

1 HOUSE BILL 333

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 James R.J. Strickler

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10 AN ACT

11 RELATING TO TAXATION; ENACTING THE EQUAL OPPORTUNITY
12 SCHOLARSHIP ACT; PROVIDING FOR TUITION SCHOLARSHIP
13 ORGANIZATIONS TO GRANT EDUCATIONAL SCHOLARSHIPS TO LOW-INCOME
14 STUDENTS TO ATTEND CERTAIN SCHOOLS; CREATING INCOME TAX AND
15 CORPORATE INCOME TAX CREDITS FOR CONTRIBUTIONS TO TUITION
16 SCHOLARSHIP ORGANIZATIONS THAT PROVIDE EDUCATIONAL SCHOLARSHIPS
17 FOR LOW-INCOME STUDENTS TO ATTEND CERTAIN SCHOOLS OF THE
18 STUDENT'S PARENTS' CHOICE.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

21 SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1
22 through 5 of this act may be cited as the "Equal Opportunity
23 Scholarship Act".

24 SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
25 Equal Opportunity Scholarship Act:

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1 A. "certification document" means the document
2 issued by the department to an organization verifying that the
3 organization is a tuition scholarship organization and
4 contributions to that organization for equal opportunity
5 scholarships may be claimed as an equal opportunity scholarship
6 tax credit;

7 B. "contribution receipt" means a document
8 developed by the taxation and revenue department pursuant to
9 the Equal Opportunity Scholarship Act and provided to a tuition
10 scholarship organization that in turn provides the document to
11 an individual or corporate contributor that is a taxpayer that
12 intends to claim an equal opportunity scholarship tax credit as
13 a receipt for a contribution to the tuition scholarship
14 organization;

15 C. "department" means the public education
16 department;

17 D. "educational scholarship" means a tuition grant
18 or other grant of funds to an eligible student to cover all or
19 part of the costs of that student at a qualified school,
20 including transportation costs;

21 E. "eligible student" means a student who:

22 (1) is a member of a household for which the
23 total annual income does not exceed an amount used to qualify
24 for a reduced-price lunch through the federal school lunch
25 programs established pursuant to 42 USCA Sections 1751 through

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1 1769, as amended; provided that once a student receives a
2 scholarship pursuant to the Equal Opportunity Scholarship Act,
3 the student shall remain eligible regardless of household
4 income until the student graduates from high school or reaches
5 twenty-one years of age;

6 (2) attended a New Mexico public school for
7 the semester prior to first receiving an educational
8 scholarship pursuant to the Equal Opportunity Scholarship Act
9 or is starting school in New Mexico for the first time; and

10 (3) resides in New Mexico while receiving a
11 scholarship from a tuition scholarship organization;

12 F. "equal opportunity scholarship tax credit" means
13 the equal opportunity scholarship income tax credit provided in
14 the Income Tax Act and the equal opportunity scholarship
15 corporate income tax credit provided in the Corporate Income
16 and Franchise Tax Act;

17 G. "parent" means a guardian, custodian or other
18 person with authority to act on behalf of a child;

19 H. "qualified school" means a public or nonpublic
20 elementary, middle or secondary school located in New Mexico to
21 which a parent has chosen to send an eligible student;

22 I. "relative" means a person related by affinity or
23 consanguinity to the third degree;

24 J. "tuition grant" means a grant of funds for the
25 purpose of covering the costs of tuition for a qualified

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1 school; and

2 K. "tuition scholarship organization" means an
3 organization that provides educational scholarships to students
4 attending qualified schools of their parents' choice and that
5 meets the criteria established in the Equal Opportunity
6 Scholarship Act.

7 SECTION 3. [NEW MATERIAL] TUITION SCHOLARSHIP
8 ORGANIZATION--CERTIFICATION.--

9 A. An organization may seek certification from the
10 department as a tuition scholarship organization by submitting
11 an application for certification to the department.

12 B. To be certified as a tuition scholarship
13 organization by the department, the organization shall provide
14 documentation as deemed appropriate by the department to verify
15 that:

16 (1) the tuition scholarship organization has
17 been granted an exemption from federal income tax as an
18 organization described in Section 501(c)(3) of the federal
19 Internal Revenue Code of 1986;

20 (2) the tuition scholarship organization has
21 awarded or intends to award educational scholarships to
22 eligible students who are attending or plan to attend qualified
23 schools;

24 (3) the scholarships are funded from
25 contributions that the tuition scholarship organization has

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1 received in or prior to the current calendar year or
2 anticipates receiving during the remainder of the calendar year
3 and:

4 (a) at least ninety percent of the
5 contributions received during a calendar year for which the
6 tuition scholarship organization issues a contribution receipt
7 to an individual or corporate taxpayer for purposes of
8 obtaining an equal opportunity scholarship tax credit is
9 awarded by the organization as educational scholarships and all
10 revenue from interest or investments is expended solely on
11 educational scholarships; and

12 (b) a scholarship award to an eligible
13 student shall not exceed eighty percent of the three-year
14 rolling average of the state equalization guarantee
15 distribution for the eligible student as calculated for the
16 associated program units;

17 (4) the tuition scholarship organization
18 distributes periodic scholarship payments as checks that are
19 issued to an eligible student's parent, that are mailed to the
20 qualified school in which the eligible student is enrolled and
21 that require the endorsement of the parent prior to deposit of
22 the check;

23 (5) educational scholarships awarded by the
24 tuition scholarship organization are portable during the school
25 year and can be used at any qualified school that accepts the

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1 eligible student according to a parent's wishes; provided that
2 the scholarship shall be prorated between schools based on the
3 number of days attended at each school by the eligible student;

4 (6) criminal background checks on all of the
5 tuition scholarship organization's employees and board members
6 have been conducted by the organization, with the understanding
7 that individuals who might reasonably pose a risk to the sound
8 fiscal management of the funds of the organization shall be
9 excluded from employment or governance, and all pertinent
10 findings on employees and board members have been provided to
11 the department for review and approval;

12 (7) the tuition scholarship organization has
13 in place systems to provide for financial accountability,
14 including independent annual audits that shall be submitted to
15 the department in the form of a financial information report
16 that complies with generally accepted accounting procedures as
17 specified by the department and is certified to be free of
18 material misstatements by the certified public accountant who
19 performed the audit; and

20 (8) the tuition scholarship organization is
21 financially viable and receives or is likely to receive
22 donations of fifty thousand dollars (\$50,000) or more during a
23 school year by filing with the department prior to the start of
24 the school year a surety bond payable to the state in an amount
25 equal to the aggregate amount of contributions expected to be

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1 received during the school year.

2 SECTION 4. [NEW MATERIAL] TUITION SCHOLARSHIP
3 ORGANIZATION--DUTIES.--

4 A. No later than thirty days prior to the start of
5 a new school year or the start of a new semester, a tuition
6 scholarship organization shall provide to the department the
7 names of eligible students who received scholarships and the
8 students' previous school district or charter school
9 affiliation. The tuition scholarship organization shall
10 provide verification that the qualified students have been
11 awarded a tuition scholarship and have enrolled in a public or
12 nonpublic school for the new school year or the new semester.

13 B. A tuition scholarship organization shall ensure
14 that a school participating in the tuition scholarship
15 organization's scholarship program certifies that the school:

- 16 (1) is in compliance with all health and
17 safety laws or rules that apply to schools;
- 18 (2) holds a valid occupancy permit as required
19 by applicable laws;
- 20 (3) does not discriminate in admissions on the
21 basis of race, color or national origin;
- 22 (4) provides academic accountability to
23 parents of the students in the program by regularly reporting
24 to the parent on the student's academic and developmental
25 progress;

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1 (5) ensures that every school employee with
2 unsupervised access to students has undergone a background
3 check as described in Subsection B of Section 22-10A-5 NMSA
4 1978;

5 (6) has no paid staff or board members who are
6 also staff or board members of the tuition scholarship
7 organization or who are relatives of the staff or board members
8 of the tuition scholarship organization;

9 (7) gives enrollment preference to eligible
10 students who were enrolled at the school in the prior year and
11 to siblings of eligible students already admitted to or
12 attending the school; and

13 (8) is a qualified school and, if the school
14 has more applications for educational scholarships from
15 eligible students than positions available for students
16 receiving scholarships, the school fills the available
17 scholarship positions only by using a random selection process.

18 C. By June 1 of each year beginning in 2016, a
19 tuition scholarship organization shall report the following
20 information to the department and the taxation and revenue
21 department:

22 (1) the name and address of the tuition
23 scholarship organization;

24 (2) the total number and dollar amount of
25 contributions received for which contribution receipts were

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1 issued during the calendar year ending on December 31 of the
2 prior year;

3 (3) the total number and dollar amount of all
4 educational scholarships awarded during the calendar year
5 ending on December 31 of the prior year; and

6 (4) the total number and dollar amount of
7 educational scholarships awarded to eligible students during
8 the calendar year ending on December 31 of the prior year.

9 D. A tuition scholarship organization shall:

10 (1) provide to each individual and corporate
11 contributor of funds dedicated for educational scholarships a
12 contribution receipt that shall be completed according to
13 taxation and revenue department requirements;

14 (2) maintain a list by the sequential number
15 on the contribution receipt identifying to whom each copy is
16 issued, the amount and date of the contribution and any other
17 information deemed necessary by the taxation and revenue
18 department to allow the contributor to receive an equal
19 opportunity scholarship tax credit; and

20 (3) account for all copies of contribution
21 receipts damaged, destroyed, lost or otherwise unusable.

22 SECTION 5. [NEW MATERIAL] DEPARTMENT--DUTIES.--

23 A. The department shall administer the Equal
24 Opportunity Scholarship Act.

25 B. The department shall:

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1 (1) provide the name of each certified tuition
2 scholarship organization to the taxation and revenue department
3 by no later than thirty days after issuing the certification
4 document to the tuition scholarship organization;

5 (2) upon notification by the tuition
6 scholarship organization, calculate the associated program
7 units for an eligible student receiving an educational
8 scholarship that would have been generated under the funding
9 formula using the current year unit value and determine the
10 dollar amount of that student's program cost, if that student
11 were to have enrolled in the student's previous school for the
12 new school year or the new semester;

13 (3) if an eligible student receiving an
14 educational scholarship withdraws prior to the start of a new
15 school year, deduct that student's program cost from the
16 student's previous school district or charter school state
17 equalization guarantee distribution allocation prior to
18 distribution;

19 (4) if an eligible student receiving an
20 educational scholarship withdraws between semesters, make a
21 prorated reduction in the school district's or charter school's
22 distribution for the remainder of the school year and not
23 distribute the funds attributed to the adjustments, which shall
24 remain undistributed and shall revert to the general fund at
25 the end of the fiscal year;

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1 (5) engage an auditor to conduct a financial
2 and program audit of a tuition scholarship organization, at the
3 expense of the tuition scholarship organization, if there is
4 evidence of fraud or failure to comply with the Equal
5 Opportunity Scholarship Act;

6 (6) deny, suspend or revoke the certification
7 of a tuition scholarship organization for purposes of the equal
8 opportunity scholarship tax credit if the department determines
9 that the organization has intentionally and substantially
10 failed to comply with the requirements of the Equal Opportunity
11 Scholarship Act; and

12 (7) notify the taxation and revenue department
13 if the certification of an organization as a tuition
14 scholarship organization is denied, suspended or revoked within
15 ten days of the denial, suspension or revocation.

16 SECTION 6. A new section of the Income Tax Act is enacted
17 to read:

18 "[NEW MATERIAL] EQUAL OPPORTUNITY SCHOLARSHIP INCOME TAX
19 CREDIT.--

20 A. Prior to January 1, 2020, a taxpayer who files a
21 New Mexico income tax return, is not a dependent of another
22 taxpayer and makes a contribution to a tuition scholarship
23 organization pursuant to this section may apply for, and the
24 department may allow, a tax credit against the taxpayer's
25 liabilities imposed pursuant to the Income Tax Act. The tax

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1 credit provided by this section may be referred to as the
2 "equal opportunity scholarship income tax credit".

3 B. The purpose of the equal opportunity scholarship
4 income tax credit is to encourage individuals and businesses to
5 contribute money to tuition scholarship organizations that
6 provide scholarships for eligible students to attend public or
7 nonpublic schools that are chosen by the students' parents.

8 C. The amount of an equal opportunity scholarship
9 income tax credit shall equal ninety percent of the total
10 contributions made by a taxpayer in a taxable year to a tuition
11 scholarship organization but shall not exceed fifty percent of
12 the taxpayer's liabilities imposed pursuant to the Income Tax
13 Act for that taxable year. If the total amount of equal
14 opportunity scholarship income tax credits, including amounts
15 carried forward from previous years, exceeds fifty percent of
16 the taxpayer's liabilities imposed pursuant to the Income Tax
17 Act for the taxable year in which a contribution was made, the
18 excess may be carried forward for three consecutive taxable
19 years.

20 D. The department may allow a maximum annual
21 aggregate of five million dollars (\$5,000,000) for equal
22 opportunity scholarship income tax credits and equal
23 opportunity scholarship corporate income tax credits.
24 Completed applications for the tax credits shall be considered
25 in the order received by the department. A taxpayer who

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1 submits an application for a tax credit but is unable to
2 receive the tax credit due to the limitation in this subsection
3 shall be placed for the subsequent year at the front of a queue
4 of tax credit claimants submitting claims in the subsequent
5 year in the order of the date on which the application was
6 received.

7 E. To receive an equal opportunity scholarship
8 income tax credit, a taxpayer shall apply to the department on
9 forms and in the manner prescribed by the department. The
10 application shall include a numbered copy of the contribution
11 receipt provided by the tuition scholarship organization to the
12 taxpayer pursuant to Subsection G of this section.

13 F. To ensure that the department receives the
14 information needed to allow an equal opportunity scholarship
15 income tax credit, the department shall develop a contribution
16 receipt that requests all of the information needed by the
17 department to determine if a credit may be allowed. The
18 contribution receipts shall be sequentially numbered, and a
19 charge, not to exceed fifty cents (\$.50) per numbered copy, may
20 be charged by the department to the tuition scholarship
21 organization.

22 G. Upon receiving notice from the public education
23 department that an organization has been certified as a tuition
24 scholarship organization, the taxation and revenue department
25 shall provide sequentially numbered copies of contribution

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1 receipts to the tuition scholarship organization to be
2 distributed by the tuition scholarship organization to its
3 contributors to indicate the recipient, date and value of a
4 contribution to the tuition scholarship organization and other
5 information required by the taxation and revenue department.

6 H. The equal opportunity scholarship income tax
7 credit shall not be allowed for a contribution that is included
8 for the taxable year in the taxpayer's itemized deductions, as
9 defined in Section 63 of the Internal Revenue Code.

10 I. Married individuals who file separate returns
11 for a taxable year in which they could have filed a joint
12 return may each claim only one-half of the equal opportunity
13 scholarship income tax credit that would have been allowed on a
14 joint return.

15 J. A taxpayer who otherwise qualifies for and
16 claims an equal opportunity scholarship income tax credit for a
17 contribution made to a tuition scholarship organization by a
18 partnership or other business association of which the taxpayer
19 is a member may claim a credit only in proportion to the
20 taxpayer's interest in the partnership or business association.
21 The total credit claimed in the aggregate by all members of the
22 partnership or business association in a taxable year with
23 respect to a contribution made to a tuition scholarship
24 organization, including equal opportunity scholarship corporate
25 income tax credits claimed by a corporate member of the

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1 partnership or business association, shall not exceed the
2 maximum credit that would have been allowable pursuant to this
3 section if claimed by a single taxpayer.

4 K. A taxpayer allowed a tax credit pursuant to this
5 section shall report the amount of the credit to the department
6 in a manner required by the department.

7 L. The department shall compile an annual report on
8 the equal opportunity scholarship income tax credit that shall
9 include the number of taxpayers approved by the department to
10 receive the credit, the aggregate amount of credits approved
11 and any other information necessary to evaluate the
12 effectiveness of the credit. Beginning in 2019 and every three
13 years thereafter that the credit is in effect, the department
14 shall compile and present the annual reports to the revenue
15 stabilization and tax policy committee and the legislative
16 finance committee with an analysis of the effectiveness and
17 cost of the tax credit and whether the tax credit is performing
18 the purpose for which it was created.

19 M. As used in this section:

20 (1) "eligible student" means a student who:

21 (a) is a member of a household for which
22 the total annual income does not exceed an amount used to
23 qualify for a reduced-price lunch through the federal school
24 lunch programs established pursuant to 42 USCA Sections 1751
25 through 1769, as amended; provided that once a student receives

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1 a scholarship pursuant to the Equal Opportunity Scholarship
2 Act, the student shall remain eligible regardless of household
3 income until the student graduates from high school or reaches
4 twenty-one years of age;

5 (b) attended a New Mexico public school
6 for the semester prior to first receiving an educational
7 scholarship pursuant to the Equal Opportunity Scholarship Act
8 or is starting school in New Mexico for the first time; and

9 (c) resides in New Mexico while
10 receiving a scholarship from a tuition scholarship
11 organization;

12 (2) "parent" means a guardian, custodian or
13 other person with authority to act on behalf of a child; and

14 (3) "tuition scholarship organization" means
15 an organization that provides educational scholarships to
16 students attending qualified schools of their parents' choice
17 and that meets the requirements of the Equal Opportunity
18 Scholarship Act."

19 SECTION 7. A new section of the Corporate Income and
20 Franchise Tax Act is enacted to read:

21 "[NEW MATERIAL] EQUAL OPPORTUNITY SCHOLARSHIP CORPORATE
22 INCOME TAX CREDIT.--

23 A. Prior to January 1, 2020, a taxpayer that files
24 a New Mexico corporate income tax return and makes a
25 contribution to a tuition scholarship organization pursuant to

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1 this section may apply for, and the department may allow, a tax
2 credit against the taxpayer's liabilities imposed pursuant to
3 the Corporate Income and Franchise Tax Act. The tax credit
4 provided by this section may be referred to as the "equal
5 opportunity scholarship corporate income tax credit".

6 B. The purpose of the equal opportunity scholarship
7 corporate income tax credit is to encourage corporations to
8 contribute money to tuition scholarship organizations that
9 provide scholarships for eligible students to attend public or
10 nonpublic schools that are chosen by the students' parents.

11 C. The amount of an equal opportunity scholarship
12 corporate income tax credit shall equal ninety percent of the
13 total contributions made by a taxpayer in a taxable year to a
14 tuition scholarship organization but shall not exceed fifty
15 percent of the taxpayer's liabilities imposed pursuant to the
16 Corporate Income and Franchise Tax Act for that taxable year.
17 If the total amount of equal opportunity scholarship corporate
18 income tax credits, including amounts carried forward from
19 previous years, exceeds fifty percent of the taxpayer's
20 liabilities imposed pursuant to the Corporate Income and
21 Franchise Tax Act for the taxable year in which a contribution
22 was made, the excess may be carried forward for three
23 consecutive taxable years.

24 D. The department may allow a maximum annual
25 aggregate of five million dollars (\$5,000,000) for equal

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1 opportunity scholarship income tax credits and equal
2 opportunity scholarship corporate income tax credits.
3 Completed applications for the tax credits shall be considered
4 in the order received by the department. A taxpayer that
5 submits an application for a tax credit but is unable to
6 receive the tax credit due to the limitation in this subsection
7 shall be placed for the subsequent year at the front of a queue
8 of tax credit claimants submitting claims in the subsequent
9 year in the order of the date on which the application was
10 received.

11 E. To receive an equal opportunity scholarship
12 corporate income tax credit, a taxpayer shall apply to the
13 department on forms and in the manner prescribed by the
14 department. The application shall include a numbered copy of
15 the contribution receipt provided by the tuition scholarship
16 organization to the taxpayer pursuant to Subsection G of this
17 section.

18 F. To ensure that the department receives the
19 information needed to allow an equal opportunity scholarship
20 corporate income tax credit, the department shall develop a
21 contribution receipt that requests all of the information
22 needed by the department to determine if a credit may be
23 allowed. The contribution receipts shall be sequentially
24 numbered, and a charge, not to exceed fifty cents (\$.50) per
25 numbered copy, may be charged by the department to the tuition

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1 scholarship organization.

2 G. Upon receiving notice from the public education
3 department that an organization has been certified as a tuition
4 scholarship organization, the taxation and revenue department
5 shall provide sequentially numbered copies of contribution
6 receipts to a tuition scholarship organization to be
7 distributed by the tuition scholarship organization to its
8 contributors to indicate the recipient, date and value of a
9 contribution to the tuition scholarship organization and other
10 information required by the taxation and revenue department.

11 H. The equal opportunity scholarship corporate
12 income tax credit shall not be allowed for a contribution that
13 is included for the taxable year in the taxpayer's itemized
14 deductions, as defined in Section 63 of the Internal Revenue
15 Code.

16 I. A taxpayer allowed a tax credit pursuant to this
17 section shall report the amount of the credit to the department
18 in a manner required by the department.

19 J. The department shall compile an annual report on
20 the equal opportunity scholarship corporate income tax credit
21 that shall include the number of taxpayers approved by the
22 department to receive the credit, the aggregate amount of
23 credits approved and any other information necessary to
24 evaluate the effectiveness of the credit. Beginning in 2019
25 and every three years thereafter that the credit is in effect,

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1 the department shall compile and present the annual reports to
2 the revenue stabilization and tax policy committee and the
3 legislative finance committee with an analysis of the
4 effectiveness and cost of the tax credit and whether the tax
5 credit is performing the purpose for which it was created.

6 K. As used in this section:

7 (1) "eligible student" means a student who:

8 (a) is a member of a household for which
9 the total annual income does not exceed an amount used to
10 qualify for a reduced-price lunch through the federal school
11 lunch programs established pursuant to 42 USCA Sections 1751
12 through 1769, as amended; provided that once a student receives
13 a scholarship pursuant to the Equal Opportunity Scholarship
14 Act, the student shall remain eligible regardless of household
15 income until the student graduates from high school or reaches
16 twenty-one years of age;

17 (b) attended a New Mexico public school
18 for the semester prior to first receiving an educational
19 scholarship pursuant to the Equal Opportunity Scholarship Act
20 or is starting school in New Mexico for the first time; and

21 (c) resides in New Mexico while
22 receiving a scholarship from a tuition scholarship
23 organization;

24 (2) "parent" means a guardian, custodian or
25 other person with authority to act on behalf of a child; and

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1 (3) "tuition scholarship organization" means
2 an organization that provides educational scholarships to
3 students attending qualified schools of their parents' choice
4 pursuant to the Equal Opportunity Scholarship Act."

5 SECTION 8. Section 22-8-12.1 NMSA 1978 (being Laws 1978,
6 Chapter 128, Section 5, as amended) is amended to read:

7 "22-8-12.1. MEMBERSHIP PROJECTIONS AND BUDGET
8 REQUESTS.--

9 A. Each local school board or governing body of a
10 state-chartered charter school shall submit annually, on or
11 before October 15, to the department:

12 (1) an estimate for the succeeding fiscal year
13 of:

14 (a) the membership of qualified students
15 to be enrolled in the basic program, adjusted for deductions
16 due to student participation in the scholarship programs of the
17 Equal Opportunity Scholarship Act;

18 (b) the full-time-equivalent membership
19 of students to be enrolled in approved early childhood
20 education programs; and

21 (c) the membership of students to be
22 enrolled in approved special education programs, adjusted for
23 deductions due to student participation in the scholarship
24 programs of the Equal Opportunity Scholarship Act;

25 (2) all other information necessary to

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1 calculate program costs; and

2 (3) any other information related to the
3 financial needs of the school district or state-chartered
4 charter school as may be requested by the department.

5 B. All information requested pursuant to Subsection
6 A of this section shall be submitted on forms prescribed and
7 furnished by the department and shall comply with the
8 department's rules and procedures.

9 C. The department shall:

10 (1) review the financial needs of each school
11 district or state-chartered charter school for the succeeding
12 fiscal year; and

13 (2) submit annually, on or before November 30,
14 to the secretary of finance and administration the
15 recommendations of the department for:

16 (a) amendments to the public school
17 finance formula;

18 (b) appropriations for the succeeding
19 fiscal year to the public school fund for inclusion in the
20 executive budget document; and

21 (c) appropriations for the succeeding
22 fiscal year for pupil transportation and instructional
23 materials."

24 SECTION 9. APPLICABILITY.--The provisions of Sections 6
25 and 7 of this act apply to taxable years beginning on or after
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January 1, 2016.

SECTION 10. EFFECTIVE DATE.--

A. The effective date of the provisions of Sections 1 through 5 and 8 of this act is July 1, 2015.

B. The effective date of the provisions of Sections 6 and 7 of this act is January 1, 2016.