

SECOND ENGROSSMENT

REENGROSSED SENATE BILL NO. 2400

Introduced by

Senators Axtman, Hogue, Sickler, Myrdal

Representatives Bosch, M. Ruby

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new chapter to title 15.1 of the North Dakota Century
2 Code, relating to the establishment of the education savings account program; and to provide
3 an appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new chapter to title 15.1 of the North Dakota Century Code is created and
6 enacted as follows:

7 **Definitions.**

8 As used in this chapter:

9 1. "Eligible student" means an elementary or secondary student attending public school
10 or private school or receiving home education who is a resident of this state and
11 eligible to attend a public school, including a student who has received a scholarship
12 under the education savings account program, if the student has not graduated from
13 high school or reached twenty-one years of age.

14 2. "Parent" means parent or legal guardian.

15 3. "Qualified educational expenses" means:

16 a. Tuition and fees at a nonpublic school;

17 b. Textbooks, fees, or payments for educational therapies, including tutoring or
18 cognitive skills training;

19 c. Curriculum fees, software, and materials for a course of study for a specific
20 subject matter or grade level;

21 d. Tuition or fees for nonpublic online education programs;

- 1 e. Tuition for vocational and life skills education approved by the superintendent of
2 education;
- 3 f. Education materials and services for students with disabilities from an accredited
4 provider, including the cost of paraprofessionals and assistants who are trained in
5 accordance with state law;
- 6 g. Standardized test fees and advanced placement examinations or examinations
7 related to postsecondary education admission or credentialing;
- 8 h. Tuition or fees for dual-credit courses;
- 9 i. Meals served to students in school buildings;
- 10 j. Mental health assistance;
- 11 k. Medical appointments necessary for educational benefit;
- 12 l. Educational camps; and
- 13 m. Qualified expenses as adopted by the superintendent of public instruction in
14 administrative rules.

15 **Superintendent of public instruction - Administrator - Account deposits - Federal**
16 **educational choice program.**

- 17 1. The superintendent of public instruction is the education savings account program
18 administrator.
- 19 2. For an eligible student, the superintendent of public instruction shall establish an
20 individual account for the eligible student and deposit any payment the student is
21 entitled to into the eligible student's individual account no later than July fifteenth of
22 each year. The funds must be available immediately for the payment of qualified
23 educational expenses incurred by the parent for the eligible student during the fiscal
24 year.
- 25 3. Beginning with the school budget year beginning July 1, 2026, for each school year,
26 an eligible student:
 - 27 a. Shall receive an education savings account payment of one thousand dollars, if
28 the eligible student's household has an annual income less than or equal to three
29 hundred percent of the most recently revised poverty income guidelines
30 published by the United States department of health and human services; and
 - 31 b. May receive any federal scholarship for educational choice.

1 4. Notwithstanding any other provision of this chapter, the superintendent of public
2 instruction, parents, and eligible students shall comply with any federal law or rule
3 upon which receiving a federal scholarship for educational choice is contingent. The
4 education savings accounts under this chapter may be used to facilitate any federal
5 educational choice program.

6 **SECTION 2. APPROPRIATION - SUPERINTENDENT OF PUBLIC INSTRUCTION -**
7 **EDUCATION SAVINGS ACCOUNT PROGRAM.**

8 There is appropriated out of any moneys in
9 the general fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so
10 much of the sum as may be necessary, to the superintendent of public instruction for the
11 purpose of administering the education savings account program, for the biennium beginning
12 July 1, 2025, and ending June 30, 2027.