

REFERENCE TITLE: public private partnerships; written agreements

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1398

Introduced by
Senators Johnson, Blendu: Aboud, Gould, Gray C, Verschoor

AN ACT

AMENDING TITLE 41, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 18; RELATING TO PUBLIC PRIVATE PARTNERSHIPS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 41, Arizona Revised Statutes, is amended by adding
3 chapter 18, to read:

4 CHAPTER 18

5 PUBLIC PRIVATE PARTNERSHIPS

6 ARTICLE 1. GENERAL PROVISIONS

7 41-2251. Public private partnerships; written agreements

8 A. ANY STATE DEPARTMENT OR AGENCY OR ANY POLITICAL SUBDIVISION OF THIS
9 STATE THAT ENTERS INTO A PARTNERSHIP WITH A PRIVATE ENTITY SHALL:

10 1. CLEARLY DEFINE THE AGREEMENT IN WRITING, PRESCRIBING IN DETAIL THE
11 SPECIFIED RESPONSIBILITIES AND BENEFITS OF EACH PARTY.

12 2. DISCLOSE IN THE AGREEMENT ANY CONTRIBUTIONS, WHETHER IN CASH OR IN
13 KIND, MADE BY A DEPARTMENT, AGENCY OR POLITICAL SUBDIVISION OF THIS STATE TO
14 A PRIVATE PARTNER.

15 3. OBTAIN APPROVAL OF THE PUBLIC PRIVATE PARTNERSHIP AGREEMENT FROM
16 THE APPROPRIATE LEGISLATIVE COMMITTEE OR, IF A POLITICAL SUBDIVISION OF THIS
17 STATE, THE APPROPRIATE GOVERNMENT OVERSIGHT COMMITTEE.

18 4. POST THE SIGNED AGREEMENT ON THE WEBSITE OF THE DEPARTMENT, AGENCY
19 OR POLITICAL SUBDIVISION OF THIS STATE.

20 B. A PUBLIC PRIVATE PARTNERSHIP AGREEMENT SHALL BE FOR A PRESCRIBED
21 PERIOD OF TIME THAT DOES NOT EXCEED TEN YEARS. ANY RENEWAL OF A PUBLIC
22 PRIVATE PARTNERSHIP AGREEMENT MUST BE APPROVED BY THE APPROPRIATE LEGISLATIVE
23 COMMITTEE OR, IF A POLITICAL SUBDIVISION OF THIS STATE, BY THE APPROPRIATE
24 GOVERNMENT OVERSIGHT COMMITTEE.

25 C. PRIVATE PARTNERS IN A PUBLIC PRIVATE PARTNERSHIP AGREEMENT SHALL
26 NOT LOBBY OR PROVIDE INFORMATION TO THE LEGISLATURE REGARDING THE AGREEMENT
27 UNLESS REQUESTED BY THE LEGISLATURE.