

**ARKANSAS SENATE**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of Senate Bill No. 746**

TO ESTABLISH THE PARENTAL CHOICE SCHOLARSHIP PROGRAM.

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**Amendment No. 2 to Senate Bill No. 746**

Amend Senate Bill No. 746 as engrossed, S3/16/17 (version: 03/16/2017 9:22:19 AM):

Add Senator J. Hendren as a cosponsor of the bill

AND

Add Representative Bragg as a cosponsor of the bill

AND

Page 1, line 9, delete "SCHOLARSHIP" and substitute "PILOT"

AND

Page 1, line 15, delete "SCHOLARSHIP" and substitute "PILOT"

AND

Page 1, line 22, delete "Scholarship"

AND

Page 1, line 26, delete "Scholarship"

AND

Page 4, delete lines 6 through 8, and substitute the following:

"(1) Shall comply with the antidiscrimination provisions of 42 U.S.C. § 1981 in approving an application for an education savings account;"

AND

Page 5, line 19, delete "and"

AND



Page 5, delete line 27, and substitute the following:

"referral to the appropriate agency for an investigation; and

(10) Shall not charge:

(A) An application fee; or

(B) Any other fee for administering the education savings

accounts."

AND

Page 7, delete lines 9 through 13, and substitute the following:

"(b)(1)(A) An eligible nonprofit organization shall make available:

(i) For each eligible student enrolled full-time in a nonpublic school in this state in which virtual technology is not the primary method of delivering instruction, an equivalent of the foundation funding amount under § 6-20-2305(a)(2) for each academic year plus any amount carried over from previous academic years under § 6-15-2907(c); and

(ii)(a) For each eligible student who does not meet the requirements of subdivision (b)(1)(A)(i) of this section, an equivalent of one-third (1/3) of the foundation funding amount under § 6-20-2305(a)(2) for each academic year plus any amount carried over from previous academic years under § 6-15-2907(c).

(b) In addition to the amount under subdivision (b)(1)(A)(ii)(a) of this section, an eligible nonprofit organization shall make available for an eligible student who contracts with a public school district under § 6-15-2907(a)(7) to enroll in an academic course one-sixth of the foundation funding amount under § 6-20-2305(a)(2) for each academic course in which the eligible student enrolls.

(c) An eligible nonprofit organization shall not make available to an eligible student under this subdivision (b)(1)(A)(ii) an aggregate amount of new funds for an academic year that exceeds the foundation funding amount under § 6-20-2305(a)(2).

(B) Before making available the funds under subdivision (b)(1)(A) of this section, the eligible nonprofit organization shall verify that the eligible student meets the requirements under subdivision (b)(1)(A) of this section for the amount of funding to be made available.

(C) The new funds for an academic year under subdivision"

AND

Page 10, delete lines 7 through 15, and substitute the following:

"(4)(A)(i)(a) A maximum of one percent (1%) of eligible students who were enrolled in a particular public school district as of October 1 of the immediately preceding academic year may be approved per academic year for an education savings account under this subchapter.

(b) Before approving an application for an eligible student who was enrolled in a public school district during the previous academic year, the eligible nonprofit organization shall obtain certification from the Department of Education that approving the application will not result in a violation of subdivision (b)(4)(A)(i)(a) of this section."

AND

Page 11, line 14, delete "district"

AND

Page 12, line 30, delete "district"

AND

Page 12, line 32, delete "district"

AND

Page 13, delete lines 1 through 9, and substitute the following:

"(8) Tuition and fees at an institution of higher education for academic courses in which concurrent credit is awarded by a public or nonpublic school under subdivision (a)(1) or subdivision (a)(7) of this section;

(9) Textbooks and other materials related to concurrent credit courses under subdivision (a)(8) of this section;"

AND

Page 13, line 10, delete "(11)" and substitute "(10)"

AND

Page 13, line 23, delete "(12)(A)" and substitute "(11)(A)"

AND

Page 13, line 27, delete "(a)(12)(A)" and substitute "(a)(11)(A)"

AND

Page 13, line 31, delete "(13)(A)" and substitute "(12)(A)"

AND

Page 13, line 35, delete "(a)(13)(A)" and substitute "(a)(12)(A)"

AND

Page 14, delete lines 10 through 13, and substitute the following:

"(2)(A) The aggregate amount of funds that may be carried over to the next academic year under subdivision (c)(1) of this section shall not exceed the amount of new funds the eligible student received in the previous academic year.

(B) Any unused funds not carried over to the next academic year under subdivision (c)(1) of this section shall be returned to the eligible nonprofit organization that contributed funds to the education

savings account."

AND

Page 15, delete line 18, and substitute the following"

"years their eligible student has received an education savings account.

(e) A nonpublic school or a provider of educational services receiving payments under this subchapter shall comply with the antidiscrimination provisions of 42 U.S.C. § 1981."

AND

Page 15, delete lines 21 through 23, and substitute the following:

"(a) An eligible nonprofit organization shall close an education savings account and cease making funds available for an eligible student on the earlier of the date that:"

AND

Page 16, delete lines 24 through 29, and substitute the following:

"(b) If an education savings account is closed, any"

AND

Page 17, delete lines 18 through 25, and substitute the following:

"(c) As a condition of continued receipt of funds from an education savings account, the state board may require a nonpublic school or provider of educational services that receives payment from an education savings account under this subchapter to certify on a semiannual basis that an eligible student:

(1) Is and has been enrolled and attending the nonpublic school except for excused absences; or

(2) Has been receiving educational services from the provider.

(d) Any personally identifiable information collected under this section concerning an eligible student is an education record under § 25-19-105(b)(2) and is exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator B. Johnson

PIL/PIL - 03-20-2017 09:05:45

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Secretary