

REFERENCE TITLE: ESAs; enrollment; required disclosures; prohibition

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2360

Introduced by
Representatives Crews: Aguilar, Contreras P, Gutierrez, Liguori, Travers,
Villegas

AN ACT

AMENDING SECTION 15-2404, ARIZONA REVISED STATUTES; RELATING TO ARIZONA
EMPOWERMENT SCHOLARSHIP ACCOUNTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-2404, Arizona Revised Statutes, is amended to
3 read:

4 15-2404. State control over nonpublic schools; prohibition;
5 application

6 A. This chapter does not ~~permit~~ ALLOW any government agency to
7 exercise control or supervision over any nonpublic school or homeschool.

8 B. A qualified school that accepts a payment from a parent pursuant
9 to this chapter is not an agent of the state or federal government.

10 C. A qualified school shall not be required to alter its creed,
11 practices, admissions policy or curriculum in order to accept students
12 whose parents pay tuition or fees from an ARIZONA empowerment scholarship
13 account pursuant to this chapter in order to participate as a qualified
14 school. A QUALIFIED SCHOOL MAY NOT REQUIRE A PARENT OR A QUALIFIED
15 STUDENT TO DISCLOSE EITHER OF THE FOLLOWING AS A CONDITION OF ENROLLMENT
16 IN THE QUALIFIED SCHOOL:

17 1. WHETHER THE QUALIFIED STUDENT IS ENROLLED IN THE ARIZONA
18 EMPOWERMENT SCHOLARSHIP ACCOUNTS PROGRAM.

19 2. THE AMOUNT THAT IS DEPOSITED IN THE QUALIFIED STUDENT'S ARIZONA
20 EMPOWERMENT SCHOLARSHIP ACCOUNT PURSUANT TO SECTION 15-2402, SUBSECTION C.

21 D. In any legal proceeding challenging the application of this
22 chapter to a qualified school, the state bears the burden of establishing
23 that the law is necessary and does not impose any undue burden on
24 qualified schools.