

Amendment to SB 295-FN

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

2

3 1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as
4 follows:

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

12 2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
13 Freedom Account. Amend RSA 194-F:1 by inserting after paragraph XII the following new
14 paragraphs:

15 XIII. "Priority Guidelines" means the ordered list:

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

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

25 3 Education; Education Freedom Accounts; Application for an Education Freedom Account.
26 Amend RSA 194-F:3, I to read as follows:

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

Amendment to SB 295-FN
- Page 2 -

1 4 Education; Education Freedom Accounts; Application for an Education Freedom Account.
2 Amend RSA 194-F:3, I to read as follows:

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

8 5 New Paragraphs; Education; Education Freedom Accounts; Application for an Education
9 Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new
10 paragraphs:

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

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

19 6 Repeal. The following are repealed:

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

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

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

26 8 Effective Dates.

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

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