

House Bill 2029

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Higher Education Coordinating Commission)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Revises types of programs considered accelerated college credit programs for purpose of requirement that school districts provide accelerated college credit programs.

Declares emergency, effective July 1, 2019.

A BILL FOR AN ACT

1
2 Relating to types of programs considered to be accelerated college credit programs; amending ORS
3 340.300, 340.310, 340.320 and 350.075; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 340.300 is amended to read:

6 340.300. *[(1) As used in this section, "accelerated college credit programs" includes dual credit*
7 *programs, two-plus-two programs, advanced placement programs and International Baccalaureate pro-*
8 *grams.]*

9 (1) **As used in this section, "accelerated college credit programs" includes:**

10 (a) **Dual credit programs;**

11 (b) **Sponsored dual credit programs;**

12 (c) **Assessment-based learning credit programs;**

13 (d) **Advanced placement programs;**

14 (e) **International Baccalaureate programs; and**

15 (f) **Any other high school programs that provide educational experiences at a post-**
16 **secondary institution of education for the purpose of providing high school students with the**
17 **opportunity to earn college credit while in high school.**

18 (2) Each school district shall:

19 (a) Provide students in grades 9 through 12 with accelerated college credit programs including,
20 but not limited to, accelerated college credit programs related to English, mathematics and science;
21 or

22 (b) Ensure that students in grades 9 through 12 have online access to accelerated college credit
23 programs including, but not limited to, accelerated college credit programs related to English,
24 mathematics and science.

25 **SECTION 2.** ORS 340.310 is amended to read:

26 340.310. (1) **As used in this section, "accelerated college credit programs" includes dual**
27 **credit programs, sponsored dual credit programs and assessment-based learning credit pro-**
28 **grams.**

29 *[(1)]* (2) The Higher Education Coordinating Commission shall develop statewide standards for
30 *[dual]* **accelerated college** credit programs to be implemented by public high schools, community

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 colleges and public universities listed in ORS 352.002. The standards must establish the manner by
2 which:

3 (a) A student in any grade from 9 through 12 may, upon completion of a course, earn course
4 credit both for high school and for a community college or public university; and

5 (b) Teachers of courses that are part of [*a dual*] **an accelerated college** credit program will
6 work together to determine the quality of the program and to ensure the alignment of the content,
7 objectives and outcomes of individual courses.

8 [(2)] (3) Each public high school, community college and public university that provides [*a*
9 *dual*] **an accelerated college** credit program must implement the statewide standards developed
10 under subsection [(1)] (2) of this section.

11 [(3)] (4) Each school district, community college and public university that provides [*a dual*] **an**
12 **accelerated college** credit program shall submit an annual report to the Higher Education Coordi-
13 nating Commission on the academic [*performance*] **achievement** of students [*enrolled in a dual*
14 *credit*] **in the** program. The Higher Education Coordinating Commission shall establish the required
15 contents of the report, which must provide sufficient information to allow the commission to deter-
16 mine the quality of the [*dual*] **accelerated college** credit program.

17 **SECTION 3.** ORS 340.320 is amended to read:

18 340.320. [(1) *As used in this section, “accelerated college credit programs” includes dual credit*
19 *programs, two-plus-two programs, advanced placement programs and International Baccalaureate pro-*
20 *grams.*]

21 (1) **As used in this section, “accelerated college credit programs” includes:**

22 (a) **Dual credit programs;**

23 (b) **Sponsored dual credit programs;**

24 (c) **Assessment-based learning credit programs;**

25 (d) **Advanced placement programs;**

26 (e) **International Baccalaureate programs; and**

27 (f) **Any other high school programs that provide educational experiences at a post-**
28 **secondary institution of education for the purpose of providing high school students with the**
29 **opportunity to earn college credit while in high school.**

30 (2) The Department of Education shall administer a grant program that provides grants for the
31 purposes of:

32 (a) Providing education or training to teachers who will provide or are providing instruction in
33 accelerated college credit programs;

34 (b) Assisting students in paying for books, materials and other costs, other than test fees, related
35 to accelerated college credit programs; and

36 (c) Providing classroom supplies for accelerated college credit programs.

37 (3) Any school district, community college district or state institution of higher education in this
38 state may individually or jointly apply for a grant under this section.

39 (4) If a grant is awarded for the purpose of providing education or training to teachers who will
40 provide or are providing instruction in an accelerated college credit program:

41 (a) The amount of the grant may not exceed one-third of the total cost of the education or
42 training; and

43 (b) The department may award the grant on the condition that the teacher, school district,
44 community college district and state institution of higher education pay the balance of the cost of
45 the education or training in a proportion agreed to by the teacher, districts and institution.

1 (5) For the purposes described in subsection (2) of this section, the department may:

2 (a) Accept contributions of funds and assistance from the United States Government and its
3 agencies or from any other source, public or private, and agree to conditions placed on the funds
4 not inconsistent with the purposes of subsection (2) of this section; and

5 (b) Enter into agreements with school districts, community college districts and state insti-
6 tutions of higher education related to the funding to provide education or training to teachers who
7 will provide or are providing instruction in an accelerated college credit program.

8 (6) All funds received by the department under this section shall be paid into the Accelerated
9 College Credit Account established under ORS 340.330 to be used for the purposes described in
10 subsection (2) of this section.

11 **SECTION 4.** ORS 350.075 is amended to read:

12 350.075. (1) As used in this section, “student access programs” means scholarship, loan, grant
13 and access programs described in ORS chapter 348.

14 (2) The Higher Education Coordinating Commission shall be guided by the legislative findings
15 in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
16 in ORS 350.009 and 350.014.

17 (3) The Higher Education Coordinating Commission shall:

18 (a) Develop state goals for the state post-secondary education system, including community col-
19 leges and public universities listed in ORS 352.002, and for student access programs.

20 (b) Determine strategic investments in the state’s community colleges, public universities and
21 student access programs necessary to achieve state post-secondary education goals.

22 (c) Coordinate the post-secondary elements of data collection and structure, with the advice and
23 recommendation of the state’s independent institutions, community colleges and public universities,
24 as appropriate, in order to construct a state longitudinal data system.

25 (d) Adopt a strategic plan for achieving state post-secondary education goals, taking into con-
26 sideration the contributions of this state’s independent institutions, philanthropic organizations and
27 other organizations dedicated to helping Oregonians reach state goals. State post-secondary educa-
28 tion goals as described in this section should include, but need not be limited to:

29 (A) Increasing the educational attainment of the population;

30 (B) Increasing this state’s global economic competitiveness and the quality of life of its resi-
31 dents;

32 (C) Ensuring affordable access for qualified Oregon students at each college or public university;

33 (D) Removing barriers to on-time completion; and

34 (E) Tracking progress toward meeting the state’s post-secondary education goals established in
35 the strategic plan described in this paragraph.

36 (e)(A) Each biennium, after receiving funding requests from the state’s community colleges and
37 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
38 tion agency request budget aligned with the strategic plan described in paragraph (d) of this sub-
39 section, including appropriations for:

40 (i) Student access programs;

41 (ii) Public universities listed in ORS 352.002, including but not limited to education and general
42 operations, statewide public services and state-funded debt service;

43 (iii) Community colleges, including but not limited to education and general operations and
44 state-funded debt service;

45 (iv) New facilities or programs;

- 1 (v) Capital improvements and deferred maintenance;
 2 (vi) Special initiatives and investments; and
 3 (vii) Any other program, duty or function a public university listed in ORS 352.002 is authorized
 4 to undertake.
- 5 (B) In the development of the consolidated higher education agency request budget:
 6 (i) Determine the costs necessary to provide quality post-secondary education;
 7 (ii) Solicit input from educators, education policy experts, appropriate legislative committees,
 8 students and other persons interested in the development of the funding model; and
 9 (iii) Solicit public input regarding educational priorities.
- 10 (f) Adopt rules governing the distribution of appropriations from the Legislative Assembly to
 11 community colleges, public universities listed in ORS 352.002 and student access programs. These
 12 rules must be based on allocation formulas developed in consultation with the state's community
 13 colleges and public universities, as appropriate.
- 14 (g) Approve or disapprove any significant change to the academic program of a community col-
 15 lege or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the
 16 commission shall consider the recommendation from the community college or public university
 17 seeking to make the change to an academic program that is issued pursuant to the obligation of the
 18 governing board of a community college or public university to review and approve academic pro-
 19 grams. The commission shall ensure that approved programs:
- 20 (A) Are consistent with the mission statement of the community college or public university;
 21 (B) Do not unnecessarily duplicate academic programs offered by Oregon's other community
 22 colleges or public universities;
 23 (C) Are not located in a geographic area that will cause undue hardship to Oregon's other
 24 community colleges or public universities; and
 25 (D) Are allocated among Oregon's community colleges and public universities to maximize the
 26 achievement of statewide needs and requirements.
- 27 (h) For public universities listed in ORS 352.002:
 28 (A) Approve the mission statement adopted by a governing board of a public university.
 29 (B) Review and determine whether a proposed annual increase of resident undergraduate en-
 30 rollment fees of greater than five percent is appropriate.
 31 (C) Advise the Governor and the Legislative Assembly on issues of university governance.
 32 (D) Approve and authorize degrees.
 33 (E) Perform the evaluation and certification required by ORS 350.095.
- 34 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
 35 ORS 348.594 to 348.615.
- 36 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.
- 37 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
 38 vision of post-secondary distance education. The participation by an educational institution that is
 39 not based in this state in distance learning courses or programs that are part of an interstate
 40 agreement entered into and administered under this paragraph does not constitute operating in this
 41 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
 42 educational institution that seeks to operate under or participate in such interstate agreements. The
 43 fee amount shall be established to recover designated expenses incurred by the commission in par-
 44 ticipating in such agreements.
- 45 (L) Coordinate and collaborate with the Chief Education Office as provided by section 1, chapter

1 519, Oregon Laws 2011.

2 (4)(a) The Higher Education Coordinating Commission shall implement a process to review and
 3 appropriately act on student complaints regarding any school operating in this state. As part of the
 4 process implemented under this subsection, the commission may:

5 (A) Receive student complaints from students regarding a school;

6 (B) Specify the type of information that must be included in a student complaint;

7 (C) Investigate and resolve student complaints that relate to state financial aid;

8 (D) Refer a student complaint to another entity for investigation and resolution as provided in
 9 paragraph (b) of this subsection;

10 (E) Adopt rules to implement the provisions of this subsection; and

11 (F) Enter into agreements to implement the provisions of this subsection.

12 (b) The commission may refer the investigation and resolution of a student complaint to:

13 (A) An appropriate state agency if the complaint alleges that a school has violated a state law
 14 concerning consumer protection, civil rights, employment rights or environmental quality;

15 (B) A school's accrediting association if the complaint relates to the school's authorization to
 16 offer academic degree programs or to the quality of the school's academic degree programs; or

17 (C) The school at which the student is enrolled if the commission determines that the complaint
 18 should be resolved through the school's internal review process.

19 (c) As used in this subsection:

20 (A)(i) "School" means an independent institution of higher education that meets the require-
 21 ments of ORS 348.597 (2)(a).

22 (ii) "School" does not mean a school that is exempt from ORS 348.594 to 348.615 under ORS
 23 348.597 (2)(b) or (c).

24 (B) "Student" means a person who is enrolled at a school for the purpose of obtaining a degree,
 25 certificate or other recognized educational credential offered by that school.

26 (5) A student complaint that is received by the Higher Education Coordinating Commission, in-
 27 cluding but not limited to a student complaint filed under subsection (4) of this section, is not sub-
 28 ject to disclosure under ORS 192.311 to 192.478.

29 (6) In addition to the duties described in subsections (2) to (4) of this section, the Higher Edu-
 30 cation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
 31 colleges, public universities and other state boards and commissions on policies in order to:

32 (a) Ensure or improve access to higher education by diverse and underserved populations.

33 (b) Encourage student success and completion initiatives.

34 (c) Improve the coordination of the provision of educational services, including:

35 (A) Transfers and coenrollment throughout the higher education system;

36 (B) Accelerated college credit programs for high school students;

37 (C) Applied baccalaureate and other transfer degrees;

38 (D) Programs and grants that span multiple institutions; and

39 (E) Reciprocity agreements with other states.

40 (d) In coordination with the State Board of Education, enhance the use and quality of [*dual*
 41 *credit*] **accelerated college credit programs**, career and technical pathways and efforts to create
 42 a culture of college attendance in this state.

43 (e) In coordination with the State Workforce and Talent Development Board, local workforce
 44 development boards, the Oregon Health and Science University and independent institutions, ensure
 45 that the state's colleges and universities offer programs in high-demand occupations that meet

1 Oregon's workforce needs.

2 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
3 among post-secondary institutions in this state.

4 (7) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
5 183, may adopt administrative rules.

6 (8) With the exception of the rulemaking authority granted in subsection (7) of this section, the
7 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
8 a committee of the commission or to the executive director of the commission.

9 (9) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,
10 enter into contracts and agreements, including grant agreements, with public and private entities
11 for those higher education and workforce development activities that are consistent with ORS
12 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory
13 policies related to career schools and public universities.

14 (10) The Higher Education Coordinating Commission may exercise only powers, duties and
15 functions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by
16 law, all other authorities reside at the institutional level with the respective boards of the post-
17 secondary institutions.

18 **SECTION 5.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
19 6, chapter 30, Oregon Laws 2016, section 56, chapter 117, Oregon Laws 2016, section 8, chapter 66,
20 Oregon Laws 2017, section 2, chapter 98, Oregon Laws 2017, section 6, chapter 185, Oregon Laws
21 2017, section 22, chapter 297, Oregon Laws 2017, and section 2b, chapter 440, Oregon Laws 2017, is
22 amended to read:

23 350.075. (1) As used in this section, "student access programs" means scholarship, loan, grant
24 and access programs described in ORS chapter 348.

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26 in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth
27 in ORS 350.009 and 350.014.

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32 student access programs necessary to achieve state post-secondary education goals.

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34 recommendation of the state's independent institutions, community colleges and public universities,
35 as appropriate, in order to construct a state longitudinal data system.

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45 (E) Tracking progress toward meeting the state's post-secondary education goals established in

1 the strategic plan described in this paragraph.

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 3 public universities as authorized by law, recommend to the Governor a consolidated higher educa-
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14 (vii) Any other program, duty or function a public university listed in ORS 352.002 is authorized
 15 to undertake.

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 19 students and other persons interested in the development of the funding model; and

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 30 grams. The commission shall ensure that approved programs:

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 33 colleges or public universities;

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 35 community colleges or public universities; and

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 37 achievement of statewide needs and requirements.

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 41 rollment fees of greater than five percent is appropriate.

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1 ORS 348.594 to 348.615.

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3 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
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5 not based in this state in distance learning courses or programs that are part of an interstate
6 agreement entered into and administered under this paragraph does not constitute operating in this
7 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
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12 appropriately act on student complaints regarding any school operating in this state. As part of the
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14 (A) Receive student complaints from students regarding a school;

15 (B) Specify the type of information that must be included in a student complaint;

16 (C) Investigate and resolve student complaints that relate to state financial aid;

17 (D) Refer a student complaint to another entity for investigation and resolution as provided in
18 paragraph (b) of this subsection;

19 (E) Adopt rules to implement the provisions of this subsection; and

20 (F) Enter into agreements to implement the provisions of this subsection.

21 (b) The commission may refer the investigation and resolution of a student complaint to:

22 (A) An appropriate state agency if the complaint alleges that a school has violated a state law
23 concerning consumer protection, civil rights, employment rights or environmental quality;

24 (B) A school's accrediting association if the complaint relates to the school's authorization to
25 offer academic degree programs or to the quality of the school's academic degree programs; or

26 (C) The school at which the student is enrolled if the commission determines that the complaint
27 should be resolved through the school's internal review process.

28 (c) As used in this subsection:

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34 certificate or other recognized educational credential offered by that school.

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36 cluding but not limited to a student complaint filed under subsection (4) of this section, is not sub-
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39 cation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
40 colleges, public universities and other state boards and commissions on policies in order to:

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4 (d) In coordination with the State Board of Education, enhance the use and quality of [*dual*
5 *credit*] **accelerated college credit programs**, career and technical pathways and efforts to create
6 a culture of college attendance in this state.

7 (e) In coordination with the State Workforce and Talent Development Board, local workforce
8 development boards, the Oregon Health and Science University and independent institutions, ensure
9 that the state’s colleges and universities offer programs in high-demand occupations that meet
10 Oregon’s workforce needs.

11 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
12 among post-secondary institutions in this state.

13 (7) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
14 183, may adopt administrative rules.

15 (8) With the exception of the rulemaking authority granted in subsection (7) of this section, the
16 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
17 a committee of the commission or to the executive director of the commission.

18 (9) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,
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24 functions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by
25 law, all other authorities reside at the institutional level with the respective boards of the post-
26 secondary institutions.

27 **SECTION 6.** ORS 350.075, as amended by section 61, chapter 774, Oregon Laws 2015, section
28 6, chapter 30, Oregon Laws 2016, section 56, chapter 117, Oregon Laws 2016, section 8, chapter 66,
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- 4 (B) Review and determine whether a proposed annual increase of resident undergraduate en-
- 5 rollment fees of greater than five percent is appropriate.
- 6 (C) Advise the Governor and the Legislative Assembly on issues of university governance.
- 7 (D) Approve and authorize degrees.
- 8 (E) Perform the evaluation and certification required by ORS 350.095.
- 9 (i) Authorize degrees to be offered by independent post-secondary institutions in this state under
- 10 ORS 348.594 to 348.615.
- 11 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.
- 12 (k) Have the authority to enter into and administer interstate agreements regarding the pro-
- 13 vision of post-secondary distance education. The participation by an educational institution that is
- 14 not based in this state in distance learning courses or programs that are part of an interstate
- 15 agreement entered into and administered under this paragraph does not constitute operating in this
- 16 state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any
- 17 educational institution that seeks to operate under or participate in such interstate agreements. The
- 18 fee amount shall be established to recover designated expenses incurred by the commission in par-
- 19 ticipating in such agreements.
- 20 (4) In addition to the duties described in subsections (2) and (3) of this section, the Higher Ed-
- 21 ucation Coordinating Commission shall advise the Legislative Assembly, the Governor, community
- 22 colleges, public universities and other state boards and commissions on policies in order to:
- 23 (a) Ensure or improve access to higher education by diverse and underserved populations.
- 24 (b) Encourage student success and completion initiatives.
- 25 (c) Improve the coordination of the provision of educational services, including:
- 26 (A) Transfers and coenrollment throughout the higher education system;
- 27 (B) Accelerated college credit programs for high school students;
- 28 (C) Applied baccalaureate and other transfer degrees;
- 29 (D) Programs and grants that span multiple institutions; and
- 30 (E) Reciprocity agreements with other states.
- 31 (d) In coordination with the State Board of Education, enhance the use and quality of [*dual*
- 32 *credit*] **accelerated college credit programs**, career and technical pathways and efforts to create
- 33 a culture of college attendance in this state.
- 34 (e) In coordination with the State Workforce and Talent Development Board, local workforce
- 35 development boards, the Oregon Health and Science University and independent institutions, ensure
- 36 that the state's colleges and universities offer programs in high-demand occupations that meet
- 37 Oregon's workforce needs.
- 38 (f) Improve economies of scale by encouraging and facilitating the use of the shared services
- 39 among post-secondary institutions in this state.
- 40 (5) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter
- 41 183, may adopt administrative rules.
- 42 (6) With the exception of the rulemaking authority granted in subsection (5) of this section, the
- 43 Higher Education Coordinating Commission may delegate any of its powers, duties or functions to
- 44 a committee of the commission or to the executive director of the commission.
- 45 (7) The Higher Education Coordinating Commission may, subject to the Public Contracting Code,

1 enter into contracts and agreements, including grant agreements, with public and private entities
2 for those higher education and workforce development activities that are consistent with ORS
3 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory
4 policies related to career schools and public universities.

5 (8) The Higher Education Coordinating Commission may exercise only powers, duties and func-
6 tions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law,
7 all other authorities reside at the institutional level with the respective boards of the post-secondary
8 institutions.

9 **SECTION 7. This 2019 Act being necessary for the immediate preservation of the public**
10 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
11 **on July 1, 2019.**

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