

HOUSE BILL 1671

By Curcio

AN ACT to amend Tennessee Code Annotated, Section 49-6-2602(3), relative to expanding eligibility for an education savings account to students zoned to attend a school in an LEA that imposes restrictions in response to the COVID-19 pandemic.

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

SECTION 1. Tennessee Code Annotated, Section 49-6-2602(3)(C), is amended by deleting the word "or" at the end of subdivision (i)(c) and by deleting subdivision (ii) and substituting instead the following:

(ii) Is zoned to attend a school that is in the ASD on May 24, 2019; or

(iii) Is zoned to attend a school in an LEA that, during the three-year period immediately preceding September 1, 2025, or thereafter:

(a) Did not offer students one hundred eighty (180) days of in-person learning for a school year due to the COVID-19 pandemic; or

(b)

(1)

(A) Imposed a mandate requiring students to wear a mask in response to the COVID-19 pandemic. This subdivision (3)(C)(iii)(b)(1)(A) does not apply to an LEA that imposed a mask mandate in response to an executive, court, public health department, or other legally binding order requiring the LEA to adopt or enforce a mask mandate for students; and

(B) Refused to exempt one (1) or more students from the LEA's mask mandate in response to the LEA receiving written

notification from the student's parent or guardian opting the student out of the mask mandate. This subdivision (3)(C)(iii)(b)(1)(B) does not apply to an LEA that refused to exempt a student from the LEA's mask mandate upon receiving written notification from the student's parent or guardian if the exemption refusal was imposed in response to an executive, court, public health department, or other legally binding order prohibiting student exemptions on parental notification alone;

(2) As used in this subdivision (3)(C)(iii)(b), "mask" means a protective covering designed to be worn over the nose and mouth to reduce the spread of infectious disease; and

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.