

House Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

CHAPTER 203

HOUSE BILL 2646

AN ACT

AMENDING SECTIONS 15-782.02, 41-619.51, 41-1758 AND 41-1758.01, ARIZONA REVISED STATUTES; RELATING TO CAREER AND TECHNICAL EDUCATION AND VOCATIONAL EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-782.02, Arizona Revised Statutes, is amended to
3 read:

4 15-782.02. Career and technical education and vocational
5 education programs; expanded hours; tuition

6 A. School districts with career and technical education and vocational
7 education programs may offer vocational educational services without regard
8 to students' age or high school graduation status, EXCEPT THAT VOCATIONAL
9 EDUCATION SERVICES PROVIDED TO PERSONS OVER TWENTY-TWO YEARS OF AGE SHALL BE
10 OFFERED ONLY FOR THE PURPOSE OF SKILL UPGRADING OR SKILL RETRAINING AND SHALL
11 NOT BE OFFERED FOR COLLEGE LEVEL CREDIT. Persons over twenty-two years of
12 age shall not attend vocational programs in high school buildings during
13 regular school hours, EXCEPT THAT A PERSON OVER TWENTY-TWO YEARS OF AGE MAY
14 ATTEND VOCATIONAL PROGRAMS OTHER THAN MASSAGE THERAPY PROGRAMS DURING REGULAR
15 SCHOOL HOURS ON A CENTRAL CAMPUS THAT IS OWNED AND OPERATED BY A JOINT
16 TECHNICAL EDUCATION DISTRICT PURSUANT TO SECTION 15-393, SUBSECTION D,
17 PARAGRAPH 5 IF THE VOCATIONAL PROGRAM HAS ADDITIONAL STUDENT CAPACITY AFTER
18 THE ENROLLMENT OF PERSONS WHO ARE TWENTY-TWO YEARS OF AGE OR YOUNGER. A
19 PERSON OVER TWENTY-TWO YEARS OF AGE SHALL NOT BE ADMITTED TO OR ATTEND A
20 VOCATIONAL PROGRAM DURING REGULAR SCHOOL HOURS PURSUANT TO THIS SUBSECTION
21 UNLESS THE PERSON HAS A VALID FINGERPRINT CLEARANCE CARD PURSUANT TO TITLE
22 41, CHAPTER 12, ARTICLE 3.1. THE COSTS OF THE FINGERPRINT CLEARANCE CARD
23 SHALL BE PAID BY THE APPLICANT. A JOINT TECHNICAL EDUCATION DISTRICT SHALL
24 IMMEDIATELY NOTIFY IN WRITING THE PARENT OR GUARDIAN OF EACH PUPIL UNDER
25 EIGHTEEN YEARS OF AGE IN A VOCATIONAL PROGRAM DURING REGULAR SCHOOL HOURS
26 WHEN A PERSON OVER TWENTY-TWO YEARS OF AGE ENROLLS IN THE VOCATIONAL PROGRAM.

27 B. The department of education shall distribute twenty-six dollars for
28 every day that a full-time student attends an extended year or summer school
29 program in a joint technical education district and thirteen dollars for
30 every day that a part-time student attends an extended year or summer school
31 program in a joint technical education district, subject to appropriation
32 except that the department of education shall not distribute monies pursuant
33 to this section for any student who has either graduated from high school or
34 obtained a general education diploma or who has reached twenty-two years of
35 age, whichever occurs first.

36 ~~B.~~ C. School districts with career and technical education and
37 vocational education programs may operate those programs for more than one
38 hundred seventy-five days per year, with expanded hours of service.

39 ~~C.~~ D. Career and technical education and vocational education
40 programs run by school districts may charge tuition to offset expenses
41 associated with serving adult students.

42 Sec. 2. Section 41-619.51, Arizona Revised Statutes, is amended to
43 read:

44 41-619.51. Definitions

45 In this article, unless the context otherwise requires:

- 1 1. "Agency" means the supreme court, the department of economic
2 security, the department of education, the department of health services, the
3 department of juvenile corrections, the department of emergency and military
4 affairs, the state real estate department or the board of examiners of
5 nursing care institution administrators and assisted living facility
6 managers.
- 7 2. "Board" means the board of fingerprinting.
- 8 3. "Expedited review" means an examination, in accordance with board
9 rule, of the documents an applicant submits by the board or its hearing
10 officer without the applicant being present.
- 11 4. "Good cause exception" means the issuance of a fingerprint
12 clearance card to an employee pursuant to section 41-619.55.
- 13 5. "Person" means a person who is required to be fingerprinted
14 pursuant to this article and any of the following:
- 15 (a) Section 8-105.
16 (b) Section 8-322.
17 (c) Section 8-509.
18 (d) Section 8-802.
19 (e) Section 15-183.
20 (f) Section 15-534.
21 (g) SECTION 15-782.02.
22 ~~(g)~~ (h) Section 15-1330.
23 ~~(h)~~ (i) Section 15-1881.
24 ~~(i)~~ (j) Section 26-103.
25 ~~(j)~~ (k) Section 32-2108.01.
26 ~~(k)~~ (l) Section 32-2123.
27 ~~(l)~~ (m) Section 36-411.
28 ~~(m)~~ (n) Section 36-425.03.
29 ~~(n)~~ (o) Section 36-446.04.
30 ~~(o)~~ (p) Section 36-594.01.
31 ~~(p)~~ (q) Section 36-594.02.
32 ~~(q)~~ (r) Section 36-882.
33 ~~(r)~~ (s) Section 36-883.02.
34 ~~(s)~~ (t) Section 36-897.01.
35 ~~(t)~~ (u) Section 36-897.03.
36 ~~(u)~~ (v) Section 36-3008.
37 ~~(v)~~ (w) Section 41-619.53.
38 ~~(w)~~ (x) Section 41-1964.
39 ~~(x)~~ (y) Section 41-1967.01.
40 ~~(y)~~ (z) Section 41-1968.
41 ~~(z)~~ (aa) Section 41-1969.
42 ~~(aa)~~ (bb) Section 41-2814.
43 ~~(bb)~~ (cc) Section 46-141, subsection A.
44 ~~(cc)~~ (dd) Section 46-321.

1 Sec. 3. Section 41-1758, Arizona Revised Statutes, is amended to read:
2 41-1758. Definitions

3 In this article, unless the context otherwise requires:

4 1. "Agency" means the supreme court, the department of economic
5 security, the department of education, the department of health services, the
6 department of juvenile corrections, the department of emergency and military
7 affairs, the state real estate department, the board of fingerprinting or the
8 board of examiners of nursing care institution administrators and assisted
9 living facility managers.

10 2. "Division" means the fingerprinting division in the department of
11 public safety.

12 3. "Good cause exception" means the issuance of a fingerprint
13 clearance card to an employee pursuant to section 41-619.55.

14 4. "Person" means a person who is required to be fingerprinted
15 pursuant to any of the following:

- 16 (a) Section 8-105.
- 17 (b) Section 8-322.
- 18 (c) Section 8-509.
- 19 (d) Section 8-802.
- 20 (e) Section 15-183.
- 21 (f) Section 15-503.
- 22 (g) Section 15-512.
- 23 (h) Section 15-534.
- 24 (i) SECTION 15-782.02.
- 25 ~~(j)~~ (j) Section 15-1330.
- 26 ~~(k)~~ (k) Section 15-1881.
- 27 ~~(l)~~ (l) Section 26-103.
- 28 ~~(m)~~ (m) Section 32-2108.01.
- 29 ~~(n)~~ (n) Section 32-2123.
- 30 ~~(o)~~ (o) Section 36-411.
- 31 ~~(p)~~ (p) Section 36-425.03.
- 32 ~~(q)~~ (q) Section 36-446.04.
- 33 ~~(r)~~ (r) Section 36-594.01.
- 34 ~~(s)~~ (s) Section 36-594.02.
- 35 ~~(t)~~ (t) Section 36-882.
- 36 ~~(u)~~ (u) Section 36-883.02.
- 37 ~~(v)~~ (v) Section 36-897.01.
- 38 ~~(w)~~ (w) Section 36-897.03.
- 39 ~~(x)~~ (x) Section 36-3008.
- 40 ~~(y)~~ (y) Section 41-619.52.
- 41 ~~(z)~~ (z) Section 41-619.53.
- 42 ~~(aa)~~ (aa) Section 41-1964.
- 43 ~~(bb)~~ (bb) Section 41-1967.01.
- 44 ~~(cc)~~ (cc) Section 41-1968.
- 45 ~~(ee)~~ (dd) Section 41-1969.

1 ~~(dd)~~ (ee) Section 41-2814.

2 ~~(ee)~~ (ff) Section 46-141, subsection A.

3 ~~(ff)~~ (gg) Section 46-321.

4 5. "Vulnerable adult" has the same meaning prescribed in section
5 13-3623.

6 Sec. 4. Section 41-1758.01, Arizona Revised Statutes, is amended to
7 read:

8 41-1758.01. Fingerprinting division; duties

9 The fingerprinting division is established in the department of public
10 safety and shall:

11 1. Conduct fingerprint background checks for persons and applicants
12 who are seeking licenses from state agencies, employment with licensees,
13 contract providers and state agencies or employment or educational
14 opportunities with agencies that require fingerprint background checks
15 pursuant to sections 8-105, 8-322, 8-509, 8-802, 15-183, 15-503, 15-512,
16 15-534, 15-782.02, 15-1330, 15-1881, 26-103, 32-2108.01, 32-2123, 36-411,
17 36-425.03, 36-446.04, 36-594.01, 36-594.02, 36-882, 36-883.02, 36-897.01,
18 36-897.03, 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01, 41-1968,
19 41-1969 and 41-2814, section 46-141, subsection A and section 46-321.

20 2. Issue fingerprint clearance cards. On issuance, a fingerprint
21 clearance card becomes the personal property of the cardholder and the
22 cardholder shall retain possession of the fingerprint clearance card.

23 3. On submission of an application for a fingerprint clearance card,
24 collect the fees established by the board of fingerprinting pursuant to
25 section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147, the
26 monies collected in the board of fingerprinting fund.

27 4. Inform in writing each person who submits fingerprints for a
28 fingerprint background check of the person's right to petition the board of
29 fingerprinting for a good cause exception pursuant to sections 41-1758.03 and
30 41-1758.07.

31 5. Administer and enforce this article.

APPROVED BY THE GOVERNOR APRIL 19, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2011.

Passed the House March 15, 20 11

Passed the Senate April 13, 20 11

by the following vote: 34 Ayes,

by the following vote: 20 Ayes,

22 Nays, 4 Not Voting

10 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Pro Tempore

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

14 day of April, 20 11

at 8:32 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 19th day of

April

at 3:51 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 19th day of April, 20 11

at 5:43 o'clock M.

[Signature]
Secretary of State

H.B. 2646