

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4961

By Delegate Young

[Introduced January 29, 2026; referred to the
Committee on Finance]

1 A BILL to amend and reenact §18-31-5 of the Code of West Virginia, 1931, as amended, relating to
2 providing a cap on the amount of family income to establish eligibility for the Hope
3 Scholarship.

Be it enacted by the Legislature of West Virginia:

ARTICLE 31. HOPE SCHOLARSHIP PROGRAM.

§18-31-5. Award of Hope Scholarships.

1 (a) The Hope Scholarship Program is established to provide the option for a parent to
2 better meet the individual elementary and secondary education needs of his or her eligible child.
3 The program shall be operational no later than July 1, 2022.

4 (b) The board shall create a standard application form that a parent can submit to establish
5 his or her student's eligibility for the award of Hope Scholarship funds, to be placed in a personal
6 education savings account to be used for qualifying education expenses on behalf of the eligible
7 recipient as provided for in §18-31-7 of this code. Information about scholarship funds and the
8 application process shall be made available on the board's website.

9 (c) The board shall process, accept, and make available Hope Scholarship applications
10 and awards at any time during the calendar year. The board may update the application as
11 needed. The board shall issue an award letter to eligible recipients within 45 days of receipt of a
12 completed application and all required documentation.

13 (d) The board shall approve an application for a Hope Scholarship if all of the following
14 circumstances are met:

15 (1) A parent submits an application for a Hope Scholarship in accordance with the
16 legislative rules promulgated by the board;

17 (2) A student on whose behalf the parent is applying is an eligible recipient, as provided in
18 §18-31-2(5) of this code;

19 (3) The parent signs an agreement with the board, promising to do all of the following:

20 (A) To provide an education for the eligible recipient in at least the subjects of reading,

21 language, mathematics, science, and social studies;

22 (B) To use the Hope Scholarship funds exclusively for qualifying expenses incurred in
23 providing the student an elementary or secondary education as provided for in §18-31-7 of this
24 code;

25 (C) To comply with the rules and requirements of the Hope Scholarship Program;

26 (D) To afford the Hope Scholarship student opportunities for educational enrichment such
27 as organized athletics, art, music, or literature; and

28 (E) To notify the Hope Scholarship Board immediately and cease use of Hope Scholarship
29 funds upon the student's reenrollment in a public school or when the student graduates from or
30 otherwise successfully completes a secondary school program;

31 (4) The board confirms with the West Virginia Department of Education that the student
32 satisfies §18-31-2(5) of this code: *Provided*, That if the department does not reply within 30 days,
33 this criteria is considered satisfied.

34 (e) All records accepted or maintained by the board containing personally identifying
35 information of a Hope Scholarship student, applicant, or parent are confidential and not a public
36 record subject to release pursuant to the West Virginia Freedom of Information Act, as codified in
37 §29B-1-1 *et seq.* of this code.

38 (f) To be eligible for the Hope Scholarship, a parent or parents combined federal adjusted
39 gross income shall be less than \$150,000 for the taxable year in which the parent or parents apply
40 to participate in the Hope Scholarship program.

NOTE: The purpose of this bill is to provide a cap on the amount of family income eligible for the Hope Scholarship.

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