

Senate Engrossed

**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-second Legislature  
Second Regular Session  
2016

CHAPTER 216

# **SENATE BILL 1137**

AN ACT

AMENDING SECTIONS 15-718.01 AND 43-1089.01, ARIZONA REVISED STATUTES;  
RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-718.01, Arizona Revised Statutes, is amended to  
3 read:

4 15-718.01. Instruction on cardiopulmonary resuscitation:  
5 exemptions; definition

6 A. ON OR BEFORE JULY 1, 2019, school districts and charter schools may  
7 SHALL provide public school pupils with one or more training sessions in  
8 cardiopulmonary resuscitation, through the use of psychomotor skills in an  
9 age-appropriate manner, during the seventh, eighth, ninth, tenth, eleventh or  
10 twelfth grade HIGH SCHOOL.

11 ~~B. If a school district or charter school provides training pursuant~~  
12 ~~to this section, the~~ THIS training shall be based on the most current  
13 ~~training developed by a nationally recognized nonprofit organization that~~  
14 ~~provides training in cardiopulmonary resuscitation that is based on the most~~  
15 ~~current national evidence-based emergency cardiovascular care guidelines for~~  
16 ~~cardiopulmonary resuscitation. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY~~  
17 ~~ASSIGN HOMEWORK TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION AND~~  
18 ~~SUBSECTIONS B AND E OF THIS SECTION, IF THE COMPLETION OF THE HOMEWORK IS~~  
19 ~~VERIFIED BY A TEACHER OR PARENT.~~

20 ~~G. B. If a School district or charter school offers instruction that~~  
21 ~~results in cardiopulmonary resuscitation certification, the instruction must~~  
22 ~~be provided by a certified cardiopulmonary resuscitation trainer. This~~  
23 ~~subsection does not require a teacher or administrator who facilitates,~~  
24 ~~provides or oversees the instruction to be an authorized trainer of~~  
25 ~~cardiopulmonary resuscitation if the instruction does not result in~~  
26 ~~cardiopulmonary resuscitation certification.~~

27 C. THE INSTRUCTION PROVIDED UNDER SUBSECTION A OF THIS SECTION MUST  
28 INCLUDE THE HANDS-ON PRACTICING OF CARDIOPULMONARY RESUSCITATION, EXCEPT FOR  
29 STUDENTS WHO ARE ENROLLED IN AN ONLINE SCHOOL AS DEFINED IN SECTION 15-808.

30 D. ~~If a school district or charter school provides training pursuant~~  
31 ~~to this section,~~ A pupil shall be excused from the instruction on  
32 cardiopulmonary resuscitation at the request of either:

33 1. The pupil's parent.

34 2. A pupil who provides written documentation that the pupil has  
35 previously received training in or is currently certified in cardiopulmonary  
36 resuscitation.

37 3. IF THE PUPIL IS A CHILD WITH A DISABILITY AS DEFINED IN SECTION  
38 15-731, THE PUPIL'S INDIVIDUALIZED EDUCATION PROGRAM TEAM IF THE  
39 INDIVIDUALIZED EDUCATION PROGRAM TEAM MAKES A DETERMINATION TO EXCUSE THE  
40 PUPIL FROM THE INSTRUCTION.

41 E. ~~If a school district or charter school provides training pursuant~~  
42 ~~to this section,~~ A school district or charter school may accept from any  
43 person, public entity or other legal entity in-kind donations of materials,  
44 equipment or services that may be used in the instruction on cardiopulmonary  
45 resuscitation.

1 F. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY USE ANY OF THE FOLLOWING  
2 PERSONS TO PROVIDE INSTRUCTION AND TRAINING PURSUANT TO THIS SECTION:

- 3 1. EMERGENCY MEDICAL TECHNICIANS.
- 4 2. PARAMEDICS.
- 5 3. FIRE DEPARTMENT PERSONNEL.
- 6 4. POLICE OFFICERS.
- 7 5. REPRESENTATIVES OF THE AMERICAN HEART ASSOCIATION.
- 8 6. REPRESENTATIVES OF THE AMERICAN RED CROSS.
- 9 7. TEACHERS.
- 10 8. OTHER SCHOOL EMPLOYEES.
- 11 9. OTHER SIMILARLY QUALIFIED PERSONS.

12 ~~F.~~ G. For the purposes of this section, "psychomotor skills" means  
13 sequences of physical actions that are practiced in a manner that supports  
14 cognitive learning.

15 Sec. 2. Section 43-1089.01, Arizona Revised Statutes, is amended to  
16 read:

17 43-1089.01. Tax credit; public school fees and contributions;  
18 definitions

19 A. A credit is allowed against the taxes imposed by this title for the  
20 amount of any fees PAID or cash contributions MADE by a taxpayer or on the  
21 taxpayer's behalf pursuant to section 43-401, subsection G during the taxable  
22 year to a public school located in this state for ~~the support of~~ THE  
23 FOLLOWING ACTIVITIES OR PROGRAMS OF THE PUBLIC SCHOOL:

- 24 1. Standardized testing ~~fees~~ for college credit or readiness offered by  
25 a widely recognized and accepted educational testing organization. ~~—~~
- 26 2. The career and technical education industry certification  
27 assessment. ~~—~~
- 28 3. Preparation courses and materials for standardized testing. ~~—~~
- 29 4. CARDIOPULMONARY RESUSCITATION TRAINING PURSUANT TO SECTION  
30 15-718.01.
- 31 5. Extracurricular activities. ~~or~~
- 32 6. Character education programs. ~~of the public school, but not~~  
33 ~~exceeding:~~

34 B. THE AMOUNT OF THE CREDIT SHALL NOT EXCEED:

- 35 1. Two hundred dollars for a single individual or a head of household.
- 36 ~~2. Three hundred dollars in taxable year 2005 for a married couple~~  
37 ~~filing a joint return.~~

38 ~~3.~~ 2. Four hundred dollars in taxable year 2006 and any subsequent  
39 taxable year for a married couple filing a joint return.

40 ~~B.~~ C. A husband and wife who file separate returns for a taxable year  
41 in which they could have filed a joint return may each claim only one-half of  
42 the tax credit that would have been allowed for a joint return.

43 ~~C.~~ D. The credit allowed by this section is in lieu of any deduction  
44 pursuant to section 170 of the internal revenue code and taken for state tax  
45 purposes.

1       ~~D~~. E. If the allowable tax credit exceeds the taxes otherwise due  
2 under this title on the claimant's income, or if there are no taxes due under  
3 this title, the taxpayer may carry the amount of the claim not used to offset  
4 the taxes under this title forward for not more than five consecutive taxable  
5 years' income tax liability.

6       ~~E~~. F. The site council of the public school that receives  
7 contributions that are not designated for a specific purpose shall determine  
8 how the contributions are used at the school site. If a charter school does  
9 not have a site council, the principal, director or chief administrator of  
10 the charter school shall determine how the contributions that are not  
11 designated for a specific purpose are used at the school site. If at the end  
12 of a fiscal year a public school has unspent contributions that were  
13 previously designated for a specific purpose or program and that purpose or  
14 program has been discontinued or has not been used for two consecutive fiscal  
15 years, these contributions shall be considered undesignated in the following  
16 fiscal year for the purposes of this subsection.

17       ~~F~~. G. A public school that receives fees or a cash contribution  
18 pursuant to subsection A of this section shall report to the department, in a  
19 form prescribed by the department, by February 28 of each year the following  
20 information:

21           1. The total number of fee and cash contribution payments received  
22 during the previous calendar year.

23           2. The total dollar amount of fees and contributions received during  
24 the previous calendar year.

25           3. The total dollar amount of fees and contributions spent by the  
26 school during the previous calendar year, categorized by specific  
27 standardized testing, preparation courses and materials for standardized  
28 testing, extracurricular activity or character education program.

29       ~~G~~. H. For the purposes of this section, a contribution for which a  
30 credit is claimed and that is made on or before the fifteenth day of the  
31 fourth month following the close of the taxable year may be applied to either  
32 the current or preceding taxable year and is considered to have been made on  
33 the last day of that taxable year.

34       ~~H~~. I. For the purposes of this section:

35           1. "Career and technical education industry certification assessment"  
36 means an assessment for career and technical preparation programs for pupils.

37           2. "Character education programs" means a program described in section  
38 15-719.

39           3. "Extracurricular activities" means school-sponsored activities that  
40 require enrolled students to pay a fee in order to participate, including  
41 fees for:

42           (a) Band uniforms.

43           (b) Equipment or uniforms for varsity athletic activities.

44           (c) Scientific laboratory materials.

1 (d) In-state or out-of-state trips that are solely for competitive  
2 events. Extracurricular activities do not include any senior trips or events  
3 that are recreational, amusement or tourist activities.

4 4. "Public school" means a school that is part of a school district, a  
5 joint technical education district or a charter school.

6 5. "Standardized testing for college credit or readiness" includes the  
7 SAT, PSAT, ACT, advanced placement and international baccalaureate diploma  
8 tests and other similar tests.

9 6. "Widely recognized and accepted educational testing organization"  
10 means the college board, the ACT, the international baccalaureate and other  
11 organizations that are widely recognized and accepted by colleges and  
12 universities in the United States and that offer college credit and readiness  
13 examinations.

14 Sec. 3. Retroactivity

15 This act applies retroactively to taxable years beginning from and  
16 after December 31, 2015.

APPROVED BY THE GOVERNOR MAY 12, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2016.

Passed the House May 6, 20 16,

Passed the Senate March 3, 20 16,

by the following vote: 34 Ayes,

by the following vote: 23 Ayes,

20 Nays, 6 Not Voting

7 Nays, 0 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

10th day of May, 20 16

at 5:56 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 12th day of

May, 20 16,

at 8:53 o'clock A. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12th day of May, 20 16

at 12:18 o'clock P. M.

[Signature]  
Secretary of State

S.B. 1137