

**141.526 Standing for parents of eligible students. (See LRC Note below)**

If any part of KRS 141.500 to 141.528 is challenged in state court as violating either the state or federal constitutions, parents of students who would meet the criteria for being eligible students as defined by KRS 141.502 shall be permitted to intervene as of right in such lawsuit for the purposes of defending the EOA program's constitutionality.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 167, sec. 18, 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 'sum[s]' for 'education other than in common schools'." *Commonwealth ex rel. Cameron v. Johnson, et al.*, 2021-SC-0518-TG.