CHAPTER 44

SENATE BILL 1390

AN ACT

REPEALING SECTIONS 8-830 AND 15-216, ARIZONA REVISED STATUTES; AMENDING SECTION 15-249, ARIZONA REVISED STATUTES; REPEALING SECTION 15-249.01, ARIZONA REVISED STATUTES; AMENDING SECTION 15-552, ARIZONA REVISED STATUTES; REPEALING SECTIONS 15-552 AND 15-720.01, ARIZONA REVISED STATUTES; REPEALING TITLE 15, CHAPTER 8, ARTICLE 8, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1042, 15-1901, 15-2401 AND 23-211, ARIZONA REVISED STATUTES; REPEALING SECTION 23-215, ARIZONA REVISED STATUTES; AMENDING SECTION 28-7009, ARIZONA REVISED STATUTES; REPEALING SECTION 28-7011, ARIZONA REVISED STATUTES; REPEALING TITLE 31, CHAPTER 2, ARTICLE 6, ARIZONA REVISED STATUTES; REPEALING SECTION 31-287, ARIZONA REVISED STATUTES; AMENDING SECTIONS 31-402, 31-411, 36-766.09 AND 36-1162, ARIZONA REVISED STATUTES; REPEALING SECTIONS 36-1694 AND 36-2905.07, ARIZONA REVISED STATUTES; REPEALING TITLE 36, CHAPTER 29, ARTICLE 5, ARIZONA REVISED STATUTES; AMENDING SECTION 36-3607, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-112, 41-113, 41-197, 41-1609.05 AND 41-1609.06, ARIZONA REVISED STATUTES; AMENDING SECTION 41-4254, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-4256 AND 44-332, ARIZONA REVISED STATUTES; REPEALING TITLE 44, CHAPTER 10, ARTICLE 10, ARIZONA REVISED STATUTES; RELATING TO PROGRAM AND COMMITTEE TERMINATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Repeal
Sections 8-830 and 15-216, Arizona Revised Statutes, are repealed.

Sec. 2. Section 15-249, Arizona Revised Statutes, is amended to read:

15-249. Department of education; education learning and accountability system; reports; reviews
A. Subject to the appropriation of state monies or the receipt of federal monies, private donations or grants from any lawful public or private source for this purpose, the department of education, in coordination with the data governance commission established by section 15-249.01, shall develop and implement the education learning and accountability system to collect, compile, maintain and report student level data for students attending public educational institutions that provide instruction to pupils in preschool programs, kindergarten programs, grades one through twelve and postsecondary educational programs in this state.

B. The education learning and accountability system shall:
1. Maintain longitudinal, student level data, including student demographic, grade level, assessment, teacher assignment and other data required to meet state and federal reporting requirements.
2. Incorporate the student accountability information system prescribed in chapter 9, article 8 of this title.
3. Be accessible through commonly used internet web browsers to carry out the data collection, compilation and reporting duties prescribed in this title.

C. Student level non-test data is prohibited from inclusion in longitudinal, student level data unless approved in a public meeting of the state board of education and linked on the state board's home page pursuant to section 15-741, subsection A, paragraph 7.

D. The department of education may contract with a third party to carry out the purposes of this section.

E. The department of education, in coordination with the data governance commission, shall develop a detailed plan to develop and implement the education learning and accountability system.

F. The department of education shall present the plan developed pursuant to subsection E of this section to the state board of education for review and approval. The department of education shall continue to provide quarterly reports to the state board of education, or on request, for review and approval of the state board of education, on the development DEVELOPING and implementation of IMPLEMENTING the education learning and accountability system. All reports provided shall include progress and expenditures to date, timelines and cost estimates for completion.
G. Any contract awarded pursuant to subsection D of this section shall allow the superintendent of public instruction to renew the contracts for two subsequent periods of not more than three years each and shall prescribe the circumstances under which the superintendent of public instruction may terminate the contracts. The contracts shall allow this state to cancel any contract at any time after the first year of operation, without penalty to this state, on ninety days' written notice and shall require the contractor to be in compliance at all times with state and federal law.

H. Any contract awarded pursuant to subsection D of this section may provide for annual contract price or cost adjustments, except that any adjustments may be made only once each year effective on the anniversary of the contract's effective date. Any adjustment made pursuant to the terms of the contract must be applied to the total payments made to the contractor for the previous contract year and shall not exceed the percentage change in the average consumer price index as published by the United States department of labor, bureau of labor statistics between that figure for the latest calendar year and the next previous calendar year. Any price or cost adjustments that are different than those authorized in this subsection may be made only if the legislature specifically authorizes the adjustments and appropriates monies for that purpose, if required.

I. The superintendent of public instruction shall not award a contract pursuant to this section unless:

1. The superintendent of public instruction receives an acceptable proposal pursuant to any request for proposals. For the purposes of this paragraph, "acceptable proposal" means a proposal that substantially meets all of the requirements or conditions prescribed in this section and in the request for proposals.

2. The proposal offers a level and quality of services that equal or exceed the services that would be provided by this state.

3. The contractor provides audited financial statements for the previous five years, or for each year that the contractor has been in operation if fewer than five years, and provides other financial information as requested.

J. The sovereign immunity of this state does not apply to any contractor who is a party to any contract pursuant to this section. The contractor or any agent of the contractor may not plead the defense of sovereign immunity in any action arising out of the performance of the contract.

K. The terms of any contract pursuant to this section are subject to review by the joint legislative budget committee before placement of any advertisement that solicits a response to a request for proposals. Any proposed modification or amendment to the contract is subject to prior review by the joint legislative budget committee.
L. During the first year of operation under a contract executed pursuant to this section, the contracting entity shall submit monthly reports to the department of education as prescribed by the department. After the first year of operation under the contract, the contracting entity shall submit quarterly reports to the department as prescribed by the department.

M. At the end of the second year of a contract executed pursuant to this section, an independent evaluator selected by the superintendent of public instruction shall conduct and complete a performance review to determine if the contracting entity has met the goals specified in the contract. The independent evaluator shall submit a report of the independent evaluator's findings to the governor, the president of the senate and the speaker of the house of representatives on or before May 1, and shall provide a copy of this report to the secretary of state.

Sec. 3. Repeal

Section 15-249.01, Arizona Revised Statutes, is repealed.

Sec. 4. Section 15-552, Arizona Revised Statutes, is amended to read:

15-552. Alternative teacher development program; report
A. The state board of education shall establish an alternative teacher development program for the purpose of accelerating the process of identifying, training and placing highly qualified individuals into low-income schools through the use of teaching intern certification and the identification of a qualified service provider.

B. The department of education shall develop application procedures, selection criteria and minimum performance standards for service providers that wish to participate in the program.

C. The state board of education shall award a matching grant to a service provider that meets all of the requirements of this section. The amount of the matching grant shall be equal to the matching monies raised by the service provider, not to exceed the total of monies appropriated to the alternative teacher development program. The service provider that receives the matching grant shall demonstrate that its alternative teacher development program serves public schools in this state and meets all of the following requirements:

1. Is a nonprofit 501(c)(3) organization that has been providing alternative teacher recruitment and placement in this state for a period of not less than AT LEAST ten years.

2. Serves only public schools that provide instruction to student populations in which a majority of the students are from low-income households.

3. Requires that individuals seeking to participate in the alternative teacher development program offered by the service provider have attained a baccalaureate degree from an accredited institution.
4. Maintains a competitive application and selection process for individuals seeking to participate in the alternative teacher development program offered by the service provider.

5. Requires all individuals who participate in the alternative teacher development program to commit to serve as a teacher in a low-income public school in this state for not less than AT LEAST two years.

6. Provides ongoing support, evaluations and professional development to teachers placed in a classroom through the alternative teacher development program.

D. The service provider selected to participate in the alternative teacher development program shall annually report the following information to the department of education:

1. The number of teachers placed in low-income schools by the service provider.

2. The number of students served by teachers placed in low-income schools by the service provider.

3. Demographic data concerning the aggregate composition of students in classrooms served by teachers placed by the service provider.

4. A listing of the school districts and schools in which teachers were placed by the service provider.

5. Classroom-level data collected by the service provider that demonstrates the academic progress of students instructed by teachers participating in the alternative teacher development program.

6. A descriptive summary of the ongoing support, evaluations and professional development provided to participating teachers.

7. The performance classifications of teachers participating in the alternative teacher development program pursuant to section 15-537, as reported to the service provider by participating teachers.

8. A total of all matching monies raised by the service provider.

E. The department of education shall submit an annual report by December 15 of each year concerning the alternative teacher development program to the governor, the president of the senate and the speaker of the house of representatives that includes an evaluation of the effectiveness of the program. The department of education shall provide a copy of the report to the secretary of state.

F. The program established by this section ends on July 1, 2030 pursuant to section 41-3102.
Sec. 7. Section 15-1042, Arizona Revised Statutes, is amended to read:

15-1042. **Student level data; timeline for submittal; confidentiality; definition**

A. The department of education shall notify school districts, career technical education districts and charter schools of electronic data submission procedures and shall distribute a list of the specific student level data elements, including the statutory or regulatory reference for each data element, that school districts, career technical education districts and charter schools are required to submit. The department of education shall not make any changes to the student level data elements to be collected unless the student level data element has been reviewed and adopted by the data governance commission established by section 15-249.01.

B. Each school district, career technical education district and charter school shall submit electronic data on a school-by-school basis, including student level data, to the department of education in order for the school district, career technical education district or charter school to receive monies for the cost of educating students pursuant to this title.

C. The department of education shall grant a school district, career technical education district or charter school an extension to the deadline for the submission of student level data or may provide for an alternative method for the submission of student level data if the school district, career technical education district or charter school proves that good cause exists for the extension, and the school district, career technical education district or charter school shall continue to receive monies for the cost of educating students pursuant to this title. The request for an extension of the deadline for the submission of student level data pursuant to this subsection shall include a justification for the extension and the status of current efforts toward complying with the submission of student level data.

D. A pupil or the parent or guardian of a pupil shall not be required to submit data that does not relate to the provision of educational services or assistance to the pupil.

E. Unless otherwise prescribed, school districts, career technical education districts and charter schools shall begin to report new data elements on July 1 of the year that follows the effective date of the law that requires the collection of the data.

F. Student level data items submitted to the department of education by school districts, career technical education districts and charter schools pursuant to this section shall not be used to adjust funding levels or calculate the average daily membership for the purpose
of funding school districts at any time other than the fortieth, one hundredth and two hundredth days of the school year.

G. A school district, career technical education district or charter school is not required to submit student level data to the department of education more often than once every twenty school days.

H. Notwithstanding subsection J of this section, the student level data shall include reasons for the withdrawal if reasons are provided by the withdrawing pupil or the pupil's parent or guardian. For the purposes of this subsection, the department of education shall include in the specific student level data elements that school districts, career technical education districts and charter schools are required to submit data relating to students who withdraw from school because the student is pregnant or because the student is the biological parent of a child.

I. All student level data collected pursuant to this section is confidential and is not a public record. The data collected may be used for aggregate research and reporting and for providing access of student level data to school districts, career technical education districts, charter schools, community colleges and universities under the jurisdiction of the Arizona board of regents.

J. For the purposes of this section, "student level data" means all data elements that are compiled and submitted for each student in this state and that are necessary for the completion of the statutory requirements of the department of education and the state board of education relating to the calculation of funding for public education, the determination of student academic progress as measured by student testing programs in this state, state and federal reporting requirements and other duties prescribed to the department of education or the state board of education by law. Student level data does not include data elements related to student behavior, discipline, criminal history, medical history, religious affiliation, personal physical descriptors or family information not authorized by the parent or guardian of the pupil or otherwise required by law.

Sec. 8. Section 15-1901, Arizona Revised Statutes, is amended to read:

15-1901. Authority of governor to enter compact; terms of compact for education

The governor is authorized in the name of this state to join with other states legally joining in the compact for education, which compact shall be in the following form:

COMPACT FOR EDUCATION

ARTICLE I-PURPOSE AND POLICY

Section A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the state and local levels.
2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearinghouse of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that they will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

Section B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

Section C. The party states recognize that each has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

ARTICLE II-STATE DEFINED

As used in this compact, "state" means a state, territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico.

ARTICLE III-THE COMMISSION

Section A. The education commission of the states, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. Four shall be members of the state legislature, two selected by the president of the senate and two selected by the speaker of the house of representatives and serving in such manner as the legislature may determine and three shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing the state shall, by virtue of their training, experience, knowledge or affiliations, be in a position
collectively to reflect broadly the interests of the state government, higher education, the state education system, local education and lay and professional public and nonpublic educational leadership. Of the gubernatorial appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be, not to exceed ten, nonvoting commissioners selected by the steering committee for terms of one year. The nonvoting commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

Section B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to article IV and adoption of the annual report pursuant to section J of this article.

Section C. The commission shall have a seal.

Section D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice-chairman and a treasurer. The commission shall provide for the appointment of an executive director. The executive director shall serve at the pleasure of the commission and, together with the treasurer and such other personnel as the commission may deem appropriate, shall be bonded in such amount as the commission shall determine. The executive director shall be the secretary.

Section E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director, subject to the approval of the steering committee, shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

Section F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States or any subdivision or agency of such governments, or from any agency of two or more of the party jurisdictions or their subdivisions.
Section G. The commission may accept for any of its purposes and functions under this compact any and all donations and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States or any other governmental agency or from any person, firm, association, foundation or corporation and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this section or services borrowed pursuant to section F of this article shall be reported in the annual report of the commission. The report shall include the nature, amount and conditions of the donation, grant or services borrowed and the identity of the donor or lender.

Section H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold and convey real and personal property and any interest therein.

Section I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind such bylaws. The commission shall publish its bylaws in convenient form and shall file a copy of the bylaws and a copy of any amendment to the bylaws with the appropriate agency or officer in each of the party states.

Section J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Section K. Arizona's participation in the commission established by this article ends on July 1, 2020 pursuant to section 41-3103.

ARTICLE IV-POWERS

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration and instructional methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education and other agencies and institutions, both public and private.
5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment of public education, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

ARTICLE V-COOPERATION WITH FEDERAL GOVERNMENT

Section A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

Section B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states and may advise with any such agencies or officers concerning any matter of mutual interest.

ARTICLE VI-COMMITTEES

Section A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. One-fourth of the voting membership of the steering committee shall consist of governors, one-fourth shall consist of legislators and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice-chairman and treasurer of the commission shall be members of the steering committee and, anything in this section to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee, provided that service for a partial term of one year or less shall not be counted toward the two term limitation.
Section B. The commission may establish advisory and technical committees composed of state, local and federal officials and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

Section C. The commission may establish such additional committees as its bylaws may provide.

ARTICLE VII-FINANCE

Section A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commissioner's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

Section B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making the apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

Section C. The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to article III, section G of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to article III, section G, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

Section D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. All receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

Section E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

Section F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.
ARTICLE VIII-ELIGIBLE PARTIES; ENTRY INTO AND WITHDRAWAL

Section A. This compact shall have as eligible parties all states, territories and possessions of the United States, the District of Columbia and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

Section B. Any state or other eligible jurisdiction may enter into this compact, and it shall become binding when it has adopted the compact.

Section C. Any party state may withdraw from this compact by enacting a statute repealing the compact. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

ARTICLE IX-CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or if the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of the compact to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters.

Sec. 9. Section 15-2401, Arizona Revised Statutes, is amended to read:

15-2401. Definitions
In this chapter, unless the context otherwise requires:

1. "Annual education plan" means an initial individualized evaluation and subsequent annual reviews that are developed for a qualified student who meets the criteria specified in paragraph 7, subdivision (a), item (i), (ii) or (iii) of this section to determine ongoing annual eligibility through the school year in which the qualified student reaches twenty-two years of age and whether the student may be eligible pursuant to section 36-2981 and should be referred for eligibility determination.

2. "Curriculum" means a course of study for content areas or grade levels, including any supplemental materials required or recommended by the curriculum, approved by the department.

3. "Department" means the department of education.

4. "Eligible postsecondary institution" means a community college as defined in section 15-1401, a university under the jurisdiction of the Arizona board of regents or an accredited private postsecondary institution.

5. "Parent" means a resident of this state who is the parent, stepparent or legal guardian of a qualified student.
6. "Qualified school" means a nongovernmental primary or secondary school or a preschool for pupils with disabilities that is located in this state or, for qualified students who reside within the boundaries of an Indian reservation in this state, that is located in an adjacent state and that is within two miles of the border of the state in which the qualified student resides, and that does not discriminate on the basis of race, color or national origin.

7. "Qualified student" means a resident of this state who:
   (a) Is any of the following:
      (i) Identified as having a disability under section 504 of the rehabilitation act of 1973 (29 United States Code section 794).
      (ii) Identified by a school district or by an independent third party pursuant to section 15-2403, subsection I as a child with a disability as defined in section 15-731 or 15-761.
      (iii) A child with a disability who is eligible to receive services from a school district under section 15-763.
      (iv) Attending a school or school district that was assigned a letter grade of D or F pursuant to section 15-241 for the most recent year in which letter grades were assigned or is currently eligible to attend kindergarten and resides within the attendance boundary of a school that was assigned a letter grade of D or F pursuant to section 15-241 for the most recent year in which letter grades were assigned. A child who meets the requirements of this item and who meets the income eligibility requirements for free and reduced-price lunches under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1793) is not subject to subdivision (b) of this paragraph.
      (v) A previous recipient of a scholarship issued pursuant to section 15-891 or this section, unless the qualified student's parent has been removed from eligibility in the program for failure to comply pursuant to section 15-2403, subsection C.
      (vi) A child of a parent who is a member of the armed forces of the United States and who is on active duty or was killed in the line of duty. A child who meets the requirements of this item is not subject to subdivision (b) of this paragraph.
      (vii) A child who is a ward of the juvenile court and who is residing with a prospective permanent placement pursuant to section 8-862 and the case plan is adoption or permanent guardianship.
      (viii) A child who was a ward of the juvenile court and who achieved permanency through adoption or permanent guardianship.
      (ix) A child who is the sibling of a current or previous Arizona empowerment scholarship account recipient or of an eligible qualified student who accepts the terms of and enrolls in an Arizona empowerment scholarship account.
(x) A child who resides within the boundaries of an Indian reservation in this state as determined by the department of education or a tribal government.

(xi) A child of a parent who is legally blind or deaf or hard of hearing as defined in section 36-1941.

(b) And, except as provided in subdivision (a), items (iv) and (vi) of this paragraph, who meets any of the following requirements:

(i) Attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least forty-five days of the current or prior fiscal year and who transferred from a governmental primary or secondary school under a contract to participate in an Arizona empowerment scholarship account. Kindergarten students who are enrolled in Arizona online instruction must receive two hundred hours of logged instruction to be eligible pursuant to this item. First, second and third grade students who are enrolled in Arizona online instruction must receive four hundred hours of logged instruction to be eligible pursuant to this item. Fourth, fifth and sixth grade students who are enrolled in Arizona online instruction must receive five hundred hours of logged instruction to be eligible pursuant to this item. Seventh and eighth grade students who are enrolled in Arizona online instruction must receive five hundred fifty hours of logged instruction to be eligible pursuant to this item. High school students who are enrolled in Arizona online instruction must receive five hundred hours of logged instruction to be eligible pursuant to this item.

(ii) Previously participated in an Arizona empowerment scholarship account.

(iii) Received a scholarship under section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester before attending a qualified school.

(iv) Was eligible for an Arizona scholarship for pupils with disabilities and received monies from a school tuition organization pursuant to section 43-1505 or received an Arizona scholarship for pupils with disabilities but did not receive monies from a school tuition organization pursuant to section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester before attending a qualified school.

(v) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a kindergarten program in a school district or charter school in this state or attended a program for preschool children with disabilities.
(vi) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a program for preschool children with disabilities in this state.

8. "Treasurer" means the office of the state treasurer.

Sec. 10. Section 23-211, Arizona Revised Statutes, is amended to read:

23-211. Definitions
In this article, unless the context otherwise requires:
1. "Agency" means any agency, department, board or commission of this state or a county, city or town that issues a license for purposes of operating a business in this state.
3. "Employee":
   (a) Means any person who provides services or labor for an employer in this state for wages or other remuneration.
   (b) Does not include an independent contractor.
4. "Employer" means any individual or type of organization that transacts business in this state, that has a license issued by an agency in this state and that employs one or more employees in this state. Employer includes this state, any political subdivision of this state and self-employed persons. In the case of an independent contractor, employer means the independent contractor and does not mean the person or organization that uses the contract labor.
5. "E-verify program" means the employment verification program as jointly administered by the United States department of homeland security and the social security administration or any of its successor programs.
6. "Independent contractor" means any individual or entity that carries on an independent business, that contracts to do a piece of work according to the individual's or entity's own means and methods and that is subject to control only as to results. Whether an individual or entity is an independent contractor is determined on a case-by-case basis through various factors, including whether the individual or entity:
   (a) Supplies the tools or materials.
   (b) Makes services available to the general public.
   (c) Works or may work for a number of clients at the same time.
   (d) Has an opportunity for profit or loss as a result of labor or service provided.
   (e) Invests in the facilities for work.
   (f) Directs the order or sequence in which the work is completed.
   (g) Determines the hours when the work is completed.
7. "Intentionally" has the same meaning prescribed in section 13-105.
8. "Knowingly employ an unauthorized alien" means the actions described in 8 United States Code section 1324a. This term shall be interpreted consistently with 8 United States Code section 1324a and any applicable federal rules and regulations.

9. "License":
   (a) Means any agency permit, certificate, approval, registration, charter or similar form of authorization that is required by law and that is issued by any agency for the purposes of operating a business in this state.
   (b) Includes:
      (i) Articles of incorporation under title 10.
      (ii) A certificate of partnership, a partnership registration or articles of organization under title 29.
      (iii) A grant of authority issued under title 10, chapter 15.
      (iv) Any transaction privilege tax license.
   (c) Does not include:
      (i) Any license issued pursuant to title 45 or 49 or rules adopted pursuant to those titles.
      (ii) Any professional license.

10. "Social security number verification service" means the program administered by the social security administration or any of its successor programs.

11. "Unauthorized alien" means an alien who does not have the legal right or authorization under federal law to work in the United States as described in 8 United States Code section 1324a(h)(3).

Sec. 11. Repeal
Section 23-215, Arizona Revised Statutes, is repealed.
Sec. 12. Section 28-7009, Arizona Revised Statutes, is amended to read:

28-7009. Statewide transportation acceleration needs account; establishment; definition
A. The statewide transportation acceleration needs account is established as a separate account in the state highway fund. The account consists of all of the following, except that the source of monies in the fund shall not be a consent agreement or any type of negotiated settlement by any state or local agency or any donation made in place of a consent agreement or any type of settlement:
1. Monies appropriated by the legislature.
2. Monies designated for deposit in the account by the transportation board, a state agency or a political subdivision.
3. Monies received from the United States government for the purpose of accelerating transportation projects.
4. Monies received from political subdivisions, Indian tribes or this state or its agencies for the purpose of accelerating transportation projects.
5. Interest and other income received from investing monies in the account.

6. Gifts, grants, donations or other amounts received from any public or private source for deposit in the account for the purpose of accelerating transportation projects.

B. On notice from the transportation board, the state treasurer shall invest and divest monies in the statewide transportation acceleration needs account as provided by section 35-313, and monies earned from investment shall be credited to the account.

C. The transportation board may establish any subaccount in the statewide transportation acceleration needs account that the board determines is necessary or appropriate to carry out the purposes of this section.

D. If a governmental entity or a private person deposits monies in the statewide transportation acceleration needs account for acceleration of a specific project and the appropriate regional planning agency or council of governments, in cooperation with the transportation board, approves the project, the board shall designate the monies deposited by the governmental entity or private person solely for the project for which the monies are deposited.

E. Notwithstanding section 28-6993, and any other agreements entered into by the department of transportation for the distribution and expenditure of monies from the state highway fund, the transportation board shall not approve any expenditures from the statewide transportation acceleration needs account unless the expenditure is made in accordance with this section and is for the construction or reconstruction of freeways, state highways, bridges and interchanges that are contained in the regional transportation plan of a county or the department's long-range statewide transportation plan pursuant to section 28-506. For the purposes of this subsection, a regional transportation plan is a twenty-year comprehensive, performance-based multimodal and coordinated regional transportation plan that is approved for the county as provided by law and as amended or otherwise modified.

F. Monies in the statewide transportation acceleration needs account shall be used only to pay for the following costs of a transportation project approved pursuant to this section:

1. Except as provided in sections SECTION 28-7010 and 28-7011:
   (a) Materials and labor.
   (b) Acquisition of rights-of-way for highway needs.
   (c) Design and other engineering services that are within the scope of engineering practice as provided in title 32, chapter 1.
   (d) Other directly related costs approved by the transportation board.
2. Beginning in fiscal year 2006-2007, interest costs resulting from bonds, loans, notes or other obligations issued or incurred or advances made by or on behalf of a city, town or county.

G. Monies in the statewide transportation acceleration needs account that are appropriated by the legislature and any interest earnings shall be allocated as follows:

1. For a county with a population of at least one million two hundred thousand persons for the area included in the regional planning agency's transportation improvement plan, sixty percent.

2. For a county with a population of more than five hundred thousand persons but less than one million two hundred thousand persons for the area included in the regional planning agency's transportation improvement plan, sixteen percent.

3. For all other counties, twenty-four percent.

H. The regional planning agency in a county designated as a transportation management area shall establish a process for the review and approval of transportation projects eligible to receive monies from the statewide transportation acceleration needs account. As part of its request to the transportation board for monies, the regional planning agency shall ensure and submit evidence satisfactory to the board that any project costs not eligible for monies from the statewide transportation acceleration needs account are available and dedicated to the project. In all other counties, the department, in cooperation with the metropolitan planning organization or the council of governments that has the authority to approve transportation projects for the county, shall develop requests for expenditure of monies from the statewide transportation acceleration needs account. As part of the request to the transportation board for monies, the metropolitan planning organization or the council of governments for the department shall submit evidence satisfactory to the board that any project costs not eligible for monies from the statewide transportation acceleration needs account are available and dedicated to the project.

I. On receipt of a request for monies from the statewide transportation acceleration needs account, the transportation board shall place the request on the agenda for the next regular business meeting of the board. The board shall review the request and, in cooperation with the regional planning agency, the metropolitan planning organization or the council of governments, approve the request or further modify the request before approval.

J. The transportation board shall not approve the release of any monies from the statewide transportation acceleration needs account for a transportation project unless the board verifies that all costs related to construction of the project are covered.
K. A city, town or county may use monies that are in the statewide transportation acceleration needs account or any subaccount of the statewide transportation acceleration needs account, including monies that were previously approved by the board for a project and that were not specifically designated for interest costs for that project, for interest costs only if all of the following occur:

1. The regional planning agency in a county designated as a transportation management area recommends that the monies be spent for interest costs.

2. The board approves the regional planning agency's recommendation described in paragraph 1 of this subsection.

3. The city, town or county complies with this section.

L. Monies in the statewide transportation acceleration needs account shall be used to supplement, not supplant, funding that would otherwise be made available for projects.

M. A regional planning agency that receives monies from the statewide transportation acceleration needs account shall report on or before December 15 of each year to the senate and house of representatives transportation committees on approved projects and amounts expended for those projects.

N. For the purposes of this section, "project" means the construction or reconstruction of a specific portion of a freeway or state highway or a bridge or interchange or a portion of a bridge or interchange that is constructed at a single location.

Sec. 13. Repeal

Section 28-7011, Arizona Revised Statutes, is repealed.

Sec. 14. Delayed repeal

Title 31, chapter 2, article 6, Arizona Revised Statutes, is repealed from and after June 30, 2030.

Sec. 15. Repeal

Section 31-287, Arizona Revised Statutes, is repealed.

Sec. 16. Section 31-402, Arizona Revised Statutes, is amended to read:

31-402. **Powers of board; powers and duties of governor; powers and duties of executive director**

A. For all persons who committed felony offenses before January 1, 1994, the board of executive clemency shall have exclusive power to pass on and recommend reprieves, commutations, paroles and pardons. A reprieve, commutation or pardon may NOT be granted by the governor unless it has first been recommended by the board.

B. For all persons who committed felony offenses before January 1, 1994, all applications for reprieves, commutations and pardons made to the governor shall be at once transmitted to the chairman CHAIRPERSON of the board, and the board shall return the applications with its recommendation to the governor. All applications for reprieves, commutations and pardons
made to the governor shall include documentation that the victim or the victim's family was notified pursuant to section 31-411, subsection H.

C. For all persons who committed felony offenses on or after January 1, 1994, in addition to the powers and duties prescribed in subsection A of this section, the board of executive clemency:

1. Is vested with the powers and duties of the board of pardons and paroles as they existed before January 1, 1994 to carry out the provisions of articles 3, 4.1, 5, 6 and 7 of this chapter.

2. After a hearing for which the victim, county attorney and presiding judge are given notice and an opportunity to be heard, may make recommendations to the governor for commutation of sentence after finding by clear and convincing evidence that the sentence imposed is clearly excessive given the nature of the offense and the record of the offender and that there is a substantial probability that when released the offender will conform the offender's conduct to the requirements of the law.

3. Shall receive petitions from individuals for whom the court has entered a special order allowing the person to petition the board pursuant to section 13-603, subsection L and may make recommendations to the governor.

4. Shall receive petitions from individuals, organizations or the department for review and commutation of sentences and pardoning of offenders in extraordinary cases and may make recommendations to the governor.

5. Shall receive petitions from the state department of corrections alleging that an offender has violated the offender's terms and conditions of community supervision and has lapsed or is probably about to lapse into criminal ways or company. If the board determines that an offender on community supervision has violated the terms and conditions of community supervision the board may do any of the following:

   (a) If the offender has not committed an additional offense, place the offender on electronic monitoring and order the offender to participate in a community accountability program pursuant to section 41-1609.05.

   (b) Revoke community supervision and return the offender to prison for the remainder of the offender's community supervision.

   (c) Impose additional terms and conditions on the offender while keeping the offender on community supervision. If there is reasonable cause to believe that an offender who has been kept on community supervision has violated any term or condition of community supervision, any member of the board may petition the board to revoke community supervision. After a petition to revoke has been submitted, the chairman may issue a summons directing the offender to appear on a specified date for a revocation hearing or may issue a warrant for the offender's arrest. Nothing in This subsection does not limit the
state department of corrections' authority with respect to submitting
revocation petitions or issuing revocation warrants.

D. Any recommendation for commutation that is made unanimously by
the members present and voting and that is not acted on by the governor
within ninety days after the board submits its recommendation to the
governor automatically becomes effective.

E. The executive director shall perform all administrative,
operational and financial functions for the board.

F. The executive director may employ case analysts as deemed
necessary within the limits of legislative appropriation and subject to
title 41, chapter 4, article 4. The analysts shall aid the board in
making investigations, in securing information and in performing necessary
administrative functions to assist the board in passing on applications
for parole and commutation.

G. The executive director may employ hearing officers as deemed
necessary within the limits of legislative appropriation and subject to
title 41, chapter 4, article 4. The hearing officers shall conduct
probable cause hearings on parole, work furlough, community supervision
and home arrest revocations or rescissions. Hearing officers shall assist
the board in making investigations, securing information and performing
necessary administrative functions.

Sec. 17. Section 31-411, Arizona Revised Statutes, is amended to
read:

31-411. Parole or discharge; conditions of parole; release
under supervision of state department of
corrections; notice of hearing; exceptions; drug
testing costs

A. Any prisoner who has been certified as eligible for parole or
absolute discharge from imprisonment pursuant to section 31-412,
subsection B or section 41-1604.09 shall be given an opportunity to apply
for release on parole or for an absolute discharge from imprisonment. The
board of executive clemency shall not entertain any other form of
application or petition for the release on parole or absolute discharge
from imprisonment of any prisoner.

B. A prisoner who is eligible for parole or absolute discharge from
imprisonment shall be given an opportunity to be heard either before a
hearing officer designated by the board or the board itself, at the
discretion of the board.

C. If the hearing is heard by a hearing officer, the hearing
officer shall make a recommendation on application for parole or absolute
discharge from imprisonment to the board within thirty days after the
hearing date. Within thirty days after the date of the hearing officer's
recommendations, the board shall review these recommendations and either
approve, with or without conditions, or reject the prisoner's application
for parole or absolute discharge from imprisonment. A prisoner who is
eligible for parole or absolute discharge from imprisonment shall not be
denied parole or absolute discharge from imprisonment without an
opportunity to be heard before the board unless another form of release
has been granted.

D. If parole is granted, the prisoner shall remain on parole unless
the board revokes the parole or grants an absolute discharge from parole
or until the prisoner reaches the individual earned release credit date
pursuant to section 41-1604.10. If the prisoner violates a condition of
parole but has not committed an additional offense, the board may place
the prisoner on electronic monitoring and order the defendant to
participate in a community accountability pilot program pursuant to
section 41-1609.05. If the prisoner is still on parole on reaching the
individual earned release credit date pursuant to section 41-1604.10, the
prisoner shall be terminated from parole but shall be subject to
revocation under section 41-1604.10. When the prisoner reaches the
individual earned release credit date the prisoner's parole shall be
terminated and the prisoner shall no longer be under the authority of the
board.

E. During the period of time that the prisoner remains on
supervised parole under subsection D of this section, the board shall
require as a condition of parole that the prisoner pay a monthly
supervision fee of not less than sixty-five dollars AT LEAST $65 unless,
after determining the inability of the prisoner to pay the fee, the board
requires payment of a lesser amount. The supervising parole officer shall
monitor the collection of the fee. The board may also impose any
conditions of parole it deems appropriate in order to ensure that the best
interests of the prisoner and the citizens of this state are
served. These conditions may include:

1. Participation PARTICIPATING in a rehabilitation program or
counseling.
2. Performance of PERFORMING community restitution work.

F. Seventy per-cent PERCENT of the monies collected pursuant to
subsection E of this section shall be deposited, pursuant to sections
35-146 and 35-147, in the victim compensation and assistance fund
established by section 41-2407 and thirty per-cent PERCENT shall be
deposited in the community corrections enhancement fund established by
section 31-418.

G. When parole or absolute discharge from imprisonment is denied,
the board, within ten days, shall prepare and deliver to the director of
the state department of corrections a written statement specifying the
individualized reasons for the denial of parole or absolute discharge from
imprisonment unless another form of release has been granted. The
prisoner may view the written statement prepared by the board. Every
prisoner, having served not less than one year—may be temporarily
released according to the rules of the department one hundred eighty days
before the expiration of the sentence or the earned release credit date, whichever first occurs, if the director finds that the release is in the best interest of the state. The releasee shall remain under the control of the state department of corrections until expiration of the term specified in the sentence. If the releasee violates any condition of release, the releasee may be returned to custody without further process.

H. When a commutation, absolute discharge from imprisonment or parole is to be considered, the board, on request and before holding a hearing on the commutation, absolute discharge from imprisonment or parole, shall notify the attorney general, the presiding judge of the superior court, the county attorney in the county in which the prisoner requesting a commutation, absolute discharge from imprisonment or parole was sentenced, and the victim of the offense for which the prisoner is incarcerated. The notice to the victim shall be mailed to the last known address. The notice shall state the name of the prisoner requesting the commutation, absolute discharge from imprisonment or parole and shall set the month of hearing on the application. The notice to the victim shall also inform the victim of the victim's right to be present and to submit a written report to the board expressing the victim's opinion concerning the release of the prisoner. No hearing concerning commutations, absolute discharge from imprisonment or parole shall be held until fifteen days after the date of giving the notice. On mailing the notice, the board shall file a hard copy of the notice as evidence that notification was sent.

I. The provisions of this section requiring notice to the officials named in subsection H of this section shall not apply:

1. When there is imminent danger of the death of the person convicted or imprisoned.

2. When the term of imprisonment of the applicant is within two hundred ten days of expiration.

J. In addition to any other fees, the board may require as a condition of parole that the prisoner pay the reasonable costs associated with the prisoner’s participation in a drug testing program. The prisoner’s costs shall not exceed the department’s cost for the program. The monies collected pursuant to this subsection by the department may only be used to offset the costs of the drug testing program.

Sec. 18. Section 36-766.09, Arizona Revised Statutes, is amended to read:

36-766.09. Doula community advisory committee; members; duties

A. The doula community advisory committee is established consisting of at least nine doulas, including those who represent diverse and underrepresented communities, who are appointed by the director. The term for an advisory committee member is two years.
B. The director shall consult with the advisory committee regarding implementation of IMPLEMENTING this article and the rules adopted pursuant to this article. The advisory committee shall:
1. Develop a list of acceptable organizations that provide certification based on the minimum qualifications and core competencies prescribed in this article and rules adopted pursuant to this article.
2. Identify classes that address culturally relevant doula practices.
3. Review rules and advise the director of any necessary updates.

C. The committee established by this section ends on July 1, 2029 pursuant to section 41-3103.

Sec. 19. Section 36-1162, Arizona Revised Statutes, is amended to read:

36-1162. Powers and functions of Arizona poison control system

The Arizona poison control system shall:
1. Maintain a comprehensive list of poison and drug information resources.
2. Furnish advisory services to health professionals on the toxicity of poisons, drugs and household chemical products and effective and safe treatment of poisoning.
3. Provide information to the public on the prevention of PREVENTING accidental poisonings and first aid treatment of poisoning.
4. Provide a TOLL-FREE telephone service for all communities in this state, including all treatment facilities in this state.
5. Provide expert capability for the rapid identification of toxic agents.
6. Conduct and promote educational programs for professionals and the public on poisoning.
7. Establish, in consultation with the department of health services, physicians and hospitals, procedures for reporting the incidence of poisoning.
8. Procure grants to engage in research to enhance delivery of specialized emergency services in the treatment of TREATING poisoning.
9. Establish a teratogen information program. The program shall establish a statewide TOLL-FREE telephone number to provide health care providers and the public with up-to-date information and referrals on possible teratogen exposure and shall develop educational programs and materials. The program established by this paragraph ends on July 1, 2009 pursuant to section 41-3102. For the purposes of this paragraph, "teratogen" means a physical, infectious or chemical agent that causes a change in the normal development of a human embryo or fetus.
10. Assist the department of health services in coordinating public
health information regarding a chemical or other toxic fire event,
including providing information regarding possible toxic exposures and
appropriate health care facility referrals for those exposures.

Sec. 20. **Repeal**
A. Sections 36-1694 and 36-2905.07, Arizona Revised Statutes, are
repealed.
B. Title 36, chapter 29, article 5, Arizona Revised Statutes, is
repealed.

Sec. 21. Section 36-3607, Arizona Revised Statutes, is amended to
read:

36-3607. **Telehealth advisory committee on telehealth best practices; membership; reports**
A. The telehealth advisory committee on telehealth best practices
is established consisting of the following members who are appointed by
the governor:
1. One physician who is licensed pursuant to title 32, chapter 13.
2. One physician who is licensed pursuant to title 32, chapter 17
and who is practicing primary care in this state.
3. Two advanced practice registered nurses who are licensed
pursuant to title 32, chapter 15.
4. One physician who is licensed pursuant to title 32, chapter 13
or 17 and who specializes in pain management.
5. One psychiatrist who is licensed pursuant to title 32, chapter
13 or 17.
6. One psychologist who is licensed pursuant to title 32, chapter
19.1.
7. Two behavioral health professionals who are licensed pursuant to
title 32, chapter 33, one of whom is employed by an outpatient treatment
center.
8. One physician who is licensed pursuant to title 32, chapter 14.
9. One health care professional whose primary area of focus is
treating persons with developmental disabilities.
10. One health care professional whose primary area of focus is
industrial injuries.
11. One speech-language pathologist who is licensed pursuant to
chapter 17 of this title.
12. One occupational therapist who is licensed pursuant to title
32, chapter 34.
13. One hospital administrator.
14. One physician assistant who is licensed pursuant to title 32,
chapter 25.
15. One representative of the Arizona commission for the deaf and
the hard of hearing.
16. Two representatives of health care insurers who are licensed health care providers.
17. One optometrist who is licensed pursuant to title 32, chapter 16.
18. One representative of a vertically integrated telemedicine technology manufacturer of hardware and compatible software.
19. One BEHAVIOR analyst who is licensed pursuant to title 32, chapter 19.1.
20. One representative from each of the following:
   (a) The Arizona health care cost containment system.
   (b) The department of health services.
   (c) The department of economic security.
   (d) The department of insurance and financial institutions.
   (e) The industrial commission of Arizona.

B. The advisory committee:
   1. Shall review national and other standards for telehealth best practices and relevant peer-reviewed literature.
   2. May conduct public meetings at which testimony may be taken regarding the efficacy of various communications media and the types of services and populations for which telehealth is appropriate.
   3. Shall adopt telehealth best practice guidelines and recommendations regarding the health care services that may be appropriately provided through an audio-only telehealth format and make updates, when applicable. Before making its recommendations, the advisory committee shall analyze medical literature and national practice guidelines, consider the comparative effectiveness and safety and the benefit to the patient of performing a service through an audio-only telehealth format instead of in person or through an audio-visual telehealth format, and the appropriate frequency and duration of audio-only telehealth encounters.
   4. May authorize subcommittees to address select issues or services and report to the advisory committee as directed.
   5. On or before December 1, 2021, shall submit a report to the governor, the president of the senate and the speaker of the house of representatives with the advisory committee’s recommendations regarding the specific health care services that are appropriate to provide through an audio-only telehealth format as a substitute for an in-person or audio-visual telehealth encounter.
   6. On or before June 30, 2022, shall submit a report to the governor, the president of the senate and the speaker of the house of representatives with the advisory committee’s recommendations regarding telehealth best practice guidelines for health care providers.

C. The Arizona health care cost containment system shall staff the advisory committee and provide meeting space.
D. The committee established by this section ends on July 1, 2029 pursuant to section 41-3102.

Sec. 22. Repeal
Sections 41-112, 41-113, 41-197, 41-1609.05 and 41-1609.06, Arizona Revised Statutes, are repealed.

Sec. 23. Section 41-4254, Arizona Revised Statutes, is amended to read:

41-4254. Department duties
The department shall:
1. Formulate policies, plans and programs to enhance the ability of this state to prevent and respond to acts of terrorism and other critical hazards.
2. Develop a statewide homeland security strategy.
3. Request appropriations or grants of monies for homeland security purposes.
4. Provide to the senior advisory committee members a summary of the amount of federal homeland security monies requested by this state for each grant program.
5. Receive all awards granted to this state by the federal government for homeland security purposes and provide to the senior advisory committee members a list of the allocations of federal homeland security grants to this state along with the project title and the amount of each subgrant award.
6. Distribute monies to local jurisdictions and other organizations eligible under federal regulations based on criteria in the statewide homeland security strategy and federal grant guidelines.
7. Coordinate with other state and federal agencies to publish a guide for grantees that receive homeland security monies. The guide shall ensure that monies distributed by the department:
   (a) Are coordinated across all levels of government.
   (b) Avoid duplication of grant awards.
   (c) Eliminate security gaps in every level of government.
8. Conduct preparedness training exercises to put state disaster plans into practice and identify shortcomings in the plans.
9. Assist in the development of regional response plans, including collaborative efforts with other states.
10. Partner with and involve the private sector in preparedness efforts.

Sec. 24. Repeal
A. Sections 41-4256 and 44-332, Arizona Revised Statutes, are repealed.
B. Title 44, chapter 10, article 10, Arizona Revised Statutes, is repealed.
S.B. 1390

APPROVED BY THE GOVERNOR MARCH 23, 2022.