

Regular Session, 2014

HOUSE BILL NO. 780

BY REPRESENTATIVE TALBOT

TAX/TAX REBATES: Provides relative to the requirements of certain school tuition organizations and the definition of a "qualified student" for purposes of the rebate

1 AN ACT

2 To amend and reenact R.S. 47:6301(B)(1)(c)(iv) and (viii) and (3), and (C)(1)(e) and to  
3 enact R.S. 47:6301(C)(1)(g), relative to the rebate for donations to school tuition  
4 organizations; to provide with respect to requirements of certain school tuition  
5 organizations; to provide with respect to the definition of a "qualified student" for  
6 purposes of the rebate; to provide with respect to the requirements of the Department  
7 of Education; to require certain annual audits; to require certain public reports; and  
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 47:6301(B)(1)(c)(iv) and (viii) and (3), and (C)(1)(e) are hereby  
11 amended and reenacted and R.S. 47:6301(C)(1)(g) is hereby enacted to read as follows:

12 §6301. Rebates; donations to school tuition organizations

13 \* \* \*

14 B.(1)

15 \* \* \*

16 (c) A school tuition organization which provides scholarships to qualified  
17 students shall do all of the following:

18 \* \* \*

19 (iv) Provide scholarships to qualified students on a first-come, first-served  
20 basis, with priority given to students who received a scholarship from the school





school. The amount of the rebate is equal to the actual amount of the taxpayer's donation used by an STO to fund a scholarship to a qualified student.

Present law provides relative to the requirement that an STO provide scholarships to qualified students on a first-come, first served basis with priority given to students who received a scholarship the previous year.

Proposed law specifies, with respect to the priority given to students who received a scholarship the previous year, that the scholarship was from either the STO or the Student Scholarships for Educational Excellence Program.

Present law requires an STO to ensure that scholarships granted to qualified students are portable during the school year and can be used at any qualifying school that accepts a qualified student. Authorizes the scholarship amount to be prorated if a parent desires their student to move to a new qualified school during a school year.

Proposed law specifies that the STO's obligation to ensure that the scholarship is portable and that tuition amount is prorated only applies to a qualifying school served by the STO.

Present law defines a "qualified student" as a child who is a member of a family that resides in La. with a total household income that does not exceed an amount equal to 250% of the federal poverty level based on the federal poverty guidelines. A qualified student shall also be a student who is entering kindergarten for the first time, a student who attended a public school the previous year, or a student who received a scholarship from an STO for the previous school year.

Proposed law retains present law but adds to the definition of a "qualified student", a student who received a scholarship from the Student Scholarships for Educational Excellence Program.

Present law authorizes the Department of Education (DOE) to conduct either a financial review or an audit of an STO as deemed necessary by the department. Further requires the DOE to bar an STO from participating in the rebate program if the STO intentionally and substantially fails to comply with the requirements of present law.

Proposed law changes present law by requiring the DOE to conduct an annual audit of an STO. Further requires the DOE to publicly report state test scores for each student receiving a scholarship from an STO pursuant to the provisions of present law in accordance with present federal law and federal regulations. However, the DOE shall not include the name or any other identifying information of individual students.

(Amends R.S. 47:6301(B)(1)(c)(iv) and (viii) and (3), and (C)(1)(e); Adds R.S. 47:6301(C)(1)(g))

#### Summary of Amendments Adopted by House

##### House Floor Amendments to the engrossed bill.

1. Adds provision requiring, rather than permitting, the Department of Education (DOE) to annually audit a school tuition organization. Deletes the option of DOE to conduct a financial review rather than an audit.
2. Requires the DOE to publicly report state test scores for each student receiving a scholarship from an STO in accordance with the requirements of present federal law and federal regulations.