

**141.520 Effect of Education Opportunity Account Program on education service provider -- Authority of government entities. (See LRC Note below)**

- (1) Nothing in KRS 141.500 to 141.528 shall be deemed to limit the independence or autonomy of an education service provider or to make the actions of an education service provider the actions of the state government.
- (2) Nothing in KRS 141.500 to 141.528 shall be construed to expand the regulatory authority of the state, its officers, or any county school district to impose any additional regulation of education service providers beyond those necessary to enforce the requirements of the EOA program.
- (3) An education service provider that accepts payment from an EOA pursuant to KRS 141.500 to 141.528 is not an agent of the state or federal government.
- (4) An education service provider shall not be required to alter its creed, practices, admissions policy, or curriculum in order to accept payments from an EOA.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 167, sec. 15, effective June 29, 2021.

**Legislative Research Commission Note** (12/15/2022). On December 15, 2022, the Kentucky Supreme Court ruled that the Education Opportunity Account Act, KRS 141.500 to 141.528, as enacted in 2021 HB 563 (2021 Ky. Acts ch. 167), "violates the proscription in Section 184 of the Kentucky Constitution on the raising or collecting of 'sums[s]' for 'education other than in common schools'." *Commonwealth ex rel. Cameron v. Johnson, et al.*, 2021-SC-0518-TG.