

1 the same inflationary adjustment provided by the legislature for the basic and per-ANB entitlement amounts
2 calculated as provided in 20-9-306 since the student's first year of participation in the program in the school
3 district.

4 (3) The money remitted under subsection (2):

5 (a) must be from the district's general fund;

6 (b) may not include revenue from the guarantee account described in 20-9-622; and

7 (c) must be accounted for under rules adopted by the superintendent of public instruction.

8 (4) The superintendent of public instruction shall account for the money remitted under subsection
9 (2) as follows:

10 (a) 95% of the money must be deposited in accounts within the special needs equal opportunity
11 education savings trust established in 20-7-1710 to be used only for reimbursing parents for the purchase of
12 allowable educational resources pursuant to 20-7-1704; and

13 (b) 5% of the money must be deposited in the office of public instruction special needs equal
14 opportunity ESA administration account established in subsection (7).

15 (5) The office of public instruction shall ensure that the participating student is included in the
16 resident school district's ANB calculation pursuant to 20-9-311 in any year that the student remains otherwise
17 eligible for inclusion and participates in the program. No other school district may count the student for ANB
18 purposes. The participating student is not considered to be enrolled in the resident school district.

19 (6) The office of public instruction shall administer the individual student accounts pursuant to
20 subsection (4)(a) so that:

21 (a) reimbursements are made promptly to parents for the purchase of allowable educational
22 resources for a participating student pursuant to 20-7-1704; and

23 (b) on a student's 24th birthday, the student's account is closed and any remaining funds in the
24 student's account are returned to the guarantee account described in 20-9-622.

25 (7) (a) There is an office of public instruction special needs equal opportunity ESA administration
26 account within the state special revenue fund created in 17-2-102 consisting of 5% of the money remitted to the
27 office of public instruction pursuant to subsection (2).

28 (b) Funds in the office of public instruction special needs equal opportunity ESA administration

1 account are statutorily appropriated, as provided in 17-7-502, to the office of public instruction and must be
2 used for the costs of administering the program."

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4 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2025.

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