

legislative drafting requirements; repeal

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

## SENATE BILL 1636

AN ACT

AMENDING SECTIONS 8-814, 8-816, 15-154, 15-211, 15-249.06, 15-249.09, 15-249.15, 15-258, 15-259, 15-260, 15-261 AND 15-707, ARIZONA REVISED STATUTES; REPEALING SECTION 15-1785, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1855, 15-1867, 15-1868, 17-491 AND 18-422, ARIZONA REVISED STATUTES; REPEALING SECTION 18-612, ARIZONA REVISED STATUTES; AMENDING SECTIONS 20-3505, 23-432, 28-1303, 28-3053, 28-4505, 28-6308, 28-7058, 28-7059, 28-7316, 32-2942, 32-3504, 35-504, 36-173, 36-199, 36-779, 36-797.01, 36-2821, 37-483, 41-108, 41-162, 41-179, 41-610.01 AND 41-612, 41-1251, 41-1279, 41-1292, 41-1505, 41-1604.18, 41-1732 AND 41-1829, ARIZONA REVISED STATUTES; REPEALING TITLE 41, CHAPTER 27, ARTICLE 3, ARIZONA REVISED STATUTES; AMENDING SECTIONS 41-4257, 41-5356 AND 41-5404, ARIZONA REVISED STATUTES; REPEALING SECTION 41-5612, ARIZONA REVISED STATUTES; AMENDING SECTION 43-221, ARIZONA REVISED STATUTES; REPEALING SECTION 45-353, ARIZONA REVISED STATUTES; AMENDING SECTIONS 46-172 AND 46-907, ARIZONA REVISED STATUTES; REPEALING SECTION 46-908, ARIZONA REVISED STATUTES; AMENDING SECTIONS 49-255.01, 49-256.01, 49-257.01 AND 49-457.02, ARIZONA REVISED STATUTES; RELATING TO PROGRAM AND COMMITTEE TERMINATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-814, Arizona Revised Statutes, is amended to  
3 read:

4 8-814. Permanent guardianship subsidy; offsets; annual  
5 review; discontinuation; appeals; definition

6 A. The department shall establish and administer an ongoing program  
7 of subsidized permanent guardianship. Subsidies shall be provided from  
8 monies appropriated to the department or made available to it from other  
9 sources for permanent guardianship purposes.

10 B. The department may provide a subsidy to an applicant on behalf  
11 of a child subject to the requirements of this section.

12 C. The department shall determine the appropriate amount of the  
13 subsidy, which shall not exceed the maintenance payment allowable for an  
14 adoption subsidy pursuant to chapter 1, article 2 of this title. The  
15 amount of the subsidy shall be offset by benefits received from other  
16 state or federal programs to which the child is entitled.

17 D. The department shall conduct an annual review of a subsidy to  
18 determine that the permanent guardian continues to be eligible for the  
19 subsidy and that the subsidy is for the appropriate amount.

20 E. A permanent guardian who is receiving a subsidy shall:

21 1. Cooperate with the department in the annual review process.

22 2. Notify the department in writing of any change:

23 (a) That would lead to discontinuance of the subsidy pursuant to  
24 subsection F of this section.

25 (b) In benefits being received from other state or federal programs  
26 to which the child is entitled within two weeks of the change.

27 (c) In address within two weeks of the change.

28 F. The department shall discontinue a subsidy if any of the  
29 following occurs:

30 1. The permanent guardianship terminates.

31 2. The child dies or does not reside with the permanent guardian.

32 3. The child reaches eighteen years of age, except that the  
33 department may continue the subsidy until the child's twenty-second  
34 birthday if the child is enrolled in and regularly attending school and  
35 has not received a high school diploma or certificate of equivalency.

36 4. The applicant fails to comply with any requirement in this  
37 section.

38 G. Any decision denying, reducing or terminating a permanent  
39 guardianship subsidy is appealable pursuant to title 41, chapter 6 and  
40 chapter 14, article 3.

41 ~~H. Notwithstanding section 41-3102, this program does not include a~~  
42 ~~specific expiration date.~~

43 ~~I.~~ H. For the purposes of this section, "applicant" means a person  
44 who is appointed as a permanent guardian pursuant to section 8-872 or as a

1 provisional or successor permanent guardian pursuant to section 8-874 and  
2 who applies for a subsidy pursuant to this section.

3 Sec. 2. Section 8-816, Arizona Revised Statutes, is amended to  
4 read:

5 8-816. Family builders program; services; definitions

6 A. The family builders program is established in the  
7 department. The department may implement the program through  
8 collaborative partnerships between the department, community social  
9 service agencies, family support programs and other community  
10 organizations, which may include faith-based organizations, to establish a  
11 system that, through referral to a network of contracted  
12 neighborhood-based agencies, provides a variety of community-linked family  
13 preservation and support services to assist families to prevent and remedy  
14 conditions or circumstances that cause child abuse or neglect.

15 B. The department may contract with neighborhood-based agencies and  
16 organizations to conduct family assessments, provide case management and  
17 provide the necessary services to protect the child and support the family  
18 on referral from the department.

19 C. During the initial contact with a family, the provider shall:

20 1. Verbally inform the prospective program participants that the  
21 department referred the family to the provider after investigation of a  
22 report of abuse or neglect.

23 2. Verbally inform the prospective program participants that they  
24 do not have to accept services.

25 3. Obtain the written, informed consent of the prospective program  
26 participants who choose to accept the services offered. The consent form  
27 shall include a description of the services offered and the rights and  
28 responsibilities of the program participants and a statement that  
29 emphasizes the voluntary nature of the program.

30 D. Contracts shall require that the provider establish a continuum  
31 of services for families through written agreements with community  
32 agencies and organizations to provide required services to families. The  
33 provider may purchase or obtain without cost the services of any agency or  
34 organization that may provide resources to assist the family.

35 E. Contracts shall require that the provider initiate a thorough  
36 family assessment and necessary services within forty-eight hours,  
37 excluding weekends and holidays, after the provider receives the referral  
38 from the department.

39 F. The department shall provide information to the provider  
40 concerning the current report and any information from records it deems  
41 appropriate. All information received by the provider regarding the  
42 report of abuse or neglect and department records is subject to the  
43 confidentiality requirements of section 8-807. Information in the records  
44 of the provider concerning the families served by the program is available  
45 for the purposes of evaluating the program.

1 G. On receipt of a referral from the department, within forty-eight  
2 hours the provider shall attempt to contact the family in person, initiate  
3 a family assessment with the consent of the family and offer to assist the  
4 family to obtain the services that are necessary to reduce or eliminate  
5 the causes for the initial information being received by the department  
6 and other identified needs of the family.

7 H. If at any time during the initial contact or during the course  
8 of service delivery the provider determines that the child is in imminent  
9 danger of abuse or neglect, the provider shall immediately report the case  
10 to the department or the appropriate law enforcement agency, or both, for  
11 appropriate action. In all cases the provider and any agency under  
12 subcontract to the provider shall retain records of information on initial  
13 and ongoing contact with the family and the final disposition of the case  
14 and shall provide this information to the department.

15 I. A family ~~who~~ THAT is offered services by the provider may refuse  
16 to accept those services. The provider shall document the family's  
17 refusal of services in the case record.

18 J. The provider shall conduct an assessment in the home and with  
19 the family's participation shall develop an initial plan within thirty  
20 days based on the family's needs. The provider shall assist the family in  
21 identifying and providing appropriate services. The provider shall  
22 monitor the progress made by the family based on the plan expectations and  
23 shall conduct home visits to determine the safety of the child and any  
24 other children in the home at the time of the visit.

25 K. The department shall require that the provider establish a local  
26 advisory board composed of appropriate community representatives,  
27 including representation from families in the community and local public  
28 agencies. The local advisory board shall ensure that a continuum of  
29 services is provided for families and shall provide oversight to the  
30 program.

31 L. The department shall identify goals, objectives and outcomes for  
32 family builders programs.

33 M. If the department expands the program to new geographic areas,  
34 it shall hold at least one informational meeting to inform potential  
35 providers of the opportunity to bid on the contract. The department shall  
36 provide adequate public notice of each meeting to potential providers in  
37 the same manner as provided in section 41-2533.

38 N. The department shall develop performance standards for the  
39 contracts, provide training to the provider or organization staff involved  
40 in service delivery to these families regarding child abuse and neglect  
41 and monitor the performance of the providers.

42 ~~O. The program established by this section ends on July 1, 2024~~  
43 ~~pursuant to section 41-3102.~~

1 ~~P.~~ 0. For the purposes of this section:

2 1. "Provider" means a community social services agency, family  
3 support program or community organization, including a faith-based  
4 organization, that is awarded a contract by the department.

5 2. "Services" includes:

6 (a) Family assessment.

7 (b) Case management.

8 (c) Child day care.

9 (d) Housing search and relocation.

10 (e) Parenting skills training.

11 (f) Supportive intervention and guidance counseling.

12 (g) Transportation.

13 (h) Emergency services.

14 (i) Intensive family preservation.

15 (j) Parent aide services.

16 (k) Respite services.

17 (l) Shelter services with parental consent.

18 (m) Additional services that the department determines are  
19 necessary to meet the needs of the families.

20 Sec. 3. Section 15-154, Arizona Revised Statutes, is amended to  
21 read:

22 15-154. School safety program; purpose; program proposals;  
23 requirements; annual report; definitions

24 A. The school safety program is established within the department  
25 of education to support, promote and enhance safe and effective learning  
26 environments for all students by supporting the costs of placing school  
27 resource officers, juvenile probation officers, school counselors and  
28 school social workers on school campuses. A school district or charter  
29 school may apply to participate in the school safety program as provided  
30 in this section for up to three fiscal years by submitting by April 15 a  
31 program proposal to the department of education. A school district or  
32 charter school that receives approval for a three-year program under this  
33 subsection may annually submit a modified spending plan for its approved  
34 program.

35 B. A program proposal submitted by a school district or charter  
36 school for supporting the costs of placing school resource officers or  
37 juvenile probation officers, or both, on a school campus shall contain:

38 1. A detailed description of the school safety needs of the charter  
39 school or school district.

40 2. A plan for implementing a law-related education program or a  
41 plan that demonstrates the existence of a law-related education program as  
42 a school safety prevention strategy.

43 3. A plan to use trained school resource officers or juvenile  
44 probation officers in the school, or both.

1           4. If the school district or charter school has already  
2 participated in the school safety program, information on the success,  
3 compliance and implementation of the most recent grant.

4           C. A program proposal submitted by a school district or charter  
5 school for supporting the costs of placing school counselors or school  
6 social workers, or both, on a school campus shall contain:

7           1. A detailed description of the school safety needs of the charter  
8 school or school district.

9           2. A plan for implementing a school guidance and counseling program  
10 that includes the following:

11           (a) A detailed description of the relationship between the school  
12 counselor or the social worker, or both, and local community resources.

13           (b) A plan for using school counselor and school social worker  
14 services in the school, or both.

15           (c) A detailed description of the methods for evaluating the  
16 effectiveness of the school guidance and counseling plan.

17           (d) Policies on confidentiality under the school guidance and  
18 counseling plan.

19           (e) Policies on notifying parents and other family members of  
20 issues or concerns as identified in the school guidance and counseling  
21 plan.

22           (f) A detailed description of the school's, school district's or  
23 charter school's referral procedures to the appropriate community entities  
24 and state agencies.

25           3. If the school district or charter school has already  
26 participated in the school safety program, information on the success,  
27 compliance and implementation of the most recent approved program  
28 proposal.

29           D. The department of education shall review and administer the  
30 school resource officers and juvenile probation officers program proposals  
31 in cooperation with the courts, law enforcement agencies and law-related  
32 education providers awarded a contract pursuant to section 41-2534,  
33 subject to review and approval by the state board of education. The  
34 department of education shall use relevant crime statistics to assess the  
35 needs of each program proposal and shall visit school districts and  
36 charter schools that submit program proposals in order to verify the  
37 information contained in the program proposals. The department of  
38 education shall contract to provide guidelines, curricula and support  
39 resources for school resource officers and juvenile probation officers to  
40 use in implementing a law-related education program.

41           E. The department of education shall review and administer the  
42 school counselors and school social workers program proposals in  
43 cooperation with school administrators, principals, teachers, parents and  
44 community mental health professionals. The department of education shall  
45 use relevant school-level academic, social and emotional statistics to

1 assess the needs of each program proposal and shall visit school districts  
2 and charter schools that submit program proposals in order to verify the  
3 information contained in the program proposals.

4 F. The department of education, subject to the review and approval  
5 of the state board of education, shall distribute monies to the school  
6 districts and charter schools that are in compliance with program  
7 requirements and whose program proposals have been approved by the state  
8 board of education.

9 G. The department of education shall review program proposals  
10 submitted by school districts and charter schools for participation in the  
11 school safety program and shall select school sites that are eligible to  
12 receive funding based on school safety needs pursuant to this  
13 section. The department of education may prioritize program proposals for  
14 school resource officer and juvenile probation officer grants to school  
15 districts and charter schools that have agreements to share the cost of  
16 the school resource officer or juvenile probation officer with a law  
17 enforcement agency or the courts.

18 H. The department of education shall evaluate the effectiveness of  
19 all the approved program proposals submitted pursuant to subsections B and  
20 C of this section within the school safety program and report on the  
21 activities of the program and the participants in the school safety  
22 program to the president of the senate, the speaker of the house of  
23 representatives and the governor on or before November 1 of each year and  
24 shall provide a copy of this report to the secretary of state. The  
25 evaluation and report shall include survey results from participating  
26 schools and data from participating schools on the impact of participating  
27 in the school safety program. The department shall establish data  
28 guidelines for school safety program participants to follow in reporting  
29 pursuant to this subsection.

30 I. The school safety program established by this section shall  
31 include a school safety program guidance manual adopted by the department  
32 of education that requires a dispute resolution process to be included in  
33 the service agreement between a school district or charter school that  
34 submitted a program proposal and received a school resource officer grant  
35 from the school safety program and the law enforcement agency that  
36 provides services to the school district or charter school.

37 J. Any appropriations that are made to the department of education  
38 for the approved program proposals within the school safety program are  
39 exempt from the provisions of section 35-190 relating to ~~the~~ lapsing of  
40 appropriations. All monies that are not used for an approved program  
41 proposal within the school safety program during the fiscal year for which  
42 the monies were appropriated revert to the department of education for  
43 distribution to the program in the following fiscal year.

44 K. Monies received by a school district or charter school under the  
45 program shall be spent to implement the approved program proposals.

1 L. ~~The program established by this section ends on July 1, 2025~~  
2 ~~pursuant to section 41-3102.~~ The auditor general shall include the school  
3 safety program as part of its ongoing sunset review of agencies and  
4 programs.

5 M. For the purposes of this section:

6 1. "Law-related education" means interactive education to equip  
7 children and youth with knowledge and skills pertaining to the law, school  
8 safety and effective citizenship.

9 2. "Law-related education program" means a program designed to  
10 provide children and youth with knowledge, skills and activities  
11 pertaining to the law and legal process and to promote law-abiding  
12 behavior with the purpose of preventing children and youth from engaging  
13 in delinquency or violence and enabling them to become productive  
14 citizens.

15 3. "School counselor" means a professional educator who holds a  
16 valid school counselor certificate issued by the department of education.

17 4. "School guidance and counseling program" means a counseling  
18 program that supports, promotes and enhances the academic, personal,  
19 social, emotional and career development of all students.

20 5. "School resource officer" means a peace officer or a  
21 full-authority reserve peace officer who is certified by the Arizona peace  
22 officer standards and training board.

23 6. "School social worker" means a professional educator who holds a  
24 valid school social worker certificate issued by the department of  
25 education.

26 Sec. 4. Section 15-211, Arizona Revised Statutes, is amended to  
27 read:

28 15-211. K-3 reading program; dyslexia specialist; dyslexia  
29 training; receipt and use of monies; additional  
30 funding; annual report

31 A. The department of education shall administer a K-3 reading  
32 program to improve the reading proficiency of pupils in kindergarten  
33 programs and grades one, two and three in the public schools of this  
34 state.

35 B. The department of education shall designate a dyslexia  
36 specialist for the department to provide school districts and charter  
37 schools with support and resources that are necessary to assist students  
38 with dyslexia.

39 C. On or before July 1, 2021, each school district and charter  
40 school shall ensure that at least one kindergarten through third grade  
41 teacher in each school has received training related to dyslexia that  
42 complies with the requirements prescribed in section 15-219.

43 D. Each school district and charter school shall submit to the  
44 department of education a plan for improving the reading proficiency of  
45 the school district's or the charter school's pupils in kindergarten



1 programs and grades one, two and three. The plan shall include baseline  
2 data on the reading proficiency of the school district's or the charter  
3 school's pupils in kindergarten programs and grades one, two and three and  
4 a budget for spending monies from both the K-3 support level weight and  
5 the K-3 reading support level weight established in section 15-943. Each  
6 school district and charter school shall annually submit to the department  
7 of education on or before October 1 an updated K-3 reading program plan  
8 that includes data on program expenditures and results, except that a  
9 school district or charter school that is assigned a letter grade of A or  
10 B pursuant to section 15-241 shall submit this plan only in odd-numbered  
11 years.

12 E. School districts and charter schools shall use monies generated  
13 by the K-3 reading support level weight established in section 15-943 only  
14 on instructional purposes based on the plan submitted pursuant to  
15 subsection D of this section intended to improve reading proficiency for  
16 pupils in kindergarten programs and grades one, two and three with  
17 particular emphasis on pupils in kindergarten programs and grades one and  
18 two.

19 F. Each school district and charter school that is assigned a  
20 letter grade of C, D or F pursuant to section 15-241 or that has more than  
21 ten percent of its pupils in grade three who do not demonstrate sufficient  
22 reading skills as established by the state board of education according to  
23 the reading portion of the statewide assessment shall receive monies  
24 generated by the K-3 reading support level weight established in section  
25 15-943 only after the K-3 reading program plan of the school district or  
26 charter school has been submitted, reviewed and recommended for approval  
27 by the department of education and approved by the state board. The state  
28 board must give approval to a school district or charter school before any  
29 portion of the monies generated by the K-3 reading support level weight  
30 may be distributed to the school district or charter school pursuant to  
31 this subsection.

32 G. Pupils in a charter school that is in its first year of  
33 operation and that is sponsored by the state board of education, the state  
34 board for charter schools, a university under the jurisdiction of the  
35 Arizona board of regents, a community college district or a group of  
36 community college districts are eligible for the K-3 reading support level  
37 weight.

38 H. The department of education shall solicit gifts, grants and  
39 donations from any lawful public or private source in order to provide  
40 additional funding for the K-3 reading program.

41 I. The state board of education may establish rules and policies  
42 for the K-3 reading program, including:

43 1. The proper use of monies in accordance with subsection E of this  
44 section.

1           2. The distribution of monies by the department of education in  
2 accordance with subsection D of this section.

3           3. The compliance of reading proficiency plans submitted pursuant  
4 to subsection D of this section with section 15-704.

5           J. Pursuant to subsection I of this section, the department of  
6 education shall develop program implementation guidance for school  
7 districts and charter schools to assist schools in administering an  
8 effective K-3 evidence-based reading program plan. This guidance shall  
9 include identifying and recommending appropriate program expenditures,  
10 providing technical oversight and assistance for annually updating reading  
11 program plans, selecting and adopting evidence-based reading curricula and  
12 providing and promoting teacher professional development that is based on  
13 evidence-based reading research. The department shall prioritize supports  
14 and interventions, including enrollment in reading trainings and  
15 professional development, for school districts and charter schools that  
16 have the highest percentage of pupils who do not demonstrate sufficient  
17 reading skills as established by the state board of education. The  
18 department shall deposit any monies received for offering reading  
19 trainings or professional development, including coaching, in the  
20 department of education professional development revolving fund  
21 established by section 15-237.01.

22           K. On or before December 15, the department of education shall  
23 submit an annual report on the K-3 reading program to the governor, the  
24 president of the senate and the speaker of the house of representatives  
25 and shall provide a copy of this annual report to the secretary of state,  
26 the state board of education and the chairpersons of the education  
27 committees of the senate and the house of representatives. The report  
28 shall contain all of the following:

29           1. Information on the improvement of K-3 reading in this state,  
30 including achievement data statewide and achievement data at the school  
31 district and charter school level. The information pursuant to this  
32 paragraph shall include data and information on continued proficiency on  
33 the statewide assessment in subsequent grades.

34           2. A description of the activities of the department to support  
35 school districts and charter schools in improving K-3 reading.

36           3. Specific findings on methods by which the department may  
37 continue to improve support and assistance for school districts and  
38 charter schools in the administration of K-3 reading program plans.

39           4. Information and data on K-3 reading program plans throughout  
40 this state and the expenditure of K-3 reading monies by school districts  
41 and charter schools.

42           5. Data reported pursuant to section 15-701, subsection A,  
43 paragraph 2, subdivision (d).

44           ~~L. The program established by this section ends on July 1, 2022~~  
45 ~~pursuant to section 41-3102.~~



1 regular wage, compensation or other bonus the teacher receives or is  
2 scheduled to receive and shall be provided to the teacher by the end of  
3 the school year or not later than thirty days after the end of the school  
4 year. The remainder of any bonus monies received by a school district or  
5 charter school shall be allocated by the school principal on behalf of  
6 students who receive a passing score and may be used for teacher  
7 professional development or student instructional support, reimbursement  
8 of examination fees or instructional materials. Any bonus monies received  
9 by a school district or charter school pursuant to this subsection shall  
10 be separately accounted for in the school district's or charter school's  
11 annual financial report.

12 E. Incentive bonuses distributed to and any bonus monies received  
13 by a school district or charter school pursuant to this section are not  
14 subject to collective bargaining.

15 F. Payments made by the department of education pursuant to this  
16 section shall be distributed to schools not later than March 1 of each  
17 year. School districts and charter schools may appeal the allocation of  
18 bonus monies not later than August 1 of each year. The department may  
19 withhold up to \$10,000 of the monies appropriated for the purposes of this  
20 section to address allocation appeals by school districts and charter  
21 schools.

22 G. On or before December 15, 2018 and on or before December 15 of  
23 each year thereafter, the department of education shall submit to the  
24 president of the senate, the speaker of the house of representatives, the  
25 governor, the secretary of state, and the joint legislative budget  
26 committee, a report on all of the following:

27 1. The number of students who took a qualifying examination at each  
28 school.

29 2. The number of students who received a passing score on a  
30 qualifying examination and the number of incentive bonus awards  
31 distributed.

32 3. The number and types of qualifying examinations taken by  
33 students.

34 4. The amount of bonus monies received by each school.

35 H. Incentive bonuses distributed to and any bonus monies received  
36 by a teacher are not compensation as defined in section 38-711.

37 I. The college credit by examination development fund is  
38 established consisting of monies that are appropriated to the department  
39 of education for the purposes of this section but that are not distributed  
40 by the end of the fiscal year in which the monies are appropriated. The  
41 department shall administer the fund. Monies in the fund are continuously  
42 appropriated and are exempt from the provisions of section 35-190 relating  
43 to lapsing of appropriations. The department shall distribute monies in  
44 the fund to schools in which fifty percent or more of the students are  
45 eligible for free or reduced-price lunches to assist those schools in

1 developing and operating classes that offer qualifying examinations  
2 pursuant to this section. The department shall prioritize distributions  
3 from the fund based on need.

4 ~~J. The program established by this section ends on July 1, 2026~~  
5 ~~pursuant to section 41-3102.~~

6 Sec. 6. Section 15-249.09, Arizona Revised Statutes, is amended to  
7 read:

8 15-249.09. Early literacy program fund; report; definitions

9 A. The early literacy program fund is established to provide  
10 support to improve reading skills, literacy and proficiency for students  
11 in kindergarten programs and grades one, two and three in addition to  
12 monies received pursuant to section 15-211. The fund shall be  
13 administered by the department of education. The state board of education  
14 shall develop policies and procedures to be administered by the department  
15 of education.

16 B. Subject to review and approval by the state board of education,  
17 the department of education shall award ~~funds~~ MONIES to eligible schools  
18 based on available monies on a per pupil basis. The per pupil amount  
19 shall be calculated using the student count for pupils in kindergarten  
20 programs and grades one, two and three.

21 C. Eligible schools that receive ~~funds~~ MONIES pursuant to this  
22 section shall submit data on expenditures and results and other  
23 information required by subsection E of this section.

24 D. Eligible schools may use monies for eligible expenses to  
25 increase the reading proficiency of students in kindergarten programs and  
26 grades one, two and three. Eligible schools may also use monies to  
27 provide a full-day kindergarten program that is structured to increase  
28 reading proficiency. Monies must be used to expand, enhance and support  
29 the components included in a school's reading program plan submitted  
30 pursuant to section 15-211.

31 E. Subject to review and approval by the state board of education,  
32 the department of education shall include a report on the early literacy  
33 program in the K-3 reading program plan required by section 15-211. The  
34 report shall contain the following:

- 35 1. A description of the ~~funds~~ MONIES awarded each year.
- 36 2. A summary of the funded activities.
- 37 3. Information on the recipient schools' progress toward  
38 achievement goals.
- 39 4. Specific findings on strategies and activities and their level  
40 of effectiveness in improving reading proficiency in the recipient  
41 schools.

42 ~~F. The program established by this section ends on July 1, 2025~~  
43 ~~pursuant to section 41-3102.~~

1 ~~G.~~ F. For the purposes of this section:

2 1. "Eligible expenses" means expenses for evidence-based strategies  
3 and interventions designed to improve the reading proficiency of students  
4 in kindergarten programs and grades one, two and three pursuant to  
5 sections 15-211 and 15-704, including literacy coaches and literacy  
6 specialists, reading curricula, kindergarten readiness assessments, summer  
7 programs or tutoring programs.

8 2. "Eligible school" means a public school with at least ninety  
9 percent of students who are eligible for free and reduced-priced lunches  
10 under the national school lunch and child nutrition acts (42 United States  
11 Code sections 1751 through 1785).

12 3. "Student count" means the average daily membership for pupils in  
13 kindergarten programs and grades one, two and three, as prescribed in  
14 section 15-901 for the current year.

15 Sec. 7. Section 15-249.15, Arizona Revised Statutes, is amended to  
16 read:

17 15-249.15. Arizona industry credentials incentive program;  
18 distributions; report; fund

19 A. The Arizona industry credentials incentive program is  
20 established within the department of education to provide incentive awards  
21 to school districts, charter schools and career technical education  
22 districts for high school graduates who obtain a certification, credential  
23 or license that is accepted by a vocation or industry through a career  
24 technical education course or program.

25 B. On or before September 1 of each year, the office of economic  
26 opportunity shall provide an in-demand education list to the department of  
27 education that includes information related to wages, business growth and  
28 job openings and that identifies and ranks the top occupations in each  
29 industry that address a critical statewide, regional or local economic  
30 need. The office of economic opportunity shall incorporate industry  
31 feedback as part of the development of the in-demand education list.

32 C. On or before October 1 of each year, the department of education  
33 shall align the office of economic opportunity in-demand education list to  
34 the career technical education industry credentials list of approved  
35 career technical education programs.

36 D. On or before February 1 of each year, the department of  
37 education shall convene a quality skills commission to be composed of  
38 individuals from the office of economic opportunity, the department of  
39 education, the Arizona commerce authority, school districts, charter  
40 schools, career technical education districts, industry partners and  
41 business organizations to review a separate career technical education  
42 industry ~~credential~~ CREDENTIALS list that includes only those  
43 certificates, credentials and licenses that would qualify for the Arizona  
44 industry ~~credential~~ CREDENTIALS incentive program.

1 E. On or before March 1 of each year, the department of education  
2 shall publish and post on its website and submit to the joint legislative  
3 budget committee for review the career technical education industry  
4 credentials list that includes only those certificates, credentials and  
5 licenses that would qualify for the Arizona industry credentials incentive  
6 program in the subsequent school year.

7 F. Beginning in fiscal year 2020-2021, the department of education  
8 shall pay an incentive award of \$1,000 to school districts, charter  
9 schools and career technical education districts for each student who  
10 meets both of the following conditions:

11 1. Demonstrates completion of high school graduation requirements  
12 pursuant to section 15-701.01 in the second school year preceding the  
13 budget year.

14 2. Completes a program resulting in a qualifying certificate,  
15 credential or license that is included on the career technical education  
16 industry credentials list pursuant to subsection E of this section or that  
17 was included on the list at the time the student began the program.

18 G. If the statewide sum of the incentive awards pursuant to  
19 subsection F of this section exceeds the amount of available monies  
20 appropriated for incentive awards, the monies shall be reduced  
21 proportionally to cover all eligible incentive awardees. A student at the  
22 public school may generate only one \$1,000 award even if the student earns  
23 more than one qualified certificate, credential or license. The  
24 department of education shall disburse the award amount for a student to  
25 the school district, charter school or career technical education district  
26 that the student attended for coursework related to the industry  
27 credential award being paid on that student's behalf. If the student  
28 received that coursework at more than one school district, charter school  
29 or career technical education district, the award amount shall be  
30 allocated on a pro rata basis in a manner determined by the department of  
31 education.

32 H. A school district, charter school or career technical education  
33 district that receives an incentive award pursuant to this section shall  
34 spend these monies on any of the following:

35 1. For instructional costs and professional development for a  
36 career technical education program teacher to become a certifying  
37 professional for an approved certificate, credential or license.

38 2. To offset the students' cost of certification, credentialing or  
39 licensure.

40 3. For developmental costs related to creating, expanding or  
41 improving an approved site of a certificate, credential or license career  
42 technical EDUCATION program or course.

43 4. For instructional hardware, software or supplies required for  
44 the certification, credentialing or licensure.





1 state and who have attained a high level of proficiency in one or more  
2 languages in addition to English.

3 B. The superintendent of public instruction shall:

4 1. Create a state seal of biliteracy that shall be affixed to the  
5 diploma and noted on the transcript of a student to recognize that the  
6 student has met the requirements prescribed in this section.

7 2. Deliver the state seal of biliteracy to each public school  
8 district or charter school that participates in the program.

9 C. Any school district or charter school may voluntarily  
10 participate in the state seal of biliteracy program by notifying the  
11 superintendent of public instruction of the school district's or charter  
12 school's intent to participate in the program.

13 D. Each school district governing board or charter school governing  
14 body that participates in the state seal of biliteracy program shall:

15 1. Identify the students who have met the requirements to be  
16 awarded the state seal of biliteracy.

17 2. Affix the state seal of biliteracy to the diploma and note the  
18 receipt of the state seal of biliteracy on the transcript of each student  
19 who meets those requirements.

20 E. The state board of education, in collaboration with the  
21 department of education, shall adopt a list of assessments using  
22 ~~researched-based~~ RESEARCH-BASED methodology to determine a student's  
23 proficiency in a language other than English and may adopt rules as  
24 necessary to carry out the purposes of this section.

25 F. A school district or charter school that participates in the  
26 state seal of biliteracy program established pursuant to this section  
27 shall award a student, on graduation from high school, a high school  
28 diploma with a state seal of biliteracy if the student meets all of the  
29 following requirements:

30 1. Successfully completes all English language arts requirements  
31 for graduation with an overall grade point average in those classes of 2.0  
32 or higher on a 4.0 scale, or the equivalent.

33 2. Passes the end-of-course examinations in English language arts  
34 required pursuant to section 15-755.

35 3. Demonstrates proficiency in one or more languages other than  
36 English by meeting the requirements adopted pursuant to subsection E of  
37 this section.

38 4. If the student has a primary language other than English,  
39 obtains a score of proficient or higher based on the English language  
40 proficiency standards, pursuant to section 15-756.

41 ~~G. The program established pursuant to this section ends on July 1,~~  
42 ~~2026 pursuant to section 41-3102.~~

1           Sec. 9. Section 15-259, Arizona Revised Statutes, is amended to  
2 read:

3           15-259. State seal of civics literacy program; requirements;  
4                           diploma

5           A. The superintendent of public instruction shall establish a state  
6 seal of civics literacy program to recognize students who graduate from a  
7 school operated by a school district or a charter school located in this  
8 state and who have attained a high level of proficiency in civics.

9           B. The superintendent of public instruction shall:

10           1. Create a state seal of civics literacy that shall be affixed to  
11 the diploma and noted on the transcript of a student to recognize that the  
12 student has met the requirements prescribed in this section.

13           2. Deliver the state seal of civics literacy to each public school  
14 district or charter school that participates in the program.

15           C. Any school district or charter school may voluntarily  
16 participate in the state seal of civics literacy program by notifying the  
17 superintendent of public instruction of the school district's or charter  
18 school's intent to participate in the program.

19           D. Each school district governing board or charter school governing  
20 body that participates in the state seal of civics literacy program shall:

21           1. Identify the students who have met the requirements to be  
22 awarded the state seal of civics literacy.

23           2. Affix the state seal of civics literacy to the diploma and note  
24 the receipt of the state seal of civics literacy on the transcript of each  
25 student who meets those requirements.

26           E. In addition to the social studies graduation requirements  
27 prescribed in section 15-701.01, the state board of education, in  
28 collaboration with the school of civic and economic thought and leadership  
29 at Arizona state university and other experts on fundamental civic  
30 knowledge and civic literacy at universities in this state, shall adopt a  
31 list of assessments using ~~researched-based~~ RESEARCH-BASED methodology to  
32 determine a student's proficiency in civics and may adopt rules as  
33 necessary to carry out the purposes of this section.

34           F. A school district or charter school that participates in the  
35 state seal of civics literacy program established pursuant to this section  
36 shall award a student, on graduation from high school, a high school  
37 diploma with a state seal of civics literacy if the student meets both of  
38 the following requirements:

39           1. Successfully completes all social studies requirements for  
40 graduation with an overall grade point average in those classes of 3.0 or  
41 higher on a 4.0 scale, or the equivalent.

42           2. Demonstrates proficiency in civics by meeting the requirements  
43 adopted pursuant to subsection E of this section.

44           ~~G. The program established pursuant to this section ends on July 1,~~  
45 ~~2028 pursuant to section 41-3102.~~

1           Sec. 10. Section 15-260, Arizona Revised Statutes, is amended to  
2 read:

3           15-260. State seal of personal finance proficiency program;  
4                                   requirements; diploma

5           A. The superintendent of public instruction shall establish a state  
6 seal of personal finance proficiency program to recognize students who  
7 graduate from a school operated by a school district or a charter school  
8 located in this state and who have attained a high level of proficiency in  
9 personal finance.

10           B. The superintendent of public instruction shall:

11           1. Create a state seal of personal finance proficiency, which shall  
12 be affixed to the diploma and noted on the transcript of a student to  
13 recognize that the student has met the requirements prescribed in this  
14 section.

15           2. Deliver the state seal of personal finance proficiency to each  
16 public school district or charter school that participates in the program.

17           C. Any school district or charter school may voluntarily  
18 participate in the state seal of personal finance proficiency program by  
19 notifying the superintendent of public instruction of the school  
20 district's or charter school's intent to participate in the program.

21           D. Each school district governing board or charter school governing  
22 body that participates in the state seal of personal finance proficiency  
23 program shall:

24           1. Identify the students who have met the requirements to be  
25 awarded the state seal of personal finance proficiency.

26           2. Affix the state seal of personal finance proficiency to the  
27 diploma and note the receipt of the state seal of personal finance  
28 proficiency on the transcript of each student who meets those  
29 requirements.

30           E. The state board of education, in collaboration with any  
31 organization with expertise in finance or financial literacy, shall adopt  
32 minimum requirements for the program established pursuant to this section  
33 and may adopt rules as necessary to carry out the purposes of this  
34 section.

35           F. A school district or charter school that participates in the  
36 state seal of personal finance proficiency program established pursuant to  
37 this section shall award a student, on graduation from high school, a high  
38 school diploma with a state seal of personal finance proficiency if the  
39 student meets both of the following requirements:

40           1. Successfully completes all social studies requirements for  
41 graduation with an overall grade point average in those classes of 3.0 or  
42 higher on a 4.0 scale, or the equivalent.

1           2. Demonstrates proficiency in personal finance by meeting the  
2 requirements adopted pursuant to subsection E of this section.

3           ~~G. The program established pursuant to this section ends on July 1,  
4 2028 pursuant to section 41-3102.~~

5           Sec. 11. Section 15-261, Arizona Revised Statutes, is amended to  
6 read:

7           15-261. State seal of arts proficiency program; requirements;  
8 diploma

9           A. The superintendent of public instruction shall establish a state  
10 seal of arts proficiency program to recognize students who graduate from a  
11 school operated by a school district or a charter school located in this  
12 state and who have attained a high level of proficiency in the arts.

13           B. The superintendent of public instruction shall:

14           1. Create a state seal of arts proficiency, which shall be affixed  
15 to the diploma and noted on the transcript of a student to recognize that  
16 the student has met the requirements prescribed in this section.

17           2. Deliver the state seal of arts proficiency to each public school  
18 district or charter school that participates in the program.

19           C. Any school district or charter school may voluntarily  
20 participate in the state seal of arts proficiency program by notifying the  
21 superintendent of public instruction of the school district's or charter  
22 school's intent to participate in the program.

23           D. Each school district governing board or charter school governing  
24 body that participates in the state seal of arts proficiency program  
25 shall:

26           1. Identify the students who have met the requirements to be  
27 awarded the state seal of arts proficiency.

28           2. Affix the state seal of arts proficiency to the diploma and note  
29 the receipt of the state seal of arts proficiency on the transcript of  
30 each student who meets those requirements.

31           E. The state board of education, in collaboration with the  
32 department of education and experts in arts education, shall adopt minimum  
33 requirements for the program established pursuant to this section and may  
34 adopt rules as necessary to carry out the purposes of this section.

35           F. A school district or charter school that participates in the  
36 state seal of arts proficiency program established pursuant to this  
37 section shall award a student, on graduation from high school, a high  
38 school diploma with a state seal of arts proficiency if the student  
39 demonstrates proficiency in arts by meeting the requirements adopted  
40 pursuant to this section.

41           ~~G. The program established pursuant to this section ends on July 1,  
42 2029 pursuant to section 41-3102.~~

1           Sec. 12. Section 15-707, Arizona Revised Statutes, is amended to  
2 read:

3           15-707. College and career readiness program for at-risk  
4           students; requirements; annual report; definition

5           A. A school district or charter school that provides high school  
6 instruction may establish a college and career readiness program for  
7 at-risk students. A program established pursuant to this section shall  
8 meet the following requirements:

9           1. Consist of at least nine consecutive months of academic support,  
10 including tutoring and remediation, to ensure that participating students  
11 meet the academic standards adopted by the state board of education.

12           2. Consist of comprehensive instruction on workplace skills as  
13 adopted by the state board of education.

14           3. Consist of instruction on leadership and civic duty.

15           4. Require students who participate in the program to earn credits  
16 toward graduation from high school.

17           5. Require students who participate in the program to perform  
18 volunteer activities or community service.

19           6. Require students who participate in the program to continue to  
20 participate in the program for twelve months after graduation from high  
21 school, during which time the school district or charter school shall  
22 provide follow-up assistance that is designed to assist the student's  
23 transition to postsecondary education, vocational or job training,  
24 military service or employment. A participating school district or  
25 charter school may develop a dual enrollment course program in order to  
26 meet the requirements of this paragraph.

27           7. Be administered through a private entity selected by the  
28 department of education.

29           B. School districts and charter schools that participate in the  
30 program shall annually report the following information to the department  
31 of education:

32           1. The percentage of students who participate in the program and  
33 who graduate from high school or obtain a general equivalency ~~degree~~  
34 **DIPLOMA** on or within twelve months after the scheduled graduation date for  
35 that student's classmates.

36           2. The percentage of students who participate in the program, who  
37 graduate from high school or obtain a general equivalency ~~degree~~ **DIPLOMA**  
38 and who begin participation in postsecondary education, employment,  
39 vocational or job training or military service within twelve months after  
40 the scheduled graduation date for that student's classmates.

41           3. The percentage of students who participate in the program and  
42 who are either enrolled full time at a postsecondary education  
43 institution, employed full time, enrolled in a full-time vocational or job  
44 training program or on active duty in the armed forces of the United  
45 States, or any combination of these activities that in totality amounts to

1 full-time activity, within twelve months after the scheduled graduation  
2 date for that student's classmates.

3 4. The percentage of students who participate in the program and  
4 their achievement scores on the statewide assessment adopted by the state  
5 board of education prescribed in section 15-741.

6 C. On or before September 15 of each year, the department of  
7 education shall submit ~~an annual~~ A report to the governor, the president  
8 of the senate and the speaker of the house of representatives that  
9 summarizes the information submitted pursuant to subsection B of this  
10 section. The department of education shall provide a copy of the annual  
11 report to the secretary of state.

12 ~~D. The program established by this section ends on July 1, 2027~~  
13 ~~pursuant to section 41-3102.~~

14 ~~E.~~ D. For the purposes of this section, "at-risk student" means a  
15 pupil in grade eleven or twelve who either:

- 16 1. Is likely to drop out of high school without graduating.  
17 2. Has documented academic, personal or vocational barriers to  
18 success in high school and the workplace including having been subject to  
19 discipline, suspension or expulsion pursuant to SECTION 15-843.

20 Sec. 13. Repeal

21 Section 15-1785, Arizona Revised Statutes, is repealed.

22 Sec. 14. Section 15-1855, Arizona Revised Statutes, is amended to  
23 read:

24 15-1855. Private postsecondary education grant program; fund

25 A. The commission for postsecondary education shall establish and  
26 administer a private postsecondary education grant program.

27 B. Grants issued under the private postsecondary education GRANT  
28 program are subject to legislative appropriation and may be used to pay  
29 for any of the following:

- 30 1. Tuition charged at a school that qualifies under this section.  
31 2. The cost of books required for classes at a school that  
32 qualifies under this section.  
33 3. Fees charged at a school that qualifies under this section.

34 C. To be eligible for a grant under this section, a student  
35 applicant must provide proof that the student has met all of the following  
36 criteria:

37 1. Either:

38 (a) Is currently a resident of this state and has been a resident  
39 of this state for at least the past twelve months.

40 (b) Is a member of the military service of the United States and is  
41 stationed in this state or is the spouse or a dependent of a member of the  
42 military service of the United States who is stationed in this state.

43 2. Registers for enrollment as a student in a certificated or  
44 degreed science, technology, engineering or math field, or a related  
45 field, as defined by the commission in consultation with the ~~governor's~~

1 workforce ARIZONA council, THE office of economic opportunity and other  
2 economic and workforce development organizations in either:

3 (a) A baccalaureate program at a nationally or regionally  
4 accredited private postsecondary educational institution in this state.

5 (b) A certificate program at a nationally or regionally accredited  
6 private postsecondary educational institution in this state that awards  
7 associate degrees.

8 3. Provides either proof of successfully completing one academic  
9 year of college-level academic coursework or both of the following:

10 (a) A high school transcript that demonstrates proof of graduation  
11 from a public or private high school in this state. If high school  
12 records no longer exist for the student or if every reasonable effort has  
13 been made to obtain official records, the student may submit a letter  
14 certified by the high school from which the student graduated or the  
15 STUDENT'S original high school diploma.

16 (b) A high school transcript that demonstrates proof that the  
17 student meets either of the following:

18 (i) For a student enrolling in a baccalaureate program, a minimum  
19 grade point average of 3.5 on a 4.0 scale, or the equivalent.

20 (ii) For a student enrolling in an associate degree program, a  
21 minimum grade point average of 2.75 on a 4.0 scale, or the equivalent.

22 4. For students enrolling in an associate degree program, submits a  
23 letter of support from the student's vocational counselor, current or  
24 former ~~teachers~~ TEACHER, or current or former ~~employers~~ EMPLOYER.

25 5. Completes and submits a free application for federal student aid  
26 and meets the eligibility criteria for the federal pell grant.

27 6. Provides proof that the enrolling institution or affiliated  
28 entity, such as a foundation or an alumni association, has awarded the  
29 student applicant a matching grant or scholarship, or both.

30 D. A student attending a four-year program who fails to receive a  
31 baccalaureate degree within the seven-year period after the receipt of a  
32 grant pursuant to this section or a student attending a two-year program  
33 who fails to receive an associate degree within the four-year period after  
34 the receipt of a grant pursuant to this section shall reimburse the  
35 private postsecondary education grant fund for all grant monies received  
36 under this section. On receipt of supporting documentation from the  
37 student and for good cause shown, the commission may provide extensions  
38 beyond the four-year and seven-year periods prescribed in this subsection.

39 E. If the grant revenues are not exhausted in a grant cycle for  
40 students in the science, technology, engineering or math fields, or  
41 related fields, as described in this section, the commission may  
42 distribute grants to students enrolled in other certificate or degree  
43 programs.

1 F. If the commission is notified by a school that a student who  
2 received a private postsecondary education grant pursuant to this section  
3 is no longer in good academic standing at the school, the commission shall  
4 immediately discontinue the grant and the student shall reimburse the  
5 private postsecondary education grant fund for any unused portion or any  
6 unlawfully used portion of the grant monies received.

7 G. The private postsecondary education grant fund is established  
8 consisting of legislative appropriations and grants, gifts, devises and  
9 donations from any public or private source. The commission shall  
10 administer the fund. Monies in the fund are continuously appropriated and  
11 are exempt from the provisions of section 35-190 relating to lapsing of  
12 appropriations. The commission shall make awards for payment of tuition  
13 at schools that qualify under this section to students who are selected to  
14 receive a grant under this section.

15 ~~H. The program established pursuant to this section ends on July 1,~~  
16 ~~2027 pursuant to section 41-3102.~~

17 Sec. 15. Section 15-1867, Arizona Revised Statutes, is amended to  
18 read:

19 15-1867. Arizona board of regents; committee on free  
20 expression; annual report

21 A. The Arizona board of regents shall establish a committee on free  
22 expression consisting of at least fifteen members.

23 B. The committee on free expression shall submit an annual report  
24 on or before September 1 to the governor, the speaker of the house of  
25 representatives and the president of the senate. The Arizona board of  
26 regents shall post a copy of the annual report on its website and shall  
27 submit a copy of the annual report to the secretary of state. The annual  
28 report shall include:

29 1. A description of any barriers to or disruptions of free  
30 expression within the universities in this state.

31 2. A description of the administrative handling and discipline  
32 relating to barriers to or disruptions of free expression within the  
33 universities in this state.

34 3. A description of substantial difficulties, controversies or  
35 successes in maintaining a posture of administrative and institutional  
36 neutrality.

37 4. Any assessments, criticisms, commendations or recommendations  
38 that the committee decides to include in the annual report.

39 5. An accounting of how student activity fees were allocated in the  
40 prior year. For the purposes of this paragraph, "student activity fees"  
41 means any fee that is charged to students by a university in this state  
42 and that is used to support and facilitate the expression and activities  
43 of students or student organizations.

44 ~~C. The committee established pursuant to this section ends on~~  
45 ~~July 1, 2026 pursuant to section 41-3103.~~





1           4. Two members who represent wildlife conservation or wildlife  
2 management, who have knowledge and experience with livestock production or  
3 management and who are appointed by the governor pursuant to section  
4 38-211.

5           5. One member who is a livestock auction market owner and who is  
6 appointed by the speaker of the house of representatives.

7           6. One member who is a faculty member at a university under the  
8 jurisdiction of the Arizona board of regents, who has expertise in  
9 agricultural and life sciences and who is appointed by the president of  
10 the senate.

11           B. The initial members of the livestock loss board who are  
12 appointed pursuant to subsection A, paragraphs 3, 4, 5 and 6 of this  
13 section shall assign themselves by lot to terms of two and four years in  
14 office. All subsequent members serve four-year terms of office. The  
15 chairperson shall notify the governor's office, the president of the  
16 senate and the speaker of the house of representatives of these  
17 appointments.

18           C. A majority of the members constitute a quorum.

19           D. The livestock loss board shall annually elect a chairperson from  
20 its members.

21           E. Members of the livestock loss board are not eligible to receive  
22 compensation but are eligible for reimbursement of expenses pursuant to  
23 title 38, chapter 4, article 2.

24           F. The livestock loss board shall submit to the governor, the  
25 president of the senate and the speaker of the house of representatives on  
26 or before December 31 of each year a report of the number of applications  
27 for compensation, the total amount of monies provided to landowners,  
28 lessees and livestock operators that year and any recommendations. The  
29 livestock loss board shall provide a copy of this report to the secretary  
30 of state.

31           ~~G. The board established by this section ends on July 1, 2023~~  
32 ~~pursuant to section 41-3103.~~

33           Sec. 18. Section 18-422, Arizona Revised Statutes, is amended to  
34 read:

35           18-422. State agencies; third-party electronic service  
36 provider authorization; definitions

37           A. Any state agency may authorize a person to be a third-party  
38 electronic service provider.

39           B. The written agreement between the state agency and the  
40 authorized third-party electronic service provider may be for a limited  
41 number of services and may limit the persons that may receive the  
42 services.

43           C. An authorized third-party electronic service provider must meet  
44 all of the requirements established by the state agency and must be  
45 selected through a competitive bid process.

- 1 D. An authorized third-party electronic service provider:  
2 1. Shall submit to the state agency all statutorily prescribed fees  
3 and taxes it collects and deposit pursuant to sections 35-146 and 35-147  
4 the fees and taxes with the state treasurer.  
5 2. May collect and retain a reasonable and commensurate fee for its  
6 services.  
7 E. For the purposes of this section:  
8 1. "Authorized third-party electronic service provider" means an  
9 entity that has executed a written agreement with a state agency and that  
10 is authorized by the state agency to provide electronic transmission  
11 services between the state agency, private citizens, other government  
12 agencies and public and private entities in this state or in any other  
13 state, territory or country.  
14 2. "Person" includes a corporation, company, partnership, firm,  
15 association or society.  
16 3. "State agency" ~~has the same meaning prescribed in section~~  
17 ~~41-3101~~ MEANS ANY DEPARTMENT, OFFICE, AGENCY, COMMISSION, BOARD OR OTHER  
18 INSTRUMENTALITY OF THIS STATE THAT RECEIVES, SPENDS OR DISBURSES STATE  
19 MONIES OR INCURS OBLIGATIONS AGAINST THIS STATE.  
20 Sec. 19. Repeal  
21 Section 18-612, Arizona Revised Statutes, is repealed.  
22 Sec. 20. Section 20-3505, Arizona Revised Statutes, is amended to  
23 read:  
24 20-3505. Mental health parity advisory committee; members  
25 A. The mental health parity advisory committee is established to  
26 advise the directors of the department of insurance and financial  
27 institutions and department of health services relating to matters  
28 pertinent to mental health parity, including recommendations related to  
29 case management, discharge planning and expedited review and appeals  
30 processes for cases involving suicidal ideation. The director of the  
31 department of insurance and financial institutions shall appoint the  
32 following members to the committee:  
33 1. Four members who represent health care insurers.  
34 2. One member who is a licensed behavioral health services  
35 provider.  
36 3. One member who represents a behavioral health advocacy  
37 organization.  
38 4. At least three members or family members who are not employed by  
39 or contracted with the state and who have been affected by suicide,  
40 substance use or a mental health disorder.  
41 5. At least one member who represents a hospital that provides  
42 inpatient behavioral health services.  
43 B. The director of the Arizona health care cost containment system  
44 may serve in an advisory capacity at the request of the director of the

1 department of insurance and financial institutions or the director of the  
2 department of health services.

3 ~~C. The committee established by this section ends on July 1, 2028~~  
4 ~~pursuant to section 41-3103.~~

5 Sec. 21. Section 23-432, Arizona Revised Statutes, is amended to  
6 read:

7 23-432. Voluntary protection and other model system  
8 implementation programs; exemption

9 A. The division shall adopt definitions, regulations and standards  
10 necessary for the operation of the program in a manner that will promote  
11 safe and healthy workplaces throughout this state. Standards for the  
12 program shall include the following requirements for participation:

- 13 1. Upper management leadership and active and meaningful employee  
14 involvement.
- 15 2. Systematic assessment of occupational hazards.
- 16 3. Comprehensive hazard prevention, mitigation and control  
17 programs.
- 18 4. Employee safety and health training.
- 19 5. Safety and health program evaluation by the division to ensure  
20 that a workplace continuously meets the standards and regulations.

21 B. Applications for participation in the program shall be submitted  
22 by the workplace's management. Applications shall include documentation  
23 establishing to the satisfaction of the division that the employer meets  
24 all requirements for program participation.

25 C. The division shall provide for on-site evaluations by the  
26 division's consultation section of each workplace that has applied to  
27 participate in the program to determine that the applicant's workplace  
28 complies with the requirements for program participation.

29 D. A workplace's continued participation in the program is  
30 conditioned on compliance with the requirements for program participation,  
31 as determined by periodic, planned on-site evaluations by the division.

32 E. During periods in which a workplace is a program participant,  
33 the workplace is exempt from inspections or investigations under section  
34 23-408. This exception does not apply to inspections or investigations of  
35 the workplace arising from complaints, referrals, fatalities,  
36 catastrophes, nonfatal accidents or significant toxic chemical releases.

37 F. Any workplace that was a participant in the uncodified voluntary  
38 protection program or any other program that implements a model system  
39 conducted by the division before August 9, 2017 may continue as a  
40 participant in the program established pursuant to this section.  
41 Beginning on August 9, 2017, the continued participation by such a  
42 workplace in the program is conditioned on the workplace's compliance with  
43 the requirements for program participation adopted by the division.

44 ~~G. The program established by this section ends on July 1, 2027~~  
45 ~~pursuant to section 41-3102.~~



1 H. The council shall:

2 1. Make grants from the driving under the influence abatement fund  
3 established by section 28-1304 to political subdivisions and tribal  
4 governments that apply for monies for enforcement purposes, prosecutorial  
5 and judicial activities and alcohol abuse treatment services related to  
6 preventing and abating driving or operating under the influence  
7 occurrences in a motor vehicle or a motorized watercraft as defined in  
8 section 5-301.

9 2. Make grants from the driving under the influence abatement fund  
10 established by section 28-1304 to innovative programs that use emerging  
11 technologies to educate, prevent or deter occurrences of driving or  
12 operating under the influence in a motor vehicle or a motorized  
13 watercraft.

14 3. Receive quarterly reports from the entities receiving grants and  
15 evaluate their effectiveness. The council may make additional grants to  
16 the recipients and oversee the progress of those programs.

17 4. On or before December 1 of each year, submit a written report on  
18 the effectiveness of the grants provided in reducing the incidence of  
19 driving or operating under the influence to the governor, the speaker of  
20 the house of representatives and the president of the senate and shall  
21 provide a copy of this report to the secretary of state.

22 ~~I. The council established by this section ends on July 1, 2024~~  
23 ~~pursuant to section 41-3103.~~

24 Sec. 23. Heading change

25 The article heading of title 28, chapter 8, article 2, Arizona  
26 Revised Statutes, is changed from "ADVISORY ENTITIES" to "SCHOOL BUS  
27 ADVISORY COUNCIL".

28 Sec. 24. Section 28-3053, Arizona Revised Statutes, is amended to  
29 read:

30 28-3053. School bus advisory council

31 A. The school bus advisory council is established consisting of  
32 nine members appointed by the governor. The governor shall appoint the  
33 members as follows:

34 1. One member representing the department of public safety.

35 2. One member representing the state board of education.

36 3. One member from a school district with a student count of less  
37 than six hundred.

38 4. One member from a school district with a student count of six  
39 hundred or more but less than three thousand.

40 5. One member from a school district with a student count of three  
41 thousand or more but less than ten thousand.

42 6. One member from a school district with a student count of ten  
43 thousand or more.

44 7. One member representing transportation administrators.

1           8. One member who is a certified school bus driver or school bus  
2 driver instructor.

3           9. One member representing a private sector school bus service  
4 provider.

5           B. The members shall serve staggered three-year terms unless a  
6 member vacates the position. Appointment to fill a vacancy resulting  
7 other than from expiration of a term is for the unexpired portion of the  
8 term only.

9           C. The school bus advisory council shall:

10           1. Meet at least annually.

11           2. Select a ~~chairman~~ CHAIRPERSON from its members.

12           3. Advise and assist the department of public safety in developing  
13 the rules required by sections 28-900 and 28-3228.

14           4. Recommend curricula for school bus driver safety and training  
15 courses required by section 28-3228.

16           5. Advise and consult with the department of public safety  
17 concerning matters related to the certification of school bus drivers and  
18 the safety of school buses.

19           6. Establish a mailing list that includes any party expressing an  
20 interest in the council's activities. The council shall provide written  
21 notice to each person on the list at least fifteen days before the date on  
22 which the meeting is to be held. The notice shall be sent by mail or  
23 electronic means to the party's last address of record with the council or  
24 by any other method reasonably calculated to effect actual notice to any  
25 party expressing interest in the council's activities. Written notice by  
26 electronic means is effective when transmitted. For other methods written  
27 notice is effective on receipt or five days after the date shown on the  
28 postmark stamped on the envelope, whichever is earlier.

29           D. Members of the school bus advisory council are not eligible to  
30 receive compensation or reimbursement for expenses.

31           ~~E. The council established by this section ends on July 1, 2024  
32 pursuant to section 41-3103.~~

33           Sec. 25. Section 28-4505, Arizona Revised Statutes, is amended to  
34 read:

35           28-4505. Unlicensed motor vehicle dealer enforcement task  
36 force; report

37           A. The unlicensed motor vehicle dealer enforcement task force is  
38 established in the department of transportation and consists of the  
39 following members:

40           1. Three members from the department of transportation who are  
41 appointed by the director of the department of transportation.

42           2. Three members from the department of revenue who are appointed  
43 by the director of the department of revenue.

1           3. Three members who represent an independent automobile dealers'  
2 association in this state and who are appointed by the director of the  
3 department of transportation.

4           B. The unlicensed motor vehicle dealer enforcement task force  
5 shall:

6           1. Meet at least quarterly to review unlicensed motor vehicle  
7 dealer enforcement activities in this state.

8           2. Submit a report to the director of the department of  
9 transportation at least quarterly that contains the status of the task  
10 force's findings and provide a copy of this report to the secretary of  
11 state.

12           ~~C. The task force established by this section ends on July 1, 2026~~  
13 ~~pursuant to section 41-3103.~~

14           Sec. 26. Section 28-6308, Arizona Revised Statutes, is amended to  
15 read:

16           28-6308. Regional planning agency transportation policy  
17 committee; regional transportation plan; plan  
18 review process

19           A. The regional planning agency in the county shall establish a  
20 transportation policy committee consisting of twenty-three members as  
21 follows:

22           1. Seventeen members of the regional planning agency, including one  
23 member of the state transportation board who represents the county, one  
24 member of the county board of supervisors and one member representing  
25 Indian communities in the county.

26           2. Six members who represent regionwide business interests, one of  
27 whom must represent transit interests, one of whom must represent freight  
28 interests and one of whom must represent construction interests. The  
29 president of the senate and the speaker of the house of representatives  
30 shall each appoint three members to the committee pursuant to this  
31 paragraph. Members who are appointed pursuant to this paragraph serve  
32 six-year terms. The ~~chairman~~ CHAIRPERSON of the regional planning agency  
33 may submit names to the president of the senate and the speaker of the  
34 house of representatives for consideration for appointment to the  
35 transportation policy committee.

36           B. Through the regional planning agency, the transportation policy  
37 committee shall:

38           1. By a majority vote of the members, recommend approval of a  
39 ~~twenty year~~ TWENTY-YEAR comprehensive, ~~performance based~~  
40 PERFORMANCE-BASED, multimodal and coordinated regional transportation plan  
41 in the county, including transportation corridors by priority and a  
42 schedule indicating the dates that construction will commence for projects  
43 contained in the plan.

44           2. Develop the plan in cooperation with the regional public  
45 transportation authority in the county and the department of



1 transportation and in consultation with the county board of supervisors,  
2 Indian communities and cities and towns in the county.

3 3. Submit the plan for review by the regional public transportation  
4 authority in the county, the state board of transportation, the county  
5 board of supervisors, Indian communities and cities and towns in the  
6 county at the alternatives stage of the plan and the final draft stage of  
7 the plan. After reviewing the plan, the regional public transportation  
8 authority in the county, the county board of supervisors and the state  
9 board of transportation, by majority vote of the members of each entity  
10 within thirty days after receiving the plan, shall submit a written  
11 recommendation to the transportation policy committee that the plan be  
12 approved, modified or disapproved. Within thirty days after receiving the  
13 plan, Indian communities and cities and towns in the county may submit a  
14 written recommendation to the transportation policy committee that the  
15 plan be approved, modified or disapproved.

16 4. Consider plan modifications proposed by any of the entities as  
17 prescribed in paragraph 3 of this subsection.

18 5. By majority vote, approve, disapprove or further modify each  
19 proposed plan modification.

20 6. Provide a written response to the regional public transportation  
21 authority, the state board of transportation, the county board of  
22 supervisors and the entity that submitted the proposed modification within  
23 thirty days after the vote on the proposed modification explaining the  
24 affirmation, rejection or further modification of each proposed  
25 modification.

26 7. Recommend the plan to the regional planning agency for approval  
27 for an air quality conformity analysis.

28 C. The regional transportation plan:

29 1. Shall include the following transportation mode classifications  
30 with a revenue allocation to each classification consistent with section  
31 42-6105, subsection D:

32 (a) Freeways and other routes in the state highway system.

33 (b) Major arterial streets and intersection improvements.

34 (c) Public transportation systems.

35 2. Shall provide a suggested construction schedule for the  
36 transportation projects contained in the plan.

37 3. May be annually updated to introduce new controlled access  
38 highways, related grade separations and transportation projects or to  
39 modify the existing plan.

40 4. Shall be developed to meet federal air quality requirements  
41 established for the region in which it is located.

42 D. Transportation excise tax revenues that are distributed pursuant  
43 to section 42-6105, subsection D shall not be redistributed or used for  
44 other transportation modes. Except as provided by section 28-6353,  
45 subsections D, E and F, transportation excise tax revenues that are

1 dedicated in the plan to a specific project or transportation system may  
2 only be redistributed to or otherwise used for another project within the  
3 same transportation mode if approved by a majority vote of the  
4 transportation policy committee.

5 ~~E. The committee established pursuant to this section ends on July~~  
6 ~~1, 2024 pursuant to section 41-3103.~~

7 Sec. 27. Section 28-7058, Arizona Revised Statutes, is amended to  
8 read:

9 28-7058. Privatization of rest areas; state certified rest  
10 area program; definitions

11 A. The department may:

12 1. Privatize any rest area constructed on or adjacent to state  
13 highways in this state on or after September 26, 2008. Any agreement  
14 between the department and a person for privatization under this section  
15 shall include a provision that:

16 (a) Prohibits the person from charging any fees for the use of a  
17 lavatory.

18 (b) Requires the person to provide an adequate outdoor picnic area  
19 to be available to the public at no charge.

20 2. Establish a state certified rest area program that meets the  
21 requirements established by the federal highway administration pursuant to  
22 Public Law 109-59, section 1310.

23 3. Contract with a third party or other government entity to  
24 certify and recertify rest areas for the state certified rest area  
25 program.

26 ~~B. The state certified rest area program established pursuant to~~  
27 ~~this section ends on July 1, 2027 pursuant to section 41-3102.~~

28 ~~C.~~ B. For the purposes of this section:

29 1. "Population" means the population determined in the most recent  
30 United States decennial census or in the most recent special census as  
31 provided in section 28-6532.

32 2. "State certified rest area" means a privately owned facility  
33 that is both of the following:

34 (a) Certified by this state or a third party to meet the  
35 requirements established by the federal highway administration pursuant to  
36 Public Law 109-59, section 1310 and at a minimum offers all of the  
37 following:

38 (i) Fuel and food to the public.

39 (ii) Twenty-four hour access to restrooms.

40 (iii) Parking for automobiles and heavy trucks.

41 (b) Located outside of the public right-of-way and outside of an  
42 urbanized area with a population of one hundred thousand or more persons.

43 3. "Urbanized area" means an urbanized area as defined in the  
44 decennial census by the United States bureau of the census.



1 (a) Furnishing, installing, maintaining and replacing the  
2 advertising and sponsorship space or media on the authorized assets and  
3 facilities of the department.

4 (b) Promoting and negotiating the leasing of advertising and  
5 sponsorship space or media on the authorized assets and facilities of the  
6 department.

7 2. Compensation.

8 D. Costs incurred under the program established pursuant to this  
9 section shall be paid under agreements negotiated between the department  
10 or the third party and the advertisers or sponsors.

11 E. The department may enter into a revenue sharing agreement with  
12 the third party. The department shall deposit, pursuant to sections  
13 35-146 and 35-147, revenues generated from the advertising and sponsorship  
14 program, minus program operating costs, in the state highway fund  
15 established by section 28-6991.

16 ~~F. The program established pursuant to this section ends on July 1,  
17 2026 pursuant to section 41-3102.~~

18 ~~G.~~ F. For the purposes of this section:

19 1. "Advertising" means signage or electronic media on department  
20 assets that display or promote commercial brands, products or services  
21 through a logo, message, OR slogan or other information.

22 2. "Assets" means buildings, transportation infrastructure,  
23 vehicles, signage, equipment, internet or other electronic media or other  
24 facilities or items of value that are owned, maintained or managed by the  
25 department.

26 3. "Facility" means a building, room, center or space or another  
27 location in or on an asset that is owned, leased or controlled by the  
28 department and that the department deems suitable for sponsorship.

29 4. "Sponsorship" means the act of sponsoring an element of the  
30 department's operation of an asset through highway-related services,  
31 products or monetary contributions.

32 Sec. 30. Section 32-2942, Arizona Revised Statutes, is amended to  
33 read:

34 32-2942. Mental, behavioral and physical health evaluation  
35 and treatment program; confidential consent  
36 agreement; private contract; immunity

37 A. The board may establish a confidential program for the  
38 evaluation, treatment and monitoring of persons who are licensed pursuant  
39 to this chapter and who have a medical, psychiatric, psychological or  
40 behavioral health disorder that may impact the ability to safely practice  
41 medicine or perform health care tasks. The program shall include  
42 education, intervention, therapeutic treatment and posttreatment  
43 monitoring and support.

44 B. A licensee who has a medical, psychiatric, psychological or  
45 behavioral health disorder described in subsection A of this section and

1 who has not committed a violation of this chapter may agree to enter into  
2 a confidential consent agreement with the board for participation in a  
3 program established pursuant to this section if the licensee either:

4 1. Voluntarily reports that disorder to the board.

5 2. Is reported to the board by a peer review committee, hospital  
6 medical staff member, health plan or other health care practitioner or  
7 health care entity.

8 C. The board may contract with a private organization to operate a  
9 program established pursuant to this section. The contract shall require  
10 that the private organization do all of the following:

11 1. Periodically report to the board regarding treatment program  
12 activity.

13 2. Release all treatment records to the board on demand.

14 3. Immediately report to the board the name of a licensee who the  
15 treating organization believes is incapable of safely practicing medicine  
16 or performing health care tasks.

17 D. An evaluator, teacher, supervisor or volunteer in a program  
18 established pursuant to this section who acts in good faith within the  
19 scope of that program is not subject to civil liability, including  
20 malpractice liability, for the actions of a licensee who is participating  
21 in the program pursuant to this section.

22 ~~E. The program established pursuant to this section ends on July 1,~~  
23 ~~2025 pursuant to section 41-3102.~~

24 Sec. 31. Section 32-3504, Arizona Revised Statutes, is amended to  
25 read:

26 32-3504. Powers and duties; inspection of records; personnel  
27 examinations; immunity

28 A. The board shall:

29 1. Enforce and administer ~~the provisions of~~ this chapter.

30 2. Adopt rules necessary to administer this chapter.

31 3. Examine applicants for licensure pursuant to this chapter at  
32 times and places it designates.

33 4. Investigate each applicant for licensure, before a license is  
34 issued, in order to determine if the applicant is qualified pursuant to  
35 this chapter.

36 5. Keep a record of all its acts and proceedings pursuant to this  
37 chapter, including the issuance, refusal, renewal, suspension or  
38 revocation of licenses.

39 6. Require each applicant for initial licensure to submit a full  
40 set of fingerprints to the board for a state and federal criminal history  
41 records check pursuant to section 41-1750 and Public Law 92-544.

42 7. Maintain a register that contains the name, the last known place  
43 of residence and the date and number of the license of all persons who are  
44 licensed pursuant to this chapter.



1 D. The department of administration shall provide secretarial and  
2 staff support services to the commission.

3 E. The private citizen members of the commission are eligible to  
4 receive ~~fifty dollars~~ \$50 per day for time spent in the performance of  
5 their duties. These monies shall be paid from monies appropriated to the  
6 department of administration.

7 F. The commission shall meet at least annually and, in addition, at  
8 the call of the ~~chairman~~ CHAIRPERSON. The commission shall meet at such  
9 times and places as convenient or necessary to conduct its affairs and  
10 shall render its findings, reports and recommendations in writing to the  
11 governor and to the legislature.

12 G. The commission shall:

13 1. Review the information provided to the department of  
14 administration as prescribed in section 35-501.

15 2. Ascertain the bonded indebtedness of all taxing jurisdictions  
16 and the relationship to the appropriate debt limitation.

17 ~~H. The commission established by this section ends on July 1, 2026  
18 pursuant to section 41-3103.~~

19 Sec. 33. Section 36-173, Arizona Revised Statutes, is amended to  
20 read:

21 36-173. Advisory committee; membership

22 A. The health care professionals workforce data repository advisory  
23 committee is established to advise the director regarding rules and  
24 policies relating to the operation of the health care professionals  
25 workforce data repository. The advisory committee consists of at least  
26 fourteen members but not more than fifteen members who are appointed by  
27 the director and includes:

28 1. The director or the director's designee, who serves as the  
29 chairperson.

30 2. One person who represents each health profession regulatory  
31 board that collects and transfers data to the health care professionals  
32 workforce data repository.

33 3. At least two persons who represent universities in this state.

34 4. At least one person who represents a community college in this  
35 state.

36 5. At least one person who represents a hospital in a county in  
37 this state with a population of five hundred thousand persons or more.

38 6. At least one person who represents a hospital in a county in  
39 this state with a population of less than five hundred thousand persons.

40 7. One person who is a behavioral health services provider.

41 8. One person who is an outpatient services provider.

42 9. At least one person who represents a nonprofit organization that  
43 conducts research and education related to health care.

1 B. The advisory committee members shall serve three-year terms.  
2 Members serve in a voluntary capacity but are eligible to receive  
3 reimbursement of expenses pursuant to title 38, chapter 4, article 2.

4 ~~C. The advisory committee established by this section ends on~~  
5 ~~July 1, 2027 pursuant to section 41-3103.~~

6 Sec. 34. Section 36-199, Arizona Revised Statutes, is amended to  
7 read:

8 36-199. Suicide mortality review team; members; duties

9 A. The suicide mortality review team is established in the  
10 department of health services. The head of each of the following entities  
11 or that person's designee shall serve on the review team:

- 12 1. The department of health services.
- 13 2. The Arizona health care cost containment system.
- 14 3. The department of economic security.
- 15 4. The governor's office of youth, faith and family.
- 16 5. The department of education.
- 17 6. The Arizona council of human ~~services~~ SERVICE providers.
- 18 7. The department of public safety.

19 B. The director of the department of health services shall appoint  
20 the following members to serve on the review team:

- 21 1. A medical examiner who is a rural forensic pathologist.
- 22 2. A medical examiner who is a metropolitan forensic pathologist.
- 23 3. A representative of a tribal government.
- 24 4. A representative of a health care insurer.
- 25 5. A public member.
- 26 6. A representative of an emergency management system provider.
- 27 7. A health care professional from a statewide association  
28 representing pediatricians.
- 29 8. A health care professional from a statewide association  
30 representing physicians.
- 31 9. A health care professional from a statewide association  
32 representing nurses.
- 33 10. A representative of an association of county health officers.
- 34 11. A representative of an association representing hospitals.
- 35 12. A professional who specializes in the prevention, diagnosis and  
36 treatment of behavioral health problems.
- 37 13. A county sheriff, or the sheriff's designee, who represents a  
38 county with a population of less than five hundred thousand persons and a  
39 county sheriff, or the sheriff's designee, who represents a county with a  
40 population of at least five hundred thousand persons.
- 41 14. A representative of a veterans organization or military family  
42 advocacy program.
- 43 15. A representative of a statewide association representing area  
44 agencies on aging.



1           16. A representative of a nonprofit community-based organization  
2 providing suicide prevention services.

3           17. A representative of a rural health organization.

4           C. The review team shall:

5           1. Develop a suicide mortalities data collection system.

6           2. Conduct an annual analysis on the incidences and causes of  
7 suicides in this state during the preceding fiscal year.

8           3. Encourage and assist in the development of local suicide  
9 mortality review teams.

10          4. Develop standards and protocols for local suicide mortality  
11 review teams and provide training and technical assistance to these teams.

12          5. Develop protocols for suicide investigations, including  
13 protocols for law enforcement agencies, prosecutors, medical examiners,  
14 health care facilities and social service agencies.

15          6. Study the adequacy of statutes, ordinances, rules, training and  
16 services to determine what changes are needed to decrease the incidence of  
17 preventable suicides and, as appropriate, take steps to implement these  
18 changes.

19          7. Educate the public regarding the incidences and causes of  
20 suicide as well as the public's role in preventing these deaths.

21          8. Designate a member of the review team to serve as chairperson.

22          D. Review team members are not eligible to receive compensation,  
23 but members appointed pursuant to subsection B of this section are  
24 eligible for reimbursement of expenses pursuant to title 38, chapter 4,  
25 article 2.

26          E. The department of health services shall provide professional and  
27 administrative support to the team.

28          ~~F. The review team established by this section ends on July 1, 2028~~  
29 ~~pursuant to section 41-3103.~~

30          Sec. 35. Section 36-779, Arizona Revised Statutes, is amended to  
31 read:

32          36-779. Tobacco revenue use spending and tracking commission

33          A. The president of the senate and the speaker of the house of  
34 representatives shall establish a tobacco revenue use spending and  
35 tracking commission.

36          B. The president of the senate and the speaker of the house of  
37 representatives shall each appoint six members to the commission who have  
38 expertise in any of the following:

39           1. Public health services.

40           2. Programs relating to tobacco use cessation or tobacco addiction.

41           3. School-based tobacco education programs.

42           4. Marketing or public relations.

43           5. Research and evaluation of public health programs.

1 C. The speaker of the house of representatives and the president of  
2 the senate shall each appoint one member of the house of representatives  
3 and the senate respectively to serve as nonvoting advisory members of the  
4 commission whose presence is not counted for purposes of determining the  
5 presence of a quorum.

6 D. Commission members serve at the pleasure of their respective  
7 appointing officer.

8 E. Commission members are not eligible to receive compensation or  
9 reimbursement of expenses.

10 F. The commission shall advise and consult with the department of  
11 health services on the goals, objectives and activities of programs that  
12 receive monies pursuant to section 36-772.

13 G. The commission shall meet at least four times each calendar  
14 year.

15 H. At its first meeting the commission shall elect a chairperson  
16 and vice-chairperson from among its members and shall adopt bylaws to  
17 govern issues related to the conduct of commission business and conflicts  
18 of interest.

19 ~~I. The commission established by this section ends on July 1, 2021~~  
20 ~~pursuant to section 41-3103.~~

21 Sec. 36. Section 36-797.01, Arizona Revised Statutes, is amended to  
22 read:

23 36-797.01. HIV action program; duties; report

24 A. The director shall establish and implement the HIV action  
25 program in the department to meet at least the following requirements:

26 1. On or before November 1, 2020, complete a statewide HIV  
27 prevention and care needs assessment of target populations, including  
28 people living with substance use issues.

29 2. Identify community-based agencies that serve the HIV population  
30 and that are outside the known HIV service system.

31 3. Conduct outreach to increase community involvement in HIV  
32 prevention, education and stigma reduction in this state.

33 4. Develop a social media initiative using new and traditional  
34 media to engage at-risk populations to be tested for HIV infection in this  
35 state.

36 5. Analyze data from the statewide HIV prevention and care needs  
37 assessment annually to develop and implement HIV training and education  
38 initiatives in this state.

39 B. On or before January 1, 2021, the department shall provide a  
40 report to the governor, the speaker of the house of representatives and  
41 the president of the senate regarding the outcomes of the statewide HIV  
42 prevention and care needs assessment and the program's action plan  
43 pursuant to subsection A of this section. The department shall provide a  
44 copy of the report to the secretary of state.

1 ~~C. The program established pursuant to this section ends on July 1,~~  
2 ~~2028 pursuant to section 41-3102.~~

3 Sec. 37. Section 36-2821, Arizona Revised Statutes, is amended to  
4 read:

5 36-2821. Medical marijuana testing advisory council;  
6 membership; duties

7 A. The director shall establish a medical marijuana testing  
8 advisory council to assist and make recommendations to the director  
9 regarding administering and implementing this chapter. The director or  
10 the director's designee shall serve as the chairperson of the advisory  
11 council and shall appoint the following additional members to the council:

12 1. The president or executive director of a statewide nonprofit  
13 association representing the marijuana dispensaries, or the person's  
14 designee.

15 2. The president or executive director of a statewide nonprofit  
16 cannabis testing association, or the person's designee.

17 3. The president or executive director of a medical marijuana trade  
18 association that does not primarily consist of dispensaries or cannabis  
19 laboratory testing facility owners, or the person's designee.

20 4. A representative of a nonprofit medical marijuana dispensary who  
21 is employed by the dispensary to cultivate medical marijuana and who has  
22 at least three years of medical marijuana cultivation experience.

23 5. A representative of an Arizona-based nonprofit medical marijuana  
24 dispensary that produces medical marijuana concentrates and that has been  
25 regularly sending products for testing who has at least three years of  
26 medical marijuana extraction experience.

27 6. A representative of an Arizona-based nonprofit medical marijuana  
28 dispensary that is primarily focused ~~in~~ ON producing medical marijuana  
29 edibles who has at least three years of medical marijuana edible  
30 production experience.

31 7. An owner of an Arizona-based cannabis testing laboratory.

32 8. A laboratory scientist who holds a doctorate or a bachelor of  
33 science degree and who has at least three years of experience in cannabis  
34 laboratory testing.

35 9. A registered qualifying patient.

36 10. A registered designated caregiver.

37 11. A representative of the department of public safety.

38 12. A licensed health care provider who specializes in treating  
39 substance use disorders and who has at least five years of experience.

40 13. Any other members deemed necessary by the director.

41 B. The medical marijuana testing advisory council shall make  
42 recommendations and consult with the director regarding:

43 1. Establishing a required testing program.

44 2. Testing and potency standards for medical marijuana.

1           3. Procedural requirements for collecting, storing and testing  
2 samples of medical marijuana.

3           4. Reporting results to patients and the department.

4           5. Remediation and disposal requirements for medical marijuana that  
5 fails to meet testing standards.

6           6. Additional items as necessary.

7           C. Members of the advisory council are not eligible to receive  
8 compensation but are eligible for reimbursement of expenses pursuant to  
9 title 38, chapter 4, article 2.

10           ~~D. The council established by this section ends on July 1, 2027  
11 pursuant to section 41-3103.~~

12           Sec. 38. Section 37-483, Arizona Revised Statutes, is amended to  
13 read:

14           37-483. Program to remove vegetative natural products

15           A. On or before January 1, 2018, the commissioner and the state  
16 forester shall collaborate to establish a program to remove vegetative  
17 natural products from state ~~trust~~ land for the purposes of fire  
18 suppression and forest and watershed management on state lands and to  
19 facilitate the development of wood products industries in this state.

20           B. To implement the program to remove vegetative natural products,  
21 the commissioner and state forester may:

22           1. Coordinate and contract with public and private entities.

23           2. Use programs that are designed to reduce parolee recidivism.

24           3. Enter into an intergovernmental agreement pursuant to title 11,  
25 chapter 7, article 3 with a county, city, town, natural resource  
26 conservation district or other political subdivision to share the cost of  
27 implementing the program. An intergovernmental agreement entered into  
28 pursuant to this paragraph must state the responsibilities of each party  
29 with regard to implementing the program to remove vegetative natural  
30 products from state ~~trust~~ lands.

31           ~~C. The program established pursuant to this section ends on July 1,  
32 2027 pursuant to section 41-3102.~~

33           Sec. 39. Section 41-108, Arizona Revised Statutes, is amended to  
34 read:

35           41-108. Foster youth education success program; fund; report

36           A. The foster youth education success program is established in the  
37 office of the governor for the purpose of improving the educational  
38 outcomes of children in this state's foster care system.

39           B. The foster youth education success fund is established  
40 consisting of monies appropriated to the fund and monies received by the  
41 office of the governor from any lawful public or private source for this  
42 purpose. The office of the governor shall administer the fund. Monies in  
43 the fund are continuously appropriated. The office of the governor may  
44 accept and spend local, state and federal monies and private grants,

1 gifts, contributions and devises to assist in carrying out the purposes of  
2 this section. Monies in the fund do not revert to the state general fund.

3 C. The office of the governor shall establish policies and  
4 procedures, selection criteria and minimum performance standards for  
5 service providers that wish to participate in the program.

6 D. A service provider that is selected to participate in the  
7 program shall:

8 1. Contract with an organization that is exempt from federal income  
9 taxes under section 501(c)(3) of the internal revenue code and that  
10 provides the following programmatic components:

11 (a) A partnership with local education agencies, child welfare  
12 agencies and judicial agencies to implement a continuous cycle of  
13 data-driven interventions for children in foster care.

14 (b) Identification and support of an education champion for  
15 children in foster care who is informed of rights and responsibilities and  
16 paired with an education coach to increase capacity to support educational  
17 success for children in foster care.

18 (c) Development and monitoring of an education team, which may  
19 include education liaisons, students, social workers, school staff,  
20 caregivers, court-appointed special advocates, coaches, mentors or other  
21 community members.

22 (d) A customized education plan for each child in foster care that  
23 is based on individual strengths and needs and that uses a research-based  
24 tool.

25 2. Submit an annual report on or before December 15 to the  
26 governor, the president of the senate and the speaker of the house of  
27 representatives that includes an evaluation of the effectiveness of the  
28 program, including demographic information and academic outcomes. The  
29 service provider shall provide a copy of this report to the secretary of  
30 state.

31 ~~E. The program established by this section ends on July 1, 2026~~  
32 ~~pursuant to section 41-3102.~~

33 Sec. 40. Section 41-162, Arizona Revised Statutes, is amended to  
34 read:

35 41-162. Address confidentiality; duties of secretary of  
36 state; application assistant

37 A. On or before December 31, 2012, the secretary of state shall  
38 establish the address confidentiality program to allow persons who have  
39 been subjected to domestic violence offenses, sexual offenses or stalking  
40 to keep their residence addresses confidential and not accessible to the  
41 general public. Participants in the program shall receive a substitute  
42 address that becomes the participant's lawful address of record.

43 B. The secretary of state shall:

44 1. Designate a substitute address for a program participant that is  
45 used by state and local government entities as set forth in this section.



1 represents a community college district in a county with a population of  
2 less than five hundred thousand persons.

3 3. One member who represents a university under the jurisdiction of  
4 the Arizona board of regents.

5 4. One member who represents an accredited private educational  
6 institution in this state offering associate, baccalaureate or higher  
7 degrees.

8 5. One member who represents an accredited private educational  
9 institution offering private vocational training in this state.

10 6. One member who is a teacher and who currently provides classroom  
11 instruction in this state.

12 7. One member who represents a federally recognized Indian tribe in  
13 this state.

14 8. One member who represents a United States department of  
15 labor-approved apprenticeship program.

16 9. Two public members who are residents of this state.

17 B. The committee shall do both of the following:

18 1. Assist and make recommendations to the state treasurer regarding  
19 promotional and informational activities relating to the family college  
20 savings program.

21 2. Meet at least once each calendar quarter. A majority of the  
22 membership constitutes a quorum for the transaction of business.

23 C. Committee members are not eligible to receive compensation or  
24 reimbursement of expenses.

25 D. The state treasurer's office shall provide necessary staff  
26 services to the committee.

27 ~~E. The committee established by this section ends on July 1, 2028~~  
28 ~~pursuant to section 41-3103.~~

29 Sec. 42. Section 41-610.01, Arizona Revised Statutes, is amended to  
30 read:

31 41-610.01. Hyperbaric oxygen therapy for military veterans  
32 fund; exemption; advisory committee; annual  
33 report

34 A. The hyperbaric oxygen therapy for military veterans fund is  
35 established consisting of private donations, grants, bequests and any  
36 other monies. The department shall administer the fund. Monies in the  
37 fund are continuously appropriated and are exempt from the provisions of  
38 section 35-190 relating to lapsing of appropriations.

39 B. Monies in the fund shall be used to provide financial assistance  
40 to veterans for hyperbaric oxygen therapy.

41 C. If, after fund monies are spent to pay for hyperbaric oxygen  
42 therapy for a veteran, the department discovers that the therapy was fully  
43 or partially covered by private insurance or any other entity, the  
44 department may seek to have the fund reimbursed for the portion of the  
45 payment that was covered by private insurance or the other entity.

1 D. The hyperbaric oxygen therapy for military veterans advisory  
2 committee is established consisting of the following members:

- 3 1. The director or the director's designee.  
4 2. Four members who are appointed by the governor and who are any  
5 of the following:  
6 (a) National guard unit commanders.  
7 (b) Doctors.  
8 (c) Active or retired military personnel.

9 E. The director or the director's designee shall serve as  
10 chairperson of the hyperbaric oxygen therapy for military veterans  
11 advisory committee. Appointed members of the committee shall serve at the  
12 pleasure of the governor.

13 F. The hyperbaric oxygen therapy for military veterans advisory  
14 committee shall:

- 15 1. Determine how to award monies from the fund.  
16 2. Establish and revise as necessary the application process for  
17 financial assistance.  
18 3. Make other recommendations as necessary.

19 G. The hyperbaric oxygen therapy for military veterans advisory  
20 committee shall submit an annual report detailing the fund's performance  
21 and the demographics of the award recipients to the governor, the  
22 president of the senate and the speaker of the house of representatives  
23 and shall provide a copy of this report to the secretary of state.

24 ~~H. The committee established by this section ends on July 1, 2026~~  
25 ~~pursuant to section 41-3103.~~

26 Sec. 43. Section 41-612, Arizona Revised Statutes, is amended to  
27 read:

28 41-612. Post-9/11 veteran education relief fund; advisory  
29 committee; definitions

30 A. The post-9/11 veteran education relief fund is established  
31 consisting of private donations, grants, bequests and any other  
32 monies. The department shall administer the fund. Monies in the fund are  
33 continuously appropriated to the department solely for the purposes  
34 prescribed in this section. On notice from the director, the state  
35 treasurer shall invest and divest monies in the fund as provided by  
36 section 35-313, and monies earned from investment shall be credited to the  
37 fund.

38 B. The post-9/11 veteran education relief advisory committee is  
39 established consisting of the following members:

- 40 1. The director or the director's designee.  
41 2. One member who is recommended by the Arizona board of regents.  
42 3. One member who holds a certificate from the state board of  
43 education and who has teaching experience that includes high school  
44 education or one public member who has teaching experience at a  
45 postsecondary institution.



1           4. One member who is an active duty or reserve member of the  
2 uniformed services of the United States or national guard or who has  
3 retired from active duty or reserve or national guard status and who has  
4 served as a command career counselor or in a regular assignment that  
5 included oversight of training or education programs.

6           5. Two public members who have professional experience in human  
7 resource management.

8           6. One member from an education profession who is employed by a  
9 public or private school entity.

10          7. Two members who are military members or family members of  
11 military members.

12          C. Except for the director, the governor shall appoint the members  
13 based on recommendations by the director, the adjutant general, the  
14 Arizona board of regents and commanders of military bases or reserve  
15 centers in this state. Appointed members shall serve for a term of two  
16 years that may be extended or renewed by the governor at the  
17 recommendation of the director. The advisory committee shall elect a  
18 chairperson from among the appointed members.

19          D. The advisory committee shall:

20           1. Establish criteria for the use of monies in the fund.

21           2. Establish and revise as necessary the application process for  
22 financial assistance.

23           3. Review and evaluate applications.

24           4. Make other recommendations as necessary.

25          E. The advisory committee may meet in executive session, with  
26 notice pursuant to section 38-431.02, to review and evaluate applications.  
27 Applications for financial assistance and all committee considerations and  
28 evaluations of the applications are confidential.

29          F. The monies in the fund shall be used to provide financial  
30 assistance pursuant to this subsection. A qualifying military veteran may  
31 apply for financial assistance for the cost of tuition at a university  
32 that is under the jurisdiction of the Arizona board of regents and that is  
33 an Arizona veteran supportive campus as defined in section 41-609. The  
34 assistance shall be based on financial need up to the amount of tuition  
35 that the qualifying military veteran was charged in the last year that the  
36 veteran received benefits under the post-9/11 veterans educational  
37 assistance act of 2008 (P.L. 110-252; 122 Stat. 2357; 38 United States  
38 Code sections 3301 through 3325). The advisory committee shall make  
39 tuition assistance payments directly to the university.

40          G. The advisory committee shall adopt rules to carry out the  
41 purposes of this section that include both the following:

42           1. A mechanism to publicize the availability of financial  
43 assistance to potential qualifying military veterans.

1           2. A procedure to ensure that financial assistance awards made  
2 before a military veteran withdraws from a university due to military  
3 activation remain available on reentry to a university.

4           ~~H. The committee established by this section ends on July 1, 2024~~  
5 ~~pursuant to section 41-3103.~~

6           ~~H.~~ H. For the purposes of this section:

7           1. "Department" means the department of veterans' services.

8           2. "Director" means the director of the department of veterans'  
9 services.

10          3. "Military member" includes an active duty, reserve or retired  
11 member of the uniformed services of the United States or national guard, a  
12 veteran who is a member of a veterans' organization or a veteran who has a  
13 service-connected disability.

14          4. "Qualifying military veteran" means a person who meets all of  
15 the following requirements:

16           (a) Is eligible for in-state tuition status pursuant to section  
17 15-1802, subsection G.

18           (b) Is attending a university that is under the jurisdiction of the  
19 Arizona board of regents and that is an Arizona veteran supportive campus  
20 as defined in section 41-609.

21           (c) Maintains a grade point average of at least 2.2 on a 4.0 scale,  
22 or the equivalent.

23           (d) Has qualified for benefits under the post-9/11 veterans  
24 educational assistance act of 2008 (P.L. 110-252; 122 Stat. 2357; 38  
25 United States Code sections 3301 through 3325).

26           (e) Has not transferred any portion of the person's benefits under  
27 the program to a dependent.

28           (f) Is within one year of completion of the person's first  
29 baccalaureate degree as a full-time student or within two years of  
30 completion of the person's first baccalaureate degree as a part-time  
31 student.

32          Sec. 44. Section 41-1251, Arizona Revised Statutes, is amended to  
33 read:

34          41-1251. Joint committee on capital review; members;  
35 chairperson; meetings

36          A. ~~THE~~ THE joint committee on capital review is established ~~which~~  
37 ~~consists~~ CONSISTING of fourteen members, including the ~~chairmen~~  
38 CHAIRPERSONS of the senate and house of representatives appropriations  
39 committees, the majority and minority leaders of the senate and the house  
40 of representatives, four members of the senate appropriations committee  
41 appointed by the president of the senate and four members of the house of  
42 representatives appropriations committee appointed by the speaker of the  
43 house of representatives.

1 B. The ~~chairman~~ CHAIRPERSON of the senate appropriations committee  
2 has a term as ~~chairman~~ CHAIRPERSON of the joint committee on capital  
3 review from the first day of the first regular session to the first day of  
4 the second regular session of each legislature, and the ~~chairman~~  
5 CHAIRPERSON of the house of representatives appropriations committee has a  
6 term from the first day of the second regular session to the first day of  
7 the next legislature's first regular session.

8 C. The joint committee on capital review shall meet as often as the  
9 members deem necessary, and a majority of the members constitutes a quorum  
10 for the transaction of business.

11 ~~D. The committee established by this section ends on July 1, 2026~~  
12 ~~pursuant to section 41-3103.~~

13 Sec. 45. Section 41-1279, Arizona Revised Statutes, is amended to  
14 read:

15 41-1279. Joint legislative audit committee; composition;  
16 meetings; powers and duties

17 A. The joint legislative audit committee is established consisting  
18 of five members of the senate who are appointed by the president of the  
19 senate, one of whom is a member of the senate appropriations committee,  
20 and five members of the house of representatives who are appointed by the  
21 speaker of the house of representatives, one of whom is a member of the  
22 house of representatives appropriations committee. Selection of members  
23 shall be based on their understanding of and interest in legislative audit  
24 oversight functions. Not more than three appointees of each house shall  
25 be of the same political party. The president and the speaker shall  
26 designate one of their appointed members as ~~chairman~~ CHAIRPERSON of their  
27 respective delegation. The ~~chairman~~ CHAIRPERSON of the audit committee  
28 shall serve for the term of each legislature. The chairmanship of the  
29 audit committee shall alternate between the ~~chairman~~ CHAIRPERSON of the  
30 senate delegation and the ~~chairman~~ CHAIRPERSON of the house of  
31 representatives delegation beginning with the ~~chairman~~ CHAIRPERSON of the  
32 senate delegation. The president of the senate and the speaker of the  
33 house of representatives shall also serve as ex officio members of the  
34 committee.

35 B. The committee shall meet at least quarterly and on call of the  
36 ~~chairman~~ CHAIRPERSON. Members of the committee are eligible for  
37 reimbursement by their respective houses in the same manner as a member of  
38 the legislature who attends a meeting of a standing committee.

39 C. The committee shall:

40 1. Oversee all audit functions of the legislature and state  
41 agencies, including sunset, performance, special and financial audits,  
42 special research requests and the preparation and introduction of  
43 legislation resulting from audit report findings.

1           2. Appoint an auditor general subject to approval by a concurrent  
2 resolution of the legislature and direct the auditor general to perform  
3 all sunset, performance, special and financial audits and investigations.

4           3. Have the power of legislative subpoena in accordance with  
5 article 4 of this chapter.

6           4. Require state agencies to comply with findings and directions of  
7 the committee regarding sunset, performance, special and financial audits.

8           5. Perform all functions required by chapter 27 of this title  
9 relating to the sunset review of state agencies.

10           ~~D. The committee established by this section ends on July 1, 2026  
11 pursuant to section 41-3103.~~

12           Sec. 46. Section 41-1292, Arizona Revised Statutes, is amended to  
13 read:

14           41-1292. Joint legislative oversight committee on the  
15 department of child safety

16           A. The joint legislative oversight committee on the department of  
17 child safety is established consisting of the following members:

18           1. The chairperson of the senate committee that addresses child  
19 safety issues.

20           2. The chairperson of the house of representatives committee that  
21 addresses child safety issues.

22           3. Two members of the senate who are appointed by the president of  
23 the senate and who are members of different political parties.

24           4. Two members of the house of representatives who are appointed by  
25 the speaker of the house of representatives and who are members of  
26 different political parties.

27           B. The chairperson of the senate committee that addresses child  
28 safety issues and the chairperson of the house of representatives  
29 committee that addresses child safety issues shall serve as  
30 cochairpersons.

31           C. The committee shall meet at least biannually, and a majority of  
32 the members constitutes a quorum for the transaction of business.

33           D. The committee shall review:

34           1. The department's implementation of policy and procedures and  
35 program effectiveness.

36           2. All reports on program outcomes released by the department to  
37 the legislature for trends and areas for statutory improvement and audits  
38 issued by the office of the auditor general related to the department.

39           3. Policies and procedures relating to guardianships and dependency  
40 proceedings.

41           ~~E. The committee established by this section ends on July 1, 2025  
42 pursuant to section 41-3103.~~

1           Sec. 47. Section 41-1505, Arizona Revised Statutes, is amended to  
2 read:

3           41-1505. Rural business development advisory council

4           A. The rural business development advisory council is established.  
5 The mission of the council is to advise the board of directors regarding  
6 rural business development strategies, including creating jobs,  
7 diversifying economies and attracting new investment.

8           B. The council consists of the following members:

9           1. One representative from each county, seven of whom are appointed  
10 by the governor and four each of whom are appointed by the president of  
11 the senate and the speaker of the house of representatives.

12           2. One representative of a rural development organization that  
13 represents statewide interests who is appointed by the governor.

14           3. One member representing all Indian tribes, nations, bands and  
15 communities in this state who is appointed by the governor.

16           4. The chief executive officer or the chief executive officer's  
17 designee.

18           C. Each year the governor shall appoint a member to serve as  
19 chairperson. The chairperson may be reappointed. Council members shall  
20 serve staggered three-year terms beginning and ending on the third Monday  
21 in January. The members of the council serve without compensation and are  
22 subject to title 38, chapter 3, article 8, relating to conflicts of  
23 interest.

24           D. The council shall:

25           1. Recommend to the board of directors policy development and  
26 funding allocations to complement regional and local economic development  
27 strategies that focus on and assist rural communities.

28           2. Leverage local, state and federal resources to advance business  
29 in rural areas of this state.

30           3. Develop selection criteria and an application format for rural  
31 communities or areas to use in applying for matching monies.

32           4. Make recommendations for coordinating personnel activities of  
33 the authority to ensure that communities receive appropriate technical  
34 assistance to implement economic development efforts.

35           5. Assist local rural economic development professionals, main  
36 street project managers and others involved in economic development.

37           6. Make recommendations regarding:

38           (a) State responsibilities under any necessary contracts with  
39 consultants, including the national main street center of the national  
40 trust for historic preservation.

41           (b) Coordination of the activities of other state agency personnel  
42 assisting with rural economic development programs.

43           7. Monitor the progress of main street communities and other  
44 aspects of the program.

1           8. Coordinate the expenditure of available federal monies to  
2 support rural business and economic development programs.

3           E. Each year the council shall develop a priority list of economic  
4 strength projects that meet the criteria established by section 28-7281  
5 and submit the list to the chief executive officer. The council shall  
6 confer with regional planning agencies and local authorities that would be  
7 affected by a specific economic strength project and shall submit their  
8 comments to the chief executive officer. After review by the board, the  
9 chief executive officer shall transmit the priority list and comments to  
10 the state transportation board. The council shall set priorities for  
11 individual projects based on the following:

12           1. The cost of the project.

13           2. The number of jobs that the project will cause to be created,  
14 retained or increased.

15           3. The nature and amount of capital investment or other  
16 contribution to the economy of this state or a local authority as a result  
17 of the project.

18           4. The likelihood that benefits resulting from the project will  
19 exceed the costs of the project.

20           5. Whether the amount of contributions to the project provided from  
21 other than the economic strength project fund is at least ten ~~per cent~~  
22 **PERCENT** of the cost of the project.

23           6. The amount and percentage of funding for the project that will  
24 come from a source other than the economic strength project fund as  
25 compared to other proposed projects.

26           7. The amount of expenditures required for local infrastructure  
27 relating to the project.

28           8. The magnitude of the project and its relative value to this  
29 state or a local authority as compared to other proposed projects.

30           9. The extent to which the project would contribute to achieving an  
31 equitable distribution of monies and projects among the various regions of  
32 this state and throughout this state as a whole.

33           10. The specific time schedule for completion of the project.

34           ~~F. The council established by this section ends on July 1, 2021~~  
35 ~~pursuant to section 41-3103.~~

36           Sec. 48. Section 41-1604.18, Arizona Revised Statutes, is amended  
37 to read:

38           41-1604.18. Community reentry work program; eligibility;  
39 victim notification; compensation; violation;  
40 classification

41           A. The director may authorize an eligible inmate who is within  
42 ninety days of the inmate's earliest release date to participate in a  
43 community reentry work program. The director shall adopt rules to  
44 implement the community reentry work program, including eligibility

1 criteria for the selection of inmates. To be eligible, at a minimum, the  
2 inmate must:

3 1. Not have been convicted at any time of any of the following:

4 (a) A violation of title 13, chapter 13, 14 or 17.

5 (b) A violent crime as defined in section 13-901.03.

6 (c) A dangerous crime against children as defined in section  
7 13-705.

8 2. Not currently be serving a sentence for a domestic violence  
9 offense pursuant to section 13-3601.

10 3. Be classified by the department as a low risk to the community.

11 4. Not have any felony detainers or United States immigration and  
12 customs enforcement detainers.

13 5. Not have previously escaped or attempted to escape from a secure  
14 or nonsecure jail or prison facility or environment.

15 6. Have made satisfactory progress on the inmate's individualized  
16 corrections plan as determined by the department.

17 7. Have maintained civil behavior while incarcerated as determined  
18 by the department.

19 8. Be current on any restitution payments ordered by a court  
20 pursuant to section 13-603.

21 9. Have a need and ability to benefit from a community reentry work  
22 program as determined by the department.

23 B. The department must notify and afford an opportunity to be heard  
24 to the victim of the offense for which the inmate is incarcerated if the  
25 victim has provided a current address or other contact information. The  
26 notice must include the name of the inmate, the offense for which the  
27 inmate was sentenced, the length of the sentence and the date of admission  
28 to the custody of the department. The notice must inform the victim of  
29 the victim's right to submit a written statement to the director  
30 expressing the victim's opinion on the inmate's participation in the  
31 community reentry work program within twenty days after the department has  
32 mailed the notice to the victim.

33 C. An inmate who participates in the community reentry work program  
34 must:

35 1. Comply with all community reentry work program rules and any  
36 other terms and conditions that the director requires.

37 2. Maintain gainful employment.

38 3. Continue to make any court-ordered restitution payments.

39 4. Agree to provide all compensation that the inmate receives while  
40 participating in the program to the department for deposit in the inmate's  
41 account.

42 D. The director may remove an inmate from the community reentry  
43 work program if the director determines that the inmate has failed to  
44 comply with any program rule, term or condition or that the best interests

1 of the state would be served by removing the inmate from the community  
2 reentry work program.

3 E. Sections 31-254 and 41-1624.01 do not apply to the compensation  
4 that an inmate earns while in the community reentry work program. The  
5 department is authorized to charge and collect a percentage of the  
6 inmate's compensation, as determined by the director, for the cost of the  
7 inmate's room and board. The director may deduct monies from the inmate's  
8 account to pay restitution, costs and fines that are owed by the inmate.

9 F. An inmate who is absent without leave from a facility in the  
10 community reentry work program is guilty of a class 5 felony. The  
11 sentence for a violation of this section shall be served consecutively  
12 pursuant to section 13-711, subsection B.

13 ~~G. The program established by this section ends on July 1, 2026~~  
14 ~~pursuant to section 41-3102.~~

15 Sec. 49. Section 41-1732, Arizona Revised Statutes, is amended to  
16 read:

17 41-1732. Peace officer training equipment fund advisory  
18 commission; membership; duties; recommendations

19 A. The peace officer training equipment fund advisory commission is  
20 established consisting of the following members:

21 1. One member of the senate who is appointed by the president of  
22 the senate.

23 2. One member of the house of representatives who is appointed by  
24 the speaker of the house of representatives.

25 3. The director of the department of public safety or the  
26 director's designee.

27 4. One member who is appointed by the Arizona association of chiefs  
28 of police.

29 5. One member who is appointed by the Arizona sheriffs association.

30 6. One member who is appointed by the director of the Arizona state  
31 troopers association.

32 7. One member who is appointed by the director of the Arizona  
33 police association.

34 B. Members who are appointed pursuant to subsection A, paragraphs  
35 4, 5, 6 and 7 of this section serve three-year terms. The members of the  
36 commission shall annually elect a chairperson and vice chairperson from  
37 among the voting members. The commission shall meet on the call of the  
38 chairperson but at least once each fiscal year. No actions may be taken  
39 without a quorum present. Members who are appointed pursuant to  
40 subsection A, paragraphs 1 and 2 of this section shall serve as advisory  
41 nonvoting members of the commission.

42 C. Members are not eligible to receive compensation but members who  
43 are appointed pursuant to subsection A, paragraphs 4, 5, 6 and 7 of this  
44 section are eligible for reimbursement of expenses pursuant to title 38,  
45 chapter 4, article 2.



1 D. The **ADVISORY** commission may use the facilities and the staff of  
2 the Arizona criminal justice commission.

3 E. The **ADVISORY** commission may enter into interagency agreements  
4 with the Arizona criminal justice commission and other agencies for  
5 **ADVISORY** commission business.

6 F. On or before December 1 of each year, the commission shall  
7 submit written recommendations to the president of the senate, the speaker  
8 of the house of representatives, the governor and the chairpersons of the  
9 senate commerce and public safety committee and the house of  
10 representatives judiciary and public safety committee, or their successor  
11 committees, on the allocation each fiscal year of monies in the peace  
12 officer training equipment fund established by section 41-1731. The  
13 commission shall provide a copy of the recommendations to the secretary of  
14 state.

15 ~~G. The commission established by this section ends on July 1, 2026~~  
16 ~~pursuant to section 41-3103.~~

17 Sec. 50. Section 41-1829, Arizona Revised Statutes, is amended to  
18 read:

19 **41-1829. Arizona peace officers memorial board**

20 A. The Arizona peace officers memorial board is established  
21 consisting of the following members:

22 1. The attorney general or the attorney general's designee, who  
23 shall serve as permanent ~~chairman~~ **CHAIRPERSON**.

24 2. The director of the department of public safety or the  
25 director's designee.

26 3. The director of the state department of corrections or the  
27 director's designee.

28 4. The executive director of the Arizona criminal justice  
29 commission or the executive director's designee.

30 5. Eleven members appointed pursuant to subsection B of this  
31 section.

32 6. As advisory members, the ~~chairmen~~ **CHAIRPERSONS** of the  
33 appropriations and judiciary committees of the house of representatives  
34 and the senate. For the purposes of this paragraph, "advisory member"  
35 means a member who gives advice to the other members of the peace officers  
36 memorial board at meetings of the board but who is not eligible to vote  
37 and is not a member for purposes of determining whether a quorum is  
38 present.

39 B. The permanent ~~chairman~~ **CHAIRPERSON** shall appoint one private  
40 citizen who is knowledgeable in the history of law enforcement in this  
41 state, one county sheriff or the county sheriff's designee, one local  
42 police chief or the police chief's designee, two members selected from a  
43 recognized fraternal organization for law enforcement personnel, two  
44 representatives from the business community, two family members of peace

1 officers who have lost their lives in the line of duty and two members  
2 from a statewide organization representing law enforcement personnel.

3 C. The board shall meet at the call of the permanent ~~chairman~~  
4 CHAIRPERSON.

5 D. Members of the board are not eligible to receive compensation,  
6 but members appointed pursuant to subsection B of this section are  
7 entitled to reimbursement from the Arizona peace officers memorial fund  
8 for reasonable expenses in traveling on and attending to official board  
9 business.

10 ~~E. The board established by this section ends on July 1, 2027~~  
11 ~~pursuant to section 41-3103.~~

12 Sec. 51. Repeal

13 Title 41, chapter 27, article 3, Arizona Revised Statutes, is  
14 repealed.

15 Sec. 52. Section 41-4257, Arizona Revised Statutes, is amended to  
16 read:

17 41-4257. Joint legislative committee on border and homeland  
18 security; membership; powers and duties; executive  
19 sessions

20 A. The joint legislative committee on border and homeland security  
21 is established consisting of the following members who have an interest in  
22 and familiarity with issues and programs concerning border and homeland  
23 security:

24 1. Five members of the senate appointed by the president of the  
25 senate, not more than three of whom are members of the same political  
26 party. The president of the senate shall designate one member as  
27 cochairperson.

28 2. Five members of the house of representatives appointed by the  
29 speaker of the house of representatives, not more than three of whom are  
30 members of the same political party. The speaker of the house of  
31 representatives shall designate one member as cochairperson.

32 B. The president and the speaker of the house of representatives  
33 shall each appoint a cochairperson of the committee.

34 C. The committee shall meet on the call of the cochairpersons,  
35 except that the committee shall not meet more than ten times each year  
36 unless the president of the senate and the speaker of the house of  
37 representatives agree to additional meetings. The committee shall meet at  
38 least annually to review grant allocations and expenditures as reported by  
39 the governor's office of homeland security.

40 D. The committee shall:

41 1. Have access to all homeland security grant information on  
42 request of a chairperson of the committee or a majority vote of the  
43 committee.

44 2. Provide a forum for persons to express their concerns about  
45 state programs that relate to border and homeland security.

1           3. Make administrative and legislative recommendations concerning  
2 border and homeland security issues.

3           4. Prepare an annual written report on its work, findings and  
4 recommendations. The committee shall submit the report electronically to  
5 the governor, the president of the senate and the speaker of the house of  
6 representatives on or before December 31 of each year and shall provide a  
7 copy of this report to the secretary of state.

8           E. The committee has the authority conferred by law on legislative  
9 committees.

10          F. Members of the committee shall be reimbursed by their respective  
11 houses in the same manner provided by law for a member of the legislature  
12 who attends a duly called meeting of a standing committee.

13          G. The committee may use the services of legislative staff.

14          H. Notwithstanding any other law, the committee may vote to go into  
15 executive session to take testimony or evidence that it considers to be  
16 sensitive or confidential in nature and that, if released, could  
17 compromise the security or safety of law enforcement or military personnel  
18 or a law enforcement or national guard law enforcement support operation.

19          ~~I. The committee established by this section ends on July 1, 2024~~  
20 ~~pursuant to section 41-3103.~~

21          Sec. 53. Section 41-5356, Arizona Revised Statutes, is amended to  
22 read:

23          41-5356. Duties of board; advisory board; annual report

24          A. The board shall:

25           1. Establish an industrial development authority under title 35,  
26 chapter 5 and, notwithstanding the requirements of section 35-705, serve  
27 as the board of the industrial development authority.

28           2. Serve as the board of the greater Arizona development authority  
29 and have all powers and authority to take action on behalf of the greater  
30 Arizona development authority pursuant to chapter 18 of this title.

31           3. Serve as the board of the water infrastructure finance authority  
32 of Arizona and have all powers and authority to take action pursuant to  
33 title 49, chapter 8 regarding water infrastructure financing.

34           4. Approve the authority's budget.

35           5. Establish a water and infrastructure finance authority advisory  
36 board to advise the board of directors of the authority consisting of  
37 relevant state agency representatives and the following additional  
38 members:

39           (a) One member who represents a public water system that serves  
40 five hundred or more connections.

41           (b) One member who represents a public water system that serves  
42 less than five hundred connections.

43           (c) One member who represents a sanitary district in a county with  
44 a population of less than five hundred thousand persons.

1 (d) One member who represents a sanitary district in a county with  
2 a population of five hundred thousand or more persons.

3 (e) One member who represents a city or town with a population of  
4 less than fifty thousand persons.

5 (f) One member who represents a city or town with a population of  
6 fifty thousand or more persons.

7 (g) One member who represents a county with a population of five  
8 hundred thousand or more persons.

9 B. On or before October 1 of each year, the industrial development  
10 authority shall submit a report to the president of the senate, the  
11 speaker of the house of representatives and the directors of the joint  
12 legislative budget committee and the governor's office of strategic  
13 planning and budgeting regarding the authority's revenues, expenditures  
14 and program activity for the previous fiscal year.

15 ~~C. The board established pursuant to subsection A, paragraph 5 of  
16 this section ends on July 1, 2024 pursuant to section 41-3103.~~

17 Sec. 54. Section 41-5404, Arizona Revised Statutes, is amended to  
18 read:

19 41-5404. Workforce data task force; membership; duties;  
20 report

21 A. The workforce data task force is established in the office of  
22 economic opportunity to oversee workforce system evaluation data sharing.  
23 The task force shall consist of the following members:

24 1. The director of the office of economic opportunity, or the  
25 director's designee, who shall serve as chairperson of the task force.

26 2. The director of the department of economic security or the  
27 director's designee.

28 3. The superintendent of public instruction or the superintendent's  
29 designee.

30 4. The president of the Arizona board of regents or the president's  
31 designee.

32 5. A representative of a community college district or the  
33 representative's designee.

34 B. The director of the office of economic opportunity may appoint  
35 advisory members to the task force as necessary.

36 C. Members of the task force are not eligible to receive  
37 compensation. The office of economic opportunity shall provide adequate  
38 staff support for the task force.

39 D. The task force shall:

40 1. Oversee development and maintenance of the state workforce  
41 evaluation data system.

42 2. Define and regularly review requirements, structures and  
43 methodologies for the system, including:

44 (a) A retention schedule for unemployment insurance records that  
45 supports the longitudinal evaluation of workforce and education programs.

1 (b) Data standards relating to unemployment insurance data,  
2 including rules for definition, format, source, provenance, element level  
3 and contextual integrity.

4 (c) Technical requirements for the storage, handling and  
5 distribution of data.

6 (d) System performance expectations.

7 (e) Controls for data confidentiality and data security for  
8 unemployment data, including when data is in transmission.

9 (f) Data quality and reporting standards.

10 (g) Required elements for data sharing agreements that conform to  
11 relevant state and federal requirements and that establish adequacy of  
12 receiving system requirements.

13 (h) A methodology to fund the development and ongoing database  
14 costs from existing resources of entities that have entered into current  
15 data sharing agreements pursuant to section 23-722.04.

16 3. Provide analyses and recommendations for all of the following:

17 (a) Data audit management, including data quality metrics,  
18 sanctions and incentives for data quality improvement.

19 (b) Documentation standards for data elements and systems  
20 components.

21 (c) Data archival and retrieval management systems, including  
22 change control and change tracking.

23 (d) Publication of standard and ad hoc reports for state and local  
24 level use on workforce system performance.

25 4. Submit an annual report regarding the task force's activities on  
26 or before November 1 to the governor, the president of the senate and the  
27 speaker of the house of representatives and provide a copy of this report  
28 to the secretary of state. The initial report shall include all initial  
29 requirements, structures and methodologies determined pursuant to this  
30 section.

31 ~~E. The task force established by this section ends on July 1, 2024~~  
32 ~~pursuant to section 41-3103.~~

33 Sec. 55. Repeal

34 Section 41-5612, Arizona Revised Statutes, is repealed.

35 Sec. 56. Section 43-221, Arizona Revised Statutes, is amended to  
36 read:

37 43-221. Joint legislative income tax credit review committee;  
38 report

39 A. The joint legislative income tax credit review committee is  
40 established consisting of the following members:

41 1. Five members of the house of representatives ways and means  
42 committee appointed by the speaker of the house of representatives. Not  
43 more than three appointees shall be of the same political party.

1           2. Five members of the senate finance committee appointed by the  
2 president of the senate. Not more than three appointees shall be of the  
3 same political party.

4           B. The committee shall determine the original purpose of existing  
5 tax credits and establish a standard for evaluating and measuring the  
6 success or failure of the tax credits. The standard for evaluating tax  
7 credits may include:

8           1. The history, rationale and estimated revenue impact of the  
9 credit.

10          2. Whether the credit has provided a benefit to this state  
11 including, for corporate tax credits, measurable economic development, new  
12 investments, creation of new jobs or retention of existing jobs in this  
13 state.

14          3. Whether the credit is unnecessarily complex in the application,  
15 administration and approval process.

16          C. The committee shall review the individual and corporate income  
17 tax credits pursuant to the schedule prescribed in section 43-222. The  
18 committee shall use the joint legislative budget committee staff and may  
19 use the staff of the department of revenue and legislative council for  
20 assistance.

21          D. After completing the review process, the committee shall  
22 determine whether the credit should be amended, repealed or retained. If  
23 the credit is recommended to be retained or amended, the committee shall  
24 recommend that the credit be returned to the income tax credit review  
25 schedule prescribed in section 43-222. The next review year shall be the  
26 fifth full calendar year following the date the credit was reviewed. The  
27 committee shall report its findings and recommendations to the president  
28 of the senate, the speaker of the house of representatives and the  
29 governor by December 15 of the year that the committee reviews the credit.  
30 The committee shall provide a copy of the report to the ~~director of the~~  
31 ~~Arizona state library, archives and public records~~ SECRETARY OF STATE.

32          ~~E. The committee established by this section ends on July 1, 2022~~  
33 ~~pursuant to section 41-3103.~~

34          Sec. 57. Repeal

35          Section 45-353, Arizona Revised Statutes, is repealed.

36          Sec. 58. Section 46-172, Arizona Revised Statutes, is amended to  
37 read:

38          46-172. Lifespan respite care program

39          A. The department shall establish a lifespan respite care program.

40          B. The lifespan respite care program shall:

41          1. Establish a respite program for primary caregivers of  
42 individuals who do not currently receive other publicly funded respite  
43 services.

1           2. Coordinate with other respite services, including services that  
2 are provided pursuant to title 36, chapter 5.1 and sections 36-2939,  
3 36-3407 and 46-193.

4           3. Support the growth and maintenance of a statewide respite  
5 coalition.

6           4. Conduct a study on the need for respite care throughout the  
7 lifespan of individuals.

8           5. Identify local training resources for respite care providers.

9           6. Link families with respite care providers and other types of  
10 respite caregiver consultants.

11           7. Create an evaluation tool for recipients of respite care to  
12 assure quality of care.

13           ~~C. The program established by this section ends on July 1, 2025~~  
14 ~~pursuant to section 41-3102.~~

15           Sec. 59. Section 46-907, Arizona Revised Statutes, is amended to  
16 read:

17           46-907. Achieving a better life experience act oversight  
18 committee

19           A. The achieving a better life experience act oversight committee  
20 is established in the department consisting of the following members:

21           1. The director of the department or the director's designee.

22           2. The state treasurer or the state treasurer's designee.

23           3. One member who has knowledge, skill and experience in  
24 investment, asset management or financial-related experience and who is  
25 appointed by the governor.

26           4. One member who is a licensed attorney in this state, who has  
27 knowledge, skill and experience in special needs trusts and disability  
28 issues and who is appointed by the governor.

29           5. One member who is an eligible individual and who is appointed by  
30 the governor.

31           6. One member who is a family member of an eligible individual and  
32 who is appointed by the governor.

33           7. One representative of a community-based organization that  
34 supports or advocates for individuals with disabilities who is appointed  
35 by the governor.

36           B. The committee shall select a chairperson from the committee's  
37 membership. The committee shall meet at least once each calendar quarter.

38           C. Appointed committee members are eligible to receive compensation  
39 pursuant to section 38-611 for each day of attendance at committee  
40 meetings.

41           D. The committee shall:

42           1. Make recommendations and provide guidance for the establishment,  
43 implementation and improvement of the program, including statutory and  
44 rule changes.

1           2. Make recommendations regarding the selection of one or more  
2 financial institutions to act as depositories and managers of the  
3 accounts.

4           3. Review regulations adopted by the United States secretary of the  
5 treasury and identify changes necessary for program compliance.

6           4. Provide advice regarding requirements for disbursements from  
7 accounts for qualified disability expenses.

8           5. Monitor the use and effectiveness of the program, including the  
9 number of accounts established and used, the number of designated  
10 beneficiaries being served, a description of the types of disabilities the  
11 designated beneficiaries have and the types of expenses for which  
12 disbursements have been made.

13           E. Members of the committee are immune from personal liability with  
14 respect to all actions that are taken in good faith and within the scope  
15 of the committee's authority.

16           F. Appointed committee members serve four-year terms and may not  
17 serve more than two terms on the committee.

18           ~~G. The committee established by this section ends on July 1, 2024~~  
19 ~~pursuant to section 41-3103.~~

20           Sec. 60. Repeal

21           Section 46-908, Arizona Revised Statutes, is repealed.

22           Sec. 61. Section 49-255.01, Arizona Revised Statutes, is amended to  
23 read:

24           49-255.01. Arizona pollutant discharge elimination system  
25 program; rules and standards; affirmative  
26 defense; fees; general permit

27           A. A person shall not discharge except under either of the  
28 following conditions:

29           1. In conformance with a permit that is issued or authorized under  
30 this article.

31           2. Pursuant to a permit that is issued or authorized by the United  
32 States environmental protection agency until a permit that is issued or  
33 authorized under this article takes effect.

34           B. The director shall adopt rules to establish an AZPDES permit  
35 program consistent with the requirements of sections 402(b) and 402(p) of  
36 the clean water act. This program shall include requirements to ensure  
37 compliance with section 307 and requirements for the control of discharges  
38 consistent with sections 318 and 405(a) of the clean water act. The  
39 director shall not adopt any requirement that is more stringent than or  
40 conflicts with any requirement of the clean water act. The director may  
41 adopt federal rules pursuant to section 41-1028 or may adopt rules to  
42 reflect local environmental conditions to the extent that the rules are  
43 consistent with and ~~not~~ NOT more stringent than the clean water act and  
44 this article.



1 C. The rules adopted by the director shall provide for:

2 1. Issuing, authorizing, denying, modifying, suspending or revoking  
3 individual or general permits.

4 2. Establishment of permit conditions, discharge limitations and  
5 standards of performance as prescribed by section 49-203, subsection A,  
6 paragraph 7, including case by case effluent limitations that are  
7 developed in a manner consistent with 40 Code of Federal Regulations  
8 section 125.3(c).

9 3. Modifications and variances as allowed by the clean water act.

10 4. Other provisions necessary for maintaining state program  
11 authority under section 402(b) of the clean water act.

12 D. This article does not affect the validity of any existing rules  
13 that are adopted by the director and that are equivalent to and consistent  
14 with the national pollutant discharge elimination system program  
15 authorized under section 402 of the clean water act until new rules for  
16 AZPDES discharges are adopted pursuant to this article.

17 E. An upset constitutes an affirmative defense to any  
18 administrative, civil or criminal enforcement action brought for  
19 noncompliance with technology-based permit discharge limitations if the  
20 permittee complies with all of the following:

21 1. The permittee demonstrates through properly signed  
22 contemporaneous operating logs or other relevant evidence that:

23 (a) An upset occurred and that the permittee can identify the  
24 specific cause of the upset.

25 (b) The permitted facility was being properly operated at the time  
26 of the upset.

27 (c) If the upset causes the discharge to exceed any discharge  
28 limitation in the permit, the permittee submitted notice to the department  
29 within twenty-four hours of the upset.

30 (d) The permittee has taken appropriate remedial measures including  
31 all reasonable steps to minimize or prevent any discharge or sewage sludge  
32 use or disposal that is in violation of the permit and that has a  
33 reasonable likelihood of adversely affecting human health or the  
34 environment.

35 2. In any administrative, civil or criminal enforcement action, the  
36 permittee shall prove, by a preponderance of the evidence, the occurrence  
37 of an upset condition.

38 F. Compliance with a permit issued pursuant to this article shall  
39 be deemed compliance with both of the following:

40 1. All requirements in this article or rules adopted pursuant to  
41 this article relating to state implementation of sections 301, 302, 306  
42 and 307 of the clean water act, except for any standard that is imposed  
43 under section 307 of the clean water act for a toxic pollutant that is  
44 injurious to human health.

1           2. Limitations for pollutants in navigable waters adopted pursuant  
2 to sections 49-221 and 49-222, if the discharge of the pollutant is  
3 specifically limited in a permit issued pursuant to this article or the  
4 pollutant was specifically identified as present or potentially present in  
5 facility discharges during the application process for the permit.

6           G. Notwithstanding section 49-203, subsection D, permits that are  
7 issued under this article shall not be combined with permits issued under  
8 article 3 of this chapter.

9           H. The decision of the director to issue or modify a permit takes  
10 effect on issuance if there were no changes requested in comments that  
11 were submitted on the draft permit unless a later effective date is  
12 specified in the decision. In all other cases, the decision of the  
13 director to issue, deny, modify, suspend or revoke a permit takes effect  
14 thirty days after the decision is served on the permit applicant, unless  
15 either of the following applies:

16           1. Within the ~~thirty day~~ THIRTY-DAY period, an appeal is filed with  
17 the water quality appeals board pursuant to section 49-323.

18           2. A later effective date is specified in the decision.

19           I. In addition to other reservations of rights provided by this  
20 chapter, nothing in this article shall impair or affect rights or the  
21 exercise of rights to water claimed, recognized, permitted, certificated,  
22 adjudicated or decreed pursuant to state or other law.

23           J. Only for a one-time ~~rule making~~ RULEMAKING after July 29, 2010,  
24 the director shall establish by rule fees, including maximum fees, for  
25 processing, issuing and denying an application for a permit pursuant to  
26 this section. After the one-time ~~rule making~~ RULEMAKING, the director  
27 shall not increase those fees by rule without specific statutory authority  
28 for the increase. Monies collected pursuant to this section shall be  
29 deposited, pursuant to sections 35-146 and 35-147, in the water quality  
30 fee fund established by section 49-210.

31           K. Any permit conditions concerning threatened or endangered  
32 species shall be limited to those required by the endangered species act.

33           L. When developing a general permit for discharges of storm water  
34 from construction activity, the director shall provide for reduced control  
35 measures at sites that retain storm water in a manner that eliminates  
36 discharges from the site, except for the occurrence of an extreme event.  
37 Reduced control measures shall be available if all of the following  
38 conditions are met:

39           1. The nearest downstream receiving water is ephemeral and the  
40 construction site is a sufficient distance from a water warranting  
41 additional protection as described in the general permit.

42           2. The construction activity occurs on a site designed so that all  
43 storm water generated by disturbed areas of the site exclusive of public  
44 rights-of-way is directed to one or more retention basins that are  
45 designed to retain the runoff from an extreme event. For the purposes of

1 this subsection, "extreme event" means a rainfall event that meets or  
2 exceeds the local one hundred-year, two-hour storm event as calculated by  
3 an Arizona registered professional engineer using industry practices.

4 3. The owner or operator complies with good housekeeping measures  
5 included in the general permit.

6 4. The owner or operator maintains the capacity of the retention  
7 basins.

8 5. Construction conforms to the standards prescribed by this  
9 section.

10 M. If the director commences proceedings for the renewal of a  
11 general permit issued pursuant to this article, the existing general  
12 permit shall not expire and coverage may continue to be obtained by new  
13 dischargers until the proceedings have resulted in a final determination  
14 by the director. If the proceedings result in a decision not to renew the  
15 general permit, the existing general permit shall continue in effect until  
16 the last day for filing for review of the decision of the director not to  
17 renew the permit or until any later date that is fixed by court order.

18 ~~N. This program is exempt from section 41-3102.~~

19 Sec. 62. Section 49-256.01, Arizona Revised Statutes, is amended to  
20 read:

21 49-256.01. Dredge and fill permit program; permits; rules;  
22 prohibitions; exemptions; exceptions; notice

23 A. For purposes of implementing the permit program established by  
24 33 United States Code section 1344, the director may establish by rule a  
25 dredge and fill permit program that is consistent with and ~~no~~ NOT more  
26 stringent than the clean water act dredge and fill program, including a  
27 permitting process.

28 B. During any period in which the state has been granted authority  
29 to administer the permit program established by 33 United States Code  
30 section 1344, a person may not discharge dredged or fill material unless  
31 the discharge is exempt under 33 United States Code section 1344(f) or  
32 rules adopted pursuant to this article, except under either of the  
33 following conditions:

34 1. In conformance with a permit that is issued or authorized under  
35 this article.

36 2. Pursuant to a permit that is issued or authorized by the United  
37 States army corps of engineers until a permit that is issued or authorized  
38 under this article takes effect.

39 C. Rules adopted by the director for the purposes of a permit  
40 program for dredge and fill shall:

41 1. Provide for issuing, authorizing, denying, modifying, suspending  
42 or revoking individual permits, general permits and emergency permits for  
43 the discharge of dredged or fill material into navigable waters regulated  
44 by this state under the clean water act for purposes of implementing the  
45 permit program established by 33 United States Code section 1344.

1           2. Establish permit conditions that ensure compliance with the  
2 applicable requirements of section 404 of the clean water act, including  
3 the guidelines issued under 33 United States Code section 1344(b)(1).

4           3. Establish maintenance, monitoring, sampling, reporting,  
5 recordkeeping and any other permitting requirements as necessary to  
6 maintain primary enforcement responsibility or to determine compliance  
7 with this article.

8           4. Establish the following in accordance with 33 United States Code  
9 section 1344:

10          (a) Circumstances and activities that do not require a dredge or  
11 fill permit.

12          (b) Activities that are exempt from the requirements of this  
13 article for any discharge or fill material that may result from those  
14 activities, and the conditions under which those activities are exempt.

15          (c) Circumstances under which a discharge of dredged or fill  
16 material shall not be permitted.

17           5. Establish procedures for the director to make jurisdictional  
18 determinations that determine whether a wetland or waterbody is a  
19 navigable water subject to regulatory jurisdiction under this article.  
20 Jurisdictional determinations:

21          (a) Shall be in writing and be identified as either preliminary or  
22 approved.

23          (b) Do not include determinations that a particular activity  
24 requires a permit under this article.

25           6. Establish public notice and comment procedures as necessary to  
26 maintain primacy for the dredge and fill PERMIT program and as the  
27 director deems appropriate to inform the public.

28           7. Provide for any other provisions necessary to maintain state  
29 primary enforcement responsibility under 33 United States Code section  
30 1344 and to implement the provisions of this article.

31           D. Approved jurisdictional determinations are appealable agency  
32 actions as defined by section 41-1092 and may be appealed by a party  
33 affected by a jurisdictional determination. Preliminary jurisdictional  
34 determinations are not appealable agency actions and notwithstanding  
35 section 41-1092.03, the right to appeal an approved jurisdictional  
36 determination does not extend to adjacent landowners or to third parties  
37 that are not parties affected by a jurisdictional determination.

38           E. On assuming authority to administer the permit program  
39 established by 33 United States Code section 1344, the department shall:

40           1. On request by a party affected by a jurisdictional  
41 determination, recognize and adopt any existing approved jurisdictional  
42 determinations that were originally issued by the United States army corps  
43 of engineers if the federal definition of navigable waters that is  
44 applicable in this state has not changed since the issuance of the  
45 approved jurisdictional determinations.

1           2. On request by a party affected by a jurisdictional  
2 determination, renew approved jurisdictional determinations that were  
3 originally issued by the United States army corps of engineers on the same  
4 terms as the original unless:

5           (a) Physical changes have occurred affecting the determination that  
6 are likely to alter the jurisdictional status.

7           (b) The federal definition of navigable waters that is applicable  
8 in this state has changed since the issuance of the approved  
9 jurisdictional determinations.

10          (c) Additional field data show that the original determination was  
11 based on inaccurate data and the new data warrant a revision to the  
12 original determination.

13           ~~F. The program established pursuant to this article is exempt from~~  
14 ~~section 41-3102.~~

15          Sec. 63. Section 49-257.01, Arizona Revised Statutes, is amended to  
16 read:

17          49-257.01. Underground injection control permit program;  
18 permits; prohibitions; exemptions; rules

19          A. The department shall establish an underground injection control  
20 permit program, including a permitting process.

21          B. An underground injection is prohibited unless the underground  
22 injection is into a well authorized by rule or unless it is authorized by  
23 a permit issued pursuant to this article or by a permit issued by the  
24 United States environmental protection agency. A person may not construct  
25 any well that is required to have a permit until the person is issued the  
26 permit or is otherwise authorized under the permit program established  
27 pursuant to this article or federal law.

28          C. Any underground injection activity is prohibited if it is  
29 conducted in a manner that allows the movement of fluid containing any  
30 contaminant into underground sources of drinking water and if the presence  
31 of that contaminant may endanger underground sources of drinking water.

32          D. Notwithstanding subsection A of this section, a class V well is  
33 exempt from this article if the well has an aquifer protection permit  
34 obtained pursuant to article 3 of this chapter and that permit satisfies  
35 federal underground injection control requirements for a class V well.

36          E. The director shall adopt rules for the purposes of establishing  
37 and operating the underground injection control permit program pursuant to  
38 this article. Rules adopted by the director shall meet the minimum  
39 requirements prescribed by 42 United States Code section 300h(b).

40           ~~F. The program established pursuant to this article is exempt from~~  
41 ~~section 41-3102.~~

