

COMMITTEE ON APPROPRIATIONS, TRANSPORTATION AND TECHNOLOGY
SENATE AMENDMENTS TO H.C.R. 2048
(Reference to House engrossed resolution)

1 Strike everything after the resolving clause and insert:

2 "1. Article XI, Constitution of Arizona, is proposed to be amended
3 by adding section 12 as follows if approved by the voters and on
4 proclamation of the Governor:

5 12. Scholarship accounts; confiscation of monies
6 prohibited; voidability of future bills or
7 measures; definitions

8 SECTION 12. A. THIS STATE MAY NOT CONFISCATE MONIES
9 FROM ANY SCHOLARSHIP ACCOUNT OF ANY STUDENT WHO IS A CHILD OF
10 A MILITARY FAMILY IF BOTH OF THE FOLLOWING APPLY:

11 1. THE SCHOLARSHIP ACCOUNT IS ESTABLISHED AND
12 MAINTAINED BY THIS STATE PURSUANT TO A PROGRAM THAT DESIGNATES
13 ANY STUDENT WHO IS A CHILD OF A MILITARY FAMILY AND WHO
14 SATISFIES ENROLLMENT REQUIREMENTS AS ELIGIBLE TO RECEIVE
15 SCHOLARSHIP MONIES. THIS PARAGRAPH DOES NOT LIMIT THIS
16 SUBSECTION TO SCHOLARSHIP ACCOUNT PROGRAMS THAT ARE
17 ESTABLISHED AND MAINTAINED BY THIS STATE FOR ONLY CHILDREN OF
18 MILITARY FAMILIES.

19 2. THE STUDENT MAY USE MONIES IN THE SCHOLARSHIP
20 ACCOUNT FOR TUITION OR FEES AT ELIGIBLE POSTSECONDARY
21 EDUCATIONAL INSTITUTIONS.

22 B. NOTWITHSTANDING ARTICLE IV, IF A BILL ENACTED INTO
23 LAW OR A MEASURE APPROVED BY THE VOTERS ON OR AFTER NOVEMBER
24 1, 2026 VIOLATES SUBSECTION A OF THIS SECTION, THE ENTIRE BILL
25 OR MEASURE IS VOID. A COURT MAY NOT SEVER ANY PORTION OF A
26 BILL OR MEASURE THAT VIOLATES SUBSECTION A OF THIS SECTION.

27 C. FOR THE PURPOSES OF THIS SECTION:

28 1. "CHILD OF A MILITARY FAMILY" MEANS A STUDENT WHO IS
29 A CHILD OF A PERSON WHO MEETS ANY OF THE FOLLOWING:

30 (a) IS SERVING ON ACTIVE DUTY AS A MEMBER OF THE ARMED
31 FORCES OF THE UNITED STATES.

32 (b) WAS SERVING ON ACTIVE DUTY AS A MEMBER OF THE ARMED
33 FORCES OF THE UNITED STATES WHEN THE STUDENT'S ELIGIBILITY WAS
34 INITIALLY DETERMINED.

35 (c) WAS A MEMBER OF THE ARMED FORCES OF THE UNITED
36 STATES WHO WAS KILLED IN THE LINE OF DUTY.

37 2. "CONFISCATE":

38 (a) INCLUDES SEIZING, TRANSFERRING OR OTHERWISE TAKING
39 MONIES FROM A SCHOLARSHIP ACCOUNT.

1 (b) DOES NOT INCLUDE ACTS RELATED TO THE CLOSURE OF A
2 SCHOLARSHIP ACCOUNT IF ANY OF THE FOLLOWING APPLIES:
3 (i) THE STUDENT OR ACCOUNT HOLDER IS FOUND PERSONALLY
4 RESPONSIBLE FOR ILLEGAL ACTIVITY OR WRONGDOING IN A PROCEEDING
5 IN WHICH THE STUDENT OR ACCOUNT HOLDER RECEIVES INDIVIDUALIZED
6 DUE PROCESS OF LAW.
7 (ii) THE STUDENT OR ACCOUNT HOLDER VOLUNTARILY CLOSES
8 OR FAILS TO RENEW A SCHOLARSHIP ACCOUNT.
9 (iii) THE STUDENT GRADUATES FROM AN ELIGIBLE
10 POSTSECONDARY EDUCATIONAL INSTITUTION.
11 (iv) THE STUDENT IS INELIGIBLE TO MAINTAIN A
12 SCHOLARSHIP ACCOUNT UNDER A SCHOLARSHIP PROGRAM BECAUSE THE
13 STUDENT DID NOT ENROLL IN AN ELIGIBLE POSTSECONDARY
14 EDUCATIONAL INSTITUTION FOR A PERIOD OF AT LEAST FOUR
15 CONSECUTIVE YEARS AFTER GRADUATING FROM HIGH SCHOOL.
16 3. "ELIGIBLE POSTSECONDARY EDUCATIONAL INSTITUTION"
17 MEANS:
18 (a) A UNIVERSITY THAT IS ESTABLISHED PURSUANT TO
19 SECTION 1 OF THIS ARTICLE.
20 (b) A COMMUNITY COLLEGE DISTRICT IN THIS STATE.
21 (c) AN ACCREDITED PRIVATE POSTSECONDARY EDUCATIONAL
22 INSTITUTION.
23 2. Short title
24 This act may be cited as the "Military Families College
25 Savings and Scholarship Protection Act".
26 3. The Secretary of State shall submit this proposition to the
27 voters at the next general election as provided by article XXI,
28 Constitution of Arizona."
29 Amend title to conform

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