

REFERENCE TITLE: Arizona school agricultural program; appropriation

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2658**

Introduced by  
Representatives Contreras P: Austin, Dunn, Gutierrez, Hernandez L, Mathis,  
Ortiz, Pawlik, Peña, Quiñonez, Salman, Sandoval, Schwiebert, Seaman,  
Terech

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 15-249.01; APPROPRIATING MONIES; RELATING TO THE DEPARTMENT  
OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 2, Arizona Revised  
3 Statutes, is amended by adding section 15-249.01, to read:

4 15-249.01. Arizona school agricultural program; grants fund;  
5 exemption

6 A. THE ARIZONA SCHOOL AGRICULTURAL PROGRAM IS ESTABLISHED WITHIN  
7 THE DEPARTMENT OF EDUCATION TO SUPPORT GARDENING PROGRAMS IN PUBLIC  
8 SCHOOLS IN THIS STATE. THE DEPARTMENT OF EDUCATION SHALL:

9 1. CONSULT WITH PUBLIC AND PRIVATE AGRICULTURAL ORGANIZATIONS AND  
10 REPRESENTATIVES OF PUBLIC SCHOOLS TO DEVELOP CURRICULA AND LISTS OF  
11 RESOURCES THAT SCHOOLS MAY USE FOR SCHOOL GARDENING PROGRAMS.

12 2. POST THE CURRICULA AND LISTS THAT ARE DEVELOPED PURSUANT TO  
13 PARAGRAPH 1 OF THIS SUBSECTION ON THE DEPARTMENT'S WEBSITE FOR USE BY ANY  
14 SCHOOL IN THIS STATE.

15 3. AWARD GRANTS PURSUANT TO SUBSECTION B OF THIS SECTION TO SUPPORT  
16 SCHOOL GARDENING PROGRAMS.

17 B. SUBJECT TO AVAILABLE MONIES, ANY SCHOOL THAT IS OPERATED BY A  
18 SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE MAY APPLY TO THE  
19 DEPARTMENT OF EDUCATION IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT  
20 FOR A GRANT TO ESTABLISH OR SUPPORT A GARDENING PROGRAM IN THE SCHOOL.  
21 THE DEPARTMENT OF EDUCATION SHALL AWARD GRANTS ON A FIRST-COME,  
22 FIRST-SERVED BASIS.

23 C. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY ACCEPT FROM ANY PERSON  
24 IN-KIND DONATIONS OF MATERIALS, EQUIPMENT OR SERVICES THAT MAY BE USED IN  
25 CONNECTION WITH A SCHOOL GARDENING PROGRAM OFFERED PURSUANT TO THIS  
26 SECTION.

27 D. THE ARIZONA SCHOOL AGRICULTURAL PROGRAM FUND IS ESTABLISHED,  
28 CONSISTING OF LEGISLATIVE APPROPRIATIONS AND PRIVATE GRANTS, GIFTS,  
29 CONTRIBUTIONS AND DEVICES. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER  
30 THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND EXEMPT  
31 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF  
32 APPROPRIATIONS.

33 Sec. 2. Appropriation; Arizona school agricultural program  
34 fund; exemption; intent

35 A. The sum of \$250,000 and one FTE position are appropriated from  
36 the state general fund in fiscal year 2023-2024 to the Arizona school  
37 agricultural program fund for the purpose of implementing section  
38 15-249.01, Arizona Revised Statutes, as added by this act.

39 B. The appropriation made in subsection A of this section is exempt  
40 from the provisions of section 35-190, Arizona Revised Statutes, relating  
41 to lapsing of appropriations.

42 C. The legislature intends that the one FTE position appropriated  
43 in subsection A of this section be considered ongoing in future years.