**HB 1627-FN-A - AS AMENDED BY THE SENATE**

31Mar2022... 1163h
04/21/2022 1673s
05/05/2022 1836s

2022 SESSION

22-2818
10/05

HOUSE BILL ***1627-FN-A***

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor.

SPONSORS: Rep. Hill, Merr. 3; Rep. Cordelli, Carr. 4; Rep. Ladd, Graf. 4; Rep. Weyler, Rock. 13

COMMITTEE: Education

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AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor.

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

1 New Section; Department of Education; New Position; Education Freedom Account Administrator. Amend RSA 21-N by inserting after section 6-a, the following new section:

21-N:6-b Education Freedom Account Administrator. There is established within the division of learner support the position of education freedom account administrator who shall be a classified employee. The education freedom account administrator shall be qualified to hold such position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The education freedom account administrator shall coordinate and provide technical assistance to guide students, parents, and the scholarship organizations responsible for dispensing the education freedom accounts (EFAs) under RSA 194-F. The education freedom account administrator shall also serve as a resource for administrators, educators, families, scholarship organizations, and policymakers across the state.

2 Appropriation. The sum of $115,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of education, division of learner support, for the position of education freedom account administrator as established in RSA 21-N:6-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Authority and Responsibilities of the Scholarship Organization; Education Freedom Accounts. Amend RSA 194-F:4, V to read as follows:

V.***(a)*** The scholarship organization may withhold from deposits or deduct from EFAs an amount to cover the costs of administering the EFA program, up to a maximum of 10 percent annually.

***(b) For the fiscal year ending June 30, 2025 and the fiscal year ending June 30, 2026, the department of education may withhold up to 50 percent of the prior year costs associated with the education freedom account administrator established in RSA 21-N:7-a. The department shall calculate the total costs under this section and provide this amount to be withheld to the scholarship organization no later than August 15 of each year. The scholarship organization shall include the amount withheld under subparagraph (a), in the calculation of costs of administering the EFA program, which shall not exceed 10 percent annually of the EFAs approved.***

***(c) For the fiscal year ending June 30, 2027, and each fiscal year thereafter, the department of education may withhold 100 percent of the prior year costs associated with the education freedom account administrator established in RSA 21-N:7-a. The department shall calculate the total costs under this section and provide this amount to be withheld to the scholarship organization no later than August 15 of each year. The scholarship organization shall include the amount withheld under subparagraph (a) in the calculation of costs of administering the EFA program, which shall not exceed 10 percent annually of the EFAs approved.***

4 Effective Date. This act shall take effect July 1, 2022.

LBA
22-2818
Amended 5/13/22

**HB 1627-FN-A- FISCAL NOTE**

AS AMENDED BY THE SENATE (AMENDMENT #2022-1836s)

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor.

**FISCAL IMPACT:** [ X ] State [ ] County [ ] Local [ ] None

| | Estimated Increase / (Decrease) | | | |
|---|---|---|---|---|
| **STATE:** | **FY 2022** | **FY 2023** | **FY 2024** | **FY 2025** |
| **Appropriation** | $0 | $115,000 | $0 | $0 |
| **Revenue** | $0 | $0 | $0 | $0 |
| **Expenditures** | $0 | $115,000 | $113,000 | $118,000 |
| ***Funding Source:*** | [ X ] General | [ ] Education | [ ] Highway | [ ] Other |

**METHODOLOGY:**

This bill creates an education freedom account administrator position within the Department of Education and provides an appropriation therefor. The Department anticipates this position would be labor grade 29, with an estimated total cost (salary, benefits, other) of $115,000 in FY 2023, $113,000 in FY 2024, and $118,000 in FY 2025, assuming a July 1, 2022, start date.

This bill further allows for the Department of Education, beginning in FY 2025, to deduct up to 50% in FY 2025 and FY 2026, and up to 100% in FY 2027 and beyond, of the prior year costs associated with the education freedom account administrator position from the scholarship organization costs of administering the program. This withholding in FY 2025 would range between $0 and $56,500, based on the position cost estimates. As this bill does not include funding for the position beyond FY 2023, any impact of this provision would be subject to this position's funding status, which will likely be determined in the 2024-2025 state operating budget.

**AGENCIES CONTACTED:**

Department of Education