the land for railroad, mining, metallurgical, grazing, general agricultural purposes or agricultural composting.

Building Codes: The board of supervisors may adopt and enforce building codes and may establish and charge reasonable fees for permits issued and inspections made pursuant to the building code.

Rural Planning Areas: The board of supervisors for a county with a population of less than 400,000 may form a rural planning area in any unincorporated area if they receive signed petitions by the owners of the property within that area.

Housing Authority: A county board of supervisors may, by resolution, create a housing authority and may delegate to that authority the board's power to acquire, own, maintain and dispose of real estate to construct, maintain, operate and manage housing projects. Housing authorities may also be empowered by the board to borrow money, issue bonds and acquire real property through the exercise of eminent domain.

Housing Trust Fund: A county board of supervisors may, by resolution, establish a county housing trust fund to be used for projects and programs that provide affordable housing opportunities for low-income households.

Economic Development: A board of supervisors may appropriate up to \$1.5 million each year for economic development activity operated and maintained within the boundaries of the county for the benefit of the public.

SERVICES, CONTINUED



PUBLIC SAFETY

Law Enforcement: County sheriffs are responsible for keeping the common jails and providing for juvenile detention. Counties also provide for prosecution of state crimes, public defense and probation services.

Courthouses: Any county may erect and furnish a courthouse. There is a superior court in each county and locally established justice courts.

Fire: A fire district may be created by a county if it is deemed appropriate for promoting public health, safety, welfare or convenience. A fire district is run by an appointed board, which may employ any personnel and provide services deemed necessary for fire protection.

Ambulance: A county that wishes to operate an ambulance service must apply to the Arizona Department of Health Services for a certificate of necessity. Currently only Greenlee County operates an ambulance service.

Emergency Management Agency: Each county must provide for emergency management, including the preparedness, response, recovery and mitigation activities necessary to respond to and recover from disasters. The chairperson or board of a county may appoint a director who shall be responsible for the organization, administration and operation of local emergency management programs.



SCHOOLS

Education, Generally: Multiple counties may form joint common school districts.

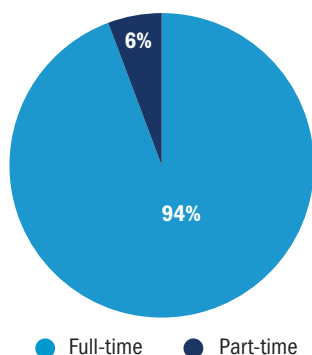
School Superintendent: The office of county school superintendent receives and spends local, state and federal monies to provide programs and services for public education.

School Board: Local education is divided among school districts. School districts must prescribe and enforce policies and procedures regarding the governance of the schools in line with the state board of education.

Community Colleges: Community college districts may be organized by one or more counties or community college districts. Community colleges are governed by separately elected boards.

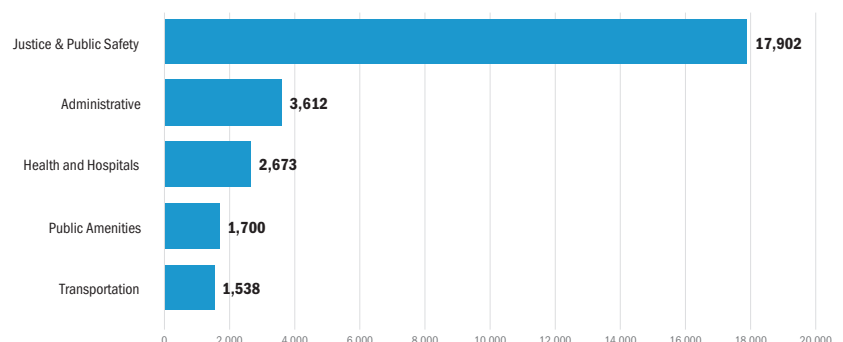
Jail Education Program: A county that operates a county jail must provide an education program to serve prisoners under the age of 21. The county school superintendent and the sheriff in each county must plan the method for delivery of the education program.

ARIZONA COUNTIES EMPLOY 30,975 GOVERNMENT EMPLOYEES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

ARIZONA COUNTY GOVERNMENT EMPLOYEES BY TOP FUNCTIONAL CATEGORIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

TAXATION/FINANCES

OVERVIEW OF COUNTY FINANCE STRUCTURE

As a Dillon's Rule state, Arizona does not authorize counties to levy and collect taxes for any purposes beyond those otherwise specifically authorized by statute. Arizona counties' property tax levy growth is limited to 2 percent annually plus any new construction. Counties may, however, levy excise taxes in various forms including a general, transportation, jail and public health excise tax. In addition to the general fund, a board of supervisors must have a special county school reserve fund for school transportation purposes, and they have the option to establish an energy and water savings account. Typically, counties in Arizona are limited to a debt of 6 percent of the taxable property within the county; however, they may increase the maximum limit to 15 percent if they have the assent of a majority of qualified voters that pay property taxes.



FINANCES, TAXES AND LIMITATIONS

Property Tax: Each year, the maximum amount of property taxes levied by any county cannot exceed an amount 2 percent greater than the amount levied in the preceding year.

Personal Property: Real and personal property may be assessed by the county for tax purposes.

Income Tax: Counties cannot impose an income tax.

Sales Tax: A county with a population of less than 1.5 million on a unanimous vote of the board of supervisors may levy and collect a county general excise tax on transactions made in the county. The rate may not exceed 0.5 cents on the dollar. Other sales tax authorities available to the county require voter approval and may be used for dedicated purposes (e.g. transportation, jails, public health).

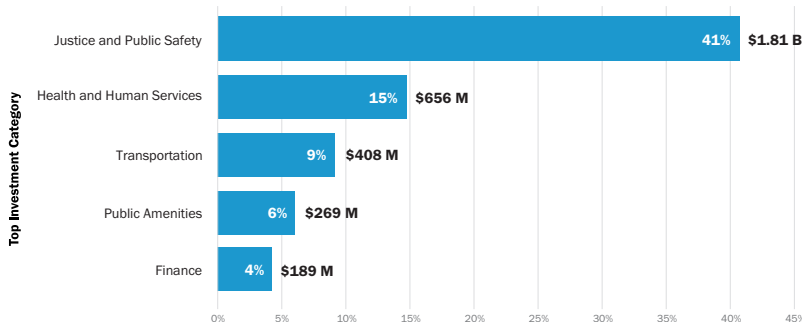
Mineral Tax: Counties receive a portion of a state levied mining severance tax.

Gas/Fuel Taxes: Counties receive a portion of a state levied gas tax.

Debt and Debt Limit:

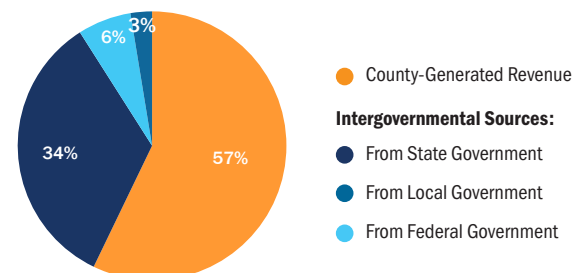
- **General:** Counties cannot incur a debt of more than 6 percent of the taxable property in the county unless they have assent from a majority of property taxpayers that are qualified voters. Even if they have assent, the debt cannot exceed 15 percent.
- **Flood Control:** For purposes of flood control, a board of supervisors may issue certificates of indebtedness against the general fund at a rate not exceeding 15 percent of all assessed taxable property within the county.

ARIZONA COUNTIES INVEST \$4.5 BILLION ANNUALLY



Source: NACo Analysis of U.S. Census Bureau - 2017 Census of Individual Governments: Finance

ARIZONA COUNTIES RECEIVE \$2 BILLION FROM INTERGOVERNMENTAL SOURCES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017

TAXATION/FINANCES, CONTINUED



FINANCES, TAXES AND LIMITATIONS, CONTINUED

Other Finance Info:

- **County Road Maintenance Tax:** A board of supervisors may refer to the voters a dedicated sales tax to support county road maintenance.
- **Regional Transportation Excise:** If approved by voters, a regional transportation authority in any county may levy and collect a transportation excise tax.
- **Energy and Water Savings Account:** The board of supervisors may establish an energy and water savings account consisting of capital investment money to fund energy or water savings projects in county facilities.
- **Parks Tax:** A board of supervisors may levy a tax for the acquisition and maintenance of public parks, or it may appropriate otherwise unappropriated funds for such purpose.
- **Hotel Excise:** The board of supervisors of a county with a population between 500,000 and 2,500,000 may levy and collect a tax on the gross proceeds of sales or gross income from the business for hotel lodging at a rate not to exceed 6 percent and only in unincorporated areas.