

REFERENCE TITLE: ESAs; qualified schools; tuition rates

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **SB 1691**

Introduced by  
Senator Gonzales: Representative Hernandez L

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.