AN ACT


Amending the act of April 9, 1929 (P.L.343, No.176), entitled "An act relating to the finances of the State government; providing for cancer control, prevention and research, for ambulatory surgical center data collection, for the joint underwriting association, for entertainment business financial management firms, for private dam financial assurance and for reinstatement of item vetoes; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, authorizing the Commonwealth to issue tax anticipation notes to defray current expenses, implementing the provisions of section 7(a) of article VIII of the constitution of Pennsylvania authorizing and restricting the incurring of certain debt and imposing penalties; affecting every
DEPARTMENT, BOARD, COMMISSION, AND OFFICER OF THE STATE
GOVERNMENT, EVERY POLITICAL SUBDIVISION OF THE STATE, AND
CERTAIN OFFICERS OF SUCH SUBDIVISIONS, EVERY PERSON,
ASSOCIATION, AND CORPORATION REQUIRED TO PAY, ASSESS, OR
COLLECT TAXES, OR TO MAKE RETURNS OR REPORTS UNDER THE LAWS
IMPOSING TAXES FOR STATE PURPOSES, OR TO PAY LICENSE FEES OR
OTHER MONEYS TO THE COMMONWEALTH, OR ANY AGENCY THEREOF,
every State depository and every debtor or creditor of the
Commonwealth," in Treasury Department, establishing the
Pennsylvania Award for Student Success Scholarship Program
and the Pennsylvania Award for Student Success Scholarship
Fund; and providing for 2023-2024 budget implementation.

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

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code, is amended by adding a section to read:

Section 443.13. Ambulance Transportation Services.--(a) From money appropriated for medical assistance capitation, subject to Federal approval as may be necessary and contingent on Federal financial participation, beginning January 1, 2025, sufficient funds shall be included to provide rates for ambulance transportation for ground mileage at not less than $4 per mile for each loaded mile.

(b) From money appropriated for medical assistance fee-for-service, subject to Federal approval as may be necessary and contingent on Federal financial participation, beginning January 1, 2025, sufficient funds shall be included to provide rates for ambulance transportation for ground mileage at not less than $4 per mile for each loaded mile.

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

SECTION 1. ARTICLE III OF THE ACT OF APRIL 9, 1929 (P.L.343, No.176), known as the Fiscal Code, is amended by adding a subarticle heading immediately after the article heading to read:

SUBARTICLE A
GENERAL PROVISIONS

SECTION 2. ARTICLE III OF THE ACT IS AMENDED BY ADDING A SUBARTICLE TO READ:

SUBARTICLE B

PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM

SECTION 321. SCOPE OF SUBARTICLE.

THIS SUBARTICLE RELATES TO THE PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM.

SECTION 322. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"APPLICANT." A PARENT WHO APPLIES FOR PARTICIPATION IN THE PROGRAM UNDER SECTION 324 ON BEHALF OF AN ELIGIBLE STUDENT.


"DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

"ELIGIBLE STUDENT." A SCHOOL-AGE CHILD WHO:

(1) IS A RESIDENT OF THIS COMMONWEALTH.

(2) HAS NOT RECEIVED A HIGH SCHOOL DIPLOMA.

(4) Lives in a household with a household income below 250% of the Federal Poverty Guidelines or lived in a household with a household income below 250% of the Federal Poverty Guidelines at the time the State Treasury received written confirmation that the child accepted an offer of enrollment under Section 324.

(5) Satisfies one of the following:

(i) Attended a public school in this Commonwealth in the preceding school year.

(ii) Received a scholarship from the program in the preceding school year.

(iii) Will attend kindergarten for the first time in the next school year.

"Fund." the Pennsylvania Award for Student Success Scholarship Fund established in Section 328.

"Kindergarten." a one-year formal educational program, whether part time or full time, that occurs during the school year immediately prior to first grade.

"Low-achieving school." as defined in Section 2002-B of the Public School Code of 1949.

"Nonpublic school." a nonprofit school, other than a public school, located in this Commonwealth where a resident of this Commonwealth may legally fulfill the compulsory attendance requirements of this Subarticle.

"Parent." an individual who is a resident of this Commonwealth and:

(1) Has legal custody or guardianship of an eligible student; or

(2) Keeps in the individual's home an eligible student and supports the student gratis as if the student were a
LINEAL DESCENDANT OF THE INDIVIDUAL.

"PARTICIPATING NONPUBLIC SCHOOL." A NONPUBLIC SCHOOL OFFERING A PROGRAM OF INSTRUCTION FOR KINDERGARTEN THROUGH GRADE TWELVE, OR A COMBINATION OF GRADES, THAT NOTIFIES THE STATE TREASURY OF THE NONPUBLIC SCHOOL'S DESIRE TO PARTICIPATE IN THE PROGRAM AND PROVIDES CERTIFICATION TO THE STATE TREASURY THAT THE NONPUBLIC SCHOOL MEETS THE CRITERIA UNDER SECTION 331.

"PASS SCHOLARSHIP ACCOUNT." A SPENDING ACCOUNT ESTABLISHED AND ADMINISTERED BY THE STATE TREASURY, AND DIRECTED BY A PARENT FOR A SCHOLARSHIP RECIPIENT, THAT MAY BE USED FOR TUITION, SCHOOL-RELATED FEES AND SPECIAL EDUCATION SERVICES FEES TO ATTEND A PARTICIPATING NONPUBLIC SCHOOL.

"PROGRAM." THE PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM ESTABLISHED UNDER SECTION 323(A).

"PUBLIC SCHOOL." A SCHOOL OPERATED BY A SCHOOL DISTRICT, AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL SCHOOL, A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

"RESIDENT SCHOOL DISTRICT." THE SCHOOL DISTRICT IN WHICH AN ELIGIBLE STUDENT RESIDES.

"SCHOLARSHIP." A SCHOLARSHIP THAT IS AWARDED TO AN ELIGIBLE STUDENT UNDER THE PROGRAM.

"SCHOLARSHIP RECIPIENT." AN ELIGIBLE STUDENT THAT IS AWARDED A SCHOLARSHIP UNDER THE PROGRAM.

"SCHOOL-AGE CHILD." A CHILD ENROLLING IN KINDERGARTEN OR IN GRADE ONE THROUGH GRADE TWELVE.

"SCHOOL-RELATED FEE." A FEE CHARGED BY A PARTICIPATING NONPUBLIC SCHOOL TO ALL STUDENTS FOR BOOKS, INSTRUCTIONAL MATERIALS, TECHNOLOGY EQUIPMENT AND SERVICES, UNIFORMS, ACTIVITIES AND CONCURRENT ENROLLMENT PROGRAMS UNDER ARTICLE XVI-B OF THE PUBLIC SCHOOL CODE OF 1949.
"SCHOOL YEAR." A SCHOOL TERM AS DEFINED IN SECTION 102 OF THE PUBLIC SCHOOL CODE OF 1949.

"SPECIAL EDUCATION SERVICES FEE." A FEE CHARGED BY A PARTICIPATING NONPUBLIC SCHOOL FOR SPECIAL EDUCATION SERVICES FOR A STUDENT WITH SPECIAL NEEDS AS AGREED TO BY THE PARENT AND THE PARTICIPATING NONPUBLIC SCHOOL.

"STATE TREASURY." THE TREASURY DEPARTMENT OF THE COMMONWEALTH.

"STUDENT WITH SPECIAL NEEDS." A CHILD WHO IS SUBJECT TO AN INDIVIDUALIZED EDUCATION PROGRAM UNDER 20 U.S.C. CH. 33 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) AND 22 PA. CODE CH. 14 (RELATING TO SPECIAL EDUCATION SERVICES AND PROGRAMS).

SECTION 323. PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM.

(A) ESTABLISHMENT.--BEGINNING WITH THE 2024-2025 SCHOOL YEAR, THE PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM IS ESTABLISHED AS A PROGRAM IN THE STATE TREASURY TO PROVIDE SCHOLARSHIPS TO HELP ELIGIBLE STUDENTS PAY TUITION, SCHOOL-RELATED FEES AND SPECIAL EDUCATION SERVICES FEES FOR ATTENDANCE AT A PARTICIPATING NONPUBLIC SCHOOL. THE PROGRAM MAY BE REFERRED TO AS THE PASS SCHOLARSHIP PROGRAM.

(B) NOTICE TO PARENTS.--

DESIGNATION.

(2) THE NOTICE SHALL BE IN A FORM PROVIDED BY THE STATE TREASURY, IN CONSULTATION WITH THE DEPARTMENT, AND SHALL PROVIDE THE FOLLOWING INFORMATION REGARDING THE PROGRAM:

(I) A DESCRIPTION OF THE PROGRAM.

(II) INSTRUCTIONS FOR OBTAINING INFORMATION ABOUT APPLYING FOR A SCHOLARSHIP UNDER THE PROGRAM.

(III) A LIST OF SCHOOLS IN THE SCHOOL DISTRICT THAT HAVE BEEN DESIGNATED AS LOW-ACHIEVING SCHOOLS.

(IV) NOTICE OF THE PARENT'S RESPONSIBILITIES REGARDING APPLICATION TO A PARTICIPATING NONPUBLIC SCHOOL IF THE PARENT SEEKS TO ENROLL AN ELIGIBLE STUDENT IN A PARTICIPATING NONPUBLIC SCHOOL.

(3) THE NOTICE SHALL BE POSTED ON THE SCHOOL DISTRICT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(C) NOTICE TO STATE TREASURY.--A SCHOOL DISTRICT REQUIRED TO SUBMIT A NOTICE TO PARENTS UNDER SUBSECTION (B) SHALL PROVIDE THE STATE TREASURY WITH A LIST OF STUDENTS WHOSE PARENTS WERE PROVIDED THE NOTICE. THE NOTIFICATION SHALL BE MADE IN A MANNER AND FORM ESTABLISHED BY THE STATE TREASURY.

SECTION 324. APPLICATION.

(A) APPLICATION FORM.--BY MARCH 1, 2024, THE STATE TREASURY SHALL DEVELOP AN APPLICATION FORM THAT CAN BE ACCESSED FROM AND SUBMITTED ELECTRONICALLY ON THE STATE TREASURY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(B) APPLICATION AND APPROVAL PROCESS.--

(1) BY APRIL 1, 2024, AND BY APRIL 1 OF EACH YEAR THEREAFTER, THE APPLICANT MAY APPLY TO THE STATE TREASURY FOR A SCHOLARSHIP FOR THE FOLLOWING SCHOOL YEAR ACCORDING TO GUIDELINES DEVELOPED BY THE STATE TREASURY UNDER SECTION 329.
AN APPLICATION SHALL BE APPROVED BY THE STATE TREASURY IF THE
STUDENT MEETS THE ELIGIBILITY REQUIREMENTS OF THIS
SUBARTICLE.

(1.1) A RENEWAL APPLICATION SHALL BE APPROVED BY THE
STATE TREASURY IF THE STUDENT MEETS THE ELIGIBILITY
REQUIREMENTS OF THIS SUBARTICLE, NOTWITHSTANDING THE
RESIDENCE AND INCOME CRITERIA SPECIFIED IN PARAGRAPHS (3) AND
(4) OF THE DEFINITION OF "ELIGIBLE STUDENT" IN SECTION 322.

(2) BY MAY 1, 2024, AND BY MAY 1 OF EACH YEAR
THEREAFTER, THE STATE TREASURY SHALL NOTIFY THE APPLICANT
WHETHER A SCHOLARSHIP WILL BE AWARDED FOR THE FOLLOWING
SCHOOL YEAR.

(3) FOR THE 2024-2025 SCHOOL YEAR, SCHOLARSHIPS SHALL BE
AWARDED ON A FIRST-COME, FIRST-SERVED BASIS CONSIDERING MONEY
AVAILABLE IN THE FUND.

(4) FOR THE 2025-2026 SCHOOL YEAR AND EACH SCHOOL YEAR
THEREAFTER, PRIORITY FOR SCHOLARSHIPS SHALL BE GIVEN TO PRIOR
YEAR SCHOLARSHIP RECIPIENTS. NEW APPLICANTS SHALL BE AWARDED
A SCHOLARSHIP ON A FIRST-COME, FIRST-SERVED BASIS CONSIDERING
MONEY AVAILABLE IN THE FUND.

(5) UPON NOTIFICATION BY THE STATE TREASURY THAT A
SCHOLARSHIP HAS BEEN AWARDED, THE APPLICANT SHALL APPLY FOR
ENROLLMENT OF THE SCHOLARSHIP RECIPIENT DIRECTLY TO THE
PARTICIPATING NONPUBLIC SCHOOL UNDER AN APPLICATION PROCEDURE
DEVELOPED BY THE PARTICIPATING NONPUBLIC SCHOOL.

(6) BY JUNE 1, 2024, AND BY JUNE 1 EACH YEAR THEREAFTER,
A PARTICIPATING NONPUBLIC SCHOOL SHALL PROVIDE WRITTEN
CONFIRMATION TO THE STATE TREASURY OF SCHOLARSHIP RECIPIENTS
WHO HAVE ACCEPTED AN OFFER OF ENROLLMENT FOR THE FOLLOWING
SCHOOL YEAR AND PROVIDE THE STATE TREASURY WITH THE AMOUNTS
TO BE CHARGED TO THE SCHOLARSHIP RECIPIENT FOR TUITION, SCHOOL-RELATED FEES AND SPECIAL EDUCATION SERVICES FEES. THE NOTIFICATION SHALL BE MADE IN A MANNER AND FORM ESTABLISHED BY THE STATE TREASURY.

(7) THE STATE TREASURY MAY ESTABLISH A WAITING LIST FOR ELIGIBLE STUDENTS WITH APPROVED APPLICATIONS AND WHO DID NOT RECEIVE AWARDS DUE TO AVAILABILITY OF MONEY IN THE FUND AND, IF, AFTER JULY 1, 2024, AND BY JULY 1 EACH YEAR THEREAFTER, ADDITIONAL MONEY IS AVAILABLE IN THE FUND FOR SCHOLARSHIPS, MAY AWARD SCHOLARSHIPS TO THE ELIGIBLE STUDENTS ON A FIRST-COME, FIRST-SERVED BASIS.

SECTION 325. AGREEMENT.

(A) AUTHORIZATION.--UPON RECEIPT OF WRITTEN CONFIRMATION THAT THE SCHOLARSHIP RECIPIENT HAS ACCEPTED AN OFFER OF ENROLLMENT UNDER SECTION 324, THE STATE TREASURY SHALL ENTER INTO OR RENEW AN AGREEMENT WITH THE APPLICANT. THE AGREEMENT SHALL PROVIDE THE FOLLOWING:

(1) THE SCHOLARSHIP RECIPIENT SHALL ENROLL IN A PARTICIPATING NONPUBLIC SCHOOL FOR THE SCHOOL YEAR FOR WHICH THE AGREEMENT APPLIES.

(2) A CERTAIN SUM OF MONEY SHALL BE DEPOSITED INTO A PASS SCHOLARSHIP ACCOUNT UNDER SECTION 326 ON BEHALF OF THE SCHOLARSHIP RECIPIENT.

(3) THE MONEY IN THE PASS SCHOLARSHIP ACCOUNT MAY BE EXPENDED ONLY AS AUTHORIZED UNDER THIS SUBARTICLE.

(4) THE PARENT SHALL NOTIFY THE STATE TREASURY IF THE SCHOLARSHIP RECIPIENT NO LONGER RESIDES IN THIS COMMONWEALTH OR WITHdraws OR IS FORCED TO WITHDRAW FROM THE PARTICIPATING NONPUBLIC SCHOOL WITHIN 15 DAYS OF THE CHANGE OF RESIDENCY OR WITHDRAWAL.
(B) Term of Agreement.—Except as otherwise provided under this subarticle, an agreement entered into under subsection (a) shall be valid for one school year.

(C) Termination.—

(1) An agreement entered into under subsection (a) may be terminated early by the parent for any reason.

(2) An agreement entered into under subsection (a) shall be terminated by the state treasury for the following reasons:

   (i) The parent is found to have engaged in fraudulent misuse of the pass scholarship account. In such case, the scholarship recipient shall be ineligible for future participation in the program. The parent may appeal the state treasury's decision regarding termination and student eligibility within 30 days of issuance of the decision. The appeal shall be governed by 2 Pa.C.S. Chs. 1 (relating to general provisions), 5 (relating to practice and procedure) and 7 (relating to judicial review).

   (ii) The scholarship recipient no longer resides in this commonwealth.

   (iii) The scholarship recipient withdraws or is forced to withdraw from a participating nonpublic school prior to the completion of the school year.

(3) If an agreement is terminated early under this subsection, the following shall apply:

   (i) All available money in the pass scholarship account shall revert to the fund.

   (ii) The participating nonpublic school shall repay to the state treasury for deposit into the fund the full
AMOUNT OF THE SCHOLARSHIP PAYMENT, REDUCED ON A PRO RATA BASIS BY THE TUITION, SCHOOL RELATED FEES AND SPECIAL EDUCATION SERVICES FEES OWED FOR THE PORTION OF THE SCHOOL YEAR IN WHICH THE SCHOLARSHIP RECIPIENT WAS ENROLLED.

(III) THE PARTICIPATING NONPUBLIC SCHOOL MAY NOT REQUIRE A PARENT TO REIMBURSE THE PARTICIPATING NONPUBLIC SCHOOL FOR THE AMOUNT OF THE SCHOLARSHIP RETURNED TO THE STATE TREASURY.

(D) RENEWAL.--AN AGREEMENT ENTERED INTO UNDER SUBSECTION (A) MAY BE RENEWED FOR EACH SCHOOL YEAR FOR THE SAME STUDENT.

(E) MULTIPLE AGREEMENTS.--A PARENT MAY ENTER INTO SEPARATE AGREEMENTS UNDER SUBSECTION (A) FOR EACH CHILD OF THE PARENT WHO IS A SCHOLARSHIP RECIPIENT.

(F) EXPLANATION.--UPON ENTERING INTO AN AGREEMENT UNDER SUBSECTION (A) OR RENEWING AN AGREEMENT UNDER SUBSECTION (D), THE STATE TREASURY SHALL PROVIDE THE PARENT WITH A WRITTEN EXPLANATION OF THE AUTHORIZED USES OF THE MONEY IN THE PASS SCHOLARSHIP ACCOUNT AND, A NOTICE THAT STUDENTS WITH DISABILITIES WHO PARTICIPATE IN THE PROGRAM ARE "PARENTALLY PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES" UNDER 20 U.S.C. § 1412 (RELATING TO STATE ELIGIBILITY) AND AN EXPLANATION OF THE RIGHTS OF PARENTALLY PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES UNDER 20 U.S.C. CH. 33 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) ("INDIVIDUALS WITH DISABILITIES EDUCATION ACT") AND ANY APPLICABLE STATE LAW AND REGULATION.

SECTION 326. PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP ACCOUNT.

(A) ESTABLISHMENT.--IF AN AGREEMENT IS ENTERED INTO UNDER SECTION 325(A), THE STATE TREASURY SHALL ESTABLISH A
PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP ACCOUNT FOR
THE SCHOLARSHIP RECIPIENT. THE PASS SCHOLARSHIP ACCOUNT SHALL BE
ADMINISTERED BY THE STATE TREASURY IN ACCORDANCE WITH THIS
SUBARTICLE.

(B) DEPOSIT.--

(1) UPON ESTABLISHMENT OF A PASS SCHOLARSHIP ACCOUNT,
THE STATE TREASURY SHALL DEPOSIT A SUM OF MONEY FOR THE
APPLICABLE SCHOOL YEAR IN THE PASS SCHOLARSHIP ACCOUNT FOR
THE SCHOLARSHIP RECIPIENT IN ACCORDANCE WITH THIS SECTION.

(2) FOR THE 2024-2025 SCHOOL YEAR, THE SUM SHALL BE AS
FOLLOWS:

(I) FOR A STUDENT IN HALF-DAY KINDERGARTEN, $2,500;

(II) FOR A STUDENT IN FULL-DAY KINDERGARTEN THROUGH
GRADE EIGHT, $5,000;

(III) FOR A STUDENT IN GRADE NINE THROUGH GRADE
TWELVE, $10,000; OR

(IV) FOR A STUDENT WITH SPECIAL NEEDS REGARDLESS OF
GRADE LEVEL, $15,000.

(3) BEGINNING WITH THE 2025-2026 SCHOOL YEAR, AND EACH
SCHOOL YEAR THEREAFTER, THE AMOUNTS IN PARAGRAPH (2) SHALL BE
INCREASED BY THE GREATER OF THE AVERAGE PERCENTAGE INCREASE
IN THE INDEX AS DEFINED IN SECTION 302 OF THE ACT OF JUNE 27,
2006 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE TAXPAYER
RELIEF ACT, FOR ALL SCHOOL DISTRICTS FOR THE PRIOR SCHOOL
YEAR AND THE PERCENTAGE INCREASE IN THE APPROPRIATION FOR
BASIC EDUCATION FOR THE PRIOR FISCAL YEAR. THE STATE TREASURY
SHALL CALCULATE THE INCREASES ON AN ANNUAL BASIS AND SHALL
SUBMIT A NOTICE OF THE INCREASES TO THE LEGISLATIVE REFERENCE
BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE OF THE
PENNSYLVANIA BULLETIN.
(C) INSTALLMENTS.--THE STATE TREASURY SHALL DEPOSIT THE
MONEY FOR EACH SCHOLARSHIP INTO A PASS SCHOLARSHIP ACCOUNT ON A
SCHEDULE DETERMINED BY THE STATE TREASURY IN CONSULTATION WITH
THE DEPARTMENT.

(D) PAYMENTS TO PARTICIPATING NONPUBLIC SCHOOLS.--A PARENT
MAY DIRECT PAYMENTS FROM THE PASS SCHOLARSHIP ACCOUNT TO A
PARTICIPATING NONPUBLIC SCHOOL ON BEHALF OF THE SCHOLARSHIP
RECIPIENT VIA AN ELECTRONIC MONEY TRANSFER SYSTEM OR OTHER
METHOD APPROVED BY THE STATE TREASURY UNDER SECTION 329.

SECTION 327. QUALIFIED EDUCATION EXPENSES.

(A) GENERAL RULE.--MONEY DEPOSITED INTO A PASS SCHOLARSHIP
ACCOUNT MAY BE USED ONLY TO PAY FOR THE FOLLOWING QUALIFIED
EXPENSES INCURRED BY OR ASSOCIATED WITH THE SCHOLARSHIP
RECIPIENT:

(1) TUITION REQUIRED BY A PARTICIPATING NONPUBLIC
SCHOOL.

(2) SCHOOL-RELATED FEES.

(3) SPECIAL EDUCATION SERVICES FEES.

(B) PROHIBITION.--A PARTICIPATING NONPUBLIC SCHOOL THAT
RECEIVES A PAYMENT FOR QUALIFIED EDUCATION EXPENSES AUTHORIZED
UNDER SUBSECTION (A) MAY NOT REFUND, REBATE OR OTHERWISE
DIRECTLY SHARE ANY PORTION OF THE PAYMENT WITH THE PARENT WHO
MADE THE PAYMENT.

(C) TAX CONSEQUENCES AND STATUS OF AWARDS.--

(1) THE MONEY IN A PASS SCHOLARSHIP ACCOUNT IS NOT
TAXABLE INCOME TO THE PARENT OR SCHOLARSHIP RECIPIENT UNDER
STATE LAW.

(2) AN AWARD MADE TO, OR PAYMENT FROM, A PASS
SCHOLARSHIP ACCOUNT MAY NOT BE CONSTRUED TO BE AN
APPROPRIATION OR FINANCIAL ASSISTANCE TO A PARTICIPATING
NONPUBLIC SCHOOL.

SECTION 328. PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP FUND.

(A) ESTABLISHMENT.--THE PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP FUND IS ESTABLISHED IN THE STATE TREASURY. ALL INTEREST AND EARNINGS RECEIVED FROM INVESTMENT OR DEPOSIT OF THE MONEY IN THE FUND SHALL BE PAID INTO THE FUND AND USED FOR SCHOLARSHIPS. ANY UNEXPENDED MONEY AND INTEREST OR EARNINGS ON THE MONEY IN THE FUND MAY NOT BE TRANSFERRED OR REVERT TO THE GENERAL FUND BUT SHALL REMAIN IN THE FUND.

(B) DEPOSITS.--DEPOSITS IN THE FUND SHALL CONSIST OF THE FOLLOWING:

(1) MONEY THAT IS APPROPRIATED, GIVEN, GRANTED OR DONATED BY THE COMMONWEALTH OR ANY OTHER GOVERNMENT OR PRIVATE AGENCY OR PERSON FOR THE PURPOSE ESTABLISHED UNDER THIS SUBARTICLE.

(2) $100,000,000 TRANSFERRED FROM FUNDS RECEIVED UNDER THE AUTHORITY OF ARTICLE III OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF 1971. THIS TRANSFER SHALL OCCUR NO LATER THAN AUGUST 1, 2023, AND EACH AUGUST 1 THEREAFTER.

(C) CONTINUING APPROPRIATION.--THE MONEY IN THE FUND IS APPROPRIATED ON A CONTINUING BASIS TO THE STATE TREASURY FOR SCHOLARSHIPS.

SECTION 329. DUTIES OF STATE TREASURY.

(A) GENERAL RULE.--THE STATE TREASURY SHALL:

(1) DEVELOP GUIDELINES, IN CONSULTATION WITH THE DEPARTMENT, AS NECESSARY FOR THE ADMINISTRATION OF THIS SUBARTICLE.

(2) MAKE PAYMENTS TO PASS SCHOLARSHIP ACCOUNTS AS
Provided in this subarticle.

(3) Develop a system that enables a parent to direct payment to a participating nonpublic school in accordance with this subarticle.

(4) Develop a process by which a nonpublic school may inform the state treasury of the nonpublic school's interest to participate in the program and demonstrate compliance with the requirements of this subarticle.

(5) Ensure that eligible students and their parents are informed annually of the participating nonpublic schools in the program by posting a list of participating nonpublic schools on the state treasury's publicly accessible internet website by April 1, 2024, and by April 1 of each year thereafter.

(6) At such time and in such form and manner as may be directed by the state treasury, request and receive information and data from a public school, resident school district, participating nonpublic school or applicant determined to be necessary by the state treasury to administer this subarticle.

(B) Third-party administration.--The state treasury may contract with a third party to administer the program.

(C) Contracting.--

(1) notwithstanding any provision of 62 pa.c.s. pt. i (relating to commonwealth procurement code), to the contrary and in order to facilitate the prompt implementation of this subarticle, a contract may be awarded for a supply or service without competition if the state treasury determines in writing that the contract is necessary for the implementation of any provision of this subarticle and is in the best
INTEREST OF THE COMMONWEALTH. THE STATE TREASURY SHALL
PROVIDE AND MAKE PUBLICLY AVAILABLE A WRITTEN JUSTIFICATION
OF ANY PROCUREMENT UNDER THIS SECTION.

(2) PARAGRAPH (1) SHALL EXPIRE NO LATER THAN TWO YEARS
FOLLOWING THE ISSUANCE OF THE PROCUREMENT UNDER PARAGRAPH
(1). PROCUREMENTS ISSUED AFTER THIS PERIOD SHALL BE ISSUED AS
PROVIDED BY LAW.

(D) REGULATIONS.--

(1) IN ORDER TO FACILITATE THE PROMPT IMPLEMENTATION OF
THIS CHAPTER, REGULATIONS DETERMINED TO BE NECESSARY AND
PROMULGATED BY THE STATE TREASURY SHALL BE DEEMED TEMPORARY
REGULATIONS AND SHALL EXPIRE NO LATER THAN TWO YEARS
FOLLOWING THE PUBLICATION OF TEMPORARY REGULATIONS. THE STATE
TREASURY MAY PROMULGATE TEMPORARY REGULATIONS NOT SUBJECT TO:

(I) SECTION 612 OF THE ACT OF APRIL 9, 1929
(P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF
1929.

(II) SECTIONS 201, 202, 203, 204 AND 205 OF THE ACT
OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE
COMMONWEALTH DOCUMENTS LAW.

(III) SECTION 204(B) OF THE ACT OF OCTOBER 15, 1980
(P.L.950, NO.164), KNOWN AS THE COMMONWEALTH ATTORNEYS
ACT.

(IV) THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
KNOWN AS THE REGULATORY REVIEW ACT.

(2) THE AUTHORITY PROVIDED TO THE STATE TREASURY TO
ADOPT TEMPORARY REGULATIONS IN THIS SUBSECTION SHALL EXPIRE
NO LATER THAN TWO YEARS FOLLOWING THE PUBLICATION OF THE
TEMPORARY REGULATIONS. REGULATIONS ADOPTED AFTER THIS PERIOD
SHALL BE PROMULGATED AS PROVIDED BY LAW.
SECTION 330. DUTIES OF AUDITOR GENERAL.

THE AUDITOR GENERAL MAY:

(1) CONDUCT A RANDOM AUDIT OF PASS SCHOLARSHIP ACCOUNTS.

(2) REFER CASES OF SUSPECTED FRAUDULENT MISUSE OF PASS SCHOLARSHIP ACCOUNTS TO THE INSPECTOR GENERAL FOR INVESTIGATION. IF THE INVESTIGATION RESULTS IN A FINDING THAT RISES TO THE LEVEL OF CRIMINAL ACTIVITY, THE INSPECTOR GENERAL SHALL REFER THE MATTER TO THE APPROPRIATE LAW ENFORCEMENT AGENCY FOR PROSECUTION.

(3) NOTIFY THE STATE TREASURY OF CASES OF SUSPECTED FRAUDULENT MISUSE THAT ARE REFERRED TO THE INSPECTOR GENERAL.

SECTION 331. DUTIES OF PARTICIPATING NONPUBLIC SCHOOLS.

(A) NOTIFICATION REQUIREMENT.--A NONPUBLIC SCHOOL THAT DESIRES TO PARTICIPATE IN THE PROGRAM SHALL NOTIFY THE STATE TREASURY BY A DATE AND IN A MANNER AND FORM ESTABLISHED BY THE STATE TREASURY. THE NOTIFICATION SHALL INCLUDE CERTIFICATION BY THE NONPUBLIC SCHOOL THAT:


(B) PROHIBITION.--A PARTICIPATING NONPUBLIC SCHOOL MAY NOT CHARGE A PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP RECIPIENT A TUITION RATE, STUDENT-RELATED FEES OR SPECIAL EDUCATION SERVICES FEES THAT ARE HIGHER THAN THE RATES THE

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PARTICIPATING NONPUBLIC SCHOOL WOULD HAVE CHARGED TO A STUDENT WHO HAD NOT RECEIVED A PENNSYLVANIA AWARD FOR STUDENT SUCCESS.

(C) REPORTING REQUIREMENTS.--

(1) EACH PARTICIPATING NONPUBLIC SCHOOL SHALL REPORT IN A MANNER AND FORM DETERMINED BY THE STATE TREASURY, IN CONSULTATION WITH THE DEPARTMENT, INFORMATION REGARDING SCHOLARSHIP RECIPIENTS ENROLLED IN THE PARTICIPATING NONPUBLIC SCHOOL AS FOLLOWS:

(I) ENROLLMENT AND DISENROLLMENT.

(II) REGULAR ATTENDANCE.

(III) CHRONIC ABSENTEEISM.

(IV) ACADEMIC PROGRESS AS MEASURED BY ADVANCEMENT TO THE NEXT GRADE LEVEL.

(V) INDICATION OF GRADUATION.

(VI) CONCURRENT OR DUAL ENROLLMENT COURSE CREDITS.

(2) THE STATE TREASURY SHALL REPORT THE INFORMATION REGULARLY TO THE DEPARTMENT ON A SCHEDULE AGREED TO BY THE STATE TREASURY AND THE DEPARTMENT.

(D) CONSTRUCTION.--

(1) FOR PURPOSES OF THIS SUBARTICLE, A PARTICIPATING NONPUBLIC SCHOOL SHALL BE AUTONOMOUS AND IS NOT AN AGENT OF THE STATE TREASURY, THE DEPARTMENT OR THE COMMONWEALTH.

(2) NEITHER THE STATE TREASURY, THE DEPARTMENT NOR OTHER STATE AGENCY MAY REGULATE THE EDUCATIONAL PROGRAM OF A PARTICIPATING NONPUBLIC SCHOOL THAT ACCEPTS MONEY FROM A SCHOLARSHIP RECIPIENT BEYOND WHAT IS NECESSARY TO ADMINISTER THE PROGRAM.

SECTION 332. BAR OF CERTAIN PARTICIPATING NONPUBLIC SCHOOLS.

(A) GENERAL RULE.--THE STATE TREASURY MAY BAR A NONPUBLIC
SCHOOL FROM PARTICIPATION IN THE PROGRAM IF STATE TREASURY
ESTABLISHES THAT THE NONPUBLIC SCHOOL HAS:

(1) ROUTINELY FAILED TO COMPLY WITH THE REQUIREMENTS
    ESTABLISHED IN SECTION 331; OR

(2) FAILED TO PROVIDE A SCHOLARSHIP RECIPIENT WITH THE
    EDUCATIONAL SERVICES FUNDED BY THE RECIPIENT'S PASS
    SCHOLARSHIP ACCOUNT.

(B) NOTICE.--IF THE STATE TREASURY BARS A NONPUBLIC SCHOOL
FROM PARTICIPATION IN THE PROGRAM, THE STATE TREASURY SHALL,
AFTER ANY APPEAL IS CONCLUDED AND THE STATE TREASURY'S DECISION
IS UPHELD UNDER SUBSECTION (C), POST THE DECISION ON THE STATE
TREASURY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(C) APPEAL.--A NONPUBLIC SCHOOL MAY APPEAL THE STATE
TREASURY'S DECISION TO BAR ITS PARTICIPATION IN THE PROGRAM
WITHIN 30 DAYS OF ISSUANCE OF THE DECISION. THE APPEAL SHALL BE
GOVERNED BY 2 PA.C.S. CHS. 1 (RELATING TO GENERAL PROVISIONS), 5
(RELATING TO PRACTICE AND PROCEDURE) AND 7 (RELATING TO JUDICIAL
REVIEW).

SECTION 333. DUTIES OF RESIDENT SCHOOL DISTRICTS.

A RESIDENT SCHOOL DISTRICT SHALL PROVIDE A PARTICIPATING
NONPUBLIC SCHOOL THAT HAS ADMITTED A SCHOLARSHIP RECIPIENT WITH
A COMPLETE COPY OF THE SCHOLARSHIP RECIPIENT'S SCHOOL RECORD
WITHIN 10 DAYS OF THE RECEIPT OF NOTICE FROM THE PARTICIPATING
NONPUBLIC SCHOOL OF THE SCHOLARSHIP RECIPIENT'S ENROLLMENT.

SECTION 334. REPORT.

(A) DUTY TO PREPARE AND SUBMIT.--BEGINNING JANUARY 31, 2025,
AND EACH JANUARY 31 THEREAFTER, THE STATE TREASURY, IN
CONSULTATION WITH THE DEPARTMENT, SHALL PREPARE AND SUBMIT TO
THE GENERAL ASSEMBLY AN ANNUAL REPORT ON THE PROGRAM.

(B) CONTENTS.--THE REPORT SHALL INCLUDE THE FOLLOWING:

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(1) THE TOTAL NUMBER OF APPLICATIONS RECEIVED FOR THE
PROGRAM.

(2) THE TOTAL NUMBER OF APPLICATIONS RECEIVED FOR THE
PROGRAM, BY RESIDENT SCHOOL DISTRICT.

(3) THE TOTAL NUMBER OF APPLICATIONS APPROVED FOR THE
PROGRAM.

(4) THE TOTAL NUMBER OF APPLICATIONS APPROVED FOR THE
PROGRAM, BY RESIDENT SCHOOL DISTRICT.

(5) THE TOTAL NUMBER OF PASS SCHOLARSHIP ACCOUNTS
TERMINATED EARLY.

(6) THE TOTAL NUMBER OF PASS SCHOLARSHIP ACCOUNTS
INVESTIGATED FOR FRAUD BY THE INSPECTOR GENERAL.

(7) THE TOTAL NUMBER OF SCHOLARSHIPS AWARDED TO STUDENTS
ATTENDING HALF-DAY KINDERGARTEN.

(8) THE TOTAL NUMBER OF SCHOLARSHIPS AWARDED TO STUDENTS
ATTENDING FULL-DAY KINDERGARTEN THROUGH GRADE EIGHT.

(9) THE TOTAL NUMBER OF SCHOLARSHIPS AWARDED TO STUDENTS
ATTENDING GRADE NINE THROUGH GRADE TWELVE.

(10) THE TOTAL DOLLAR AMOUNT OF SCHOLARSHIPS AWARDED.

(11) THE TOTAL NUMBER OF APPLICATIONS NOT APPROVED DUE
TO LACK OF FUNDING.

(12) THE COST OF ADMINISTRATION OF THE PROGRAM.

(13) OTHER INFORMATION THE STATE TREASURY DEEMS HELPFUL
TO THE GENERAL ASSEMBLY.

SECTION 3. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

ARTICLE XVII-F.3

2023-2024 BUDGET IMPLEMENTATION

SUBARTICLE A

PRELIMINARY PROVISIONS

SECTION 1701-F.3. APPLICABILITY.
EXCEPT AS SPECIFICALLY PROVIDED IN THIS ARTICLE, THIS ARTICLE APPLIES TO THE GENERAL APPROPRIATION ACT OF 2023 AND ALL OTHER APPROPRIATION ACTS OF 2023.

SECTION 1702-F.3. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:


SUBARTICLE B
EXECUTIVE DEPARTMENTS

SECTION 1711-F.3. TREASURY DEPARTMENT.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE TREASURY DEPARTMENT:

(1) FROM FUNDS APPROPRIATED FOR GENERAL GOVERNMENT OPERATIONS, $3,700,000 IS ALLOCATED FOR COSTS RELATED TO THE IMPLEMENTATION OF THE PENNSYLVANIA AWARD FOR STUDENT SUCCESS SCHOLARSHIP PROGRAM.

(2) (RESERVED).

SECTION 1712-F.3. DEPARTMENT OF HUMAN SERVICES.

THE FOLLOWING APPLY TO APPROPRIATIONS FOR THE DEPARTMENT OF HUMAN SERVICES:

(1) FROM MONEY APPROPRIATED FOR MEDICAL ASSISTANCE CAPITATION:

(I) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION, SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1,
2023, BEGINNING ON JANUARY 1, 2024.

(II) (RESERVED).

(2) THE FOLLOWING SHALL APPLY TO AMOUNTS APPROPRIATED
FOR MEDICAL ASSISTANCE FEE-FOR-SERVICE:

(I) SUBJECT TO FEDERAL APPROVAL AS MAY BE NECESSARY
AND CONTINGENT ON FEDERAL FINANCIAL PARTICIPATION,
SUFFICIENT FUNDS ARE INCLUDED TO PROVIDE REIMBURSEMENT
FOR GROUND MILEAGE FOR EVERY LOADED MILE AND TO PROVIDE
THE GREATER OF MEDICARE RATES PUBLISHED IN THE AMBULANCE
FEE SCHEDULE PUBLIC USE FILE FOR CALENDAR YEAR 2023 OR
THE CURRENT MEDICAID AMBULANCE FEES AS UPDATED BY MEDICAL
ASSISTANCE BULLETIN 26-22-07 EFFECTIVE DATE JANUARY 1,
2023, BEGINNING ON JANUARY 1, 2024.

(II) (RESERVED).

SECTION 4. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.