

SB 581-FN - AS INTRODUCED

2026 SESSION

26-2018

12/09

SENATE BILL        ***581-FN***

AN ACT            modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.

SPONSORS:        Sen. Sullivan, Dist 18; Rep. Noble, Hills. 2

COMMITTEE:      Education Finance

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ANALYSIS

This bill repeals the priority guidelines and the enrollment cap for education freedom accounts (EFAs). The bill also removes references to both priority guidelines and the enrollment cap relative to applications for EFAs.

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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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT                    modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.

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

1            1 Inclusion of Priority Guideline Students in Enrollment Cap. Amend RSA 194-F:3, I to read as  
2 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~~  
6 ~~an expeditious manner. Priority guideline students shall not be subject to the enrollment cap and~~  
7 ~~shall be enrolled on a rolling basis]. **The scholarship organization shall establish procedures**  
8 **for approving applications for enrollment in an expeditious manner.**~~

9            2 Removal of Increase in Enrollment Cap. Amend RSA 194-F:3, I-a to read as follows:

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

15            3 Repeal. The following are repealed:

16            I. RSA 194-F:1, XIII, relative to the definition of priority guidelines.

17            II. RSA 194-F:1, XIV, relative to the definition of enrollment cap.

18            III. RSA 194-F:1-b, relative to enrollment prioritization.

19            IV. 2025, 75:6 and 7, relative to the contingent repeal of the enrollment cap and priority  
20 guidelines based on certification by the department of education that student applications for the  
21 EFA program have not exceeded the enrollment cap for 2 consecutive school years.

22            4 Effective Date. This act shall take effect July 1, 2026.

**SB 581-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT                    modifying education freedom account (EFA) eligibility and removing priority guidelines and the enrollment cap relative to EFA eligibility.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Education. The Department was contacted on 12/2/25 for a fiscal note worksheet. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

**AGENCIES CONTACTED:**

Department of Education