

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 987 Session of  
2005

INTRODUCED BY W. KELLER, S. H. SMITH, BLAUM, CALTAGIRONE,  
CAPPELLI, CAWLEY, CRAHALLA, CRUZ, DALEY, FABRIZIO, GEORGE,  
JAMES, JOSEPHS, MCGEEHAN, MCILHATTAN, MELIO, R. MILLER,  
RUBLEY, SCAVELLO, STERN, TANGRETTI, TIGUE, WATSON AND  
WHEATLEY, MARCH 16, 2005

REFERRED TO COMMITTEE ON EDUCATION, MARCH 16, 2005

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," further providing for the scholarship  
6 organization educational improvement tax credit programs.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Sections 2003-B(c) and (d) and 2007-B of the act  
10 of March 10, 1949 (P.L.30, No.14), known as the Public School  
11 Code of 1949, amended December 23, 2003 (P.L.304, No.48), are  
12 amended to read:

13 Section 2003-B. Qualification and application.

14 \* \* \*

15 (c) Scholarship organizations and pre-kindergarten  
16 scholarship organizations.--A scholarship organization or pre-  
17 kindergarten scholarship organization must certify to the  
18 department that the organization is eligible to participate in

1 the program established under this article[.] and must agree to  
2 annually report to the department by September 1 of each year,  
3 on a form to be provided by the department:

4 (1) (i) The number of scholarships awarded during the  
5 previous school year to eligible pre-kindergarten  
6 students.

7 (ii) The total and average amounts of the  
8 scholarships awarded during the previous school year to  
9 eligible pre-kindergarten students.

10 (iii) The number of scholarships awarded during the  
11 previous school year to eligible students in grades K-8.

12 (iv) The total and average amounts of the  
13 scholarships awarded during the previous school year to  
14 eligible students in grades K-8.

15 (v) The number of scholarships awarded during the  
16 previous school year to eligible students in grades 9-12.

17 (vi) The total and average amounts of the  
18 scholarships awarded during the previous school year to  
19 eligible students in grades 9-12.

20 (vii) To the extent that it is feasible to do so,  
21 the total number and the total amount of scholarships  
22 awarded during the previous school year to residents of  
23 each county in this Commonwealth.

24 (2) The department shall prepare sample forms for  
25 reporting the data required under this subsection, and shall  
26 annually distribute such sample forms, together with the  
27 forms on which the reports are required to be made, to each  
28 listed scholarship organization and pre-kindergarten  
29 scholarship organization by July 1 of each year. The  
30 department may not require any other information to be

1 provided by scholarship organizations or pre-kindergarten  
2 scholarship organizations, except as expressly authorized in  
3 this article.

4 (d) Educational improvement organization.--

5 (1) An application submitted by an educational  
6 improvement organization must describe its proposed  
7 innovative educational program or programs in a form  
8 prescribed by the department. The department shall consult  
9 with the Department of Education as necessary. The department  
10 shall review and approve or disapprove the application. In  
11 order to be eligible to participate in the program  
12 established under this article, an educational improvement  
13 organization must agree to annually report to the department  
14 by September 1 of each year, on a form to be provided by the  
15 department:

16 (i) The name of the innovative educational program  
17 or programs and award amount or amounts made to those  
18 programs during the previous school year.

19 (ii) A description of how each award was utilized  
20 during the previous school year with demonstrated or  
21 expected innovative educational improvements.

22 (iii) The names of the public schools and school  
23 districts where innovative educational programs that  
24 received awards during the previous school year were  
25 implemented.

26 (iv) To the extent that it is feasible to do so, a  
27 listing of the amount awarded during the previous school  
28 year for programs at schools and school districts on a  
29 county-by-county basis.

30 (2) The department shall prepare sample forms for

reporting the data required under this subsection, and shall  
annually distribute such sample forms, together with the  
forms on which the reports are required to be made, to each  
listed educational improvement organization by July 1 of each  
year. The department may not require any other information to  
be provided by educational improvement organizations, except  
as expressly authorized in this article.

\* \* \*

Section 2007-B. Lists and reports.

(a) Annual listing of organizations.--The Department of  
Revenue shall provide a list of all scholarship organizations,  
pre-kindergarten scholarship organizations and educational  
improvement organizations receiving contributions from business  
firms granted a tax credit under this article to the General  
Assembly by June 30 of each year.

(b) Contents of annual report.--The department, in  
consultation with the Department of Education and the Department  
of Revenue, shall report, by December 31 of each year, the  
following information to the General Assembly:

(1) The total number of scholarships awarded during the  
previous school year to eligible pre-kindergarten students.

(2) The total and average amounts of scholarships  
awarded during the previous school year to eligible pre-  
kindergarten students.

(3) The total number of scholarships awarded during the  
previous school year to eligible students in grades K-8.

(4) The total and average amounts of scholarships  
awarded during the previous school year to eligible students  
in grades K-8.

(5) The total number of scholarships awarded during the

1 previous school year to eligible students in grades 9-12.

2 (6) The total and average amounts of scholarships  
3 awarded during the previous school year to eligible students  
4 in grades 9-12.

5 (7) The total number and the total amounts of all  
6 scholarships awarded during the previous school year to  
7 residents of each county in this Commonwealth.

8 (8) The names of all educational improvement  
9 organizations making awards during the previous school year,  
10 the names of all innovative educational programs receiving  
11 such awards and the total amount awarded by each educational  
12 improvement organization.

13 (9) The names of the public schools and school districts  
14 where innovative educational programs that received awards  
15 during the previous school year were implemented.

16 (10) A description of how awards made during the  
17 previous school year were utilized in each innovative  
18 educational program, including demonstrated or expected  
19 innovative educational improvements.

20 (11) The total number of business firms receiving tax  
21 credits under this article during the previous fiscal year.

22 (12) The number of businesses that made total  
23 contributions, for which they received tax credits under this  
24 article during the previous fiscal year, of less than  
25 \$10,000.

26 (13) The number of businesses that made total  
27 contributions, for which they received tax credits under this  
28 article during the previous fiscal year, of at least \$10,000  
29 but not more than \$100,000.

30 (14) The number of businesses that made total

1 contributions, for which they received tax credits under this  
2 article during the previous fiscal year, of at least \$100,000  
3 but not more than \$200,000.

4 (15) The number of businesses that made total  
5 contributions, for which they received tax credits under this  
6 article during the previous fiscal year of \$200,000 or more.

7 Section 2. This act shall take effect immediately.