

HOUSE BILL 1082

By Richey

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to school choice.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2602(3), is amended by deleting the subdivision and substituting:

(3) "Eligible student" means a resident of this state who:

(A) Is eligible to enroll in a Tennessee school; and

(B) Is a student in any of the grades kindergarten through twelve (K-12);

SECTION 2. Tennessee Code Annotated, Section 49-6-2602, is amended by adding the following as a new subdivision:

"Home school" has the same meaning as defined in § 49-6-3050;

SECTION 3. Tennessee Code Annotated, Section 49-6-2603(a)(1), is amended by deleting "through enrollment in a private school" and substituting "through enrollment in a home school or a private school".

SECTION 4. Tennessee Code Annotated, Section 49-6-2603(a)(4), is amended by adding "or the eligible student's home school" immediately after "a participating school" in subdivisions (A), (B), and (G).

SECTION 5. Tennessee Code Annotated, Section 49-6-2603(a)(4)(D), is amended by deleting "participating school or" and substituting "home school, participating school, or".

SECTION 6. Tennessee Code Annotated, Section 49-6-2603(a)(4)(F), is amended by adding "home school," immediately before "participating school,".

SECTION 7. Tennessee Code Annotated, Section 49-6-2603, is amended by deleting subdivisions (a)(5), (d)(2), and (f)(2).

SECTION 8. Tennessee Code Annotated, Section 49-6-2604, is amended by deleting subdivision (a)(6).

SECTION 9. Tennessee Code Annotated, Section 49-6-2605, is amended by deleting subsection (a) and substituting:

(a)

(1) The maximum annual amount to which a participating student is entitled under the program must be equal to the amount representing the per pupil state and local funds generated and required through the TISA for the LEA in which the participating student resides, but must not exceed the combined statewide average of required state and local TISA allocations per pupil.

(2) Notwithstanding subdivision (a)(1), the maximum annual amount to which a participating student who is enrolled in a home school is twenty-five percent (25%) of the amount calculated in subdivision (a)(1).

(3) The state board of education may promulgate rules to annually calculate and determine the combined statewide average of required state and local TISA allocations per pupil.

SECTION 10. Tennessee Code Annotated, Section 49-6-2605(b)(1), is amended by adding the following language after the second sentence of the subdivision:

The state shall fund the LEA's local contribution, as defined in § 49-3-104, for each participating student who is counted in the enrollment figures for the respective LEA.

SECTION 11. Tennessee Code Annotated, Section 49-6-2605(e), is amended by deleting the subsection and substituting:

The department shall strive to ensure that Tennessee families with children who are in any of the grades kindergarten through twelve (K-12) are notified of the program and of the eligibility requirements to participate in the program.

SECTION 12. Tennessee Code Annotated, Section 49-6-2606(a)(2), is amended by deleting "a participating school, the participating school" and substituting "a home school or a participating school, the home school or participating school".

SECTION 13. Tennessee Code Annotated, Section 49-6-2606(a)(3), is amended by adding "home school or" after "full-time in a" wherever it appears.

SECTION 14. Tennessee Code Annotated, Section 49-6-2607, is amended by adding "home school," before "participating school," in subsections (c) and (d) and adding "home schools," before "participating schools," in subsection (c).

SECTION 15. Tennessee Code Annotated, Section 49-6-2609(a), is amended by deleting "participating school" and substituting "home school, participating school,".

SECTION 16. Tennessee Code Annotated, Section 49-6-2609(b), is amended by deleting "participating schools" and substituting "home schools, participating schools,".

SECTION 17. Tennessee Code Annotated, Section 49-6-2609(c), is amended by deleting the subsection and substituting:

This state gives home schools, participating schools, and providers maximum freedom to provide for the educational needs of participating students without governmental control. A home school, participating school, or provider is not required to alter its creed, practices, admissions policies, or curriculum in order to accept participating students, other than as is necessary to comply with the requirements of the program.

SECTION 18. Tennessee Code Annotated, Section 49-6-2611, is amended by deleting subdivision (a)(1), subdivisions (a)(2)(A)(iv) and (v), and subsection (c).

SECTION 19. This act takes effect July 1, 2023, at 12:01 a.m., the public welfare requiring it.