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ARIZONA SECRETARY OF STATE

OFFICIAL TITLE

AN INITIATIVE MEASURE

AMENDING SECTIONS 15-161, 15-2401, 15-2401.01 AND 15-2402, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 19, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-2403.01; AMENDING SECTIONS 15-2404 AND 15-2405, ARIZONA REVISED STATUTES; RELATING TO ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS; APPROPRIATING MONIES.

Be it enacted by the People of the State of Arizona:

Section 1. Short title

This Act may be cited as the "Protect Education Act".

Sec. 2. Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

1. Arizona's Empowerment Scholarship Accounts (ESA) program—colloquially referred to as "school vouchers"—began in 2011 as a targeted program for students with disabilities. Over time, the Legislature expanded eligibility to additional targeted categories of students. In 2022, the Legislature enacted a broad expansion of school vouchers, including to all students eligible to enroll in kindergarten to twelfth grade in a public school. Since then, the ESA voucher program has grown rapidly and is expected to exceed $1 billion in taxpayer monies in the 2025-2026 school year. Meanwhile, the lack of sufficient oversight and accountability in the program has resulted in waste and misuse of taxpayer monies, including on items like bounce houses, commercial appliances, jewelry, lingerie and more.

2. Standards of transparency, oversight and responsible use of public monies should apply to all recipients of state education funds. This Act is intended to enhance student safety and promote transparency, accountability and fiscal responsibility in Arizona's ESA program while preserving flexibility for students with disabilities. This Act imposes an income limit for ESA voucher eligibility under the broad expansion enacted in 2022. This Act does not impose an income limit for students who qualify for ESAs under the eligibility categories that existed before 2022, including students with disabilities and children of members of the armed forces.

3. This Act does not limit further regulation of the ESA voucher program if such regulation furthers the purpose and spirit of the Act as stated above and as embodied in the Act's amendments, consistent with the Arizona Constitution.

4. This Act should be liberally construed to effectuate the purposes set forth in the declarations and findings above.

Sec. 3. Section 15-161, Arizona Revised Statutes, is amended to read:

15-161. State control over private schools

~~Nothing in this~~ THIS title ~~shall be construed to~~ DOES NOT provide the state board of education or the governing boards of school districts WITH control or supervision over private schools EXCEPT AS PROVIDED IN CHAPTER 19 OF THIS TITLE IF THE SCHOOL RECEIVES ARIZONA ESA MONIES.

Sec. 4. Section 15-2401, Arizona Revised Statutes, is amended to read:

15-2401. Definitions

In this chapter, unless the context otherwise requires:

1. "Annual education plan" means an initial individualized evaluation and subsequent annual reviews that are developed for a qualified student who meets the criteria specified in paragraph ~~7~~ 10, subdivision (a), item (i), (ii) or (iii) of this section to determine ongoing annual eligibility through the school year in which the qualified student reaches twenty-two years of age and whether the student may be eligible pursuant to ~~section 36-2981~~ TITLE 36, CHAPTER 29, ARTICLE 4 and should be referred for eligibility determination.

2. "ANNUAL FAMILY INCOME" MEANS THE FEDERAL ADJUSTED GROSS INCOME, AS DEFINED IN SECTION 43-1001, OF THE PARENT OR PARENTS WITH FINANCIAL RESPONSIBILITY FOR THE QUALIFIED STUDENT FOR THE MOST RECENT TAXABLE YEAR IN WHICH THE PARENT OR PARENTS FILED TAX RETURNS, DETERMINED AS FOLLOWS AND PURSUANT TO RULES ADOPTED BY THE STATE BOARD OF EDUCATION:

(a) IF THE QUALIFIED STUDENT'S PARENTS FILED A JOINT STATE OR FEDERAL INCOME TAX RETURN, THE FEDERAL ADJUSTED GROSS INCOME REPORTED ON THAT RETURN.

(b) IF THE QUALIFIED STUDENT'S PARENTS FILED SEPARATE STATE OR FEDERAL INCOME TAX RETURNS, THE COMBINED FEDERAL ADJUSTED GROSS INCOME REPORTED ON BOTH PARENTS' RETURNS.

(c) IF ONLY ONE PARENT HAS FINANCIAL RESPONSIBILITY FOR THE QUALIFIED STUDENT, THE FEDERAL ADJUSTED GROSS INCOME REPORTED ON THAT PARENT'S RETURN.

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3. "ARIZONA ESA MONIES":

(a) MEANS ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS AND ANY PUBLIC MONIES PROVIDED BY THE STATE TO A PARENT, A QUALIFIED STUDENT, A NONPUBLIC SCHOOL OR ANY OTHER PERSON OR ENTITY FOR THE PURPOSE OF OBTAINING A NONPUBLIC EDUCATION, NONPUBLIC EDUCATIONAL SERVICES OR RELATED EDUCATIONAL MATERIALS FOR A STUDENT ELIGIBLE TO ENROLL IN A PUBLIC SCHOOL IN THIS STATE IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH TWELVE.

(b) DOES NOT INCLUDE MONIES PROVIDED THROUGH THE SPECIAL EDUCATION PROGRAMS ESTABLISHED PURSUANT TO CHAPTER 10, ARTICLES 6 AND 7 OF THIS TITLE OR TITLE 43, CHAPTERS 15 AND 16 OR ANY OTHER STATUTORILY CREATED PROGRAM IN EXISTENCE AS OF JANUARY 1, 2026 OTHER THAN THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM.

~~2.~~ 4. "Curriculum" means a course of study for content areas or grade levels, including any supplemental materials required or recommended by the curriculum, approved by the department. SUPPLEMENTAL MATERIALS MUST BE DIRECTLY AND SUBSTANTIALLY RELATED TO CURRICULAR CONTENT AND USED TO TEACH OR ENHANCE AN APPROVED CURRICULUM.

~~3.~~ 5. "Department" means the department of education.

~~4.~~ 6. "Eligible postsecondary institution" means a community college as defined in section 15-1401, a university under the jurisdiction of the Arizona board of regents or an accredited private postsecondary institution.

~~5.~~ 7. "Parent" means a resident of this state who is the parent, stepparent or legal guardian of a qualified student.

8. "PROTECT EDUCATION ACT" MEANS THE AMENDMENTS APPROVED BY THE PEOPLE OF THIS STATE PURSUANT TO THIS ACT AT THE NOVEMBER 2026 GENERAL ELECTION.

~~6.~~ 9. "Qualified school" means a ~~nongovernmental~~ NONPUBLIC primary or secondary school or a preschool for pupils with disabilities that MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(a) ~~i~~Is located in this state or, for qualified students who reside within the boundaries of an Indian reservation in this state, that is located in an adjacent state and that is within two miles of the border of the state in which the qualified student resides~~, and that~~.

(b) ~~d~~Does not discriminate on the basis of race, color or national origin.

(c) UNLESS THE SCHOOL SERVES ONLY QUALIFIED STUDENTS WHO MEET ANY OF THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH 10, SUBDIVISION (a), ITEM (i), (ii) OR (iii), EITHER:

(i) IS ACCREDITED BY A REGIONALLY OR NATIONALLY RECOGNIZED ACCREDITING ORGANIZATION.

(ii) PAYS FOR AND ADMINISTERS TO ALL QUALIFIED STUDENTS AN ASSESSMENT ADOPTED BY THE STATE BOARD OF EDUCATION FOR USE IN PUBLIC SCHOOLS PURSUANT TO TITLE 15, CHAPTER 7, ARTICLE 3, EXCEPT THAT, TO QUALIFY UNDER THIS ITEM, THE SCHOOL IS NOT REQUIRED TO ADMINISTER AN ASSESSMENT TO QUALIFIED STUDENTS WHO MEET ANY OF THE CRITERIA SPECIFIED IN PARAGRAPH 10, SUBDIVISION (a), ITEM (i), (ii) OR (iii) OF THIS SECTION.

(d) ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

~~7.~~ 10. "Qualified student" means a resident of this state who:

(a) Is any of the following:

(i) Identified as having a disability under section 504 of the rehabilitation act of 1973 (29 United States Code section 794).

(ii) Identified by a school district or by an independent third party pursuant to section 15-2403, subsection J as a child with a disability as defined in section 15-731 or 15-761.

(iii) A child with a disability who is eligible to receive services from a school district under section 15-763.

(iv) Attending a school or school district that was assigned a letter grade of D or F pursuant to section 15-241 for the most recent year in which letter grades were assigned or is currently eligible to attend kindergarten and resides within the attendance boundary of a school that was assigned a letter grade of D or F pursuant to section 15-241 for the most recent year in which letter grades were assigned. A child who meets the requirements of this item and who meets the income eligibility requirements for free and reduced-price lunches under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1793) is not subject to subdivision (b) of this paragraph.

(v) A previous recipient of a scholarship issued pursuant to this section, unless the qualified student's parent has been removed from eligibility in the program for failure to comply pursuant to section 15-2403, subsection C.

(vi) A child of a parent who is a member of the armed forces of the United States and who is on active duty or was killed in the line of duty. A child who meets the requirements of this item is not subject to subdivision (b) of this paragraph.

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(vii) A child who is a ward of the juvenile court and who is residing with a prospective permanent placement pursuant to section 8-862 and the case plan is adoption or permanent guardianship.

(viii) A child who was a ward of the juvenile court and who achieved permanency through adoption or permanent guardianship.

(ix) A child who is the sibling of a current or previous Arizona empowerment scholarship account recipient PURSUANT TO THIS SECTION, or of an eligible qualified student PURSUANT TO THIS SECTION who accepts the terms of and enrolls in an Arizona empowerment scholarship account.

(x) A child who resides within the boundaries of an Indian reservation in this state as determined by the department of education or a tribal government.

(xi) A child of a parent who is legally blind or deaf or hard of hearing as defined in section 36-1941.

(b) And, except as provided in subdivision (a), items (iv) and (vi) of this paragraph, who meets any of the following requirements:

(i) Attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least forty-five days of the current or prior fiscal year and who transferred from a governmental primary or secondary school under a contract to participate in an Arizona empowerment scholarship account. Kindergarten students who are enrolled in Arizona online instruction must receive one hundred hours of logged instruction to be eligible pursuant to this item. First, second and third grade students who are enrolled in Arizona online instruction must receive two hundred hours of logged instruction to be eligible pursuant to this item. Fourth, fifth and sixth grade students who are enrolled in Arizona online instruction must receive two hundred fifty hours of logged instruction to be eligible pursuant to this item. Seventh and eighth grade students who are enrolled in Arizona online instruction must receive two hundred seventy-five hours of logged instruction to be eligible pursuant to this item. High school students who are enrolled in Arizona online instruction must receive two hundred fifty hours of logged instruction to be eligible pursuant to this item.

(ii) Previously participated in an Arizona empowerment scholarship account PURSUANT TO THIS SECTION.

(iii) Received a scholarship under section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester before attending a qualified school.

(iv) Was eligible for an Arizona scholarship for pupils with disabilities and received monies from a school tuition organization pursuant to section 43-1505 or received an Arizona scholarship for pupils with disabilities but did not receive monies from a school tuition organization pursuant to section 43-1505 and who continues to attend a qualified school if the student attended a governmental primary or secondary school as a full-time student as defined in section 15-901 for at least ninety days of the prior fiscal year or one full semester before attending a qualified school.

(v) Attended a nonpublic school for pupils with disabilities in the prior year if placement at the school was approved by the department of education and contracted for by a public school district.

(vi) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a kindergarten program in a school district or charter school in this state or attended a program for preschool children with disabilities. For the purposes of this item, a child is eligible to enroll in a kindergarten program if the child is at least five years of age on January 1 of the current school year, is under seven years of age, has not already completed a kindergarten program and is not enrolled in grade one of a private or governmental school in the current year.

(vii) Has not previously attended a governmental primary or secondary school but is currently eligible to enroll in a program for preschool children with disabilities in this state.

11. "QUALIFIED TUTOR" MEANS AN INDIVIDUAL WHO PROVIDES EDUCATIONAL TUTORING OR TEACHING SERVICES AND WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(a) IS AT LEAST EIGHTEEN YEARS OF AGE.

(b) HAS GRADUATED FROM HIGH SCHOOL OR OBTAINED A GENERAL EQUIVALENCY DIPLOMA OR, IF REQUIRED BY THE LEGISLATURE, HAS A HIGHER DEGREE.

(c) HAS OBTAINED AND MAINTAINS A VALID FINGERPRINT CLEARANCE CARD PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

(d) ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

12. "QUALIFIED TUTORING SERVICE PROVIDER" MEANS A BUSINESS OR FACILITY THAT EMPLOYS QUALIFIED TUTORS TO PROVIDE EDUCATIONAL, TUTORING OR SUPPLEMENTARY SERVICES TO QUALIFIED STUDENTS AND THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(a) REQUIRES ALL PERSONNEL WHO HAVE CONTACT WITH QUALIFIED STUDENTS THAT IS NOT SUPERVISED AS DEFINED IN SECTION 15-505 TO OBTAIN AND MAINTAIN A VALID FINGERPRINT CLEARANCE CARD PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

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(b) ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

~~8.~~ 13. "Treasurer" means the office of the state treasurer.

Sec. 5. Section 15-2401.01, Arizona Revised Statutes, is amended to read:

15-2401.01. Definition of qualified student for Arizona empowerment scholarship accounts; expansion; INCOME LIMIT

A. ~~Notwithstanding~~ IN ADDITION TO THE DEFINITION OF "QUALIFIED STUDENT" IN section 15-2401, ~~beginning in the 2022-2023 school year,~~ in this chapter, unless the context otherwise requires, "qualified student" includes a resident of this state who ~~both~~ MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1. Is eligible to enroll in a public school in this state in any of the following:

(a) A preschool program for children with disabilities.

(b) A kindergarten program.

(c) Any of grades one through twelve.

2. BEGINNING IN THE 2027-2028 SCHOOL YEAR, HAS AN ANNUAL FAMILY INCOME AT OR BELOW THE LESSER OF THE FOLLOWING BASED ON EITHER A COPY OF THE MOST RECENT STATE OR FEDERAL INCOME TAX RETURN OR RETURNS NECESSARY TO DETERMINE THE ANNUAL FAMILY INCOME OR PROOF OF CURRENT ENROLLMENT IN A PROGRAM ADMINISTERED BY THIS STATE THAT HAS AN INCOME ELIGIBILITY REQUIREMENT AT OR BELOW THE INCOME LIMIT PRESCRIBED BY THIS PARAGRAPH:

(a) $150,000, ADJUSTED ANNUALLY BY EITHER TWO PERCENT OR THE ANNUAL PERCENTAGE CHANGE IN THE GDP PRICE DEFLATOR AS DEFINED IN SECTION 15-901, WHICHEVER IS LESS.

(b) AN AMOUNT ESTABLISHED BY THE LEGISLATURE.

~~2~~ 3. Does not otherwise qualify for an Arizona empowerment scholarship account pursuant to ~~this chapter~~ THE DEFINITION OF "QUALIFIED STUDENT" IN SECTION 15-2401.

4. ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

B. THE INCOME LIMIT PRESCRIBED BY SUBSECTION A, PARAGRAPH 2 OF THIS SECTION DOES NOT APPLY TO STUDENTS WHO ARE ELIGIBLE FOR AN ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PURSUANT TO THE DEFINITION OF "QUALIFIED STUDENT" IN SECTION 15-2401, INCLUDING STUDENTS WITH A DISABILITY WHO MEET ANY OF THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH 10, SUBDIVISION (a), ITEM (i), (ii) or (iii).

Sec. 6. Section 15-2402, Arizona Revised Statutes, is amended to read:

15-2402. Arizona empowerment scholarship accounts; funds; REGISTRATION; QUARTERLY REPORTS; ENFORCEMENT

A. Arizona empowerment scholarship accounts are established to provide options for the education of QUALIFIED students in this state.

B. To enroll a qualified student for an Arizona empowerment scholarship account, the parent of the qualified student must sign an agreement to do all of the following:

1. Use a portion of the Arizona ~~empowerment scholarship account~~ ESA monies allocated annually to provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies and science, unless the Arizona empowerment scholarship account is allocated monies according to a transfer schedule other than quarterly transfers pursuant to section 15-2403, subsection G.

2. Not enroll the qualified student in a school district or charter school and release the school district from all obligations to educate the qualified student. This paragraph does not:

(a) Relieve the school district or charter school that the qualified student previously attended from the obligation to conduct an evaluation pursuant to section 15-766.

(b) Require the qualified student to withdraw from a school district or charter school before enrolling for an Arizona empowerment scholarship account if the qualified student withdraws from the school district or charter school before receiving any monies in the qualified student's Arizona empowerment scholarship account.

(c) Prevent the qualified student from applying in advance for an Arizona empowerment scholarship account to be funded beginning the following school year, subject to section 15-2403, subsection H.

3. Not accept a scholarship from a school tuition organization pursuant to title 43 concurrently with an Arizona empowerment scholarship account for the qualified student in the same year a parent signs the agreement pursuant to this section.

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4. Use monies deposited in the qualified student's Arizona empowerment scholarship account OR ANY OTHER ARIZONA ESA MONIES only for the following expenses of the qualified student:

(a) Tuition or fees at a qualified school that ~~requires all teaching staff and personnel who have unsupervised contact with students to be fingerprinted.~~ MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) IS REGISTERED WITH THE DEPARTMENT PURSUANT TO SUBSECTIONS P AND Q OF THIS SECTION.

(ii) REQUIRES ALL TEACHING STAFF AND SCHOOL PERSONNEL WHO HAVE CONTACT WITH STUDENTS THAT IS NOT SUPERVISED AS DEFINED IN SECTION 15-505 TO OBTAIN AND MAINTAIN A VALID FINGERPRINT CLEARANCE CARD PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1.

(iii) IF THE QUALIFIED SCHOOL CHOOSES TO ADMINISTER AN ASSESSMENT PURSUANT TO SECTION 15-2401, PARAGRAPH 9, SUBDIVISION (c), ITEM (ii), MAKES AGGREGATED TEST SCORES PUBLICLY AVAILABLE ON AN ANNUAL BASIS, INCLUDING ON THE QUALIFIED SCHOOL'S WEBSITE. THE DISCLOSURE OF AGGREGATED TEST SCORES SHALL COMPLY WITH APPLICABLE LAW, INCLUDING RESTRICTIONS IN 20 UNITED STATES CODE SECTION 1232g.

(iv) ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

(b) Textbooks required by a qualified school.

(c) If the qualified student meets any of the criteria specified in section 15-2401, paragraph ~~7~~ 10, subdivision (a), item (i), (ii) or (iii) as determined by a school district or by an independent third party pursuant to section 15-2403, subsection J, the qualified student may use the following additional services:

(i) Educational therapies from a licensed or accredited practitioner or provider, including and up to any amount not covered by insurance if the expense is partially paid by a health insurance policy for the qualified student.

(ii) A licensed or accredited paraprofessional or educational aide.

(iii) Tuition for vocational and life skills education approved by the department.

(iv) Associated goods and services that include educational and psychological evaluations, assistive technology rentals and braille translation goods and services approved by the department.

(d) Tutoring or teaching services provided by an individual who IS A QUALIFIED TUTOR, WHETHER INDIVIDUALLY OR THROUGH A QUALIFIED SCHOOL OR QUALIFIED TUTORING SERVICE PROVIDER, PROVIDED THAT THE QUALIFIED TUTOR MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) IS REGISTERED WITH THE DEPARTMENT PURSUANT TO SUBSECTIONS P AND Q OF THIS SECTION OR PROVIDES SERVICES THROUGH A QUALIFIED SCHOOL OR QUALIFIED TUTORING SERVICE PROVIDER THAT IS REGISTERED PURSUANT TO SUBSECTIONS P AND Q OF THIS SECTION.

(ii) is not subject to disciplinary action by the state board of education for immoral or unprofessional conduct pursuant to section 15-505 or 15-534.04 or a facility, INCLUDING A QUALIFIED SCHOOL OR QUALIFIED TUTORING SERVICE PROVIDER, that is accredited by a state, regional or national accrediting organization. The department shall ensure THAT any individual QUALIFIED TUTOR who provides tutoring or teaching services to one or more qualified students pursuant to this subdivision is not subject to disciplinary action by the state board of education. The department shall also remove any individual QUALIFIED TUTOR who is subject to disciplinary action by the state board of education from all platforms that the department provides to parents and qualified students for the purchase of goods or educational services using ~~account~~ ARIZONA ESA monies.

(iii) ANY ADDITIONAL REQUIREMENTS ENACTED BY THE LEGISLATURE.

(e) Curricula, ~~and supplementary~~ SUPPLEMENTAL materials AND REASONABLE SCHOOL SUPPLIES, INCLUDING PENS, PENCILS, AND NOTEBOOKS. SUPPLEMENTAL MATERIALS MUST BE REQUIRED OR RECOMMENDED BY THE CURRICULUM APPROVED BY THE DEPARTMENT, DIRECTLY AND SUBSTANTIALLY RELATED TO CURRICULAR CONTENT AND USED TO TEACH OR ENHANCE AN APPROVED CURRICULUM.

(f) Tuition or fees for a nonpublic online learning program.

(g) Fees for a nationally standardized norm-referenced achievement test, an advanced placement examination or any exams related to college or university admission.

(h) Tuition or fees at an eligible postsecondary institution.

(i) Textbooks required by an eligible postsecondary institution.

(j) Fees to manage the Arizona empowerment scholarship account.

(k) Services provided by a public school, including individual classes and extracurricular programs.

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(l) Insurance or surety bond payments.

(m) Uniforms purchased from or through a qualified school.

(n) If the qualified student meets the criteria specified in section 15-2401, paragraph ~~7~~ 10, subdivision (a), item (i), (ii) or (iii) and if the qualified student is in the second year ~~prior to~~ BEFORE the final year of a contract executed pursuant to this article, costs associated with an annual education plan conducted by an independent evaluation team. The department shall prescribe minimum qualifications for independent evaluation teams pursuant to this subdivision and factors that teams must use to determine whether the qualified student shall be eligible to continue to receive monies pursuant to this article through the school year in which the qualified student reaches twenty-two years of age. An independent evaluation team that provides an annual education plan pursuant to this subdivision shall submit a written report that summarizes the results of the evaluation to the parent of the qualified student and to the department on or before July 31. The written report submitted by the independent evaluation team is valid for one year. If the department determines that the qualified student meets the eligibility criteria prescribed in the annual education plan, the qualified student is eligible to continue to receive monies pursuant to this article until the qualified student reaches twenty-two years of age, subject to annual review. A parent may appeal the department's decision pursuant to title 41, chapter 6, article 10. As an addendum to a qualified student's final-year contract, the department shall provide the following written information to the parent of the qualified student:

(i) That the qualified student will not be eligible to continue to receive monies pursuant to this article unless the results of an annual education plan conducted pursuant to this subdivision demonstrate that the qualified student meets the eligibility criteria prescribed in the annual education plan.

(ii) That the parent is entitled to obtain an annual education plan pursuant to this subdivision to determine whether the qualified student meets the eligibility criteria prescribed in the annual education plan.

(iii) A list of independent evaluation teams that meet the minimum qualifications prescribed by the department pursuant to this subdivision.

(o) Public transportation services in this state, including a commuter pass for the qualified student, or transportation network services as defined in section 28-9551 between the qualified student's residence and a qualified school in which the qualified student is enrolled.

(p) Computer hardware and technological devices primarily used for an educational purpose. For the purposes of this subdivision, "computer hardware and technological devices":

(i) Includes calculators, personal computers, laptops, tablet devices, microscopes, telescopes and printers.

(ii) Does not include entertainment and other primarily noneducational devices, including televisions, telephones, video game consoles and accessories, and home theatre and audio equipment.

5. Not file an affidavit of intent to homeschool pursuant to section 15-802, subsection B, paragraph 2 or 3.

6. Not use monies deposited in the qualified student's account for any of the following:

(a) Computer hardware or other technological devices, except as otherwise allowed under paragraph 4, subdivision (c) or (p) of this subsection.

(b) Transportation of the pupil, except for transportation services described in paragraph 4, subdivision (o) of this subsection.

(c) NONEDUCATIONAL ITEMS OR LUXURY GOODS, INCLUDING HOUSEHOLD FURNITURE, FIXTURES OR ITEMS NOT PRIMARILY USED FOR EDUCATIONAL PURPOSES, COMMERCIAL OR HOUSEHOLD APPLIANCES OR MACHINERY, HOME OR PROPERTY IMPROVEMENTS, JEWELRY, LINGERIE, ADMISSION TO WATER PARKS OR AMUSEMENT PARKS, HOME SWIMMING POOLS, HOT TUBS, SAUNAS, GIFT CARDS OR GIFT CERTIFICATES, OUT-OF-STATE OR INTERNATIONAL TRAVEL, OUT-OF-STATE OR INTERNATIONAL MUSEUMS OR EXCURSIONS, CHILD CARE OR BABYSITTING, RESTAURANT DINING, HOTELS OR LODGING, BOUNCE HOUSES, WATER SLIDES OR MOTOR-OPERATED VEHICLES OR WATERCRAFT.

(d) NOTWITHSTANDING ANY OTHER LAW, PAYING A MEMBER OF THE FAMILY, AS DEFINED IN SECTION 15-1871, OF THE QUALIFIED STUDENT UNLESS THE QUALIFIED STUDENT MEETS THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH 10, SUBDIVISION (a), ITEM (i), (ii) or (iii).

(e) ANY ADDITIONAL PROHIBITIONS ENACTED BY THE LEGISLATURE.

C. In exchange for the parent's agreement pursuant to subsection B of this section, the department shall transfer from the monies that would otherwise be allocated to a recipient's prior school district, or if the child is currently eligible to attend a preschool program for children with disabilities, a kindergarten program or any of grades one through twelve, the monies that the department determines would otherwise be allocated to a recipient's expected school district of attendance, to the treasurer for deposit into an Arizona empowerment scholarship account an amount that is equivalent to ninety percent of the sum of the base support level and additional assistance prescribed in sections 15-185 and 15-943 for that particular student if that student were attending a charter school.

D. The department of education empowerment scholarship account fund is established consisting of monies appropriated by the legislature. The department shall administer the fund. Monies in the fund are subject to legislative appropriation. Monies in the fund shall be used for the department's costs in administering Arizona empowerment scholarship accounts under this chapter. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. If the number of Arizona empowerment scholarship accounts

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significantly increases after fiscal year 2020-2021, the department may request an increase in the amount appropriated to the fund in any subsequent fiscal year in the budget estimate submitted pursuant to section 35-113. The department shall list monies in the fund as a separate line item in its budget estimate.

E. The state treasurer empowerment scholarship account fund is established consisting of monies appropriated by the legislature. The state treasurer shall administer the fund. Monies in the fund shall be used for the state treasurer's costs in administering the Arizona empowerment scholarship accounts under this chapter. If the number of Arizona empowerment scholarship accounts significantly increases after fiscal year 2020-2021, the state treasurer may request an increase in the amount appropriated to the fund in any subsequent fiscal year in the budget estimate submitted pursuant to section 35-113. Monies in the fund are subject to legislative appropriation. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. The state treasurer shall list monies in the fund as a separate line item in its budget estimate.

F. A parent must renew the qualified student's Arizona empowerment scholarship account on an annual basis. The department of education shall verify that the parent's child is a qualified student as defined in section 15-2401 or 15-2401.01 in the year for which the parent seeks to renew the Arizona empowerment scholarship account. This subsection does not require the department to annually verify the child's disability for the purpose of section 15-2401, paragraph ~~7~~ 10, subdivision (a), item (i), (ii) or (iii), if applicable.

G. Notwithstanding any changes to the student's multidisciplinary evaluation team plan, a student who has previously qualified for an Arizona empowerment scholarship account remains eligible to apply for renewal until the student finishes high school.

H. If a parent does not renew the qualified student's Arizona empowerment scholarship account for a period of ~~three~~ ONE academic ~~years~~ YEAR, the department shall notify the parent that the qualified student's account will be closed in sixty calendar days. The notification must be sent ~~through~~ BY certified mail, email and telephone, if applicable. The parent has sixty calendar days to renew the qualified student's Arizona empowerment scholarship account. If the parent chooses not to renew or does not respond ~~in~~ WITHIN sixty calendar days, the department shall close the account and any remaining monies shall be returned to ~~the~~ THIS state.

I. A signed agreement under this section constitutes school attendance required by section 15-802.

J. A qualified school or a provider of services purchased pursuant to subsection B, paragraph 4 of this section may not share, refund or rebate any Arizona empowerment scholarship account monies with the parent or qualified student in any manner.

K. Notwithstanding subsection H of this section, on the qualified student's graduation from a postsecondary institution or after any period of four consecutive years after high school graduation in which the student is not enrolled in an eligible postsecondary institution, but not before this time as long as the account holder continues using a portion of account monies for allowable expenses each year and is in good standing, the qualified student's Arizona empowerment scholarship account shall be closed and any remaining monies shall be returned to ~~the~~ THIS state.

L. Monies received pursuant to this article do not constitute taxable income to the parent of the qualified student.

M. THE DEPARTMENT SHALL NOT REIMBURSE OR OTHERWISE PROVIDE ARIZONA ESA MONIES TO A QUALIFIED STUDENT, PARENT OR ACCOUNT HOLDER OR A NONPUBLIC SCHOOL OR ANY OTHER PERSON OR ENTITY EXCEPT AS PRESCRIBED BY THIS SECTION. THE DEPARTMENT SHALL TAKE REASONABLE STEPS TO ENSURE THAT ARIZONA ESA MONIES ARE NOT USED IN VIOLATION OF THIS SECTION.

N. A QUALIFIED STUDENT, PARENT OR ACCOUNT HOLDER WHO IS FOUND TO HAVE INTENTIONALLY SPENT ARIZONA ESA MONIES IN VIOLATION OF THIS SECTION AFTER BEING PROVIDED NOTICE AND AN OPPORTUNITY TO BE HEARD PURSUANT TO RULES ESTABLISHED BY THE STATE BOARD OF EDUCATION IS PERMANENTLY DISQUALIFIED FROM THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM. THE DEPARTMENT SHALL CLOSE THE ACCOUNT AT ISSUE, AND ANY REMAINING MONIES SHALL BE RECOUPED BY THE DEPARTMENT AND RETURNED TO THIS STATE.

O. NOTWITHSTANDING ANY OTHER LAW:

1. EXCEPT AS PROVIDED BY PARAGRAPH 2 OF THIS SUBSECTION, ALL ARIZONA ESA MONIES THAT REMAIN UNSPENT AND UNENCUMBERED ON JULY 1 OF EACH YEAR AND THAT WERE ALLOCATED FOR A QUALIFIED STUDENT IN ANY PRIOR FISCAL YEAR SHALL BE RECOUPED BY THE DEPARTMENT AND RETURNED TO THIS STATE.

2. IF THE QUALIFIED STUDENT MEETS ANY OF THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH 10, SUBDIVISION (a), ITEM (i), (ii) OR (iii), ALL ARIZONA ESA MONIES THAT REMAIN UNSPENT AND UNENCUMBERED ON JULY 1 OF EACH YEAR AND THAT WERE ALLOCATED FOR THE QUALIFIED STUDENT IN ANY FISCAL YEAR PRECEDING THE PRIOR FISCAL YEAR SHALL BE RECOUPED BY THE DEPARTMENT AND RETURNED TO THIS STATE.

P. BEGINNING JULY 1, 2027, TO BE ELIGIBLE TO RECEIVE ARIZONA ESA MONIES OR FOR PAYMENTS TO THE QUALIFIED SCHOOL, QUALIFIED TUTORING SERVICE PROVIDER OR QUALIFIED TUTOR TO BE REIMBURSABLE WITH ARIZONA ESA MONIES, A QUALIFIED SCHOOL, QUALIFIED TUTORING SERVICE PROVIDER OR QUALIFIED TUTOR SHALL BE REGISTERED WITH THE DEPARTMENT AND BE INCLUDED ON ANY PLATFORM THAT THE DEPARTMENT PROVIDES TO PARENTS AND QUALIFIED STUDENTS FOR THE PURCHASE OF GOODS OR EDUCATIONAL SERVICES USING ARIZONA ESA MONIES AND SHALL PAY AN ANNUAL REGISTRATION FEE ESTABLISHED PURSUANT TO SECTION 15-2403.01, EXCEPT THAT A QUALIFIED TUTOR IS NOT REQUIRED TO SEPARATELY REGISTER WITH THE DEPARTMENT IF ALL ARIZONA ESA MONIES PAID FOR THE QUALIFIED TUTOR'S SERVICES ARE PAID TO A REGISTERED QUALIFIED SCHOOL OR REGISTERED

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QUALIFIED TUTORING SERVICE PROVIDER AND NOT TO THE QUALIFIED TUTOR DIRECTLY. TO REGISTER WITH THE DEPARTMENT:

1. A QUALIFIED SCHOOL MUST SUBMIT EVIDENCE THAT IT MEETS THE REQUIREMENTS OF SECTION 15-2401, PARAGRAPH 9 AND CERTIFY THAT THE QUALIFIED SCHOOL IS IN COMPLIANCE WITH STUDENT AND SITE SAFETY RULES ADOPTED BY THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-2403.01. AN ENTITY THAT OPERATES MULTIPLE CAMPUSES OR LOCATIONS SHALL REGISTER EACH CAMPUS OR LOCATION AS A SEPARATE QUALIFIED SCHOOL.

2. A QUALIFIED TUTORING SERVICE PROVIDER MUST CERTIFY THAT IT MEETS THE REQUIREMENTS OF SECTION 15-2401, PARAGRAPH 12. AN ENTITY THAT OPERATES MULTIPLE LOCATIONS SHALL REGISTER EACH LOCATION AS A SEPARATE QUALIFIED TUTORING SERVICE PROVIDER.

3. A QUALIFIED TUTOR MUST SUBMIT A COPY OF THE QUALIFIED TUTOR'S FINGERPRINT CLEARANCE CARD AND CERTIFY THAT THE QUALIFIED TUTOR IS NOT SUBJECT TO DISCIPLINARY ACTION BY THE STATE BOARD OF EDUCATION FOR IMMORAL OR UNPROFESSIONAL CONDUCT PURSUANT TO SECTION 15-505 OR 15-534.04 OR BY A FACILITY THAT IS ACCREDITED BY A STATE, REGIONAL OR NATIONAL ACCREDITING ORGANIZATION.

Q. REGISTRATION PURSUANT TO SUBSECTION P OF THIS SECTION SHALL BE RENEWED ON AN ANNUAL BASIS. THE REGISTRATION FORM AND SUPPORTING DOCUMENTS SUBMITTED BY QUALIFIED SCHOOLS, QUALIFIED TUTORING SERVICE PROVIDERS AND QUALIFIED TUTORS ARE PUBLIC RECORDS. THE DEPARTMENT SHALL NOTIFY REGISTERED QUALIFIED SCHOOLS, REGISTERED QUALIFIED TUTORING SERVICE PROVIDERS AND REGISTERED QUALIFIED TUTORS OF THE REQUIREMENTS THAT APPLY TO THOSE PERSONS OR ENTITIES PURSUANT TO THIS CHAPTER.

R. NOTWITHSTANDING ANY OTHER LAW:

1. A QUALIFIED SCHOOL OR QUALIFIED TUTORING SERVICE PROVIDER THAT REGISTERS TO RECEIVE ARIZONA ESA MONIES IS SUBJECT TO SECTIONS 15-350, 15-505, 15-534.04 AND 15-550 IN THE SAME MANNER AS SCHOOLS AND SCHOOL DISTRICTS UNDER THOSE SECTIONS.

2. A QUALIFIED TUTOR WHO REGISTERS WITH THE DEPARTMENT TO RECEIVE ARIZONA ESA MONIES, OR WHO PROVIDES TUTORING OR TEACHING SERVICES TO A QUALIFIED STUDENT THROUGH A REGISTERED QUALIFIED TUTORING SERVICE PROVIDER OR REGISTERED QUALIFIED SCHOOL, AND WHO IS NOT CERTIFICATED PURSUANT TO SECTION 15-501.01 AND SUBJECT TO THE DISCIPLINARY AUTHORITY OF THE STATE BOARD OF EDUCATION PURSUANT TO THAT CERTIFICATION, IS SUBJECT TO SECTIONS 15-350, 15-505, 15-534.04 AND 15-550 IN THE SAME MANNER AS A NONCERTIFICATED PERSON WHO IS EMPLOYED BY A PUBLIC SCHOOL.

S. BEGINNING OCTOBER 1, 2028, AND QUARTERLY THEREAFTER, THE DEPARTMENT SHALL REPORT THE FOLLOWING INFORMATION FOR THE PRECEDING QUARTER TO THE ATTORNEY GENERAL AND SHALL MAKE ANY REPORTS AVAILABLE ON THE DEPARTMENT'S WEBSITE:

1. THE TOTAL AMOUNT OF ARIZONA ESA MONIES RECEIVED BY OR REIMBURSED FOR PAYMENTS TO EACH REGISTERED QUALIFIED SCHOOL, REGISTERED QUALIFIED TUTORING SERVICE PROVIDER AND REGISTERED QUALIFIED TUTOR.

2. THE TOTAL NUMBER OF QUALIFIED STUDENTS FOR WHOM EACH REGISTERED QUALIFIED SCHOOL, REGISTERED QUALIFIED TUTORING SERVICE PROVIDER AND REGISTERED QUALIFIED TUTOR RECEIVED ARIZONA ESA MONIES.

3. THE TOTAL NUMBER OF ACCOUNT HOLDERS DISQUALIFIED FROM THE ARIZONA ESA PROGRAM PURSUANT TO SUBSECTION N OF THIS SECTION.

4. THE AMOUNTS TRANSFERRED PURSUANT TO SUBSECTIONS H, K, N, O AND T OF THIS SECTION TO THIS STATE, THE CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977, THE FUND ESTABLISHED PURSUANT TO SUBSECTION D OF THIS SECTION AND THE STATE BOARD OF EDUCATION.

T. NOTWITHSTANDING ANY OTHER LAW, NINETY PERCENT OF ARIZONA ESA MONIES THAT ARE RECOUPED BY THE DEPARTMENT PURSUANT TO SUBSECTIONS N AND O OF THIS SECTION SHALL BE TRANSFERRED BY SEPTEMBER 1 OF EACH YEAR TO THE CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977, EXCEPT THAT A PORTION OF THOSE MONIES ALLOCATED FOR THE CLASSROOM SITE FUND SHALL BE TRANSFERRED BY SEPTEMBER 1 OF EACH YEAR TO THE FUND ESTABLISHED BY SUBSECTION D OF THIS SECTION OR THE STATE BOARD OF EDUCATION FOR THE ACTUAL REASONABLE COSTS INCURRED BY OR REASONABLY ESTIMATED TO BE NECESSARY FOR THE DEPARTMENT OR THE STATE BOARD OF EDUCATION, RESPECTIVELY, TO IMPLEMENT, CARRY OUT AND ENFORCE THE PROVISIONS OF THE PROTECT EDUCATION ACT AND THE RULES ADOPTED PURSUANT TO THE ACT.

U. THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION AND MAY:

1. ISSUE CIVIL INVESTIGATIVE DEMANDS SEEKING RELEVANT INFORMATION AND DOCUMENTS FROM ANY PERSON TO INVESTIGATE ANY PERSON'S COMPLIANCE WITH THIS SECTION.

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2. FILE A CIVIL ACTION AGAINST ANY PERSON FOR VIOLATING THIS SECTION AND SEEK, AS APPROPRIATE, INJUNCTIVE RELIEF, DECLARATORY RELIEF OR RESTITUTION TO THIS STATE. AS THE PREVAILING PARTY, THE ATTORNEY GENERAL MAY SEEK, AND THE COURT MAY AWARD, REASONABLE ATTORNEY FEES AND COSTS INCURRED IN INVESTIGATING AND BRINGING THE CIVIL ACTION. ALL MONIES RECOVERED AS RESTITUTION SHALL BE DEPOSITED IN THE CLASSROOM SITE FUND ESTABLISHED BY SECTION 15-977.

Sec. 7. Title 15, chapter 19, article 1, Arizona Revised Statutes, is amended by adding section 15-2403.01 to read:

15-2403.01. Arizona ESA monies; safety and transparency; rulemaking

A. WITHIN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE STATE BOARD OF EDUCATION SHALL ADOPT RULES:

1. PRESCRIBING REQUIREMENTS FOR STUDENT AND SITE SAFETY FOR ALL QUALIFIED SCHOOLS, INCLUDING REQUIREMENTS FOR COMPLIANCE WITH LOCAL FIRE AND SAFETY CODES, BACKGROUND CHECKS, SECURING HEAVY MACHINERY, TOOLS AND WEAPONS ON THE PREMISES, POOL FENCES, DRUGS AND ALCOHOL ON THE PREMISES, FOOD SAFETY, SANITATION AND ANY OTHER MATTER NECESSARY TO ENHANCE STUDENT AND SITE SAFETY, PROVIDED THAT SUCH REQUIREMENTS ARE SUBSTANTIALLY SIMILAR TO THOSE REQUIRED FOR STUDENT AND SITE SAFETY AT DISTRICT OR CHARTER SCHOOLS.

2. REASONABLY NECESSARY TO EFFECTIVELY IMPLEMENT AND ENFORCE SECTION 15-2402, INCLUDING ESTABLISHING REASONABLE SPENDING AND OTHER LIMITS FOR CERTAIN CATEGORIES OF GOODS AND SERVICES PURCHASED WITH ARIZONA ESA MONIES.

3. REASONABLY NECESSARY TO EFFECTIVELY IMPLEMENT THE ACCREDITATION AND TESTING OPTIONS IN SECTION 15-2401, PARAGRAPH 9, SUBDIVISION (c).

4. REASONABLY NECESSARY TO EFFECTIVELY IMPLEMENT THE INCOME LIMIT FOR ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT ELIGIBILITY PURSUANT TO SECTION 15-2401.01, SUBSECTION A, PARAGRAPH 2, INCLUDING RULES TO VERIFY THE ANNUAL FAMILY INCOME IF EITHER OR BOTH OF THE PARENTS WITH FINANCIAL RESPONSIBILTY FOR THE QUALIFIED STUDENT DID NOT FILE TAX RETURNS IN THE TWO PRIOR TAXABLE YEARS.

5. REASONABLY NECESSARY TO EFFECTIVELY IMPLEMENT THE REGISTRATION PROCESS REQUIRED IN SECTION 15-2402, SUBSECTIONS P AND Q AND TO SET THE REGISTRATION FEE REQUIRED PURSUANT TO SECTION 15-2402, SUBSECTION P IN AN AMOUNT THAT IS REASONABLE AND RELATED TO THE ACTUAL COST OF ESTABLISHING AND MAINTAINING THE REGISTRATION PLATFORM AND PROCESSING REGISTRATIONS.

Sec. 8. Section 15-2404, Arizona Revised Statutes, is amended to read:

15-2404. State control over nonpublic schools; prohibition; application

A. This chapter does not ~~permit~~ ALLOW any government agency to exercise control or supervision over any nonpublic school or homeschool, EXCEPT AS PROVIDED IN THIS CHAPTER IF IT RECEIVES ARIZONA ESA MONIES.

B. A qualified school that accepts a payment from a parent pursuant to this chapter is not an agent of the state or federal government.

C. A qualified school shall not be required to alter its creed, practices, admissions policy or curriculum in order to accept students whose parents pay tuition or fees from an ARIZONA empowerment scholarship account pursuant to this chapter in order to participate as a qualified school.

~~D. In any legal proceeding challenging the application of this chapter to a qualified school, the state bears the burden of establishing that the law is necessary and does not impose any undue burden on qualified schools.~~

Sec. 9. Section 15-2405, Arizona Revised Statutes, is amended to read:

15-2405. Arizona empowerment scholarship accounts parent oversight committee; membership; duties

A. The Arizona empowerment scholarship accounts parent oversight committee is established consisting of six members who are parents of qualified students who receive Arizona ~~empowerment scholarship account~~ ESA monies under this chapter. The members shall be appointed as follows:

1. One member who is appointed by the president of the senate.

2. One member who is appointed by the speaker of the house of representatives.

3. One member who is appointed by the minority leader of the senate.

4. One member who is appointed by the minority leader of the house of representatives.

5. Two members who are appointed by the governor.

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B. At a minimum, the members appointed pursuant to subsection A, paragraphs 1, 2, 3 and 4 of this section shall be parents of qualified students who both:

1. Meet any of the criteria specified in section 15-2401, paragraph ~~7~~ 10, subdivision (a), item (i), (ii) or (iii) as determined by an independent third party pursuant to section 15-2403, subsection ~~I~~ J.

2. Use monies deposited in the qualified student's Arizona empowerment scholarship account for expenses as prescribed in section 15-2402, subsection B, paragraph 4, subdivision (c).

C. The members of the committee shall annually elect a chairperson from among its members.

D. The committee shall meet at least once each calendar quarter. A majority of the membership constitutes a quorum for the transaction of business.

E. The committee shall collaborate and interact with the department, the state board of education, the attorney general and, as appropriate, the auditor general to review all of the following:

1. The implementation of policies and procedures relating to the Arizona empowerment scholarship account program under this chapter and the program's effectiveness.

2. The concerns of parents of qualified students who receive Arizona ~~empowerment scholarship account~~ ESA monies under this chapter.

3. The work of the ombudsman-citizens aide on complaints associated with administering the Arizona empowerment scholarship account program.

F. A parent may not serve on the committee if any of the following applies:

1. The parent is an employee or the relative of an employee of the department.

2. The parent receives monies or compensation from or is otherwise associated in any manner with a lobbyist organization, a school choice advocacy group or a private financial management firm that manages Arizona empowerment scholarship accounts pursuant to section 15-2403, subsection A.

3. The parent provides goods or services to qualified students that are purchased pursuant to section 15-2402, subsection B, paragraph 4.

Sec. 10. Limited exemption from rulemaking requirements

Notwithstanding any other law, for the purposes of this Act and for eight months after the effective date of this Act, the state board of education is exempt from the rulemaking requirements of title 41, chapters 6 and 6.1, Arizona Revised Statutes and any executive order or other directive purporting to limit or restrict the ability to adopt new rules, except that the state board of education shall provide the public with a reasonable opportunity to comment on proposed rules and shall publish otherwise exempted rules.

Sec. 11. Transfer of monies

Notwithstanding any other law, on the effective date of the Protect Education Act, the director of the department of health services shall transfer the following sums from the medical marijuana fund established by section 36-2817 to be used for any mandatory expenditure of state revenues required by the Protect Education Act:

1. $500,000 to the department of education.

2. $500,000 to the state board of education.

3. $500,000 to the department of public safety.

4. $250,000 to the attorney general.

Sec. 12. Severability

The provisions of this Act are severable. If any provision of this measure or its application to any person or circumstance is held to be unconstitutional or otherwise invalid, the remainder of this Act and the application of the provisions to any person or circumstance shall not be affected by the holding. The invalidated provision or provisions shall be interpreted to the greatest extent possible to conform to applicable law and to give maximum effect to the intent of this Act.

Sec. 13. Standing

The People of the State of Arizona desire that this measure, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. The political action committee that sponsored this measure, or its designee, shall have standing to initiate or intervene in any action or proceeding to enforce or defend this measure.