

AMENDMENTS TO HOUSE BILL NO. 1540

Sponsor: REPRESENTATIVE WHITE

Printer's No. 2050

1 Amend Bill, page 1, line 7, by striking out the period after

2 "Excellence" and inserting

3 ; and, in educational tax credits, further providing for
4 definitions, for qualification and application by
5 organizations, for limitations and for opportunity
6 scholarships and providing for economically disadvantaged
7 school scholarships.

8 Amend Bill, page 2, by inserting between lines 25 and 26

9 Section 2. The definition of "economically disadvantaged
10 school" in section 2002-B of the act, amended July 8, 2022
11 (P.L.620, No.55), is amended to read:

12 Section 2002-B. Definitions.

13 The following words and phrases when used in this article
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Economically disadvantaged school." Any school within this
18 Commonwealth at which at least 51% of the students attending the
19 school in the immediately preceding school year received a
20 scholarship [of at least \$1,000] pursuant to this article[.] in
21 the following amounts:

22 (1) for a prekindergarten, kindergarten or elementary
23 school, at least \$500; and

24 (2) for a secondary school, at least \$1,000.

25 * * *

26 Section 3. Section 2003-B(d.3)(2) and (4) of the act,
27 amended July 8, 2022 (P.L.620, No.55), are amended and the
28 subsection is amended by adding a paragraph to read:

29 Section 2003-B. Qualification and application by organizations.

30 * * *

31 (d.3) Scholarship organization for economically
32 disadvantaged schools.--

33 * * *

34 (2) A scholarship organization must agree to distribute
35 scholarships to applicants of economically disadvantaged
36 schools not later than [February 1] December 15 of the
37 applicable school year.

1 * * *

2 (4) A scholarship organization for economically
3 disadvantaged schools shall annually report the following
4 information to the department by [November 1] January 15 of
5 each year:

6 [(i) Scholarship awards by family household income.]

7 (ii) The school district where the scholarship
8 recipient currently resides.

9 [(iii) The school that the student attended in the
10 year prior to the scholarship award.]

11 (iv) The total number, amount and average
12 scholarship awarded.

13 (4.1) A scholarship organization for economically
14 disadvantaged schools shall contribute at least 99% of its
15 annual receipts for economically disadvantaged schools for
16 scholarships.

17 * * *

18 Section 4. Sections 2006-B(a) and 2009-B(f) of the act,
19 amended July 8, 2022 (P.L.620, No.55), are amended to read:
20 Section 2006-B. Limitations.

21 (a) Amount.--

22 (1) The total aggregate amount of all tax credits
23 approved for contributions from business firms to scholarship
24 organizations, educational improvement organizations and pre-
25 kindergarten scholarship organizations shall not exceed
26 [\$340,000,000] \$480,000,000 in a fiscal year. The following
27 shall apply:

28 (i) No less than [\$263,000,000] \$355,000,000 of the
29 total aggregate amount shall be used to provide tax
30 credits for contributions from business firms to
31 scholarship organizations.

32 (ii) No less than \$44,500,000 of the total aggregate
33 amount shall be used to provide tax credits for
34 contributions from business firms to educational
35 improvement organizations.

36 (iii) The total aggregate amount of all tax credits
37 approved for contributions from business firms to pre-
38 kindergarten scholarship organizations shall not exceed
39 [\$20,500,000] \$30,500,000 in a fiscal year.

40 (iv) No less than [\$12,000,000] \$50,000,000 of the
41 total aggregate amount shall be used to provide tax
42 credits for contributions from business firms to increase
43 the scholarship or pre-kindergarten scholarship by up to
44 \$2,000 or, in the case of a scholarship for a student
45 attending a secondary school, by up to \$4,000, for a
46 student attending an economically disadvantaged school,
47 to the extent that the total amount of scholarships, pre-
48 kindergarten scholarships and opportunity scholarships
49 will not exceed the lesser of \$8,500 or the school's
50 tuition.

51 (2) The total aggregate amount of all tax credits

1 approved for contributions from business firms to opportunity
2 scholarship organizations shall not exceed [\$65,000,000]
3 \$75,000,000 in a fiscal year.

4 * * *

5 Section 2009-B. Opportunity scholarships.

6 * * *

7 [(f) Designation, reports and notices.--

8 (1) Each school that desires to be designated as an
9 economically disadvantaged school for a school year shall
10 report the following information to the department by the
11 January 1 preceding the applicable school year:

12 (i) The total number of students who attend the
13 school as of the date of the report and are the
14 recipients of a scholarship under this article.

15 (ii) The total number of students attending the
16 school as of the date of the report.

17 (2) The information required under paragraph (1) shall
18 be submitted on a form provided by the department. No later
19 than the October 15 preceding each school year, the
20 department shall annually distribute or make available
21 electronically to each school in this Commonwealth the forms
22 on which the reports are required to be made.

23 (3) No later than March 1 after a school has submitted
24 to the department the information required under paragraph
25 (1), the department shall notify the school whether the
26 school meets the requirements of, and will be designated as,
27 an economically disadvantaged school for the applicable
28 school year.

29 (4) The department shall annually transmit notice of a
30 list of each school designated as an economically
31 disadvantaged school under this section to the Legislative
32 Reference Bureau for publication in the Pennsylvania
33 Bulletin. The list shall be posted and updated as necessary
34 on the department's publicly accessible Internet website.

35 (5) (i) Each school that has been designated by the
36 department as an economically disadvantaged school for an
37 applicable school year shall notify the department by no
38 later than November 30 of the applicable school year of
39 the following information for each recipient of a
40 scholarship registered to attend the school for the
41 applicable school year:

42 (A) The recipient's name and address.

43 (B) The grade of the recipient for the school
44 year with respect to which the scholarship and
45 tuition grant shall be received.

46 (C) The type and amount of scholarships under
47 this article entitled to educational tax credits that
48 were received by the recipient.

49 (D) The names and address of the recipient's
50 parents or guardians.

51 (E) The amount of tuition charged.

1 (ii) The information submitted in this paragraph
2 shall be provided to the scholarship organization for
3 economically disadvantaged schools who shall distribute
4 the money in accordance with section 2003-B(d.3).

5 (iii) Information submitted by a school designated
6 by the department as an economically disadvantaged school
7 shall remain confidential and shall not be subject to the
8 act of February 14, 2008 (P.L.6, No.3), known as the
9 Right-to-Know Law. The information can be used for
10 administration of the program.]

11 Section 5. The act is amended by adding a section to read:
12 Section 2009.1-B. Economically disadvantaged school
13 scholarships.

14 (a) Reports.--

15 (1) Each school that desires to be designated as an
16 economically disadvantaged school for a school year must
17 report the following information to the scholarship
18 organization for economically disadvantaged schools by the
19 January 1 preceding the applicable school year:

20 (i) The total number of students who attend the
21 school as of the date of the report and are the
22 recipients of a scholarship under this article in an
23 amount, exclusive of any amount received under section
24 2006-B(a)(1)(iv), for a prekindergarten, kindergarten or
25 elementary school of at least \$500 and for a secondary
26 school of at least \$1,000.

27 (ii) The total number of students attending the
28 school as of the date of the report.

29 (2) The information required under paragraph (1) shall
30 be submitted on a form provided by the scholarship
31 organization for economically disadvantaged schools. No later
32 than the October 15 preceding each school year, the
33 scholarship organization for economically disadvantaged
34 schools shall annually distribute or make available
35 electronically to each school in this Commonwealth the forms
36 on which the reports are required to be made.

37 (3) The scholarship organization for economically
38 disadvantaged schools shall submit the school's information
39 to the department by the February 1 preceding the school
40 year.

41 (b) Notice of designation.--

42 (1) No later than March 1 after the scholarship
43 organization for economically disadvantaged schools has
44 submitted the information received under subsection (a)(1) to
45 the department, the department shall notify the school and
46 the scholarship organization for economically disadvantaged
47 schools whether the school meets the requirements of, and
48 will be designated as, an economically disadvantaged school
49 for the applicable school year.

50 (2) The department shall annually transmit notice of a
51 list of each school designated as an economically

1 disadvantaged school under this section to the Legislative
2 Reference Bureau for publication in the next available issue
3 of the Pennsylvania Bulletin. The list shall be posted and
4 updated as necessary on the department's publicly accessible
5 Internet website.

6 (c) Administration.--

7 (1) Each school that has been designated by the
8 department as an economically disadvantaged school for an
9 applicable school year shall notify the scholarship
10 organization for economically disadvantaged schools no later
11 than November 15 of the applicable school year of the
12 following information for each recipient of a scholarship
13 registered to attend the school for the applicable school
14 year:

15 (i) The recipient's name and address.

16 (ii) The grade of the recipient for the school year
17 with respect to which the scholarship and tuition grant
18 shall be received.

19 (iii) The type and amount of scholarships under this
20 article entitled to educational tax credits that were
21 received by the recipient, exclusive of any amount
22 received under section 2006-B(a)(1)(iv).

23 (iv) The names and addresses of the recipient's
24 parents or guardians.

25 (v) The amount of tuition charged.

26 (2) The scholarship organization for economically
27 disadvantaged schools shall distribute the money on a pro
28 rata basis among all students in accordance with section
29 2003-B(d.3).

30 (3) Information submitted under this section by a school
31 designated as an economically disadvantaged school shall
32 remain confidential and shall not be accessible for
33 inspections and duplication in accordance with the act of
34 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know
35 Law. The information may be used for administration of the
36 program.

37 (d) References.--A scholarship award under this article paid
38 to an economically disadvantaged school may be referred to as a
39 scholarship supplement.

40 Amend Bill, page 2, line 26, by striking out "2" and
41 inserting

42 6