

FISCAL NOTE

This bill contains an appropriation of \$40,000,000 from the GENERAL FUND to the EDUCATION SAVINGS ACCOUNTS EXPENDITURE ACCOUNT created by this bill.

This bill contains an appropriation of \$880,000 from the GENERAL FUND to the Wyoming Department of Education (WDE).

This bill contains an authorization of 2 full-time positions.

DETAIL OF APPROPRIATION

Agency #: 206 Agency Name: Wyoming Department of Education
Unit: 1107

EXPENDITURE BY SERIES AND YEAR	FY 2026	FY 2027	FY 2028
0100 Personnel/Benefit Costs	\$0	\$240,000	\$240,000
0900 Contractual Services Costs	\$0	\$200,000	\$200,000
 Total Expenditure Per Year:	 \$0	 \$440,000	 \$440,000
 Grand Total Expenditure:	 \$880,000		
Total Appropriated to Agency:	\$880,000		
Total Appropriated by Fund:			
GENERAL FUND	\$880,000		

Description of Appropriations:

This bill creates the Wyoming Education Savings Accounts Act (Act) that is administered by the WDE. This Act shall be effective five (5) days after the date that the Governor, on advice from the Attorney General, certifies to the Secretary of State that the Wyoming Supreme Court has found that monetary deposits provided to education savings accounts (ESA) for ESA students pursuant to W.S. 21-2-903 under the Steamboat Legacy Scholarship Act are unconstitutional or unenforceable.

If this Act is effective during the FY 2027-2028 biennium:

- The WDE is authorized two (2) full-time employees to administer the Act and anticipates expending \$240,000 each fiscal year (FY) of the FY 2027-2028 biennium for these positions' salaries and benefits.
- The WDE anticipates expending \$800,000 each fiscal year in the FY 2027-2028 biennium in contractual services costs to a third-party to assist the WDE in administering each ESA. The first \$200,000 for contractual services costs in each fiscal year will be from the appropriations to the WDE and the remaining \$600,000 in each fiscal year will be from the allowable percentage amount, up to 3 percent (\$1,200,000) from the \$40,000,000 appropriated to the Education Savings Accounts Expenditure Account for costs of administering the Act.
- The State Superintendent of Public Instruction is authorized to allocate funds from the Education Savings Accounts Expenditure Account to pay for qualifying education expenses for each ESA student to education service providers. The WDE anticipates expending the remaining \$38,800,000 or \$19,400,000 each fiscal year of the FY 2027-2028 biennium for qualifying education expenses.

Assumptions:

Subject to the availability of funds within the Education Savings Accounts Expenditure Account, a child who is a Wyoming resident and whose household income is: (i) at or below 150 percent of the federal poverty level is eligible to receive an ESA equal to \$6,000 per year; (ii) at or below 200 percent of the federal poverty level but more than 150 percent of the poverty level is eligible to receive an ESA equal to \$4,800 per year; (iii) at or below 250 percent of the federal poverty level but more than 200 percent of the poverty level is eligible to receive an ESA equal to \$3,600 per year; or (iv) at or below 300 percent of the federal poverty level but more than 250 percent of the poverty level is eligible to receive an ESA equal to \$3,000 per year.

In addition to the household income guidelines, the following qualifications apply: (i) the child has not graduated from high school or received a high school equivalency certification and is eligible to attend public school in Wyoming; or (ii) the child is not less than four (4) years of age as of August 1 of the year in which an application is made and has not yet attained the age to attend public school in Wyoming.

This Act authorizes 20 percent of the ESAs to be awarded for eligible students not less than four (4) years of age as of August 1 of the year in which an application is made and has not yet attained the age to attend public school in Wyoming and the remaining 80 percent of the ESAs to be awarded for eligible students that are of age and eligible to attend public school in Wyoming.

The 2026 federal poverty guidelines for the 48 contiguous states and the District of Columbia, published by the United States Department of Health and Human Services, are detailed below with columns indicating the 150 percent, 200 percent, 250 percent, and 300 eligibility requirements in this bill. The poverty guidelines would be determined using the most recent federal poverty guidelines once this Act becomes effective.

2026 Federal Poverty Guidelines.

Persons in Family/ Household	Poverty Guideline	150 Percent of Poverty Guideline	200 Percent of Poverty Guideline	250 Percent of Poverty Guideline	300 Percent of Poverty Guideline
1	\$15,960	\$23,940	\$31,920	\$39,900	\$47,880
2	\$21,640	\$32,460	\$43,280	\$54,100	\$64,920
3	\$27,320	\$40,980	\$54,640	\$68,300	\$81,960
4	\$33,000	\$49,500	\$66,000	\$82,500	\$99,000
5	\$38,680	\$58,020	\$77,360	\$96,700	\$116,040
6	\$44,360	\$66,540	\$88,720	\$110,900	\$133,080
7	\$50,040	\$75,060	\$100,080	\$125,100	\$150,120
8	\$55,720	\$83,580	\$111,440	\$139,300	\$167,160

Prepared by: Matthew Willmarth, LSO Phone: 777-7881
(Information provided by Trent Carroll, Department of Education, 777-7720)