

Sen. Perkins Kwoka, Dist 21
March 12, 2025
2025-0963s
07/02

Floor Amendment to SB 295-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to education freedom accounts.

4

5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as
8 follows:

9 VI. "Eligible student" means a resident of this state who is eligible to enroll in a public
10 elementary or secondary school [~~and whose annual household income at the time the student applies~~
11 ~~for the program is less than or equal to 350 percent of the federal poverty guidelines as updated~~
12 ~~annually in the Federal Register by the United States Department of Health and Human Services~~
13 ~~under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the~~
14 ~~student otherwise qualifies]. Students in the special school district within the department of~~
15 corrections established in RSA 194:60 shall not be eligible students.

16 2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
17 Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new
18 paragraphs:

19 I-a. For the 2025-2026 fiscal year, and each fiscal year thereafter, total enrollment for the
20 education freedom account program shall be capped at 10,000. However, in any fiscal year when
21 student applications for the education freedom account program are equal to or greater than 90
22 percent of the total enrollment cap applicable to that fiscal year, the total enrollment cap shall
23 increase by 25 percent. The department shall publish on its website information identifying the
24 total enrollment cap when it is increased pursuant to this paragraph.

25 I-b. In any fiscal year, if student applications during the spring application window exceed
26 the program cap, priority shall be determined in the following order:

27 (a) A student currently enrolled in the EFA program;

28 (b) A sibling of a student currently enrolled in the EFA program;

29 (c) A child with disabilities as defined by RSA 186-C:2;

30 (d) A student whose family income is less than or equal to 350 percent of the federal
31 poverty guidelines as updated annually by the United States Department of Health and Human
32 Services under 42 U.S.C. section 9902 (2).

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1 I-c. In any fiscal year, for students applying after June 30 during the fall application
2 window, only students who meet the priority categories as defined by RSA 194-F:3, I-b(b)-(d) are
3 eligible for pro-rated accounts. The scholarship organization shall prioritize current EFA students
4 for renewal in the spring by reserving space for them under that year's enrollment cap before
5 awarding new EFA accounts for fall applicants.

6 3 Education; Education Freedom Accounts; Application for an Education Freedom Account.
7 Amend RSA 194-F:3, III to read as follows:

8 III. The scholarship organization shall approve an application for an EFA if:

9 (a) The parent submits an application for an EFA in accordance with application
10 procedures established by the scholarship organization.

11 (b) The student on whose behalf the parent is applying is an eligible student *and meets*
12 *the priority guidelines when applications exceed the enrollment cap.*

13 (c) Funds are available for the EFA.

14 (d) *A phase-out grant under RSA 194-F:10 is available to prevent a direct*
15 *increase in the town's public education levy due to the loss of state funds a school would*
16 *have received under RSA 198:40-a.*

17 [~~(d)~~] (e) The parent signs an agreement with the scholarship organization:

18 4 New Paragraph; Education; Education Freedom Accounts; Authority and Responsibilities of
19 the Scholarship Organization. Amend RSA 194-F:4 by inserting after paragraph IV the following
20 new paragraph:

21 IV-a. The scholarship organization shall establish and publicize no less than 2 deadlines by
22 which application forms must be submitted.

23 5 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill:

I. Increases the number of students eligible for education freedom accounts by removing household income thresholds.

II. Removes certain conditions tied to education freedom account funds.