



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

June 6, 2019

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Re: House Bill 2758 (empowerment scholarships; qualified school)

Dear Secretary Hobbs:

Today I signed H.B. 2758.

While this is an important and necessary step to ensure that Arizona children on the Navajo Nation have access to the best educational opportunities available to them and their families, this bill is only a temporary remedy for the children and families who currently participate in the scholarship program. The impacted children will be allowed to attend a school that has served them well for years for just one more school year – all the time knowing that they will not be able to continue, unless a permanent solution is enacted.

To that end, I look forward to working with the legislature to pass a permanent fix that will provide certainty and stability to these children, and for all of the Arizona children living in the Navajo Nation as they seek the appropriate educational setting and delivery necessary for their individual learning needs.

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: The Honorable Karen Fann
The Honorable Rusty Bowers
The Honorable Warren Petersen

House Engrossed
FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 276
HOUSE BILL 2758

AN ACT

ALLOWING CERTAIN STUDENTS TO REMAIN ELIGIBLE FOR ARIZONA EMPOWERMENT
SCHOLARSHIP ACCOUNTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Arizona empowerment scholarship account
3 recipients; Indian reservations

4 A. A student who is enrolled in an Arizona empowerment scholarship
5 account, who resides within the boundaries of an Indian reservation in
6 this state and who paid tuition to a nongovernmental primary or secondary
7 school or a preschool for pupils with disabilities that is located in an
8 adjacent state and that is within two miles of the border between that
9 state and this state may continue to use Arizona empowerment scholarship
10 account monies to pay tuition at that school until July 1, 2020 and is not
11 required to repay the department of education for any monies previously
12 spent for tuition at that school.

13 B. Notwithstanding section 15-2401, paragraph 6, Arizona Revised
14 Statutes, a school that is located in an adjacent state within two miles
15 of the border with this state and that accepted Arizona empowerment
16 scholarship account monies in the 2017-2018 school year or the 2018-2019
17 school year from a student who resides on an Indian reservation in this
18 state is considered a qualified school for the purposes of section
19 15-2401, paragraph 6, Arizona Revised Statutes, until July 1, 2020, except
20 that a student who is enrolled in an Arizona empowerment scholarship
21 account may not use Arizona empowerment scholarship account monies to pay
22 tuition to a school that meets this criteria if the student did not pay
23 tuition to that school in the 2018-2019 school year.

24 C. Notwithstanding section 15-2401, paragraph 6, Arizona Revised
25 Statutes, if a student was enrolled in an Arizona empowerment scholarship
26 account, resides within the boundaries of an Indian reservation in this
27 state, paid tuition to a nongovernmental primary or secondary school or a
28 preschool for pupils with disabilities that is located in an adjacent
29 state and that is within two miles of the border between that state and
30 this state and received a termination letter from the department of
31 education, that student would qualify to remain eligible for an Arizona
32 empowerment scholarship account pursuant to this section and shall be
33 reinstated in an Arizona empowerment scholarship account.

34 Sec. 2. Retroactivity

35 This act applies retroactively to from and after June 30, 2017.

APPROVED BY THE GOVERNOR JUNE 6, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2019.

Passed the House May 24, 20 19

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

Pro Tempore

[Signature]
Chief Clerk of the House

Passed the Senate May 24, 20 19

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

27th day of May, 20 19

at 4:26 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 6th day of

June 2019

at 11:09 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 6 day of June, 20 19

at 3:53 o'clock P. M.

[Signature]
Secretary of State

H.B. 2758