

REFERENCE TITLE: state law violation; school districts

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2018

Introduced by
Representative Townsend

AN ACT

AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-194.02; RELATING TO THE ATTORNEY GENERAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 1, article 5, Arizona Revised
3 Statutes, is amended by adding section 41-194.02, to read:

4 41-194.02. Violations of state law by school districts and
5 school district employees; attorney general
6 investigation; report; withholding of state aid

7 A. AT THE REQUEST OF ONE OR MORE MEMBERS OF THE LEGISLATURE, THE
8 ATTORNEY GENERAL SHALL INVESTIGATE ANY POLICY, PROCEDURE OR OTHER OFFICIAL
9 ACTION ADOPTED OR TAKEN BY A SCHOOL DISTRICT GOVERNING BOARD OR ANY ACTION
10 TAKEN BY A SCHOOL DISTRICT EMPLOYEE IN THE EMPLOYEE'S OFFICIAL CAPACITY
11 THAT THE MEMBER ALLEGES VIOLATES STATE LAW OR THE CONSTITUTION OF ARIZONA.

12 B. THE ATTORNEY GENERAL SHALL MAKE A WRITTEN REPORT OF FINDINGS AND
13 CONCLUSIONS AS A RESULT OF THE INVESTIGATION WITHIN THIRTY DAYS AFTER
14 RECEIPT OF THE REQUEST AND SHALL PROVIDE A COPY OF THE REPORT TO THE
15 GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF
16 REPRESENTATIVES, THE MEMBER OR MEMBERS OF THE LEGISLATURE MAKING THE
17 ORIGINAL REQUEST AND THE SECRETARY OF STATE. IF THE ATTORNEY GENERAL
18 CONCLUDES THAT THE POLICY, PROCEDURE OR OTHER ACTION UNDER INVESTIGATION:

19 1. VIOLATES STATE LAW OR THE CONSTITUTION OF ARIZONA, THE ATTORNEY
20 GENERAL SHALL:

21 (a) NOTIFY THE SUPERINTENDENT OF PUBLIC INSTRUCTION WHO SHALL
22 WITHHOLD UP TO \$5,000 OF STATE AID TO THE SCHOOL DISTRICT FOR EACH
23 VIOLATION, AND THE SCHOOL DISTRICT SHALL REDUCE ITS BUDGET LIMIT
24 ACCORDINGLY.

25 (b) CONTINUE TO MONITOR THE RESPONSE OF THE GOVERNING BODY AND,
26 WHEN THE OFFENDING POLICY, PROCEDURE OR OTHER ACTION IS DISCONTINUED OR
27 THE VIOLATION IS OTHERWISE RESOLVED, NOTIFY THE GOVERNOR, THE PRESIDENT OF
28 THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MEMBER OR
29 MEMBERS OF THE LEGISLATURE MAKING THE ORIGINAL REQUEST THAT THE VIOLATION
30 HAS BEEN RESOLVED.

31 2. DOES NOT VIOLATE STATE LAW OR THE CONSTITUTION OF ARIZONA, THE
32 ATTORNEY GENERAL SHALL TAKE NO FURTHER ACTION.