

AMENDMENTS TO HOUSE BILL NO. 1642

Sponsor: REPRESENTATIVE LONGIETTI

Printer's No. 1832

1 Amend Bill, page 1, lines 11 through 14, by striking out all
2 of said lines and inserting

3 Section 1. The definitions of "economically disadvantaged
4 school," "educational improvement organization," "opportunity
5 scholarship organization," "pre-kindergarten scholarship
6 organization" and "scholarship organization" in section 2002-B
7 of the act of March 10, 1949 (P.L.30, No.14), known as the
8 Public School Code of 1949, are amended and the section is
9 amended by adding definitions to read:

10 Amend Bill, page 2, by inserting between lines 2 and 3

11 "Educational improvement organization." A nonprofit entity
12 which:

13 (1) is exempt from Federal taxation under section 501(c)
14 (3) of the Internal Revenue Code of 1986 (Public Law 99-514,
15 26 U.S.C. § 1 et seq.); and

16 (2) contributes at least [80%] 90% of its annual
17 receipts as grants to a public school, a chartered school as
18 defined in section 1376.1, or a private school approved under
19 section 1376, for innovative educational programs.

20 For purposes of this definition, a nonprofit entity
21 "contributes" its annual cash receipts when it expends or
22 otherwise irrevocably encumbers those funds for expenditure
23 during the then-current fiscal year of the nonprofit entity or
24 during the next succeeding fiscal year of the nonprofit entity.
25 A nonprofit entity shall include a school district foundation,
26 public school foundation, charter school foundation or cyber
27 charter school foundation.

28 Amend Bill, page 2, by inserting between lines 6 and 7

29 "Opportunity scholarship organization." A nonprofit entity
30 which:

31 (1) Is exempt from Federal taxation under section 501(c)
32 (3) of the Internal Revenue Code of 1986 (Public Law 99-514,
33 26 U.S.C. § 1 et seq.); and

34 (2) Contributes at least [80%] 90% of the entity's
35 annual cash receipts to an opportunity scholarship program.

1 For the purposes of this definition, a nonprofit entity
2 contributes the entity's cash receipts to an opportunity
3 scholarship program when the entity expends or otherwise
4 irrevocably encumbers those funds for distribution during the
5 then-current fiscal year of the nonprofit entity or during the
6 next succeeding fiscal year of the nonprofit entity.

7 * * *

8 "Pre-kindergarten scholarship organization." A nonprofit
9 entity which:

10 (1) is exempt from Federal taxation under section 501(c)
11 (3) of the Internal Revenue Code of 1986 or is operated as a
12 separate segregated fund by a scholarship organization that
13 has been qualified under section 2003-B; and

14 (2) contributes at least [80%] 90% of its annual cash
15 receipts to a pre-kindergarten scholarship program by
16 expending or otherwise irrevocably encumbering those funds
17 for distribution during the then-current fiscal year of the
18 organization or during the next succeeding fiscal year of the
19 organization.

20 * * *

21 "Scholarship organization." A nonprofit entity which:

22 (1) is exempt from Federal taxation under section 501(c)
23 (3) of the Internal Revenue Code of 1986; and

24 (2) contributes at least [80%] 90% of its annual cash
25 receipts to a scholarship program.

26 For purposes of this definition, a nonprofit entity
27 "contributes" its annual cash receipts to a scholarship program
28 when it expends or otherwise irrevocably encumbers those funds
29 for distribution during the then-current fiscal year of the
30 nonprofit entity or during the next succeeding fiscal year of
31 the nonprofit entity.

32 * * *

33 Amend Bill, page 7, line 16, by inserting after "act"

34 , amended June 30, 2021 (P.L.158, No.26),

35 Amend Bill, page 7, line 24, by striking out "\$185,000,000"

36 and inserting

37 \$225,000,000

38 Amend Bill, page 7, line 26, by striking out "\$135,000,000"

39 and inserting

40 \$175,000,000