

REFERENCE TITLE: private school tuition programs

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

## **HCR 2030**

Introduced by  
Representative Harper

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, SECTION 12, CONSTITUTION OF ARIZONA; AMENDING ARTICLE IX, SECTION 10, CONSTITUTION OF ARIZONA; RELATING TO EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the  
2 Senate concurring:

3 1. Article II, section 12, Constitution of Arizona, is proposed to be  
4 amended as follows if approved by the voters and on proclamation of the  
5 Governor:

6 12. Liberty of conscience; appropriations for  
7 religious purposes prohibited; religious  
8 freedom

9 Section 12. The liberty of conscience secured by the  
10 provisions of this constitution shall not be so construed as to  
11 excuse acts of licentiousness, or justify practices inconsistent  
12 with the peace and safety of the state. EXCEPT FOR PROGRAMS  
13 PROVIDED BY LAW THAT PROVIDE MONIES FOR PRIVATE SCHOOL TUITION  
14 TO PUPILS IN PUBLIC SCHOOLS WITH AN AVERAGE CLASSROOM SIZE OF  
15 THIRTY-FIVE PUPILS OR MORE, TO PUPILS WITH DISABILITIES AND TO  
16 PUPILS WHO HAVE BEEN IN FOSTER CARE, no public money or property  
17 shall be appropriated for or applied to any religious worship,  
18 exercise, or instruction, or to the support of any religious  
19 establishment. IF A PUBLIC SCHOOL HAS AN AVERAGE CLASSROOM SIZE  
20 OF THIRTY-FIVE PUPILS OR MORE, THE DEPARTMENT OF EDUCATION, OR  
21 ITS SUCCESSOR, SHALL ANNUALLY PROVIDE A PRIVATE SCHOOL TUITION  
22 VOUCHER TO PUPILS IN THAT SCHOOL IN THE AMOUNT OF FIVE THOUSAND  
23 FIVE HUNDRED DOLLARS, ADJUSTED BY THE PERCENTAGE OF CHANGE IN  
24 THE AVERAGE CONSUMER PRICE INDEX AS PUBLISHED BY THE UNITED  
25 STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR ITS  
26 SUCCESSOR, BETWEEN THAT FIGURE FOR THE LATEST CALENDAR YEAR AND  
27 THE NEXT PREVIOUS CALENDAR YEAR. No religious qualification  
28 shall be required for any public office or employment, nor shall  
29 any person be incompetent as a witness or juror in consequence  
30 of his opinion on matters of religion, nor be questioned  
31 touching his religious belief in any court of justice to affect  
32 the weight of his testimony.

33 2. Article IX, section 10, Constitution of Arizona, is proposed to be  
34 amended as follows if approved by the voters and on proclamation of the  
35 Governor:

36 10. Aid of church, private or sectarian school or  
37 public service corporation

38 Section 10. EXCEPT FOR PROGRAMS PROVIDED BY LAW THAT  
39 PROVIDE MONIES FOR PRIVATE SCHOOL TUITION TO PUPILS IN PUBLIC  
40 SCHOOLS WITH AN AVERAGE CLASSROOM SIZE OF THIRTY-FIVE PUPILS OR  
41 MORE, TO PUPILS WITH DISABILITIES AND TO PUPILS WHO HAVE BEEN IN  
42 FOSTER CARE, no tax shall be laid or appropriation of public  
43 money made in aid of any church, ~~or~~ ANY private or sectarian  
44 school, ~~or~~ or any public service corporation.

45 3. The Secretary of State shall submit this proposition to the voters  
46 at the next general election as provided by article XXI, Constitution of  
47 Arizona.