

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 568

5 By: Senators J. Dismang, B. Davis, Gilmore  
6 By: Representatives Barker, Brooks  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ACTS 2023, NO. 237; TO AMEND THE  
10 ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT  
11 PROGRAM; TO AMEND THE LIMITATION ON THE FUNDS A  
12 PARTICIPATING STUDENT MAY RECEIVE UNDER THE ARKANSAS  
13 CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; AND  
14 FOR OTHER PURPOSES.  
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## Subtitle

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18 TO AMEND ACTS 2023, NO. 237; AND TO AMEND  
19 THE LIMITATION ON THE FUNDS A  
20 PARTICIPATING STUDENT MAY RECEIVE UNDER  
21 THE ARKANSAS CHILDREN'S EDUCATIONAL  
22 FREEDOM ACCOUNT PROGRAM.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 6-18-2506(e), concerning the funds a  
28 participating student may receive under the Arkansas Children's Educational  
29 Freedom Account Program, is amended to read as follows:

30 (e)(1) A Except as provided under subdivision (e)(2) of this section,  
31 a participating student may only participate in and receive funds from one  
32 (1) of the following:

33 ~~(1)(A)~~ The Arkansas Children's Educational Freedom Account  
34 Program established by this subchapter; or

35 ~~(2)(B)~~ The Philanthropic Investment in Arkansas Kids Program  
36 Act, § 6-18-2301 et seq.



1           (2)(A) A student with a disability as described by subdivision  
 2 (a)(3)(A)(i)(a) who has an annual family income that is less than or equal to  
 3 two hundred percent (200%) of the federal poverty guidelines as determined  
 4 annually in the Federal Register by the United States Department of Health  
 5 and Human Services under 42 U.S.C. § 9902(2), as required under the  
 6 Philanthropic Investment in Arkansas Kids Program may receive funds from both  
 7 the Arkansas Children’s Educational Freedom Account Program established by  
 8 this subchapter and the Philanthropic Investment in Arkansas Kids Program.

9           (B) However, a student who qualifies under subdivision  
 10 (e)(2)(A) of this section may receive funds from both the Arkansas Children’s  
 11 Educational Freedom Account Program established by this subchapter and the  
 12 Philanthropic Investment in Arkansas Kids Program only to the extent  
 13 necessary to cover qualifying expenses.

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 15           SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 16 General Assembly of the State of Arkansas that the provision of educational  
 17 services to children in the State of Arkansas impacts the public peace,  
 18 health, and safety through its effect upon student learning, which is  
 19 critical for the future success of the state; that educational services for  
 20 children with disabilities is essential for purposes of helping those  
 21 children with disabilities reach their full potential; that the State of  
 22 Arkansas has made extensive amendments to the Arkansas Code as it pertains to  
 23 education, which will require new rules and procedures to be put in place  
 24 before the beginning of the 2023-2024 school year; and that this act is  
 25 immediately necessary because to give the Department of Education time to  
 26 promulgate rules that are necessary to implement this act in sync with the  
 27 other changes to the Arkansas Code and to allow time for families with low  
 28 incomes to plan for the educational placement of their children with  
 29 disabilities. Therefore, an emergency is declared to exist, and this act  
 30 being immediately necessary for the preservation of the public peace, health,  
 31 and safety shall become effective on:

32           (1) The date of its approval by the Governor;

33           (2) If the bill is neither approved nor vetoed by the Governor,  
 34 the expiration of the period of time during which the Governor may veto the  
 35 bill; or

36           (3) If the bill is vetoed by the Governor and the veto is

1 overridden, the date the last house overrides the veto.

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