



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3672

Introduced 2/17/2023, by Rep. Chris Miller

SYNOPSIS AS INTRODUCED:

New Act

Creates the Education Savings Account Act. Provides that, subject to appropriation, the State Board of Education shall develop and implement an education savings account program for eligible pupils. Provides that education savings account payments shall be made available to parents and guardians in the manner authorized under for the payment of qualified educational expenses as provided in this Act. Provides that parents and guardians shall first use education savings account payments for all qualified educational expenses that are tuition and fees for which the parent or guardian is responsible for payment at the pupil's nonpublic school prior to using the education savings account for other qualified educational expenses. Sets forth provisions regarding program eligibility, application requirements, disbursement of funds, testing requirements, and rulemaking. Effective July 1, 2023.

LRB103 28627 RJT 55008 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Education Savings Account Act.

6 Section 5. Education savings account program.

7 (a) In this Act:

8 "Qualified educational expenses" includes tuition and fees
9 at a nonpublic school, textbooks, fees or payments for
10 educational therapies, including tutoring or cognitive skills
11 training, curriculum fees, software, and materials for a
12 course of study for a specific subject matter or grade level,
13 tuition or fees for nonpublic online education programs,
14 tuition for vocational and life skills education approved by
15 the State Board of Education, education materials and services
16 for pupils with disabilities from an accredited provider,
17 including the cost of paraprofessionals and assistants who are
18 trained in accordance with State law, standardized test fees,
19 and advanced placement examinations or examinations related to
20 postsecondary education admission or credentialing.

21 "Qualified educational expenses" are limited to the items
22 described in subsection (c) and rules adopted by the State
23 Board of Education to implement this Section and does not

1 include transportation costs for the pupil, the cost of food
2 or refreshments consumed by the pupil, the cost of clothing
3 for the pupil, or the cost of disposable materials, including
4 but not limited to paper, notebooks, pencils, pens, and art
5 supplies.

6 (b) The education savings account program is created.
7 Subject to appropriations, the State Board of Education shall
8 develop and implement the education savings account program
9 for eligible pupils. Education savings account payments shall
10 be made available to parents and guardians in the manner
11 authorized under subsections (c), (d), and (e) for the payment
12 of qualified educational expenses as provided in this Act.
13 Parents and guardians shall first use education savings
14 account payments for all qualified educational expenses that
15 are tuition and fees for which the parent or guardian is
16 responsible for payment at the pupil's nonpublic school prior
17 to using the education savings account for other qualified
18 educational expenses.

19 (c) Subject to appropriations, for the school budget year
20 beginning July 1, 2023, the following pupils who attend a
21 nonpublic school for that school budget year shall be eligible
22 to receive an education savings account payment:

23 (1) A resident pupil who is eligible to enroll in
24 kindergarten.

25 (2) A resident pupil who is eligible to enroll in
26 grades 1 through 12 and was not enrolled in a nonpublic

1 school for the school year immediately preceding the
2 school year for which the education savings account
3 payment is requested.

4 (3) A resident pupil who is eligible to enroll in
5 grades 1 through 12 and was enrolled in a nonpublic school
6 year immediately preceding the school year for which the
7 education savings account payment is requested if the
8 pupil's household has an annual income less than or equal
9 to 300% of the most recently revised poverty income
10 guidelines published by the United States department of
11 health and human services.

12 (d) Subject to appropriations, for the school budget year
13 beginning July 1, 2024, the following pupils who attend a
14 nonpublic school for that school budget year shall be eligible
15 to receive an education savings account payment:

16 (1) A resident pupil who is eligible to enroll in
17 kindergarten.

18 (2) A resident pupil who is eligible to enroll in
19 grades 1 through 12 and was not enrolled in a nonpublic
20 school for the school year immediately preceding the
21 school year for which the education savings account
22 payment is requested.

23 (3) A resident pupil who is eligible to enroll in
24 grades 1 through 12 and was enrolled in a nonpublic school
25 for the school year immediately preceding the school year
26 for which the education savings account payment is

1 requested if the pupil's household has an annual income
2 less than or equal to 400% of the most recently revised
3 poverty income guidelines published by the United States
4 department of health and human services.

5 (4) A resident pupil who received an education savings
6 account payment in the immediately preceding school budget
7 year.

8 (e) Subject to appropriations, for school budget years
9 beginning on or after July 1, 2025, resident pupils eligible
10 to enroll in kindergarten through 12 who attend a nonpublic
11 school for the applicable school budget year are eligible to
12 receive an education savings account payment.

13 (f) On or after January 1, but on or before June 30,
14 preceding the school year for which the education savings
15 account payment is requested, the parent or guardian of an
16 eligible pupil may request an education savings account
17 payment by submitting an application to the State Board of
18 Education.

19 Within 30 days following submission of an application, the
20 State Board of Education or third-party entity shall notify
21 the parent or guardian of each pupil approved for the
22 following school year and specify the amount of the education
23 savings account payment for the pupil, if known at the time of
24 the notice. As soon as practical following the processing of
25 all applications, the State Board of Education or third-party
26 entity shall determine the number of pupils in each school

1 district approved for the school budget year.

2 (g) Education savings account payments shall only be
3 approved for one school year and applications must be
4 submitted annually for payments in subsequent school years.

5 (h) For each pupil approved for an education savings
6 account payment, the State Board of Education or third-party
7 entity shall establish an individual account for that pupil in
8 the education savings account fund. The amount of the pupil's
9 education savings account payment shall be deposited into the
10 pupil's individual account on July 15 or 30 days following
11 submission of the application, whichever is later, and such
12 amount shall be immediately available for the payment of
13 qualified educational expenses incurred by the parent or
14 guardian for the pupil during that fiscal year using a payment
15 method authorized by the State Board of Education.

16 (i) A nonpublic school or other provider of qualified
17 educational expenses that accepts payment from a parent or
18 guardian using funds from a pupil's individual account in the
19 fund shall not refund, rebate, or share any portion of the
20 payment with the parent, guardian, or pupil.

21 (j) Moneys remaining in a pupil's individual account upon
22 conclusion of the fiscal year shall remain in the pupil's
23 individual account for the payment of qualified educational
24 expenses in future fiscal years during which the pupil
25 participates in the program until the pupil becomes ineligible
26 under the program or until the remaining amounts are

1 transferred to the state general fund under subsection (k).

2 (k) Moneys remaining in a pupil's individual account when
3 the pupil graduates from high school or turns 20 years of age,
4 whichever occurs first, shall be transferred by the State
5 Board of Education for deposit in the General Revenue Fund.

6 (l) Each pupil participating in the education savings
7 account program is required to take all applicable State and
8 federally required student assessments and the results of
9 those assessments shall be provided to the pupil's parents or
10 guardians and reported to the State Board of Education.

11 (m) The State Board of Education may adopt any rules as
12 necessary to implement this Act.

13 Section 99. Effective date. This Act takes effect July 1,
14 2023.