

Senate Engrossed

~~elected officials; salary; prohibition~~
(now: military families; scholarship accounts)

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE CONCURRENT RESOLUTION 2048

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XI, CONSTITUTION OF ARIZONA, BY ADDING SECTION 12; RELATING TO EDUCATION SCHOLARSHIPS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

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

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

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

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

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

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

28 C. FOR THE PURPOSES OF THIS SECTION:

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

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

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

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

38 2. "CONFISCATE":

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

41 (b) DOES NOT INCLUDE ACTS RELATED TO THE CLOSURE OF A
42 SCHOLARSHIP ACCOUNT IF ANY OF THE FOLLOWING APPLIES:

43 (i) THE STUDENT OR ACCOUNT HOLDER IS FOUND PERSONALLY
44 RESPONSIBLE FOR ILLEGAL ACTIVITY OR WRONGDOING IN A PROCEEDING

1 IN WHICH THE STUDENT OR ACCOUNT HOLDER RECEIVES INDIVIDUALIZED
2 DUE PROCESS OF LAW.

3 (ii) THE STUDENT OR ACCOUNT HOLDER VOLUNTARILY CLOSES
4 OR FAILS TO RENEW A SCHOLARSHIP ACCOUNT.

5 (iii) THE STUDENT GRADUATES FROM AN ELIGIBLE
6 POSTSECONDARY EDUCATIONAL INSTITUTION.

7 (iv) THE STUDENT IS INELIGIBLE TO MAINTAIN A
8 SCHOLARSHIP ACCOUNT UNDER A SCHOLARSHIP PROGRAM BECAUSE THE
9 STUDENT DID NOT ENROLL IN AN ELIGIBLE POSTSECONDARY
10 EDUCATIONAL INSTITUTION FOR A PERIOD OF AT LEAST FOUR
11 CONSECUTIVE YEARS AFTER GRADUATING FROM HIGH SCHOOL.

12 3. "ELIGIBLE POSTSECONDARY EDUCATIONAL INSTITUTION"
13 MEANS:

14 (a) A UNIVERSITY THAT IS ESTABLISHED PURSUANT TO
15 SECTION 1 OF THIS ARTICLE.

16 (b) A COMMUNITY COLLEGE DISTRICT IN THIS STATE.

17 (c) AN ACCREDITED PRIVATE POSTSECONDARY EDUCATIONAL
18 INSTITUTION.

19 2. Short title

20 This act may be cited as the "Military Families College
21 Savings and Scholarship Protection Act".

22 3. The Secretary of State shall submit this proposition to the
23 voters at the next general election as provided by article XXI,
24 Constitution of Arizona.