

HB 1512-FN - AS INTRODUCED

2024 SESSION

24-2284  
02/10

HOUSE BILL            ***1512-FN***

AN ACT                limiting education freedom account funding to budgeted amounts.

SPONSORS:           Rep. Myler, Merr. 9; Rep. Cornell, Hills. 22; Rep. Ellison, Merr. 28; Rep. Balboni, Rock. 38

COMMITTEE:        Education

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ANALYSIS

This bill limits the amounts of funds appropriated from the education trust fund to the education freedom account program to budgeted sums.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT limiting education freedom account funding to budgeted amounts.

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

- 1       1 Education Freedom Accounts Program; Funding. Amend RSA 194-F:11 to read as follows:
- 2       194-F:11 Appropriation From Education Trust Fund. The ~~[amount necessary]~~ **amounts** to fund
- 3 ~~[any]~~ grants or transfers of funds authorized under this chapter ~~[is]~~ **are** hereby appropriated to the
- 4 department from the education trust fund created under RSA 198:39. The governor is authorized to
- 5 draw a warrant from the education trust fund to satisfy the state's obligation under this section.
- 6 Such warrant for payment shall ~~[be issued regardless of the balance of funds available in the~~
- 7 ~~education trust fund. If the balance in the education trust fund, after the issuance of any such~~
- 8 ~~warrant, is less than zero, the comptroller shall transfer sufficient funds from the general fund to~~
- 9 ~~eliminate such deficit. The commissioner of the department of administrative services shall inform~~
- 10 ~~the fiscal committee and the governor and council of such balance. This reporting shall not in any~~
- 11 ~~way prohibit or delay the distribution of any grant or transfer of funds authorized under this~~
- 12 ~~chapter]~~ **not exceed \$19,800,000 for fiscal year 2024, and in subsequent fiscal years shall not**
- 13 **exceed the amounts appropriated for such purpose in the biennial state operating budget.**
- 14       2 Effective Date. This act shall take effect June 30, 2024.

**HB 1512-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT limiting education freedom account funding to budgeted amounts.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures</b>	See Methodology Below			
<i>Funding Source(s)</i>	Education Trust Fund			
<b>Appropriations</b>	See Methodology Below			
<i>Funding Source(s)</i>	Education Trust Fund			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ N/A
- Does this bill authorize new positions to implement this bill? ☒ N/A

**METHODOLOGY:**

This bill attempts to limit the amount of funds appropriated to the education freedom account (EFA) program to budgeted amounts. In the current state operating budget, HB 1 (chapter 106, laws of 2023) and HB 2 (chapter 79, laws of 2023), there is \$19,851,804 appropriated in each FY 2024 and FY 2025, and under current law (RSA 194-F:11), any amount needed beyond those sums is continually appropriated to the Department of Education. This bill makes no change to the amounts appropriated in HB 1 and HB 2, but does eliminate the open appropriation, however the amended language in this bill still appears to provide an additional \$19,800,000 in each fiscal year, beginning in FY 2024, for the EFA program. Therefore, it could be interpreted that under this bill, EFAs would be budgeted at \$39,651,804 (\$19,851,804 + \$19,800,000) in each FY 2024 and FY 2025, without any open warrant for additional funds, if needed. The Department of Education, as of September 1, 2023, reports an approximate \$22,129,200 cost for the EFA program in FY 2024.

**AGENCIES CONTACTED:**

Department of Education