

REFERENCE TITLE: ESAs; qualified schools; tuition rates.

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2862

Introduced by
Representatives Schwiebert: Austin, Blattman, Contreras L, Contreras P,
Crews, De Los Santos, Gutierrez, Hernandez A, Ortiz, Pawlik, Quiñonez,
Sandoval, Seaman, Stahl Hamilton, Terech, Villegas

AN ACT

AMENDING SECTION 15-2404, ARIZONA REVISED STATUTES; RELATING TO ARIZONA
EMPOWERMENT SCHOLARSHIP ACCOUNTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-2404, Arizona Revised Statutes, is amended to
3 read:

4 15-2404. State control over nonpublic schools; prohibition;
5 application; tuition increase limit

6 A. EXCEPT AS PROVIDED IN SECTION 15-2402, SUBSECTION J AND THIS
7 SECTION, this chapter does not ~~permit~~ ALLOW any government agency to
8 exercise control or supervision over any nonpublic school or homeschool.

9 B. A qualified school that accepts a payment from a parent pursuant
10 to this chapter is not an agent of the state or federal government.

11 C. A qualified school shall not be required to alter its creed,
12 practices, admissions policy or curriculum in order to accept students
13 whose parents pay tuition or fees from an ARIZONA empowerment scholarship
14 account pursuant to this chapter in order to participate as a qualified
15 school.

16 D. In any legal proceeding challenging the application of this
17 chapter to a qualified school, the state bears the burden of establishing
18 that the law is necessary and does not impose any undue burden on
19 qualified schools.

20 E. A QUALIFIED SCHOOL MAY NOT INCREASE TUITION AND RELATED FEES FOR
21 QUALIFIED STUDENTS AT A RATE THAT EXCEEDS THE PERCENTAGE CHANGE IN THE
22 CONSUMER PRICE INDEX FOR THE PREVIOUS YEAR.