

CHAPTER 75
SB 295-FN - FINAL VERSION

03/13/2025 0793s
8May2025... 1857h
5Jun2025... 2271h

2025 SESSION

25-0955
07/02

SENATE BILL ***295-FN***

AN ACT relative to education freedom accounts.

SPONSORS: Sen. Sullivan, Dist 18; Sen. Gannon, Dist 23; Sen. Murphy, Dist 16; Sen. Innis, Dist 7; Sen. Avard, Dist 12; Sen. Pearl, Dist 17; Sen. Gray, Dist 6; Rep. McDonnell, Rock. 25; Rep. Noble, Hills. 2; Rep. Rice, Hills. 38; Rep. Notter, Hills. 12

COMMITTEE: Education Finance

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.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to education freedom accounts.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 75:1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as
2 follows:

3 VI. "Eligible student" means a resident of this state who is eligible to enroll in a public elementary
4 or secondary school [~~and whose annual household income at the time the student applies for the program~~
5 ~~is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal~~
6 ~~Register by the United States Department of Health and Human Services under 42 U.S.C. section~~
7 ~~9902(2). No income threshold need be met in subsequent years, provided the student otherwise~~
8 ~~qualifies]. Students in the special school district within the department of corrections established in RSA~~
9 194:60 shall not be eligible students.

10 75:2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
11 Freedom Account. Amend RSA 194-F:1 by inserting after paragraph XII the following new paragraphs:

12 XIII. "Priority guidelines" means the ordered list:

- 13 (a) A student currently enrolled in the EFA program;
14 (b) A sibling of a student currently enrolled in the EFA program;
15 (c) A child with disabilities as defined by RSA 186-C:2;
16 (d) A student whose family income is less than or equal to 350 percent of the federal poverty
17 guidelines as updated annually by the United States Department of Health and Human Services under 42
18 U.S.C. section 9902(2).

19 XIV. "Enrollment cap" means the total number of students that may be enrolled in the EFA
20 program in a given school year before further enrollment is closed to all but students meeting priority
21 guidelines, for whom enrollment is always open.

22 75:3 Education; Education Freedom Accounts; Application for an Education Freedom Account.
23 Amend RSA 194-F:3, I to read as follows:

24 I. A parent may apply to the scholarship organization to establish an EFA for an eligible student.
25 The scholarship organization shall accept and approve applications [~~for the fall and spring semesters~~] **for**
26 **enrollment on a rolling basis** each year and shall establish procedures for approving applications **for**
27 **enrollment** in an expeditious manner. **Priority guideline students shall not be subject to the enrollment cap**
28 **and shall be enrolled on a rolling basis.**

29 75:4 Education; Education Freedom Accounts; Application for an Education Freedom Account.
30 Amend RSA 194-F:3, I to read as follows:

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1 I. A parent may apply to the scholarship organization to establish an EFA for an eligible student.
2 The scholarship organization shall accept and approve applications for enrollment on a rolling basis each
3 year and shall establish procedures for approving applications for enrollment in an expeditious manner.
4 ~~[Priority guideline students shall not be subject to the enrollment cap and shall be enrolled on a rolling~~
5 ~~basis.]~~

6 75:5 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
7 Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new paragraphs:

8 I-a. For the 2025-2026 school year, the enrollment cap shall be 10,000. For each subsequent
9 year, if the total enrollment of the prior year is greater than 90 percent of the prior year's enrollment cap,
10 then the enrollment cap shall be increased once by 25 percent when enrollment begins for the year. The
11 department of education shall publish on its website information identifying the enrollment cap when it is
12 increased pursuant to this paragraph.

13 I-b. The scholarship organization shall prioritize current EFA students for renewal in the
14 subsequent year by reserving space for them under that subsequent year's enrollment cap before
15 enrolling new EFA students in that subsequent year.

16 75:6 Repeal. The following are repealed:

17 I. RSA 194-F:1, XIII and XIV, relative to definitions related to education freedom accounts.

18 II. RSA 194-F:3, I-a and I-b, relative to education freedom account eligibility.

19 75:7 Contingency. Sections 4 and 6 of this act shall take effect on the date the department of
20 education certifies to the secretary of state and the director of the office of legislative services that student
21 applications for the education freedom account program have not exceeded the enrollment cap for 2
22 consecutive school years.

23 75:8 Effective Date.

24 I. Sections 4 and 6 of this act shall take effect as provided in section 7 of this act.

25 II. The remainder of this act shall take effect upon its passage.

Approved: June 10, 2025

Effective Date:

I. Sections 4 & 6 effective as provided in section 7.

II. Remainder effective June 10, 2025

