



2010 LEGISLATIVE SUMMARY 49TH LEGISLATURE-SECOND REGULAR SESSION

The Arizona Legislature adjourned the Second Regular Session of the 49th Legislature Thursday, April 29, 2010, at 11:07 p.m. The session was mercifully short compared to recent sessions lasting only 109 days; just nine days longer than the traditional goal of 100 days. The Legislature's action in addressing Arizona's unprecedented shortfall early in the session paved the way for the early finish. The legislators were also motivated by the need to hit the campaign trail in preparation for the earlier-than-usual August 24th primary and the November 2nd General Election.

Of the 1,233 bills introduced during session, the Legislature passed 352 bills. Unless a special exception applies, all bills other than budget or emergency bills, become effective 90 days after the last day of session. This year that date is July 29, 2010.

The Association worked hard to protect charter students' funding, but the dire fiscal realities limited the Association's efforts; however, in a bit of good news, a student and parents of 20 school children who sued the state because of gross funding inequities prevailed in procedural motion. [See Court Order](#) The Association is spearheading these lawsuits where the Court will decide whether Arizona Constitution requires equitable funding for students, and the legislature will then need to tackle Arizona's outdated, discriminatory K-12 finance system.

STATE BUDGET

The Association consistently argued that, to the extent further education cuts are necessary, that the cuts should consider a school's total revenues per-pupil. If the Governor's office or legislature were to base cuts on total revenues, charter schools and underfunded schools districts would be largely spared from debilitating cuts that they will be unable to withstand.

The \$10 million cut to charter schools is estimated in [this document](#) prepared by the Governor's office; however, these numbers are based on October 2009 enrollment. Charter students are funded on current year so if more students enroll, the cut will be smaller, and conversely, if less enroll, the cut will be greater.

While the budget dominated the difficult session, the Association worked with the Representative Rick Murphy on HB2514 that allows a tax exemption for consumption of food and drink. Arizona statute allows a tax exemption for school district consumption of food and drink, but that tax exemption has not been extended to charter schools. The Arizona Department of Revenue stated charter schools are taxed for the consumption listed in A.R.S § 42-5061, and the bill provides charter schools the same transaction privilege tax and use tax exemption as districts for food and drink prepared and served for consumption on school premises during school hours. The bill has a delayed effective date of October 1, 2010.

In addition, the Association worked with Representative Steve Court on HB 2725, the education omnibus, to allow additional authorizers for charter schools. The list of entities that may sponsor a charter school is expanded to include a state university, a community college district with an enrollment of at least 15,000 or a consortium of community college districts with a combined enrollment of at least 15,000. The education omnibus bill, HB 2725, has many provisions that the Association worked to narrowly tailor to allow school leaders to innovate and improve student achievement without unnecessary, undue regulations.

Please see the attached summary for changes to Arizona Online Instruction; Assessment; Curriculum; Data Collection; Student Enrollment; Operations; School Finance; Teachers.