

JAIL DISTRICT RESOLUTION NO. 25-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE COCHISE COUNTY JAIL DISTRICT
ENDING COLLECTION OF THE COCHISE COUNTY JAIL DISTRICT EXCISE TAX**

WHEREAS, Arizona Revised Statutes (“A.R.S.”) § 48-4001 allows the Board of Supervisors of the County to establish a jail district for the purpose of acquiring, constructing, operating, maintaining, and financing county jails and jail systems; and

WHEREAS, the Cochise County Board of Supervisors adopted Resolution 22-29 on November 15, 2022, establishing a jail district in Cochise County contingent upon voter approval of an excise tax as set forth in A.R.S. § 48-4001(A) and A.R.S. § 48-4021(A); and

WHEREAS, an election to approve a jail district excise tax was held in Cochise County on May 16, 2023, the results of the election were canvassed by the Cochise County Jail District Board of Directors on May 25, 2023, and the Cochise County Board of Supervisors accepted the filing of the excise tax election by the Jail District Board of Directors on June 6, 2023; and

WHEREAS, the Board of Directors of the Cochise County Jail District adopted Resolution 23-02 on June 13, 2023, levying the Cochise County Jail District excise tax within incorporated and unincorporated areas of the Cochise County Jail District and directing the Arizona Department of Revenue to begin collecting the tax on January 1, 2024, through December 31, 2048, unless subsequently directed otherwise by the Cochise County Jail District Board of Directors; and

WHEREAS, Cochise County Jail District Board of Directors has approved a settlement in the jail district election litigation case Daniel LaChance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al.; and

WHEREAS, the Cochise County Superior Court has dismissed the case of Daniel LaChance, et al., vs County of Cochise, Cochise County Jail District, Board of Supervisors, et al., because a settlement has been reached; and

WHEREAS, such settlement stipulates a binding term that “The Defendants agree to stop collection of the tax until and unless a new election is held which remedies the foregoing shortcomings in the previous election, and which does not disenfranchise so-called ‘inactive voters.’”

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

- 1.) The Board of Directors of the Cochise County Jail District hereby adopts this Resolution ending the collection of the Cochise County Jail District excise tax by the Arizona Department of Revenue effective July 31, 2025 at 11:59 PM, unless subsequently directed otherwise by the Cochise County Jail District Board of Directors.

PASSED, ADOPTED AND APPROVED at Bisbee, Arizona, on this day ____ of _____, 2025.

COCHISE COUNTY JAIL DISTRICT BOARD OF DIRECTORS

Frank Antenori, Chairman

ATTEST:

Lara Loewenheim
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa 5/30/2025
Paul Correa
Chief Civil Deputy County Attorney