

PROPOSED
SENATE AMENDMENTS TO H.B. 2119
(Reference to House engrossed bill)

Amendment instruction key:
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 9-499.15, Arizona Revised Statutes, is amended
3 to read:

4 9-499.15. Proposed new or increased municipal taxes and fees;
5 notification; exceptions

6 A. A municipality may not levy or assess any new taxes or fees or
7 increase existing taxes or fees pursuant to statute on a business without
8 complying with this section.

9 B. A municipality that proposes to levy or assess a tax or fee
10 shall:

11 1. Prepare a schedule of the proposed new or increased tax or fee
12 that includes the amount of the tax or fee and a written report or data
13 that supports the new or increased tax or fee. A copy of the report or
14 data shall be filed in the office of the clerk of the municipality.

15 2. If ~~the imposition of~~ the proposed tax or fee is a new charge,
16 provide written notice of the proposed charge, the schedule of the
17 proposed new charge and the written report or data that supports the new
18 charge on the home page of the municipality's website at least sixty days
19 before the date the proposed new tax or fee is approved or ~~disapproved~~
20 REJECTED by the governing body of the municipality.

21 3. If the municipality proposes to increase the rate of an existing
22 tax or fee on a business, provide written notice of the proposed increase,
23 the schedule of the proposed increased tax or fee and the written report
24 or data that supports the proposed increased tax or fee on the home page
25 of the municipality's website at least sixty days before the date the
26 proposed new rate is approved or ~~disapproved~~ REJECTED by the governing
27 body of the municipality.

28 4. Prepare a notice of intent to establish or increase taxes,
29 assessments or fees including assessments LEVIED pursuant to section

1 48-572, subsection B, paragraph ~~1~~ 2. The notice of intent shall include
2 the date, time and place of the meeting of the governing body of the
3 municipality in which the proposed new or increased tax or fee will be
4 considered and a statement that a schedule of the proposed new or
5 increased tax or fee that includes the amount of the tax or fee and a
6 written report or data that supports the new or increased tax or fee is
7 available on the municipality's website. The notice of intent shall be
8 posted on the municipality's website at least fifteen days before the date
9 the proposed new or increased tax or fee will be approved or ~~disapproved~~
10 REJECTED by the governing body of the municipality. If the municipality
11 uses social media or other electronic communication tools, the notice of
12 intent shall be distributed through the municipality's social media
13 accounts or other electronic communication tools.

14 C. [AT LEAST SEVENTY-FIVE DAYS BEFORE THE DATE] A MUNICIPALITY
15 [THAT] PROPOSES AN ORDINANCE TO ADOPT OR REPEAL A MODEL OR LOCAL OPTION IN
16 THE MODEL CITY TAX CODE[. THE MUNICIPALITY] SHALL [NOTIFY ALL BUSINESSES]
17 [REQUEST FROM THE DEPARTMENT OF REVENUE A LIST OF ALL TAXPAYERS WITHIN THE
18 MUNICIPALITY] IN THE AFFECTED [BUSINESS] [TAX] CLASSIFICATION[.] [BY MAIL]
19 AT LEAST SIXTY DAYS BEFORE THE DATE THE PROPOSED ORDINANCE IS APPROVED OR
20 REJECTED BY THE GOVERNING BODY OF THE MUNICIPALITY[. THE MUNICIPALITY
21 SHALL NOTIFY BY MAIL ALL TAXPAYERS IN THE AFFECTED TAX CLASSIFICATION OF
22 THE PROPOSED ORDINANCE].

23 D. SUBSECTION C OF THIS SECTION DOES NOT APPLY TO ORDINANCES THAT
24 DO EITHER OF THE FOLLOWING:

25 1. IMPOSE A USE TAX OR A MODEL OR LOCAL OPTION TO EXEMPT A CITY OR
26 TOWN FROM USE TAX.

27 2. IMPOSE A TWO-TIERED TAX RATE STRUCTURE FOR RETAIL SALES.

28 ~~E.~~ E. All departments, boards or other subdivisions of a
29 municipality that are authorized to establish or modify taxes or fees
30 shall follow the notice requirements prescribed in subsection B of this
31 section before the date of the entity's consideration of the new or
32 increased tax or fee.

33 ~~F.~~ F. Technological issues that either prevent the posting of the
34 notice on the municipality's website or distribution of the notice through
35 social media or other electronic communication tools ~~does~~ DO not preclude
36 the governing body of the municipality from approving or ~~disapproving~~
37 REJECTING the new or increased tax or fee at the meeting provided on the
38 notice of intent.

39 ~~F.~~ G. A municipality shall demonstrate that the taxes or fees are
40 imposed pursuant to statute.

41 ~~F.~~ H. Subsections A and B of this section do not apply to:

42 1. Any fee adopted pursuant to section 9-463.05.

43 2. Water and wastewater rates or rate components.

44 3. Fees for registration-based classes, programs or activities
45 provided by the municipality.

46 4. Court fees established pursuant to state law.

1 5. Fees or charges established pursuant to federal law for public
2 housing or other federally funded programs.

3 6. Other fees whose amounts are set by state or federal law.

4 ~~G.~~ I. If information is made available relating to the fees
5 provided in subsection ~~F~~ H of this section, that information shall be
6 posted on the municipality's website and, if the municipality uses social
7 media or other electronic communication tools, distributed through social
8 media or other electronic communication tools.

9 ~~H.~~ J. In addition to any other limitation that may be imposed by
10 law, a municipality shall not levy or impose an assessment, fee or tax on
11 hospital revenues, discharges, beds or services for the purpose of
12 receiving services or payments pursuant to title 36, chapter 29.

13 Sec. 2. Section 9-836, Arizona Revised Statutes, is amended to
14 read:

15 9-836. License application process

16 [A.] A municipality that issues licenses shall provide the
17 following information to an applicant at the time the applicant obtains an
18 application for a license:

19 1. A list of all of the steps the applicant is required to take in
20 order to obtain the license.

21 2. The applicable licensing time frames.

22 3. The name and telephone number of a municipal contact person who
23 can answer questions or provide assistance throughout the application
24 process.

25 4. The website address and any other information, if applicable, to
26 allow the regulated person to use electronic communication with the
27 municipality.

28 5. Notice that an applicant may receive a clarification from the
29 municipality of its interpretation or application of a statute, ordinance,
30 code or authorized substantive policy statement as provided in section
31 9-839.

32 ~~[G.]~~ [B. A MUNICIPALITY THAT ISSUES A BUSINESS LICENSE SHALL
33 PROVIDE] NOTICE OF ANY MODEL OR LOCAL OPTION IN THE MODEL CITY TAX CODE
34 THAT WILL APPLY TO [THE] [AN] APPLICANT [AT THE TIME THE APPLICANT OBTAINS
35 A BUSINESS LICENSE APPLICATION].

36 <<Sec. 3. Section 42-2003, Arizona Revised Statutes, is amended to
37 read:

38 42-2003. Authorized disclosure of confidential information

39 A. Confidential information relating to:

40 1. A taxpayer may be disclosed to the taxpayer, its successor in
41 interest or a designee of the taxpayer who is authorized in writing by the
42 taxpayer. A principal corporate officer of a parent corporation may
43 execute a written authorization for a controlled subsidiary. If a
44 taxpayer elects to file an Arizona small business income tax return under
45 section 43-302, a written authorization by the taxpayer to allow the
46 department to disclose personal income tax information to a designee
47 includes the corresponding Arizona small business income tax return.

1 2. A corporate taxpayer may be disclosed to any principal officer,
2 any person designated by a principal officer or any person designated in a
3 resolution by the corporate board of directors or other similar governing
4 body. If a corporate officer signs a statement under penalty of perjury
5 representing that the officer is a principal officer, the department may
6 rely on the statement until the statement is shown to be false. For the
7 purposes of this paragraph, "principal officer" includes a chief executive
8 officer, president, secretary, treasurer, vice president of tax, chief
9 financial officer, chief operating officer or chief tax officer or any
10 other corporate officer who has the authority to bind the taxpayer on
11 matters related to state taxes.

12 3. A partnership may be disclosed to any partner of the
13 partnership. This exception does not include disclosure of confidential
14 information of a particular partner unless otherwise authorized.

15 4. A limited liability company may be disclosed to any member of
16 the company or, if the company is manager-managed, to any manager.

17 5. An estate may be disclosed to the personal representative of the
18 estate and to any heir, next of kin or beneficiary under the will of the
19 decedent if the department finds that the heir, next of kin or beneficiary
20 has a material interest that will be affected by the confidential
21 information.

22 6. A trust may be disclosed to the trustee or trustees, jointly or
23 separately, and to the grantor or any beneficiary of the trust if the
24 department finds that the grantor or beneficiary has a material interest
25 that will be affected by the confidential information.

26 7. A government entity may be disclosed to the head of the entity
27 or a member of the governing board of the entity, or any employee of the
28 entity who has been delegated the authorization in writing by the head of
29 the entity or the governing board of the entity.

30 8. Any taxpayer may be disclosed if the taxpayer has waived any
31 rights to confidentiality either in writing or on the record in any
32 administrative or judicial proceeding.

33 9. The name and taxpayer identification numbers of persons issued
34 direct payment permits may be publicly disclosed.

35 10. Any taxpayer may be disclosed during a meeting or telephone
36 call if the taxpayer is present during the meeting or telephone call and
37 authorizes the disclosure of confidential information.

38 B. Confidential information may be disclosed to:

39 1. Any employee of the department whose official duties involve tax
40 administration.

41 2. The office of the attorney general solely for its use in
42 preparation for, or in an investigation that may result in, any proceeding
43 involving tax administration before the department or any other agency or
44 board of this state, or before any grand jury or any state or federal
45 court.

46 3. The department of liquor licenses and control for its use in
47 determining whether a spirituous liquor licensee has paid all transaction

1 privilege taxes and affiliated excise taxes incurred as a result of the
2 sale of spirituous liquor, as defined in section 4-101, at the licensed
3 establishment and imposed on the licensed establishments by this state and
4 its political subdivisions.

5 4. Other state tax officials whose official duties require the
6 disclosure for proper tax administration purposes if the information is
7 sought in connection with an investigation or any other proceeding
8 conducted by the official. Any disclosure is limited to information of a
9 taxpayer who is being investigated or who is a party to a proceeding
10 conducted by the official.

11 5. The following agencies, officials and organizations, if they
12 grant substantially similar privileges to the department for the type of
13 information being sought, pursuant to statute and a written agreement
14 between the department and the foreign country, agency, state, Indian
15 tribe or organization:

16 (a) The United States internal revenue service, alcohol and tobacco
17 tax and trade bureau of the United States treasury, United States bureau
18 of alcohol, tobacco, firearms and explosives of the United States
19 department of justice, United States drug enforcement agency and federal
20 bureau of investigation.

21 (b) A state tax official of another state.

22 (c) An organization of states, federation of tax administrators or
23 multistate tax commission that operates an information exchange for tax
24 administration purposes.

25 (d) An agency, official or organization of a foreign country with
26 responsibilities that are comparable to those listed in subdivision (a),
27 (b) or (c) of this paragraph.

28 (e) An agency, official or organization of an Indian tribal
29 government with responsibilities comparable to the responsibilities of the
30 agencies, officials or organizations identified in subdivision (a), (b) or
31 (c) of this paragraph.

32 6. The auditor general, in connection with any audit of the
33 department subject to the restrictions in section 42-2002, subsection D.

34 7. Any person to the extent necessary for effective tax
35 administration in connection with:

36 (a) The processing, storage, transmission, destruction and
37 reproduction of the information.

38 (b) The programming, maintenance, repair, testing and procurement
39 of equipment for purposes of tax administration.

40 (c) The collection of the taxpayer's civil liability.

41 8. The office of administrative hearings relating to taxes
42 administered by the department pursuant to section 42-1101, but the
43 department shall not disclose any confidential information without the
44 taxpayer's written consent:

45 (a) Regarding income tax or withholding tax.

46 (b) On any tax issue relating to information associated with the
47 reporting of income tax or withholding tax.

1 9. The United States treasury inspector general for tax
2 administration for the purpose of reporting a violation of internal
3 revenue code section 7213A (26 United States Code section 7213A),
4 unauthorized inspection of returns or return information.

5 10. The financial management service of the United States treasury
6 department for use in the treasury offset program.

7 11. The United States treasury department or its authorized agent
8 for use in the state income tax levy program and in the electronic federal
9 tax payment system.

10 12. The Arizona commerce authority for its use in:

11 (a) Qualifying renewable energy operations for the tax incentives
12 under section 42-12006.

13 (b) Qualifying businesses with a qualified facility for income tax
14 credits under sections 43-1083.03 and 43-1164.04.

15 (c) Fulfilling its annual reporting responsibility pursuant to
16 section 41-1512, subsections U and V and section 41-1517, subsection L.

17 (d) Certifying computer data centers for tax relief under section
18 41-1519.

19 (e) Certifying applicants for the tax credit for motion picture
20 production costs under sections 43-1082 and 43-1165.

21 13. A prosecutor for purposes of section 32-1164, subsection C.

22 14. The office of the state fire marshal for use in determining
23 compliance with and enforcing title 37, chapter 9, article 5.

24 15. The department of transportation for its use in administering
25 taxes, surcharges and penalties prescribed by title 28.

26 16. The Arizona health care cost containment system administration
27 for its use in administering nursing facility provider assessments.

28 17. The department of administration risk management division and
29 the office of the attorney general if the information relates to a claim
30 against this state pursuant to section 12-821.01 involving the department
31 of revenue.

32 18. Another state agency if the taxpayer authorizes the disclosure
33 of confidential information in writing, including an authorization that is
34 part of an application form or other document submitted to the agency.

35 19. The department of economic security for its use in determining
36 whether an employer has paid all amounts due under the unemployment
37 insurance program pursuant to title 23, chapter 4.

38 20. The department of health services for its use in determining
39 the following:

40 (a) Whether a medical marijuana dispensary is in compliance with
41 the tax requirements of chapter 5 of this title for the purposes of
42 section 36-2806, subsection A.

43 (b) Whether a marijuana establishment, marijuana testing facility
44 or dual licensee licensed under title 36, chapter 28.2 is in compliance
45 with the tax obligations under this title or title 43.

46 21. The Arizona department of agriculture for the purpose of
47 ascertaining compliance with the licensing provisions in title 3.

1 22. The office of economic opportunity for the purpose of
2 performing the duties and obligations to or on behalf of this state
3 prescribed by title 41, chapter 53.

4 C. Confidential information may be disclosed in any state or
5 federal judicial or administrative proceeding pertaining to tax
6 administration pursuant to the following conditions:

7 1. One or more of the following circumstances must apply:

8 (a) The taxpayer is a party to the proceeding.

9 (b) The proceeding arose out of, or in connection with, determining
10 the taxpayer's civil or criminal liability, or the collection of the
11 taxpayer's civil liability, with respect to any tax imposed under this
12 title or title 43.

13 (c) The treatment of an item reflected on the taxpayer's return is
14 directly related to the resolution of an issue in the proceeding.

15 (d) Return information directly relates to a transactional
16 relationship between a person who is a party to the proceeding and the
17 taxpayer and directly affects the resolution of an issue in the
18 proceeding.

19 2. Confidential information may not be disclosed under this
20 subsection if the disclosure is prohibited by section 42-2002, subsection
21 C or D.

22 D. Identity information may be disclosed for purposes of notifying
23 persons entitled to tax refunds if the department is unable to locate the
24 persons after reasonable effort.

25 E. The department, on the request of any person, shall provide the
26 names and addresses of bingo licensees as defined in section 5-401, verify
27 whether or not a person has a privilege license and number, a tobacco
28 product distributor's license and number or a withholding license and
29 number or disclose the information to be posted on the department's
30 website or otherwise publicly accessible pursuant to section 42-1124,
31 subsection F and section 42-3401.

32 F. A department employee, in connection with the official duties
33 relating to any audit, collection activity or civil or criminal
34 investigation, may disclose return information to the extent that
35 disclosure is necessary to obtain information that is not otherwise
36 reasonably available. These official duties include the correct
37 determination of and liability for tax, the amount to be collected or the
38 enforcement of other state tax revenue laws.

39 G. Confidential information relating to transaction privilege tax,
40 use tax, severance tax, jet fuel excise and use tax and any other tax
41 collected by the department on behalf of any jurisdiction may be disclosed
42 to any county, city or town tax official if the information relates to a
43 taxpayer who is or may be taxable by a county, city or town or who may be
44 subject to audit by the department pursuant to section 42-6002. Any
45 taxpayer information that is released by the department to the county,
46 city or town:

1 1. May be used only for internal purposes, including audits [AND
2 COMMUNICATION WITH TAXPAYERS FOR THE PURPOSES OF THE NOTICE REQUIRED BY
3 SECTION 9-499.15, SUBSECTION C]. If there is a legitimate business need
4 relating to enforcing laws, regulations and ordinances pursuant to section
5 9-500.39 or 11-269.17, a county, city or town tax official may redisclose
6 transaction privilege tax information relating to a vacation rental or
7 short-term rental property owner or online lodging operator from the new
8 license report and license update report, subject to the following:

9 (a) The information redisclosed is limited to the following:

10 (i) The transaction privilege tax license number.

11 (ii) The type of organization or ownership of the business.

12 (iii) The legal business name and doing business as name, if
13 different from the legal name.

14 (iv) The business mailing address, tax record physical location
15 address, telephone number, email address and fax number.

16 (v) The date the business started in this state, the business
17 description and the North American industry classification system code.

18 (vi) The name, address and telephone number for each owner,
19 partner, corporate officer, member, managing member or official of the
20 employing unit.

21 (b) Redisclosure is limited to nonelected officials in other units
22 within the county, city or town. The information may not be redisclosed
23 to an elected official or the elected official's staff.

24 (c) All redisclosures of confidential information made pursuant to
25 this paragraph are subject to paragraph 2 of this subsection.

26 2. May not be disclosed to the public in any manner that does not
27 comply with confidentiality standards established by the department. The
28 county, city or town shall agree in writing with the department that any
29 release of confidential information that violates the confidentiality
30 standards adopted by the department will result in the immediate
31 suspension of any rights of the county, city or town to receive taxpayer
32 information under this subsection.

33 H. The department may disclose statistical information gathered
34 from confidential information if it does not disclose confidential
35 information attributable to any one taxpayer. The department may disclose
36 statistical information gathered from confidential information, even if it
37 discloses confidential information attributable to a taxpayer, to:

38 1. The state treasurer in order to comply with the requirements of
39 section 42-5029, subsection A, paragraph 3.

40 2. The joint legislative income tax credit review committee, the
41 joint legislative budget committee staff and the legislative staff in
42 order to comply with the requirements of section 43-221.

43 I. The department may disclose the aggregate amounts of any tax
44 credit, tax deduction or tax exemption enacted after January 1, 1994.
45 Information subject to disclosure under this subsection shall not be
46 disclosed if a taxpayer demonstrates to the department that such
47 information would give an unfair advantage to competitors.

1 J. Except as provided in section 42-2002, subsection C,
2 confidential information, described in section 42-2001, paragraph 1,
3 subdivision (a), item (ii), may be disclosed to law enforcement agencies
4 for law enforcement purposes.

5 K. The department may provide transaction privilege tax license
6 information to property tax officials in a county for the purpose of
7 identification and verification of the tax status of commercial property.

8 L. The department may provide transaction privilege tax, luxury
9 tax, use tax, property tax and severance tax information to the
10 ombudsman-citizens aide pursuant to title 41, chapter 8, article 5.

11 M. Except as provided in section 42-2002, subsection D, a court may
12 order the department to disclose confidential information pertaining to a
13 party to an action. An order shall be made only on a showing of good
14 cause and that the party seeking the information has made demand on the
15 taxpayer for the information.

16 N. This section does not prohibit the disclosure by the department
17 of any information or documents submitted to the department by a bingo
18 licensee. Before disclosing the information, the department shall obtain
19 the name and address of the person requesting the information.

20 O. If the department is required or allowed to disclose
21 confidential information, it may charge the person or agency requesting
22 the information for the reasonable cost of its services.

23 P. Except as provided in section 42-2002, subsection D, the
24 department of revenue shall release confidential information as requested
25 by the department of economic security pursuant to section 42-1122 or
26 46-291. Information disclosed under this subsection is limited to the
27 same type of information that the United States internal revenue service
28 is authorized to disclose under section 6103(1)(6) of the internal revenue
29 code.

30 Q. Except as provided in section 42-2002, subsection D, the
31 department shall release confidential information as requested by the
32 courts and clerks of the court pursuant to section 42-1122.

33 R. To comply with the requirements of section 42-5031, the
34 department may disclose to the state treasurer, to the county stadium
35 district board of directors and to any city or town tax official that is
36 part of the county stadium district confidential information attributable
37 to a taxpayer's business activity conducted in the county stadium
38 district.

39 S. The department shall release to the attorney general
40 confidential information as requested by the attorney general for purposes
41 of determining compliance with or enforcing any of the following:

42 1. Any public health control law relating to tobacco sales as
43 provided under title 36, chapter 6, article 14.

44 2. Any law relating to reduced cigarette ignition propensity
45 standards as provided under title 37, chapter 9, article 5.

1 3. Sections 44-7101 and 44-7111, the master settlement agreement
2 referred to in those sections and all agreements regarding disputes under
3 the master settlement agreement.

4 T. For proceedings before the department, the office of
5 administrative hearings, the state board of tax appeals or any state or
6 federal court involving penalties that were assessed against a return
7 preparer, an electronic return preparer or a payroll service company
8 pursuant to section 42-1103.02, 42-1125.01 or 43-419, confidential
9 information may be disclosed only before the judge or administrative law
10 judge adjudicating the proceeding, the parties to the proceeding and the
11 parties' representatives in the proceeding prior to its introduction into
12 evidence in the proceeding. The confidential information may be
13 introduced as evidence in the proceeding only if the taxpayer's name, the
14 names of any dependents listed on the return, all social security numbers,
15 the taxpayer's address, the taxpayer's signature and any attachments
16 containing any of the foregoing information are redacted and if either:

17 1. The treatment of an item reflected on such a return is or may be
18 related to the resolution of an issue in the proceeding.

19 2. Such a return or the return information relates or may relate to
20 a transactional relationship between a person who is a party to the
21 proceeding and the taxpayer that directly affects the resolution of an
22 issue in the proceeding.

23 3. The method of payment of the taxpayer's withholding tax
24 liability or the method of filing the taxpayer's withholding tax return is
25 an issue for the period.

26 U. The department and attorney general may share the information
27 specified in subsection S of this section with any of the following:

28 1. Federal, state or local agencies located in this state for the
29 purposes of enforcement of the statutes or agreements specified in
30 subsection S of this section or for the purposes of enforcement of
31 corresponding laws of other states.

32 2. Indian tribes located in this state for the purposes of
33 enforcement of the statutes or agreements specified in subsection S of
34 this section.

35 3. A court, arbitrator, data clearinghouse or similar entity for
36 the purpose of assessing compliance with or making calculations required
37 by the master settlement agreement or agreements regarding disputes under
38 the master settlement agreement, and with counsel for the parties or
39 expert witnesses in any such proceeding, if the information otherwise
40 remains confidential.

41 V. The department may provide the name and address of qualifying
42 hospitals and qualifying health care organizations, as defined in section
43 42-5001, to a business that is classified and reporting transaction
44 privilege tax under the utilities classification.

45 W. The department may disclose to an official of any city, town or
46 county in a current agreement or considering a prospective agreement with
47 the department as described in section 42-5032.02, subsection G any

1 information relating to amounts that are subject to distribution and that
2 are required by section 42-5032.02. Information disclosed by the
3 department under this subsection:

4 1. May be used only by the city, town or county for internal
5 purposes.

6 2. May not be disclosed to the public in any manner that does not
7 comply with confidentiality standards established by the department. The
8 city, town or county must agree with the department in writing that any
9 release of confidential information that violates the confidentiality
10 standards will result in the immediate suspension of any rights of the
11 city, town or county to receive information under this subsection.

12 X. Notwithstanding any other provision of this section, the
13 department may not disclose information provided by an online lodging
14 marketplace, as defined in section 42-5076, without the written consent of
15 the online lodging marketplace, and the information may be disclosed only
16 pursuant to subsection A, paragraphs 1 through 6, 8 and 10, subsection B,
17 paragraphs 1, 2, 7 and 8 and subsections C, D and G of this section. Such
18 information:

19 1. Is not subject to disclosure pursuant to title 39, relating to
20 public records.

21 2. May not be disclosed to any agency of this state or of any
22 county, city, town or other political subdivision of this state.>>

23 Sec. 4. Section 42-6054, Arizona Revised Statutes, is amended to
24 read:

25 42-6054. Modifications to model city tax code; notice and
26 hearing

27 A. If a city or town adopts the model city tax code, the city or
28 town shall not adopt any modification or amendment to the code unless the
29 city or town holds a public hearing on the proposed action before the
30 modification or amendment becomes effective.

31 B. If a city or town that has adopted the model city tax code
32 issues a written notice with respect to an interpretation of any provision
33 of the code or any procedures to be followed under the code, the city or
34 town shall not adopt any modification or amendment to the written notice
35 unless the city or town holds a public hearing on the proposed action
36 before the modification or amendment becomes effective.

37 C. A city or town that has adopted the model city tax code shall
38 not change the application of the code from audit to audit unless the city
39 or town adopted an amendment or modification to the code.

40 D. The governing body of the city or town shall publish a notice of
41 the hearing at least fifteen days before the date of the hearing in a
42 newspaper of general circulation in the city or town. At the hearing, the
43 governing body shall receive all written and oral comments relating to the
44 proposed action. If, after receiving and considering all comments, the
45 governing body proceeds with the proposed action, the modification or
46 amendment shall not become effective for at least [thirty] [SIXTY] days
47 after the date of the hearing, unless otherwise provided by city charter.

Senate Amendments to H.B. 2119

1 E. A CITY OR TOWN THAT PROPOSES AN ORDINANCE TO ADOPT OR REPEAL A
2 MODEL OR LOCAL OPTION IN THE MODEL CITY TAX CODE SHALL NOTIFY ALL
3 ~~[BUSINESSES]~~ ~~[TAXPAYERS]~~ IN THE AFFECTED ~~[BUSINESS]~~ ~~[TAX]~~ CLASSIFICATION
4 PURSUANT TO SECTION 9-499.15.

5 Enroll and engross to conform
6 Amend title to conform

J.D. MESNARD

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