

JAIL DISTRICT RESOLUTION 23-___

**A RESOLUTION OF THE COCHISE COUNTY JAIL DISTRICT BOARD OF DIRECTORS
PERTAINING TO MAIL BALLOT ELECTION FOR PURPOSE OF APPROVING EXCISE TAX
AND APPROVING THE BALLOT QUESTION WORDING**

WHEREAS, that pursuant to Arizona Revised Statutes (“A.R.S.”) §§ 48-4001, et seq., the Board of Supervisors of Cochise County through Resolution 22-29 has ordered the formation of the Cochise County Jail District, contingent on approval of an excise tax as provided in (“A.R.S.”) §§ 48-4022; and

WHEREAS, (“A.R.S.”) §§ 16-558 provides that a special district as described in title 48 may conduct a mail ballot election if the governing board of the special district obtains approval from the board of supervisors of the county in which the special district or greater part of the special district is located before publishing the call of election, and the Board of Supervisors of Cochise County has approved a mail ballot election for the purposes described herein; and

WHEREAS, the Board of Supervisors of Cochise County through Resolution 22-29 directed that the question of the approval of the excise tax shall be included on the ballot of the election to be held on May 16, 2023; and

WHEREAS, A.R.S. § 48-4022 provides that the board of directors of a district in a county having a population of less than one million five hundred thousand persons according to the most recent United States decennial or special census may by resolution order the approval of a district excise tax to be placed on the ballot of an election pursuant to section 48-4021; and

WHEREAS, the Board of Directors of the Cochise County Jail District seeks to submit the question of the approval of the county jail district excise tax to the voters of Cochise County, a county with a population of less than one million five hundred thousand persons, on the ballot of a mail ballot election to be held on May 16, 2023; and

WHEREAS, A.R.S. § 48-4022 requires the tax rate levy not to exceed ten percent of each rate prescribed by A.R.S. § 42-5010 (A) and A.R.S. § 42-5352 (A), resulting in the maximum rate set not always being .50 percent (one-half cent) as the rates prescribed by A.R.S. § 42-5010 (A) and A.R.S. § 42-5352 (A) vary by category.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Cochise County Jail District hereby calls for the question of approval of a .50 percent excise tax for a period of 25 years to be used only for acquiring, constructing, operating, maintaining, and financing of county jail facilities and a county jail system as provided by A.R.S. § 48-4001, et seq., be submitted to the voters of Cochise County through a mail ballot election to be held on May 16, 2023.

IT IS FURTHER RESOLVED that a publicity pamphlet shall be prepared and distributed in the manner provided by law and that the pamphlet shall include those written arguments in favor of and in opposition to the proposed tax levy that have been filed in the office of the Clerk of the Board of Directors of the Cochise County Jail District no later than 5:00 P.M. on February 15, 2023.

IT IS FURTHER RESOLVED THAT THE BALLOT QUESTION SHALL BE SET FORTH THUS:

SPECIAL ELECTION

Cochise County Jail District

Cochise County, Arizona – May 16, 2023

QUESTION

Cochise County Jail District Excise Tax:

Shall the Cochise County Jail District levy an excise (sales) tax for a period of twenty-five (25) years at a maximum rate of not to exceed one half of one percent (.50%), or 1/2 cent, to be used only for acquiring, constructing, operating, maintaining, and financing of county jail facilities and a county jail system?

A “YES” vote shall have the effect of authorizing the Cochise County Jail District to levy an excise (sales) tax not to exceed one half of one percent (.50%), or 1/2 cent, for 25 years, to be used only for acquiring, constructing, operating, maintaining, and financing of county jail facilities and a county jail system.

A “NO” vote shall have the effect of not authorizing the Cochise County Jail District to levy an excise (sales) tax for acquiring, constructing, operating, maintaining, and financing of county jail facilities and a county jail system.

YES

NO

PASSED AND ADOPTED by the Board of Directors of the Cochise County Jail District this 24th day of January 2023.

Ann English, Chair
Cochise County Jail District Board of Directors

ATTEST:

Tim Mattix
Clerk of the Board of Directors

APPROVED AS TO FORM:

Paul Correa

Paul Correa
Civil Deputy County Attorney