



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 23, 2004

### **H.R. 3779** **Safeguarding Schoolchildren of Deployed Soldiers Act of 2004**

*As introduced on February 4, 2004*

H.R. 3779 would require a state or local educational agency to waive residency requirements for children who move outside a school district because of a parent's military service. CBO estimates that implementing the bill would not affect federal spending or receipts.

H.R. 3779 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt the authority of state and local education agencies. However, CBO estimates that the cost, if any, for those jurisdictions to comply with that mandate would be well below the threshold established in that act (\$60 million in 2004, adjusted annually for inflation). This bill contains no private-sector mandates as defined in UMRA.

Some states already have open enrollment policies that allow children to attend schools within or between districts regardless of where they live. Other state and local school systems require that students live within a defined geographic area in order to attend public schools at no cost and deny admission or impose tuition or other fees on those who live outside that area. This bill would require all local school districts to waive residency requirements for certain children of active-duty servicemembers. This waiver would allow children to attend their current school, even if they are living outside the district limits as a result of their parents' military service. At least two states, New Jersey and New York, currently provide this option. CBO estimates that the cost, if any, for state and local school districts to comply with that mandate would be well below the threshold established in UMRA.

The CBO staff contacts are Michelle S. Patterson (for federal costs) and Melissa Merrell (for the state and local government impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.