

**SUBSTITUTE FOR
HOUSE BILL NO. 4271**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1278b (MCL 380.1278b), as amended by 2018 PA
230.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1278b. (1) Except as otherwise provided in this section
2 or section 1278a, ~~beginning with pupils entering grade 8 in 2006,~~
3 as part of the requirements under section 1278a the board of a
4 school district or board of directors of a public school academy
5 shall not award a high school diploma to a pupil unless the pupil
6 has successfully completed all of the following credit requirements
7 of the Michigan merit standard before graduating from high school:

8 (a) At least 4 credits in English language arts that are



1 aligned with subject area content expectations developed by the
2 department and approved by the state board under this section.

3 (b) At least 3 credits in science that are aligned with
4 subject area content expectations developed by the department and
5 approved by the state board under this section, including
6 completion of at least biology and either chemistry, physics,
7 anatomy, or agricultural science, or successfully completing a
8 program or curriculum that provides the same content as the
9 chemistry or physics benchmarks, as determined by the department. A
10 student may fulfill the requirement for the third science credit by
11 completing a department-approved computer science program or
12 curriculum or ~~formal~~**state-approved** career and technical education
13 program or curriculum. The legislature strongly encourages pupils
14 to complete a fourth credit in science, such as forensics,
15 astronomy, Earth science, agricultural science, environmental
16 science, geology, physics, chemistry, physiology, or microbiology.

17 (c) The credit requirements specified in section 1278a(1) (a) (i)
18 to (iv).

19 (2) If a pupil successfully completes 1 or more of the high
20 school credits required under subsection (1) or under section
21 1278a(1) before entering high school, the pupil shall be given high
22 school credit for that credit.

23 (3) For the purposes of this section and section 1278a, the
24 department shall do all of the following:

25 (a) Develop subject area content expectations that apply to
26 the credit requirements of the Michigan merit standard that are
27 required under subsection (1) (a) and (b) and section 1278a(1) (a) (i)
28 and (ii) and develop guidelines for the remaining credit
29 requirements of the Michigan merit standard that are required under



1 this section and section 1278a(1) (a) ~~and~~ for the online course or
 2 learning experience required under section 1278a(1) (b). ~~and for~~
 3 ~~the requirements for a language other than English under section~~
 4 ~~1278a(2).~~ All of the following apply to these subject area content
 5 expectations and guidelines:

6 (i) All subject area content expectations ~~shall~~**must** be
 7 consistent with the state board recommended model core academic
 8 curriculum content standards under section 1278. Subject area
 9 content expectations or guidelines ~~shall~~**must** not include
 10 attitudes, beliefs, or value systems that are not essential in the
 11 legal, economic, and social structure of our society and to the
 12 personal and social responsibility of citizens of our society. The
 13 subject area content expectations ~~shall~~**must** require pupils to
 14 demonstrate critical thinking skills.

15 (ii) The subject area content expectations and the guidelines
 16 must be approved by the state board under subsection (4).

17 (iii) The subject area content expectations ~~shall~~**must** state in
 18 clear and measurable terms what pupils are expected to know upon
 19 completion of each credit.

20 ~~(iv) The department shall complete the development of the~~
 21 ~~subject area content expectations that apply to algebra I and the~~
 22 ~~guidelines for the online course or learning experience under~~
 23 ~~section 1278a(1) (b) not later than August 1, 2006.~~

24 ~~(v) The department shall complete development of the subject~~
 25 ~~area content expectations or guidelines that apply to each of the~~
 26 ~~other credits required in the Michigan merit standard under~~
 27 ~~subsection (1) and section 1278a(1) (a) not later than 1 year before~~
 28 ~~the beginning of the school year in which a pupil entering high~~
 29 ~~school in 2007 would normally be expected to complete the credit.~~



1 ~~(vi) If the department has not completed development of the~~
 2 ~~subject area content expectations that apply to a particular credit~~
 3 ~~required in the Michigan merit standard under subsection (1) or~~
 4 ~~section 1278a(1)(a) by the date required under this subdivision, a~~
 5 ~~school district or public school academy may align the content of~~
 6 ~~the credit with locally adopted standards.~~

7 ~~(iv) (vii)~~ Until all of the subject area content expectations
 8 and guidelines have been developed by the department and approved
 9 by the state board, the department shall submit a report at least
 10 every 6 months to the senate and house standing committees
 11 responsible for education legislation on the status of the
 12 development of the subject area content expectations and
 13 guidelines. ~~The report shall detail any failure by the department~~
 14 ~~to meet a deadline established under subparagraph (iv) or (v) and~~
 15 ~~the reasons for that failure.~~

16 (b) Develop and implement a process for developing the subject
 17 area content expectations and guidelines required under this
 18 section. This process ~~shall~~ **must** provide for all of the following:

19 (i) Soliciting input from all of the following groups:

20 (A) Recognized experts in the relevant subject areas.

21 (B) Representatives from 4-year colleges or universities,
 22 community colleges, and other postsecondary institutions.

23 (C) Teachers, administrators, and school personnel who have
 24 specialized knowledge of the subject area.

25 (D) Representatives from the business community.

26 (E) Representatives from vocational and career and technical
 27 education providers.

28 (F) Government officials, including officials from the
 29 legislature.



1 (G) Parents of public school pupils.

2 (ii) A review of the subject area content expectations or
3 guidelines by national experts.

4 (iii) An opportunity for the public to review and provide input
5 on the proposed subject area content expectations or guidelines
6 before they are submitted to the state board for approval. The time
7 period allowed for this review and input ~~shall~~**must** be at least 15
8 business days.

9 (c) Determine the basic level of technology and internet
10 access required for pupils to complete the online course or
11 learning experience requirement of section 1278a(1)(b), and submit
12 that determination to the state board for approval.

13 (d) Develop and make available material to assist school
14 districts and public school academies in implementing the
15 requirements of this section and section 1278a. This ~~shall~~**must**
16 include developing guidelines for alternative instructional
17 delivery methods as described in subsection (7).

18 (4) The state board shall approve subject area content
19 expectations and guidelines developed by the department under
20 subsection (3) before those subject area content expectations and
21 guidelines may take effect. The state board also shall approve the
22 basic level of technology and internet access required for pupils
23 to complete the online course or learning experience requirement of
24 section 1278a(1)(b).

25 (5) The parent or legal guardian of a pupil who has completed
26 grade 9, a teacher who is currently teaching the pupil, who
27 currently teaches in or whose expertise is in a subject area
28 proposed to be modified by the personal curriculum, or who is
29 determined by the principal to have qualifications otherwise



1 relevant to developing a personal curriculum, or a school counselor
 2 or school employee qualified to act in a counseling role under
 3 section 1233 or 1233a may request a personal curriculum under this
 4 subsection for the pupil that modifies certain ~~of the~~ Michigan
 5 merit standard requirements under subsection (1) or section
 6 1278a(1) (a). If the request for a personal curriculum is made by
 7 the pupil's parent or legal guardian or, if the pupil is at least
 8 age 18 or is an emancipated minor, by the pupil, the school
 9 district or public school academy shall develop a personal
 10 curriculum for the pupil. A teacher, school counselor, or school
 11 employee qualified to act in a counseling role under section 1233
 12 or 1233a may contact a pupil's parent or legal guardian to discuss
 13 the possibility and potential benefits of a personal curriculum
 14 under this subsection for the pupil. If all of the requirements
 15 under this subsection for completing a personal curriculum are met,
 16 then the board of a school district or board of directors of a
 17 public school academy may award a high school diploma to a pupil
 18 who successfully completes his or her personal curriculum even if
 19 it does not meet the requirements of the Michigan merit standard
 20 required under subsection (1) and section 1278a(1) (a). All of the
 21 following apply to a personal curriculum:

22 (a) The personal curriculum ~~shall~~**must** be developed by a group
 23 that includes at least the pupil, at least 1 of the pupil's parents
 24 or the pupil's legal guardian, and a teacher described in this
 25 subdivision or the pupil's high school counselor or another
 26 designee qualified to act in a counseling role under section 1233
 27 or 1233a selected by the high school principal. In addition, for a
 28 pupil who receives special education services, a school
 29 psychologist should also be included in this group. The teacher



1 included in the group developing the personal curriculum shall be a
2 teacher who is currently teaching the pupil, who currently teaches
3 in or whose expertise is in a subject area being modified by the
4 personal curriculum, or who is determined by the principal to have
5 qualifications otherwise relevant to the group. This subdivision
6 does not require an in-person meeting of the group.

7 (b) The personal curriculum ~~shall~~**must** incorporate as much of
8 the subject area content expectations of the Michigan merit
9 standard required under subsection (1) and section 1278a(1)(a) as
10 is practicable for the pupil; ~~shall~~**must** establish measurable goals
11 that the pupil must achieve while enrolled in high school and ~~shall~~
12 **must** provide a method to evaluate whether the pupil achieved these
13 goals; and ~~shall~~**must** be aligned with the pupil's educational
14 development plan developed under subsection (11).

15 (c) Before it takes effect, the personal curriculum must be
16 agreed to by the pupil's parent or legal guardian and by the
17 superintendent of the school district or chief executive of the
18 public school academy or his or her designee.

19 (d) The pupil's parent or legal guardian shall be in
20 communication with each of the pupil's teachers to monitor the
21 pupil's progress toward the goals contained in the pupil's personal
22 curriculum.

23 (e) Revisions may be made in the personal curriculum if the
24 revisions are developed and agreed to in the same manner as the
25 original personal curriculum.

26 (f) The English language arts credit requirements of
27 subsection (1)(a) and the science credit requirements of subsection
28 (1)(b) are not subject to modification as part of a personal
29 curriculum under this subsection.



1 (g) The mathematics credit requirements of section
2 1278a(1) (a) (i) may be modified as part of a personal curriculum if
3 the pupil successfully completes at least 3-1/2 total credits of
4 the mathematics credits required under that section before
5 completing high school, including algebra I and geometry, and
6 successfully completes at least 1 mathematics credit during his or
7 her final 2 years of high school. The algebra II, **statistics, or**
8 **financial literacy** credit required under that section may be
9 modified as part of a personal curriculum under this subsection if
10 the pupil meets 1 or more of the following:

11 (i) Successfully completes the same content as 1 semester of
12 algebra II, **statistics, or a financial literacy course as described**
13 **in section 1165 if that course aligns with the subject area content**
14 **expectations for mathematics developed by the department and**
15 **approved by the state board under this section**, as determined by
16 the department.

17 (ii) Elects to complete the same content as algebra II,
18 **statistics, or a financial literacy course as described under**
19 **section 1165 if that course aligns with the subject area content**
20 **expectations for mathematics developed by the department and**
21 **approved by the state board under this section**, over 2 years, with
22 a credit awarded for each of those 2 years, and successfully
23 completes that content.

24 (iii) Enrolls in a ~~formal~~ **state-approved** career and technical
25 education program or curriculum and in that program or curriculum
26 successfully completes the same content as the algebra II,
27 **statistics, or financial literacy** benchmarks assessed on the
28 department-prescribed state high school assessment, **if applicable**,
29 as determined by the department.



1 (iv) Successfully completes 1 semester of ~~statistics,~~ functions
2 and data analysis, or technical mathematics.

3 (h) The social science credit requirements of section
4 1278a(1) (a) (ii) may be modified as part of a personal curriculum
5 only if all of the following are met:

6 (i) The pupil has successfully completed 2 credits of the
7 social science credits required under section 1278a(1), including
8 the civics course described in section 1166(2).

9 (ii) The modification requires the pupil to complete 1
10 additional credit in English language arts, mathematics, or science
11 or 1 additional credit in a language other than English, or
12 requires the pupil to complete a ~~formal~~ **state-approved** career and
13 technical education program. This additional credit must be in
14 addition to the number of those credits otherwise required under
15 subsection (1) and section 1278a(1). ~~or under section 1278a(2).~~

16 (i) The health and physical education credit requirement under
17 section 1278a(1) (a) (iii) may be modified as part of a personal
18 curriculum only if the modification requires the pupil to complete
19 1 additional credit in English language arts, mathematics, or
20 science or 1 additional credit in a language other than English, or
21 requires the pupil to complete a ~~formal~~ **state-approved** career and
22 technical education program. This additional credit must be in
23 addition to the number of those credits otherwise required under
24 subsection (1) and section 1278a(1). ~~or under section 1278a(2).~~

25 (j) ~~The visual arts, performing arts, or applied arts~~ **One**
26 **credit of the 21st century skills credit** requirement under section
27 1278a(1) (a) (iv) may be modified as part of a personal curriculum
28 only if the modification requires the pupil to complete 1
29 additional credit in English language arts, mathematics, or



1 science. ~~or 1 additional credit in a language other than English,~~
 2 ~~or requires the pupil to complete a formal career and technical~~
 3 ~~education program.~~ This additional credit must be in addition to
 4 the number of those credits otherwise required under subsection (1)
 5 and section 1278a(1). ~~or under section 1278a(2).~~

6 (k) If the parent or legal guardian of a pupil requests as
 7 part of the pupil's personal curriculum a modification of the
 8 Michigan merit standard requirements that would not otherwise be
 9 allowed under this section and demonstrates that the modification
 10 is necessary because the pupil is a child with a disability, the
 11 school district or public school academy may allow that additional
 12 modification to the extent necessary because of the pupil's
 13 disability if the group under subdivision (a) determines that the
 14 modification is consistent with both the pupil's educational
 15 development plan under subsection (11) and the pupil's
 16 individualized education program. If the superintendent of public
 17 instruction has reason to believe that a school district or a
 18 public school academy is allowing modifications inconsistent with
 19 the requirements of this subdivision, the superintendent of public
 20 instruction shall monitor the school district or public school
 21 academy to ensure that the school district's or public school
 22 academy's policies, procedures, and practices are in compliance
 23 with the requirements for additional modifications under this
 24 subdivision. As used in this subdivision, "child with a disability"
 25 means that term as defined in 20 USC 1401.

26 (l) If a pupil transfers to a school district or public school
 27 academy from out of state or from a nonpublic school, the pupil's
 28 parent or legal guardian may request, as part of the pupil's
 29 personal curriculum, a modification of the Michigan merit standard



1 requirements that would not otherwise be allowed under this
2 section. The school district or public school academy may allow
3 this additional modification for a transfer pupil if all of the
4 following are met:

5 (i) The transfer pupil has successfully completed at least the
6 equivalent of 2 years of high school credit out of state or at a
7 nonpublic school. The school district or public school academy may
8 use appropriate assessment examinations to determine what credits,
9 if any, the pupil has earned out of state or at a nonpublic school
10 that may be used to satisfy the curricular requirements of the
11 Michigan merit standard and this subdivision.

12 (ii) The transfer pupil's personal curriculum incorporates as
13 much of the subject area content expectations of the Michigan merit
14 standard as is practicable for the pupil.

15 (iii) The transfer pupil's personal curriculum requires the
16 pupil to successfully complete at least 1 mathematics course during
17 his or her final year of high school enrollment. In addition, if
18 the transfer pupil is enrolled in the school district or public
19 school academy for at least 1 full school year, both of the
20 following apply:

21 (A) The transfer pupil's personal curriculum ~~shall~~**must**
22 require that this mathematics course is at least algebra I.

23 (B) If the transfer pupil demonstrates that he or she has
24 mastered the content of algebra I, the transfer pupil's personal
25 curriculum ~~shall~~**must** require that this mathematics course is a
26 course normally taken after completing algebra I.

27 (iv) The transfer pupil's personal curriculum includes the
28 civics course described in section 1166(2).

29 (m) If a pupil is at least age 18 or is an emancipated minor,



1 the pupil may act on his or her own behalf under this subsection.

2 (n) This subsection does not apply to a pupil enrolled in a
3 high school that is designated as a specialty school under section
4 1278a(5) and that is exempt under that section from the English
5 language arts requirement under subsection (1)(a) and the social
6 science credit requirement under section 1278a(1)(a)(ii).

7 (o) The department or a school district or public school
8 academy shall not limit or discourage the number of pupils with a
9 personal curriculum on any basis other than the best interests of
10 each individual pupil.

11 (p) A school district or public school academy annually shall
12 notify each of its pupils and a parent or legal guardian of each of
13 its pupils that all pupils are entitled to a personal curriculum
14 under this subsection. The annual notice ~~shall~~**must** include an
15 explanation of what a personal curriculum is and state that if a
16 personal curriculum is requested, the public school or public
17 school academy will grant that request. The school district or
18 public school academy shall provide this annual notice to parents
19 and legal guardians by sending a written notice to each pupil's
20 home or by including the notice in a newsletter, student handbook,
21 or similar communication that is sent to a pupil's home, and also
22 shall post the notice on the school district's or public school
23 academy's website.

24 (6) If a pupil receives special education services, the
25 pupil's individualized education program, in accordance with the
26 individuals with disabilities education act, title VI of Public Law
27 91-230, ~~shall~~**must** identify the appropriate course or courses of
28 study and identify the supports, accommodations, and modifications
29 necessary to allow the pupil to progress in the curricular



1 requirements of this section and section 1278a, or in a personal
 2 curriculum as provided under subsection (5), and meet the
 3 requirements for a high school diploma.

4 (7) The board of a school district or board of directors of a
 5 public school academy that operates a high school shall ensure that
 6 each pupil is offered the curriculum necessary for the pupil to
 7 meet the curricular requirements of this section and section 1278a.
 8 The board or board of directors may provide this curriculum by
 9 providing the credits specified in this section and section 1278a,
 10 by using alternative instructional delivery methods such as
 11 alternative course work, humanities course sequences, career and
 12 technical education, industrial technology courses, or vocational
 13 education, or by a combination of these. School districts and
 14 public school academies that operate career and technical education
 15 programs are encouraged to integrate the credit requirements of
 16 this section and section 1278a into those programs.

17 (8) If the board of a school district or board of directors of
 18 a public school academy wants its high school to be accredited
 19 under section 1280, the board or board of directors shall ensure
 20 that all elements of the curriculum required under this section and
 21 section 1278a are made available to all affected pupils. If a
 22 school district or public school academy does not offer all of the
 23 required credits, the board of the school district or board of
 24 directors of the public school academy shall ensure that the pupil
 25 has access to the required credits by another means, such as
 26 enrollment in a postsecondary course under the postsecondary
 27 enrollment options act, 1996 PA 160, MCL 388.511 to 388.524;
 28 enrollment in an online course; a cooperative arrangement with a
 29 neighboring school district or with a public school academy; or



1 granting approval under section 6(6) of the state school aid act of
2 1979, MCL 388.1606, for the pupil to be counted in membership in
3 another school district.

4 (9) If a pupil is not successfully completing a credit
5 required for graduation under this section and section 1278a, or is
6 identified as being at risk of withdrawing from high school, then
7 the pupil's school district or public school academy shall notify
8 the pupil's parent or legal guardian or, if the pupil is at least
9 age 18 or is an emancipated minor, the pupil, of the availability
10 of tutoring or other supplemental educational support and
11 counseling services that may be available to the pupil under
12 existing state or federal programs, such as those programs or
13 services available under section 31a of the state school aid act of
14 1979, MCL 388.1631a, or under the no child left behind act of 2001,
15 Public Law 107-110 **or the every student succeeds act, Public Law**
16 **114-95.**

17 (10) To the extent required by the no child left behind act of
18 2001, Public Law 107-110 **or the every student succeeds act, Public**
19 **Law 114-95,** the board of a school district or public school academy
20 shall ensure that all components of the curricular requirements
21 under this section and section 1278a are taught by highly qualified
22 teachers. If a school district or public school academy
23 demonstrates to the department that the school district or public
24 school academy is unable to meet the requirements of this section
25 because the school district or public school academy is unable to
26 hire enough highly qualified teachers, the department shall work
27 with the school district or public school academy to develop a plan
28 to allow the school district or public school academy to hire
29 enough highly qualified teachers to meet the requirements of this



1 section.

2 (11) The board of a school district or board of directors of a
 3 public school academy shall provide the opportunity for each pupil
 4 to develop an educational development plan during grade 7, and
 5 shall ensure that each pupil reviews his or her educational
 6 development plan during grade 8 and revises it as appropriate
 7 before he or she begins high school. The board of a school district
 8 or board of directors of a public school academy shall also ensure
 9 that each pupil reviews and revises his or her educational
 10 development plan as appropriate during each year of high school. An
 11 educational development plan ~~shall~~**must** be developed, reviewed, and
 12 revised by the pupil under the supervision of the pupil's school
 13 counselor or another designee qualified to act in a counseling role
 14 under section 1233 or 1233a selected by the school principal and
 15 ~~shall~~**must** be based on high school readiness scores and a career
 16 pathways program or similar career exploration program. An
 17 educational development plan ~~shall~~**must** be designed to assist
 18 pupils to identify career development goals as they relate to
 19 academic requirements. During the process of developing and
 20 reviewing a pupil's educational development plan, the pupil shall
 21 be advised that many of the curricular requirements of this section
 22 and section 1278a may be fulfilled through career and technical
 23 education. In addition, during the process of developing and
 24 reviewing an educational development plan, the pupil shall be
 25 provided with all of the following:

26 (a) Information on various types of careers and current and
 27 projected job openings in this state and those jobs' actual and
 28 projected wages.

29 (b) An opportunity to explore careers specific to a pupil's



1 interests and identify career pathways and goals for achieving
 2 success in those careers, including, but not limited to, the level
 3 and type of educational preparation necessary to accomplish those
 4 goals.

5 (c) An opportunity to develop a talent portfolio. A talent
 6 portfolio ~~shall~~**must** be developed and revised throughout the
 7 implementation of a pupil's educational development plan. A talent
 8 portfolio ~~shall~~**must** include, but is not limited to, a record of
 9 the pupil's experiences, proficiencies, certifications, or
 10 accomplishments that demonstrate talents or marketable skills. The
 11 department, in conjunction with the department of talent and
 12 economic development, shall develop and make available to the
 13 public schools model information materials that districts or public
 14 school academies may use to comply with this subdivision.

15 (12) Except as otherwise provided in this subsection, if a
 16 school district or public school academy is unable to implement all
 17 of the curricular requirements of this section and section 1278a
 18 ~~for pupils entering grade 9 in 2007~~ or is unable to implement
 19 another requirement of this section or section 1278a, the school
 20 district or public school academy may apply to the department for
 21 permission to phase in 1 or more of the requirements of this
 22 section or section 1278a. To apply, the school district or public
 23 school academy shall submit a proposed phase-in plan to the
 24 department. The department shall approve a phase-in plan if the
 25 department determines that the plan will result in the school
 26 district or public school academy making satisfactory progress
 27 toward full implementation of the requirements of this section and
 28 section 1278a. If the department disapproves a proposed phase-in
 29 plan, the department shall work with the school district or public



1 school academy to develop a satisfactory plan that may be approved.
 2 ~~However, if legislation is enacted that adds section 1290 to allow~~
 3 ~~school districts and public school academies to apply for a~~
 4 ~~contract that waives certain state or federal requirements, then~~
 5 ~~this subsection does not apply but a school district or public~~
 6 ~~school academy may take action as described in subsection (13).~~
 7 This subsection does not apply to a high school that is designated
 8 as a specialty school under section 1278a(5) and that is exempt
 9 under that section from the English language arts requirement under
 10 subsection (1) (a) and the social science credit requirement under
 11 section 1278a(1) (a) (ii) .

12 ~~(13) If a school district or public school academy does not~~
 13 ~~offer all of the required credits or provide options to have access~~
 14 ~~to the required credits as provided under subsection (8) and if~~
 15 ~~legislation is enacted that adds section 1290 to allow school~~
 16 ~~districts and public school academies to apply for a contract that~~
 17 ~~waives certain state or federal requirements, then the school~~
 18 ~~district or public school academy is encouraged to apply for a~~
 19 ~~contract under section 1290. The purpose of a contract described in~~
 20 ~~this subsection is to improve pupil performance.~~

21 **(13)** ~~(14)~~ This section and section 1278a do not prohibit a
 22 pupil from satisfying or exceeding the credit requirements of the
 23 Michigan merit standard under this section and section 1278a
 24 through advanced studies such as accelerated course placement,
 25 advanced placement, dual enrollment in a postsecondary institution,
 26 or participation in the international baccalaureate program or an
 27 early college/middle college program.

28 **(14)** ~~(15)~~ Not later than April 1 of each year, the department
 29 shall submit an annual report to the legislature that evaluates the



1 overall success of the curriculum required under this section and
2 section 1278a, the rigor and relevance of the course work required
3 by the curriculum, the ability of public schools to implement the
4 curriculum and the required course work, and the impact of the
5 curriculum on pupil success, and that details any activities the
6 department has undertaken to implement this section and section
7 1278a or to assist public schools in implementing the requirements
8 of this section and section 1278a.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

