

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2619

By Delegates Burkhammer, Foster, Pinson, Crouse,
Chiarelli, Summers, Espinosa, Kimble, Brooks,
Ridenour and C. Pritt

[Introduced January 17, 2023; Referred to the
Committee on Education then Finance]

1 A BILL to amend and reenact §18-31-2 of the Code of West Virginia, 1931, as amended, relating to
2 amending the definition of eligible recipient for the Hope Scholarship Program.

Be it enacted by the Legislature of West Virginia:

ARTICLE 31. HOPE SCHOLARSHIP PROGRAM.

§18-31-2. Definitions.

1 The following words have the meanings ascribed to them unless the context clearly
2 indicates a different meaning:

3 (1) "Account" or "scholarship" means a Hope Scholarship account, awarded pursuant to
4 this article, to which funds are allocated by the board to the parent or parents of an eligible Hope
5 Scholarship student in order to pay qualifying education expenses to educate the student pursuant
6 to the requirements and conditions of this article;

7 (2) "Board" means the Hope Scholarship Board created pursuant to §18-31-3 of this code;

8 (3) "Curriculum" means a complete course of study for a particular content area or grade
9 level, including any supplemental materials required by the curriculum;

10 (4) "Education service provider" means a person or organization that receives payments
11 from Hope Scholarship accounts to provide educational goods and services to Hope Scholarship
12 students;

13 (5) "Eligible recipient" means a child who:

14 (A) Is a resident of this state; and

15 (B) ~~Is enrolled full-time and attending a public elementary or secondary school program in~~
16 ~~this state for at least 45 calendar days during an instructional term at the time of application and~~
17 ~~until an award letter is issued by the board under §18-31-5(c) of this code, or enrolled full-time in a~~
18 ~~public elementary or secondary school program in this state for the entire instructional term the~~
19 ~~previous year, or is eligible at the time of application to enroll in a kindergarten program in this state~~
20 ~~pursuant to §18-8-1a of this code, except that if on July 1, 2024, the participation rate of the~~
21 ~~combined number of students in the Hope Scholarship Program and students eligible who have~~

22 ~~applied to participate in the Hope Scholarship program during the previous school year is less than~~
23 ~~five percent of net public school enrollment adjusted for state aid purposes for the previous school~~
24 ~~year, then, effective July 1, 2026, a child is considered to meet the requirements of this paragraph~~
25 ~~if he or she is enrolled, eligible to be enrolled, or required to be enrolled in a kindergarten program~~
26 ~~or public elementary or secondary school program in this state at the time of application;~~

27 (6) "Hope scholarship funds" means the moneys deposited in a Hope Scholarship
28 student's account in accordance with the requirements of this article.

29 (7) "Hope scholarship student" means a student who receives a scholarship pursuant to
30 this article;

31 (8) "Parent" means a biological parent, legal guardian, custodian, or other person with
32 legal authority to act on behalf of an eligible recipient or Hope Scholarship student;

33 (9) "Participating school" means any private school that provides education to elementary
34 and/or secondary students and has notified the board of its intention to participate in the program
35 and comply with the program's requirements;

36 (10) "Resident school district" means the county school district in which the student
37 resides; and

38 (11) "Treasurer" means the West Virginia State Treasurer.

NOTE: The purpose of this bill is to amend the definition of eligible recipient for the Hope Scholarship Program.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.