



HB0166

Education savings accounts-1.

Sponsored By: Representative(s) Clouston and Davis and Senator(s) Barlow and Landen

AN ACT relating to education; authorizing education savings accounts; creating the Wyoming education savings accounts expenditure account; providing for a transfer of funds to the Wyoming education savings accounts expenditure account; providing for the use and administration of education savings accounts for education; specifying duties of the state superintendent of public instruction; providing rulemaking authority; making conforming amendments; providing appropriations; authorizing full-time positions; and providing for effective dates.

2/12/2024 Bill Number Assigned
2/13/2024 H Received for Introduction
2/14/2024 H Introduced and Referred to H04 - Education 51-10-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Allred, Andrew, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Speaker Sommers, Stith, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Chestek, Jennings, Obermueller, Provenza, Sherwood, Slagle, Smith, Storer, Strock, Styvar

Excused: Representative Angelos

Ayes 51 Nays 10 Excused 1 Absent 0 Conflicts 0

2/20/2024 H04 - Education:Recommend Amend and Do Pass 6-3-0-0-0

ROLL CALL

Ayes: Representative(s) Allred, Andrew, Brown, Clouston, Lawley, Northrup

Nays: Representative(s) Berger, Obermueller, Provenza

Ayes 6 Nays 3 Excused 0 Absent 0 Conflicts 0

2/20/2024 H Placed on General File
2/20/2024 H COW:Rerefer to H02 - Appropriations
2/21/2024 H02 - Appropriations:Amend and Do Not Pass: 3-4-0-0-0

ROLL CALL

Ayes: Representative(s) Henderson, Larsen, Stith

Nays: Representative(s) Nicholas, Sherwood, Walters, Zwonitzer

Ayes 3 Nays 4 Excused 0 Absent 0 Conflicts 0

2/21/2024 H Placed on General File

HB0166HS001/ADOPTED

Page 3-after line 20 Insert:

"(vi) "Pre-kindergarten" means an educational program with the primary goal of preparing children for kindergarten that provides up to one (1) school year of education prior to entry into kindergarten;"

Page 3-line 22 Delete "(vi)" and insert "(vii)"; delete "preschool" and insert "pre-kindergarten".

Page 4-line 5 Delete "(vii)" and insert "(viii)".

Page 5-line 3 Delete ";" insert ".".

Page 5-lines 5 through 9 Delete entirely.

Page 15-line 21 After "science" insert "and for pre-kindergarten ensure ESA students at minimum receive instruction necessary for preparation to enter kindergarten".
NORTHRUP, CHAIRMAN

HB0166HS002/FAILED

Page 27-line 14 Delete "forty million".

Page 27-line 15 Delete "dollars (\$40,000,000.00)" and insert "five million dollars (\$5,000,000.00)"; delete "general fund" and insert "public school foundation program account".

Page 28-line 1 Delete "two (2)" and insert "one (1)".

Page 28-line 2 Delete "employees" and insert "employee".

Page 28-line 3 Delete "four hundred eighty thousand dollars".

Page 28-line 4 Delete "(\$480,000.00)" and insert "two hundred forty thousand dollars (\$240,000.00)"; delete "general fund" and insert "public school foundation program account".

Page 28-line 5 Delete "positions" and insert "position".

Page 28-line 10 Delete "four".

Page 28-line 11 Delete "hundred eighty thousand dollars (\$480,000.00)" and insert "two hundred forty thousand dollars (\$240,000.00)"; delete "these".

Page 28-line 12 Delete "positions" and insert "this position".

Page 28-line 18 Delete "general fund" and insert "public school foundation program account".
NICHOLAS, CHAIRMAN

HB0166HW001/ADOPTED

Page 19-line 22 Delete "Shall".
NORTHRUP

HB0166HW002/WITHDRAWN

HB0166HW003/ADOPTED

Page 12-line 3 After "school." insert "An ESA student receiving individualized instruction in a non-school setting shall not be construed to be a student of a home-based educational program as defined in W.S. 21-4-101(a)(v)".
ANDREW, LAWLEY, OLSEN

HB0166HW004/ADOPTED

Page 6-line 16 Delete ", " and insert "or"; delete "or".

Page 6-lines 17 Delete entirely.

Page 6-line 18 Delete "home-based educational program". ANDREW, LAWLEY, OLSEN

HB0166HW005/ADOPTED

Page 23-after line 10 Insert:

(f) An education service provider shall not be required to alter its creed, practices, admission policy or curriculum to accept payments authorized by a parent from an ESA.". ANDREW, CRAGO, LAWLEY, OLSEN

HB0166HW006/WITHDRAWN

2/22/2024 H COW:Passed

HB0166H2001/FAILED

Page 9-line 23 After "science" delete balance of line.

Page 10-line 1 Delete entirely.

Page 10-line 2 Delete line through "doctrines".

Page 23-after line 10 In the third Andrew committee of the whole amendment (HB0166HW005/A) to this line, delete ", practices," and insert "or"; delete "or curriculum". CHESTEK

HB0166H2002/FAILED

Page 24-after line 4 Insert:

"Section 2. W.S. 9-4-601(a)(ii), as amended by 2023 Wyoming Session Laws, Chapter 175, Section 1, and effective July 1, 2024, and by creating a new paragraph (xiii) is amended to read:

9-4-601. Distribution and use; funds, accounts, cities and towns benefited; exception for bonus payments.

(a) All monies received by the state of Wyoming from the secretary of the treasury of the United States under the provisions of the act of congress of February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. 181, 191), as amended, or from lessees or authorized mine operators and all monies received by the state from its sale of production from federal mineral leases subject to the act of congress of February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. 181, 191) as amended, except as provided by subsection (b) of this section, shall be deposited into an account and the first two hundred million dollars (\$200,000,000.00) of revenues received in any fiscal year shall be distributed by the state treasurer as provided in this subsection. One percent (1%) of these revenues shall be credited to the general fund as an administrative fee, and the remainder shall be distributed as follows:

(ii) Subject to paragraph (xiii), forty-seven and one-half percent (47.5%) to the public school foundation program account subject to allocations under W.S. 9-4-605;

(xiii) For fiscal year 2026, the first ten million dollars (\$10,000,000.00) that would otherwise be distributed to the public school

foundation program account under paragraph (ii) of this subsection shall be distributed to the Wyoming education savings accounts expenditure account subject to the terms of W.S. 21-2-903(b), and any amount in excess of ten million dollars (\$10,000,000.00) shall be deposited to the public school foundation program account subject to allocations under W.S. 9-4-605;".

Page 24-line 6 Delete "**Section 2.**" and insert "**Section 3.**".

Page 27-lines 14 through 19 Delete entirely and insert:

"Section 4. The state auditor is authorized to borrow from the legislative stabilization reserve account up to ten million dollars (\$10,000,000.00) to assist the cash flow of the Wyoming education savings accounts expenditure account for the period beginning July 1, 2025 and ending June 30, 2026."

Page 27-line 21 Delete "**Section 4.**" and insert "**Section 5.**".

Page 29-line 11 Delete "**Section 5.**" and insert "**Section 6.**".

Page 30-line 1 Delete "**Section 6.**" and insert "**Section 7.**".

Page 30-line 6 Delete "Sections 1 and 2" and insert "Sections 1 through 3".

Page 30-line 9 Delete "Section 3" and insert "Section 4". WALTERS

HB0166H2003/FAILED

Delete the first Walters second reading amendment (HB0166H2002/A) entirely and further amend as follows:

Page 24-after line 4 Insert:

"Section 2. W.S. 9-4-601(a)(ii), as amended by 2023 Wyoming Session Laws, Chapter 175, Section 1, and effective July 1, 2024, and by creating a new paragraph (xiii) is amended to read:

9-4-601. Distribution and use; funds, accounts, cities and towns benefited; exception for bonus payments.

(a) All monies received by the state of Wyoming from the secretary of the treasury of the United States under the provisions of the act of congress of February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. 181, 191), as amended, or from lessees or authorized mine operators and all monies received by the state from its sale of production from federal mineral leases subject to the act of congress of February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. 181, 191) as amended, except as provided by subsection (b) of this section, shall be deposited into an account and the first two hundred million dollars (\$200,000,000.00) of revenues received in any fiscal year shall be distributed by the state treasurer as provided in this subsection. One percent (1%) of these revenues shall be credited to the general fund as an administrative fee, and the remainder shall be distributed as follows:

(ii) Subject to paragraph (xiii), forty-seven and one-half percent (47.5%) to the public school foundation program account subject to allocations under W.S. 9-4-605;

(xiii) For fiscal year 2026, the first forty million dollars (\$40,000,000.00) that would otherwise be distributed to the public school foundation program account under paragraph (ii) of this subsection shall be distributed to the Wyoming education savings accounts expenditure account subject to the terms of W.S. 21-2-903(b), and any amount in excess of forty million dollars (\$40,000,000.00) shall be deposited to the public school foundation program account subject to allocations under W.S. 9-4-605;".

Page 24-line 6 Delete "**Section 2.**" and insert "**Section 3.**".

Page 27-lines 14 through 19 Delete entirely and insert:

"Section 4. The state auditor is authorized to borrow from the legislative stabilization reserve account up to forty million dollars (\$40,000,000.00) to assist the cash flow of the Wyoming education savings accounts expenditure account for the period beginning July 1, 2025 and ending June 30, 2026."

Page 27-line 21 Delete "**Section 4.**" and insert "**Section 5.**".

Page 29-line 11 Delete "**Section 5.**" and insert "**Section 6.**".

Page 30-line 1 Delete "**Section 6.**" and insert "**Section 7.**".

Page 30-line 6 Delete "Sections 1 and 2" and insert "Sections 1 through 3".

Page 30-line 9 Delete "Section 3" and insert "Section 4". WALTERS

HB0166H2004/FAILED

Page 28-line 1 Delete "two (2)" and insert "one (1)".

Page 28-line 2 Delete "employees" and insert "employee".

Page 28-line 3 Delete "four hundred eighty thousand dollars".

Page 28-line 4 Delete "(\$480,000.00)" and insert "two hundred forty thousand dollars (\$240,000.00)"; delete "general fund" and insert "public school foundation program account".

Page 28-line 5 Delete "positions" and insert "position".

Page 28-line 10 Delete "four".

Page 28-line 11 Delete "hundred eighty thousand dollars (\$480,000.00)" and insert "two hundred forty thousand dollars (\$240,000.00)"; delete "these".

Page 28-line 12 Delete "positions" and insert "this position". WALTERS

HB0166H2005/ADOPTED

Page 5-lines 5 through 9 Delete the House standing committee amendment (HB0166HS001/A) to these lines. ANDREW

HB0166H2006/FAILED

Page 4-line 11 After "(a)" insert "Between July 1, 2024 and June 30, 2026,".

Page 5-after line 9 Insert and renumber as necessary:

"(b) Beginning July 1, 2027, the total amount to be deposited in an education savings account for an ESA student each year shall be five thousand dollars (\$5,000.00)."

Page 5-line 11 Delete "(b)" and insert "(c)".

Page 6-line 2 Delete "(c)" and insert "(d)".

Page 24-lines 14 through 19 Delete the first Walters second reading amendment (HB0166H2002/A) and the second Walters third reading amendment (HB0166H2003/A) to these lines.

Page 27-line 17 Delete "21-2-903(b)" and insert "21-2-903(c)".

Page 27-line 19 Delete "21-2-903(b)" and insert "21-2-903(c)". ANDREW

ROLL CALL

Ayes: Representative Larsen, Lloyd

Nays: Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larson, Jt, Lawley, Locke, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Ayes 1 Nays 61 Excused 0 Absent 0 Conflicts 0

HB0166H2007/FAILED

Page 3-after line 20 Delete the House standing committee amendment (HB0166HS001/A) to this line.

Page 3-line 22 Delete the House standing committee amendment (HB0166HS001/A) to this line; delete "preschool or a".

Page 4-line 5 Delete the House standing committee amendment (HB0166HS001/A) to this line.

Page 6-line 10 Delete "one (1) of".

Page 6-line 13 Delete ":".

Page 6-line 15 Delete "(i)" and insert "if".

Page 6-line 19 Delete "; or" and insert ".".

Page 6-lines 21 and 22 Delete entirely.

Page 7-lines 1 and 2 Delete entirely.

Page 9-line 19 Delete "paragraph (a)(i) of".

Page 13-line 17 After "(e)" delete balance of line.

Page 13-lines 18 through 20 Delete entirely.

Page 13-line 21 Delete the line through ".".

Page 14-line 5 Delete "under W.S.".

Page 14-line 6 Delete "21-2-904(a)(i)".

Page 15-line 21 Delete the House standing committee amendment (HB0166HS001/A) to this line.

Page 16-line 13 After "(iv)" delete balance of line.

Page 16-line 14 Delete "21-2-904(a)(i),".

Page 20-line 4 After "(xii)" delete balance of line.

Page 20-line 5 Delete "21-2-904(a)(i),". ANDREW

HB0166H2008/FAILED

Page 9-line 23 Delete "civics,"; after "literature" insert ", language arts, social studies, fine arts and performing arts, physical education, health and safety, humanities, career and technical education, world cultures and languages, government and civics including federal constitution pursuant to W.S. 21-9-102".

Page 15-line 20 Delete "civics,".

Page 15-line 21 After "literature" insert ", language arts, social studies, fine arts and performing arts, physical education, health and safety, humanities, career and technical education, world cultures and languages, government and civics including federal constitution pursuant to W.S. 21-9-102". NEWSOME

2/23/2024 H 2nd Reading:Passed

HB0166H3001/ADOPTED

Page 11-after line 3 Insert:

"(D) Requires that the ESA student receive instruction in the essentials of the United States constitution and the constitution of the state of Wyoming, including the study of and devotion to American institution and ideals. The willful failure of the parents of the ESA student to ensure the ESA student receives the instruction under this subparagraph shall be sufficient cause for the state superintendent to determine the ESA student is no longer eligible for the ESA program.".

Page 21-after line 20 Insert:

"(v) Establishing a process for determining the ESA student is no longer eligible for the ESA program for a failure of the ESA student to receive instruction in the essentials of the United States constitution and the constitution of the state of Wyoming under W.S. 21-2-904(b)(ii)(D)". NEWSOME

ROLL CALL

Ayes: Representative(s) Allred, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Neiman, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Pendergraft, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Speaker Sommers, Stith, Storer, Styvar, Tarver, Trujillo, Walters, Washut, Western, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Nays: Representative(s) Allemand, Andrew, Crago, Hornok, Locke, Ottman, Penn, Strock, Ward, Winter

Ayes 52 **Nays** 10 **Excused** 0 **Absent** 0 **Conflicts** 0

HB0166H3002/WITHDRAWN

HB0166H3003/FAILED

Page 1-line 9 After "positions;" insert "requiring reporting;".

Page 29-after line 17 Insert:

"Section 6.

(a) Not later than October 1, 2025, and each October 1 thereafter, the state superintendent of public instruction shall prepare a report for the joint education interim committee that includes at minimum:

(i) The number of students denied an ESA;

(ii) The number of ESA students disciplined, suspended, dropped out, reenrolled in K-12 public school, graduated or admitted to college;

(iii) What, if any, special education services, accommodations or other specialized supports are provided to ESA students with disabilities, whether families are charged additional fees for these resources and the number of students receiving ESA funds with disabilities eligible for services under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq.;

(iv) The code of conduct, dress code or similar requirements of education service providers accepting funds from ESA students under this act, including any potentially discriminatory policies such as religious affiliation requirements and lesbian, gay, bisexual, transsexual and queer policies that may exclude students;

(v) Where ESA students were previously enrolled and, if they were previously enrolled in public schools, the district and school in which they were enrolled and the amount of funding lost by that school and district as a result of the drop in enrollment and the impact on the district's graduation rate;

(vi) An annual certification from each education service provider of the number of ESA students that attended, whether those students attended the full school year and the amount of ESA funds received.

(b) The state superintendent shall collect and publish the following information for each education service provider that receives funds from an ESA student under this act on the department of education's website:

(i) Graduation requirements;

(ii) Assessment requirements;

(iii) Health and safety incidents;

(iv) Accreditation, if any, and the name of the accrediting organization.".

Page 30-line 1 Delete "**Section 6.**" and insert "**Section 7.**". NORTHRUP

HB0166H3004/ADOPTED

Page 4-line 19 Delete "who's" and insert "whose".

Page 4-line 23 Delete "who's" and insert "whose".

Page 5-line 6 Delete "who's" and insert "whose". NORTHRUP

HB0166H3005/FAILED

Page 10-line 6 After "exam" insert "approved by the state superintendent".

Page 20-line 5 Delete ",who choose to,".

Page 20-line 6 After "W.S. 21-2-304(a)" insert "or a nationally normed achievement exam approved by the state superintendent".

Page 20-line 13 After "." insert "The state superintendent shall establish an educational program to assist ESA students that perform substantially below grade level or fail to make adequate academic progress as measured by performance on the statewide assessments administered pursuant to W.S. 21-2-304(a) or the nationally normed achievement exam approved by the state superintendent. If an ESA student continues to perform substantially below grade level or continues to fail to make adequate academic progress as measured by performance on the assessments after institution of the educational program recommended by the state superintendent, the student shall be ineligible to receive funds under this act.". NICHOLAS

HB0166H3006/FAILED (CORRECTED COPY)

Page 11-after line 3 Insert:

"(iii) Requires the parent of an ESA student annually report all expenditures of funds received under this act. The report shall identify the qualifying expense and date for each expenditure.". NICHOLAS

HB0166H3007/ADOPTED

Page 7-line 4 Delete "parents" and insert "the custodial parent". NICHOLAS

HB0166H3008/ADOPTED

Page 27-line 14 Delete "forty million".

Page 27-line 15 Delete "dollars (\$40,000,000.00)" and insert "twenty million dollars (\$20,000,000.00)". NICHOLAS

2/26/2024 H 3rd Reading:Passed 44-18-0-0-0

ROLL CALL

Ayes: Representative(s) Allred, Andrew, Angelos, Banks, Bear, Brown, Burkhart, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Heiner, Hornok, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Neiman, Newsome, Niemiec, Northrup, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter, Wylie

Nays: Representative(s) Allemand, Berger, Chestek, Harshman, Henderson, Jennings, Locke, Nicholas, Oakley, Obermueller, Provenza, Sherwood, Slagle, Storer, Walters, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Ayes 44 Nays 18 Excused 0 Absent 0 Conflicts 0

2/27/2024 S Received for Introduction

2/27/2024 S Introduced and Referred to S04 - Education

3/1/2024 S04 - Education:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Biteman, Brennan, Scott, Steinmetz

Nays: Senator Rothfuss

Ayes 4 Nays 1 Excused 0 Absent 0 Conflicts 0

3/1/2024 :Rerefer to S02 - Appropriations

3/4/2024 S02 - Appropriations:Recommend Amend and Do Pass 3-0-2-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Gierau, Nethercott

Excused: Senator(s) Kinskey, Salazar

Ayes 3 Nays 0 Excused 2 Absent 0 Conflicts 0

3/4/2024 S Placed on General File

HB0166SS001/ADOPTED (TO ENGROSSED COPY)

Page 3-lines 22 and 23 Delete entirely and renumber as necessary.

Page 4-lines 1 and 2 Delete entirely.

Page 4-line 4 Delete "(vii)" and insert "(vi)".

Page 4-line 5 Delete "pre-kindergarten or a".

Page 4-line 11 Delete "(viii)" and insert "(vii)".

Page 4-lines 19 through 22 Delete entirely and insert "six thousand dollars (\$6,000.00) per student".

Page 5-lines 1 through 15 Delete entirely.

Page 6-line 16 After "resident," delete balance of the line.

Page 6-line 17 Delete "qualifications, and subject to W.S. 21-2-903(a)," and insert "has not graduated from high school or received a high school equivalency certificate and is eligible to attend public school in this state".

Page 6-line 19 Delete ":" and insert ".".

Page 6-line 21 through 23 Delete entirely.

Page 7-lines 2 through 5 Delete entirely.

Page 9-lines 21 and 22 Delete entirely and renumber as necessary.

Page 10-line 1 Delete "(A)" and insert "(ii)".

Page 10-line 3 After "civics," insert "including studies of the United States constitution and the constitution of the state of Wyoming,".

Page 10-line 7 Delete "(B) Requires" and insert "(iii) Provides"; after "student" insert "may".

Page 10-line 11 Delete "(C)" and insert "(iv)".

Page 10-line 15 Delete "subparagraph" and insert "paragraph".

Page 10-line 17 Delete "(I)" and insert "(A)".

Page 11-line 1 Delete "(II)" and insert "(B)".

Page 11-line 5 Delete "(III)" and insert "(C)".

Page 11-lines 9 through 17 Delete entirely.

Page 14-line 9 After "(e)" delete balance of the line.

Page 14-lines 10 through 12 Delete entirely.

Page 14-line 13 Delete the line through ".".

Page 14-line 20 Delete "under "W.S.".

Page 14-line 21 Delete "21-2-904(a)(i)".

Page 16-line 10 Delete ", at minimum,".

Page 16-line 13 After "civics," insert "including studies of the United States constitution and the constitution of the state of Wyoming,".

Page 16-line 14 Delete "and for pre-kindergarten ensure ESA" and insert ";".

Page 16-lines 15 and 16 Delete entirely.

Page 17-line 7 After "(iv)" delete balance of line.

Page 17-line 8 Delete "21-2-904(a)(i),".

Page 20-line 21 After "(xii)" delete balance of line.

Page 20-line 22 Delete "W.S. 21-2-904(a)(i),".

Page 22-line 14 Delete ";" and insert ".".

Page 22-lines 16 through 21 Delete entirely. SCOTT, CHAIRMAN

HB0166SS002/FAILED (TO ENGROSSED COPY)

Page 28-line 21 Delete "twenty million".

Page 28-line 22 Delete "dollars (\$20,000,000.00)" and insert "five million dollars (\$5,000,000.00)". ANDERSON, ACTING CHAIRMAN

3/5/2024 S COW:Passed

HB0166S2001/WITHDRAWN

HB0166S2002/FAILED (TO ENGROSSED COPY)

Page 3-lines 22 and 23 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines and renumber as necessary.

Page 4-lines 1 and 2 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines.

Page 4-line 4 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 4-line 5 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 4-line 11 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 6-line 6 After "act" insert "until July 1, 2028 whereupon all unexpended, unobligated funds remaining in the expenditure account shall revert to the general fund".

Page 6-line 16 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 6-line 17 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 6-line 19 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 6-lines 21 through 23 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines.

Page 7-lines 2 through 5 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines.

Page 7-line 5 After "state." insert "A child who qualifies and receives an ESA under this paragraph shall be automatically enrolled in the ESA program for kindergarten unless the parent elects to withdraw the child from the program pursuant to subsection (e) of this section.".

Page 9-lines 21 and 22 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines and renumber as necessary.

Page 10-line 1 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 10-line 7 In the Senate standing committee amendment (HB0166SS001/AE) to this line, delete "(iii)" and insert "(B)".

Page 10-line 11 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 10-line 15 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 10-line 17 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 11-line 1 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 11-line 5 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 16-line 14 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 16-lines 15 and 16 Delete the Senate standing committee amendment (HB0166SS001/AE) to these lines.

Page 17-line 7 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 17-line 8 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 20-line 21 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line.

Page 20-line 22 Delete the Senate standing committee amendment (HB0166SS001/AE) to this line. BARLOW

3/6/2024 S 2nd Reading:Passed

HB0166S3001/FAILED

(TO ENGROSSED COPY)

(CORRECTED COPY)

Page 29-line 2 Delete "." and insert "and the pilot program established in Section 6 of this act. Except for the funds expended pursuant to section 6 of this act,".

Page 30-after line 22 Insert and renumber as necessary:

"Section 6. The state superintendent of public instruction shall administer a pilot project to create education savings accounts for pre-kindergarten children four (4) years of age and older. This pre-kindergarten pilot project shall be an educational program with the primary goal of preparing children for kindergarten that provides up to one (1) school year of education prior to entry into kindergarten. Not more than twenty percent (20%) of the appropriation provided under Section 3 of this act shall be used for this pilot project. This project shall be limited to five (5) counties selected by the superintendent. The superintendent may contract with private providers to conduct the pilot project. The superintendent shall develop a protocol for evaluating the results of the pilot project and shall report the protocol to the joint education interim committee not later than July 1, 2025. The results achieved by the pilot project shall be reported to the joint education interim committee on an annual basis. This pilot project shall expire on July 1, 2030."

Page 31-line 1 Delete "Section 6." and insert "Section 7.". SCOTT, BONER

HB0166S3002/WITHDRAWN

HB0166S3003/FAILED (TO ENGROSSED COPY)

Page 10-line 3 Delete "No parent shall be".

Page 10-line 4 and 5 Delete entirely and insert "The science instruction shall include study of the geological age of the earth, natural selection and related topics. The parent shall agree to these conditions prior to receipt of any funds;".

Page 24-line 13 After "(f)" insert "Except as otherwise required by W.S. 9-2-904,". CASE

ROLL CALL

Ayes: Senator(s) Anderson, Case, Gierau, Rothfuss

Nays: Senator(s) Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, French, Furphy, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Salazar, Schuler, Scott, Steinmetz

Excused: Senator Ellis

Ayes 4 Nays 26 Excused 1 Absent 0 Conflicts 0

3/7/2024 S 3rd Reading:Passed 20-10-1-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, French, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Laursen, Mckeown, President Driskill, Salazar, Scott, Steinmetz

Nays: Senator(s) Anderson, Barlow, Case, Furphy, Gierau, Landen, Nethercott, Pappas, Rothfuss, Schuler

Excused: Senator Ellis

Ayes 20 Nays 10 Excused 1 Absent 0 Conflicts 0

3/7/2024 H Received for Concurrence

3/7/2024 H Concur:Failed 27-34-1-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Davis, Haroldson, Heiner, Hornok, Jennings, Knapp, Locke, Neiman, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Winter

Nays: Representative(s) Allred, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Conrad, Crago, Eklund, Harshman, Henderson, Larsen, Lloyd, Larson, Jt, Lawley, Newsome, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Provenza, Sherwood, Speaker Sommers, Stith, Storer, Walters, Western, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Nicholas

Ayes 27 **Nays** 34 **Excused** 1 **Absent** 0 **Conflicts** 0

3/7/2024 H Appointed JCC01 Members
Representative(s) Brown, Clouston, Lawley
3/8/2024 S Appointed JCC01 Members
Senator(s) Barlow, Boner, Rothfuss
3/8/2024 H Adopted HB0166JC001: 34-27-1-0-0

HB0166JC001/HADOPTEDSADOPTEDSADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0166SS001/A

Further amend the ENGROSSED COPY as follows:

Page 5-lines 1 through 15 Delete entirely and insert:

"(i) Six thousand dollars (\$6,000.00) for students whose household income is at or below one hundred fifty percent (150%) of the federal poverty level;

(ii) Four thousand eight hundred dollars (\$4,800.00) for students whose household income is at or below two hundred percent (200%) of the federal poverty level but more than one hundred fifty percent (150%) of the federal poverty level;

(iii) Three thousand six hundred dollars (\$3,600.00) for students whose household income is at or below two hundred fifty percent (250%) of the federal poverty level but more than two hundred percent (200%) of the federal poverty level;

(iv) Three thousand dollars (\$3,000.00) for students whose household income is at or below three hundred percent (300%) of the federal poverty level but more than two hundred fifty percent (250%) of the federal poverty level;

(v) Two thousand four hundred dollars (\$2,400.00) for students whose household income is at or below three hundred fifty percent (350%) of the federal poverty level but more than three hundred percent (300%) of the federal poverty level;

(vi) One thousand eight hundred dollars (\$1,800.00) for students whose household income is at or below four hundred percent (400%) of the federal poverty level but more than three hundred fifty percent (350%) of the federal poverty level;

(vii) One thousand two hundred dollars (\$1,200.00) for students whose household income is at or below four hundred fifty percent (450%) of the

federal poverty level but more than four hundred percent (400%) of the federal poverty level;

(viii) Six hundred dollars (\$600.00) for students whose household income is at or below five hundred percent (500%) of the federal poverty level but more than four hundred fifty percent (450%) of the federal poverty level."

Page 10-line 3 After "civics," insert "including studies of the United States constitution and the constitution of the state of Wyoming,".

Page 11-lines 9 through 17 Delete entirely.

Page 14-line 9 Delete "Seventy percent (70%)" and insert "Except as provided under this subsection, eighty percent (80%)".

Page 14-line 11 Delete "thirty percent (30%)" and insert "twenty percent (20%)".

Page 14-line 13 After "year." insert "Any funds allocated under this subsection for the award of ESAs to students eligible pursuant to W.S. 21-2-904(a)(ii) that are not awarded in any school year may be awarded to students eligible pursuant to W.S. 21-2-904(a)(i)".

Page 16-line 13 After "civics," insert "including studies of the United States constitution and the constitution of the state of Wyoming,".

Page 22-line 14 Delete ";" and insert ".".

Page 22-lines 16 through 21 Delete entirely. BROWN, CLOUSTON, LAWLEY, BARLOW, BONER, ROTHFUSS

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Knapp, Larson, Jt, Lawley, Locke, Neiman, Niemiec, O'hearn, Ottman, Penn, Rodriguez-Williams, Singh, Speaker Sommers, Stith, Strock, Tarver, Ward, Washut, Western, Wylie

Nays: Representative(s) Allred, Chadwick, Chestek, Heiner, Henderson, Hornok, Jennings, Larsen, Lloyd, Newsome, Nicholas, Northrup, Oakley, Obermueller, Olsen, Pendergraft, Provenza, Sherwood, Slagle, Smith, Storer, Styvar, Trujillo, Walters, Winter, Yin, Zwonitzer, Dan, Zwonitzer, Dave

Excused: Representative Harshman

Ayes 34 **Nays** 27 **Excused** 1 **Absent** 0 **Conflicts** 0

3/8/2024 S Adopted HB0166JC001: 28-3-0-0-0

HB0166JC001/HADOPTEDSADOPTEDSADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0166SS001/A

Further amend the ENGROSSED COPY as follows:

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(vii) One thousand two hundred dollars (\$1,200.00) for students whose household income is at or below four hundred fifty percent (450%) of the federal poverty level but more than four hundred percent (400%) of the federal poverty level;

(viii) Six hundred dollars (\$600.00) for students whose household income is at or below five hundred percent (500%) of the federal poverty level but more than four hundred fifty percent (450%) of the federal poverty level."

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in any school year may be awarded to students eligible pursuant to W.S. 21-2-904(a)(i).".

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Page 22-lines 16 through 21 Delete entirely. BROWN, CLOUSTON, LAWLEY, BARLOW, BONER, ROTHFUSS

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Salazar, Scott, Steinmetz

Nays: Senator(s) Case, Ide, Schuler

Ayes 28 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

3/8/2024 Assigned Number HEA No. 0053
3/8/2024 H Speaker Signed HEA No. 0053
3/8/2024 S President Signed HEA No. 0053
3/21/2024 Governor Signed HEA No. 0053
3/21/2024 Assigned Chapter Number 108

Chapter No. 108 Session Laws of Wyoming 2024