

REFERENCE TITLE: national guard; education; reimbursement

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

## **SB 1809**

Introduced by  
Senator Gowan

AN ACT

AMENDING SECTIONS 26-102 AND 26-181, ARIZONA REVISED STATUTES; RELATING TO  
THE NATIONAL GUARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 26-102, Arizona Revised Statutes, is amended to  
3 read:

4 26-102. Powers and duties of the adjutant general

5 A. The adjutant general shall serve as head of the department and,  
6 subject to the orders of the commander in chief, command the national  
7 guard of this state. The governor as commander in chief shall administer  
8 and control the national guard, and the adjutant general is responsible to  
9 the governor for executing all orders relating to the militia, organizing,  
10 activating, reactivating, inactivating and allocating units, recruiting  
11 personnel, public relations and disciplining and training the national  
12 guard and those members of the militia inducted into the service of this  
13 state as provided in this chapter. The adjutant general shall act as  
14 military chief of staff to the governor and as the commanding general of  
15 all branches of the militia. The adjutant general may belong to the  
16 national association and other organizations for the betterment of the  
17 national guard, subscribe to and obtain periodicals, literature and  
18 magazines of such other organizations and pay dues and charges from monies  
19 of this state appropriated for that purpose. Except for the authority  
20 expressly reserved for the governor, the adjutant general is responsible  
21 for emergency management, and all emergency activities are subject to the  
22 approval of the adjutant general.

23 B. The adjutant general, as the military chief of staff, shall:

24 1. Act as military advisor to the governor and perform, as the  
25 governor prescribes, military duties not otherwise designated by law.

26 2. Adopt methods of administration for the national guard that are  
27 not inconsistent with laws and regulations of the United States department  
28 of defense or any subdivision of the United States department of defense.

29 3. Supervise and direct the organization, regulation, instruction  
30 and other activities of the national guard.

31 4. Attest and record all commissions issued by the governor and  
32 maintain a register of all commissioned personnel.

33 5. Keep a record of all orders and regulations pertaining to the  
34 national guard and all other writings and papers relating to reports and  
35 returns of units comprising the national guard and militia.

36 6. Superintend the preparation of returns, plans and estimates  
37 required by this state, by the department of the army, air force or navy  
38 and by the United States secretary of defense.

39 7. Control the use of and care for, preserve and maintain all  
40 military property belonging to or issued to this state and pay from monies  
41 appropriated by the legislature for these purposes the necessary expenses  
42 for labor and material incurred in repairing military property.

1           8. Dispose of unserviceable military property belonging to this  
2 state, account for the proceeds and transmit the proceeds to the morale,  
3 welfare and recreational fund established by section 26-153.

4           9. Authenticate with the seal of the office of the adjutant general  
5 all orders and copies of orders issued by the adjutant general's  
6 office. An authenticated copy has the same force and effect as the  
7 original.

8           10. Present to the governor before each regular session of the  
9 legislature, or as otherwise required, an estimate of the financial  
10 requirements for state monies for operating the department and the  
11 national guard during the next fiscal year.

12           C. The adjutant general, as head of the department, shall:

13           1. Be the administrator of the department.

14           2. Coordinate the functions of the divisions and offices of the  
15 department.

16           3. Subject to title 41, chapter 4, article 4 and, as applicable,  
17 article 5, appoint, suspend, demote, promote or dismiss employees of the  
18 department. The adjutant general may delegate this authority.

19           4. Appoint an auditor for the department to conduct periodic  
20 financial and compliance audits of each division and office in the  
21 department and perform other duties as prescribed by law. At least  
22 annually the auditor shall audit accounts that are open for more than  
23 twelve months. The auditor shall determine within the department  
24 compliance with purchase and bidding procedures prescribed by law.

25           5. Adopt, with the approval of the governor, rules necessary for  
26 operating the department and for organizing, governing, arming, equipping,  
27 instructing and compensating the national guard and authorized employees.  
28 Rules that are adopted for the national guard and authorized employees  
29 pursuant to this paragraph shall be in force and effect when approved by  
30 the governor.

31           6. Establish and administer accounts for federal, state or other  
32 monies made available to carry out the functions of the department.

33           7. As deemed necessary, appoint to peace officer status members of  
34 the Arizona national guard who have been awarded a United States army  
35 military occupational specialty as military policeman or a United States  
36 air force specialty code as security policeman or who have served as a law  
37 enforcement officer in any branch of the United States armed forces or as  
38 a special agent of a military criminal investigative organization within  
39 the United States department of defense. Before appointment as peace  
40 officers, the individuals must successfully complete a course of study  
41 prescribed by the Arizona peace officer standards and training board.  
42 Individuals appointed as peace officers pursuant to this paragraph, when  
43 performing duties at facilities or on land operated or controlled by or  
44 under the jurisdiction of the adjutant general, have all the powers,

1 privileges and immunities of peace officers provided by law. Individuals  
2 appointed as peace officers pursuant to this paragraph are not eligible to  
3 participate in funding provided by the peace officers' training fund  
4 established by section 41-1825 or in the public safety personnel  
5 retirement system.

6 8. Establish, abolish or reorganize the positions or organizational  
7 structure within the department, subject to legislative appropriation, if,  
8 in the adjutant general's judgment, the modification would make the  
9 operation of the department more efficient, effective or economical.

10 9. Submit to the governor, the president of the senate and the  
11 speaker of the house of representatives annually by September 1 a report  
12 for the department for the preceding fiscal year that includes:

13 (a) The strength and condition of the national guard.

14 (b) The business transactions of the department.

15 (c) A detailed statement of expenditures for all military and  
16 civilian purposes.

17 (d) The disposition of all military and civilian property on hand or  
18 issued.

19 (e) A description of the activity in the camp Navajo fund  
20 established by section 26-152.

21 (f) A detailed statement of the national guard postsecondary  
22 education reimbursement program pursuant to section 26-181, subsection  
23 ~~D~~ F.

24 D. The adjutant general, with the approval of the governor, may:

25 1. Enter into contracts with individuals, this state, political  
26 subdivisions of this state or the federal government and its agencies to  
27 purchase, acquire, rent or lease lands, buildings or military materiel and  
28 take title in the name of this state for establishing and maintaining  
29 armories, subject to legislative appropriation for these purposes.

30 2. Procure and contract for procurement of equipment and its  
31 issuance to members of the militia inducted into the service of this  
32 state.

33 3. Enter into agreements and plans with the state universities, the  
34 community colleges or any educational institution supported by federal or  
35 state monies to promote the best interests of the national guard and  
36 military training of students of the institutions.

37 4. Lease property acquired under this chapter for any public  
38 purpose for a period of one year that is renewable.

39 5. Convey for any public purpose in the name of this state  
40 easements on real property acquired under this chapter.

41 6. Enter into contracts or agreements with the federal government  
42 that are deemed to be in the best interest of this state and the national  
43 guard.

44 7. Delegate the powers and duties prescribed in this section.

1           8. Adopt methods of security for the national guard reservations or  
2 facilities that are consistent with the laws, regulations or directives of  
3 the United States department of defense or any subdivision of the United  
4 States department of defense and the laws of this state.

5           9. Enter into a contract or agreement with an individual or  
6 political subdivision of this state to facilitate any of the following:

7           (a) Training.

8           (b) Emergency operations.

9           (c) Maintenance of aircraft.

10          (d) Safety, including emergency and medical services.

11          (e) Movement or storage of aircraft.

12          (f) Recruitment and retention of personnel for the national guard  
13 of Arizona.

14          10. Subject to legislative appropriations, establish an educational  
15 program for persons who have previously dropped out of high school and who  
16 are under twenty years of age but who are not adjudicated delinquent. The  
17 educational program shall be designated "project challenge" and shall be  
18 conducted by the national guard of Arizona in a paramilitary environment.  
19 The goal of the educational program is to provide persons who are enrolled  
20 in the program with the knowledge and skills necessary to become  
21 productive citizens and to obtain a general equivalency diploma. In  
22 addition to monies appropriated for the program, the adjutant general may  
23 accept and spend monies from any other lawful public or private source to  
24 administer, operate and support the program.

25          Sec. 2. Section 26-181, Arizona Revised Statutes, is amended to  
26 read:

27          26-181. Tuition and fees reimbursement; evaluation of  
28                 applications; payment; forgiveness of costs; report

29          A. After applicants submit their grade reports, the adjutant  
30 general shall evaluate the applications for tuition and fees reimbursement  
31 and pay those applicants the adjutant general determines to be eligible.  
32 ELIGIBILITY UNDER THIS SUBSECTION EXTENDS TO QUALIFIED MEMBERS OF THE  
33 NATIONAL GUARD AND THEIR SPOUSES AND LEGAL DEPENDENTS AND EMPLOYEES OF THE  
34 DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS WHO ARE ENROLLED FULL-TIME OR  
35 PART-TIME IN UNDERGRADUATE, GRADUATE, CERTIFICATION, PROFESSIONAL  
36 DEVELOPMENT OR NONDEGREE PROGRAMS AT ANY PUBLIC OR PRIVATE POSTSECONDARY  
37 EDUCATIONAL INSTITUTION IN THIS STATE THAT GRANTS CREDIT TOWARD A DEGREE,  
38 DIPLOMA OR RECOGNIZED CREDENTIAL, INCLUDING VOCATIONAL-TECHNICAL PROGRAMS.

39          B. ~~Such~~ Reimbursement PURSUANT TO SUBSECTION A OF THIS SECTION is  
40 subject to legislative appropriation and shall not exceed THE LESSER OF:

41                 ~~1. The maximum amount charged for in-state tuition and fees at a~~  
42 ~~state university during that academic year.~~

1           1. \$10,000 PER FISCAL YEAR PER APPLICANT, WHICH MAY COVER IN-STATE  
2 TUITION AND MANDATORY FEES AT A PUBLIC OR PRIVATE POSTSECONDARY  
3 EDUCATIONAL INSTITUTION IN THIS STATE DURING THAT ACADEMIC YEAR AND AN  
4 ADDITIONAL AMOUNT OF NOT MORE THAN \$1,000 FOR REQUIRED TEXTBOOKS,  
5 MATERIALS, SUPPLIES AND ONLINE COURSE SURCHARGES.

6           2. The amount spent by the applicant for in-state tuition, ~~and fees~~  
7 MANDATORY FEES, TEXTBOOKS, MATERIALS, SUPPLIES AND ONLINE COURSE  
8 SURCHARGES.

9           C. A reimbursement payment UNDER THIS SECTION shall be made within  
10 forty-five days after the date of receipt of the applicant's grade reports  
11 for the semester for which reimbursement is to be paid.

12           D. IF APPROPRIATED MONIES ARE INSUFFICIENT TO FULLY REIMBURSE ALL  
13 ELIGIBLE APPLICANTS PURSUANT TO THIS SECTION IN A FISCAL YEAR,  
14 REIMBURSEMENTS SHALL BE PRORATED IN THE FOLLOWING ORDER OF PRIORITY:

15           1. TO ELIGIBLE ACTIVE NATIONAL GUARD MEMBERS.

16           2. TO ELIGIBLE SPOUSES AND DEPENDENTS OF NATIONAL GUARD MEMBERS.

17           3. TO ELIGIBLE EMPLOYEES OF THE DEPARTMENT OF EMERGENCY AND  
18 MILITARY AFFAIRS.

19           E. AN ELIGIBLE APPLICANT WHO EARNS A DEGREE, DIPLOMA OR CERTIFICATE  
20 OR COMPLETES AN APPROVED PROFESSIONAL DEVELOPMENT PROGRAM USING  
21 REIMBURSEMENT PURSUANT TO THIS SECTION AND WHO REMAINS A NATIONAL GUARD  
22 MEMBER IN GOOD STANDING FOR TEN YEARS FOLLOWING COMPLETION OF THE DEGREE  
23 OR PROGRAM SHALL RECEIVE ACCELERATED OR FULL FORGIVENESS OF ANY  
24 UNREIMBURSED PORTIONS OF ELIGIBLE COSTS ON VERIFICATION OF THE MEMBER'S  
25 SERVICE COMMITMENT. THE ADJUTANT GENERAL SHALL ESTABLISH PROCEDURES FOR  
26 TRACKING AND VERIFYING MEMBER SERVICE COMMITMENTS, INCLUDING PRO RATA  
27 FORGIVENESS FOR PARTIAL COMPLETION OF THE TEN-YEAR PERIOD.

28           ~~D.~~ F. The adjutant general shall report the following information  
29 as provided by section 26-102, subsection C, paragraph 9:

30           1. The total number of national guard members who received  
31 reimbursement payments pursuant to this section during the preceding  
32 fiscal year.

33           2. The number of newly recruited national guard members who  
34 received reimbursement payments pursuant to this section during the  
35 preceding fiscal year.

36           3. The total number of spouses and dependents of national guard  
37 members who received reimbursement payments pursuant to this section  
38 during the preceding fiscal year.

39           4. The total number of employees of the department of emergency and  
40 military affairs who received reimbursement payments pursuant to this  
41 section during the preceding fiscal year.

1           5. The total amount of monies spent by the national guard for  
2 reimbursement payments pursuant to this section during the preceding  
3 fiscal year.

4           6. THE NUMBER OF APPLICANTS WHO QUALIFIED FOR ACCELERATED OR FULL  
5 FORGIVENESS PURSUANT TO SUBSECTION E OF THIS SECTION DURING THE PRECEDING  
6 FISCAL YEAR, INCLUDING THE TOTAL AMOUNT FORGIVEN AND THE IMPACT ON  
7 RETENTION RATES IF MEASURABLE.

8           Sec. 3. Short title

9           This act may be cited as the "Arizona National Guard Education  
10 Enhancement Act".