AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in educational tax credits, further providing for limitations.

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

Section 1. Section 2006-B(a) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended June 22, 2018 (P.L.241, No.39), is amended and the section is amended by adding a subsection to read:

Section 2006-B. Limitations.

(a) Amount.--

(1) The total aggregate amount of all tax credits approved for contributions from business firms to scholarship organizations, educational improvement organizations and pre-kindergarten scholarship organizations shall not exceed $160,000,000 in [ fiscal year 2019-2020.}
(i) No less than $110,000,000 or 63% of the total aggregate amount under this paragraph shall be used to provide tax credits for contributions from business firms to scholarship organizations.

(ii) No less than $37,500,000 or 27.5% of the total aggregate amount under this paragraph shall be used to provide tax credits for contributions from business firms to educational improvement organizations.

(iii) The total aggregate amount of all tax credits approved for contributions from business firms to pre-kindergarten scholarship organizations shall not exceed $12,500,000 or 9.5% of the total aggregate amount under this paragraph in a fiscal year.

(2) The total aggregate amount of all tax credits approved for contributions from business firms to opportunity scholarship organizations shall not exceed $50,000,000 in a fiscal year.

(a.1) Increases.—

(1) Beginning in fiscal year 2019-2020, in any fiscal year in which the total aggregate amount of tax credits approved under subsection (a)(1) for the prior fiscal year is equal to or greater than 90% of the total aggregate amount of all tax credits available under subsection (a)(1) for the prior fiscal year, the total aggregate amount of all tax credits available under subsection (a)(1) shall increase by 25%. The department shall publish on its publicly accessible Internet website the total aggregate amount of all tax credits available when the amount is increased under this paragraph.

(2) Beginning in fiscal year 2019-2020, in any fiscal...
year in which the total aggregate amount of tax credits approved under subsection (a)(2) for the prior fiscal year is equal to or greater than 90% of the total aggregate amount of all tax credits available under subsection (a)(2) for the prior fiscal year, the total aggregate amount of all tax credits available under subsection (a)(2) shall increase by 25%. The department shall publish on its publicly accessible Internet website the total aggregate amount of all tax credits available when the amount is increased under this paragraph.

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Section 2. This act shall take effect in 60 days.