

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 13
SENATE BILL 1021

AN ACT

AMENDING SECTIONS 15-1852 AND 15-1853, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3019.01, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3027.02; RELATING TO THE COMMISSION FOR POSTSECONDARY EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-1852, Arizona Revised Statutes, is amended to
3 read:
4 15-1852. Additional powers and duties
5 A. In addition to the powers and duties prescribed in section
6 15-1851, the commission for postsecondary education shall:
7 1. Meet at least four times each year.
8 2. Adopt rules to carry out the purposes of this article.
9 3. Administer and enforce this article and rules adopted pursuant
10 to this article.
11 4. Keep a record of its proceedings.
12 5. Contract, on behalf of this state, with the United States
13 secretary of education for the purpose of complying with the provisions of
14 title IV, part H, subpart one of the higher education amendments of 1992.
15 6. Comply with title 38, chapter 3, article 3.1 and title 39.
16 B. The commission may:
17 1. Adopt an official seal.
18 2. Contract.
19 3. Sue and be sued.
20 4. Receive, hold, make and take leases of and sell personal
21 property for the benefit of the commission.
22 5. Subject to title 41, chapter 4, article 4, employ personnel as
23 the commission deems necessary to carry out this article. The commission
24 may designate the duties of these personnel. The commission employees are
25 subject to title 41, chapter 4, article 4 and, as applicable, articles 5
26 and 6.
27 ~~6. Conduct investigations, hold hearings and determine methods of~~
28 ~~enforcement of this article.~~
29 ~~7. Issue subpoenas to compel the attendance of witnesses and the~~
30 ~~production of documents, administer oaths, take testimony, hear proof and~~
31 ~~receive exhibits into evidence.~~
32 ~~8.~~ 6. Establish policy centers under its control to conduct
33 studies.
34 ~~9.~~ 7. Coordinate and promote studies of interest to postsecondary
35 institutions in this state.
36 C. The commission is exempt from title 41, chapter 6 but shall
37 adopt rules in a manner substantially similar to title 41, chapter 6.
38 Sec. 2. Section 15-1853, Arizona Revised Statutes, is amended to
39 read:
40 15-1853. Postsecondary education fund; funding; federal
41 monies
42 A. The postsecondary education fund is established consisting of:
43 1. Monies appropriated by the legislature.

1 2. Monies received from state agencies and political subdivisions
2 of this state.

3 3. Monies received from the United States government, including
4 monies received from the United States department of education pursuant to
5 subsection B of this section.

6 4. Gifts, grants and donations received from any private source to
7 carry out the duties and responsibilities of the commission.

8 B. The commission may receive monies distributed by the United
9 States department of education ~~for the reimbursement of~~ TO REIMBURSE the
10 costs of performing review requirements. The costs may include expenses
11 for ~~the supplementation of~~ SUPPLEMENTING existing review functions, work
12 performed by subcontractors or consultants in connection with the review
13 functions of the commission and any other administrative expenses
14 necessary ~~for compliance~~ TO COMPLY with title IV, part H, subpart one of
15 the higher education amendments of 1992. ~~No~~ NOT more than thirteen ~~per~~
16 ~~cent~~ PERCENT of amounts received by the commission from the United States
17 department of education may be ~~utilized~~ USED for administrative purposes
18 by the commission.

19 C. The commission shall administer the fund in compliance with the
20 requirements of this article. The commission shall separately account for
21 monies received from each source listed in subsection A of this section
22 and may establish accounts and subaccounts of the fund as necessary to
23 carry out the requirements of this subsection.

24 D. Monies obtained pursuant to subsection A, paragraphs 1 through 3
25 of this section are subject to legislative appropriation. The commission
26 shall not use these monies for purposes other than those designated by
27 special line items for which the monies are received.

28 E. Monies obtained pursuant to subsection A, paragraph 4 of this
29 section are continuously appropriated. These monies shall be used in
30 accordance with the requests of the donor. If no request is specified,
31 the monies may be used for additional responsibilities of the commission
32 prescribed in section 15-1851, subsection B and section 15-1852,
33 subsection B, paragraphs ~~8- 6~~ and ~~9- 7~~.

34 Sec. 3. Repeal

35 Section 41-3019.01, Arizona Revised Statutes, is repealed.

36 Sec. 4. Title 41, chapter 27, article 2, Arizona Revised Statutes,
37 is amended by adding section 41-3027.02, to read:

38 41-3027.02. Commission for postsecondary education;
39 termination July 1, 2027

40 A. THE COMMISSION FOR POSTSECONDARY EDUCATION TERMINATES ON JULY 1,
41 2027.

42 B. TITLE 15, CHAPTER 14, ARTICLE 5 AND THIS SECTION ARE REPEALED ON
43 JANUARY 1, 2028.

1 Sec. 5. Purpose

2 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,
3 the legislature continues the commission for postsecondary education to:

4 1. Conduct, supervise and coordinate the review of public and
5 private postsecondary education institutions in this state to determine
6 their eligibility for student financial aid monies.

7 2. Administer specifically identified federal and state financial
8 aid programs.

9 3. Provide a forum for public and private postsecondary education
10 institutions to discuss issues of mutual interest.

11 4. Coordinate and promote studies of interest to postsecondary
12 institutions.

13 5. Provide information to the public on postsecondary education
14 opportunities in this state.

15 Sec. 6. Retroactivity

16 Sections 3 and 4 of this act apply retroactively to from and after
17 July 1, 2019.

APPROVED BY THE GOVERNOR MARCH 22, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2019.