

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3590 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Mark Lepak _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED SUBCOMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3590

By: Lepak

7 PROPOSED SUBCOMMITTEE SUBSTITUTE

8 An Act relating to revenue and taxation; amending 68
9 O.S. 2021, Section 2357.206, as amended by Section 1,
10 Chapter 49, O.S.L. 2022 (68 O.S. Supp. 2025, Section
11 2357.206), which relates to the Oklahoma Equal
12 Opportunity Education Scholarship Act; modifying
13 definition of eligible student; removing federal law
14 reference and replacing with Oklahoma authority;
15 modifying definition of low-income eligible student;
16 authorizing scholarship payments to be made via
17 secure electronic funds transfer; modifying
18 definition of annual revenue; requiring certain
19 annual reporting requirements to be disaggregated
20 into certain adjusted gross income categories; and
21 providing an effective date.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.206, as
24 amended by Section 1, Chapter 49, O.S.L. 2022 (68 O.S. Supp. 2025,
Section 2357.206), is amended to read as follows:

Section 2357.206. A. This act shall be known and may be cited
as the "Oklahoma Equal Opportunity Education Scholarship Act".

1 B. 1. Except as provided in subsection G of this section, on
2 or after August 26, 2011 January 1, 2027, there shall be allowed a
3 credit for any taxpayer who makes a contribution to an eligible
4 scholarship-granting organization.

5 The credit shall be equal to fifty percent (50%) of the total
6 amount of contributions made during a taxable year, not to exceed
7 One Thousand Dollars (\$1,000.00) for single individuals, Two
8 Thousand Dollars (\$2,000.00) for married individuals filing jointly,
9 or One Hundred Thousand Dollars (\$100,000.00) for any taxpayer which
10 is a legal business entity including limited and general
11 partnerships, corporations, subchapter S corporations and limited
12 liability companies, plus any suspended credits pursuant to
13 subparagraph d of paragraph 2 of subsection I of this section;
14 provided, if total credits claimed pursuant to this paragraph exceed
15 the cap amount established pursuant to paragraphs 1 and 2 of
16 subsection E of this section, the credit shall be equal to the
17 taxpayer's proportionate share of the cap for the taxable year, as
18 determined pursuant to subsection I of this section.

19 2. For any taxpayer who makes a contribution to an eligible
20 scholarship-granting organization and makes a written commitment to
21 contribute the same amount for an additional year, the credit for
22 the first year and the additional year shall be equal to seventy-
23 five percent (75%) of the total amount of the contribution made
24 during a taxable year, not to exceed the amounts established in

1 paragraph 1 of this subsection for the taxable year in which the
2 credit provided in this subsection is claimed. The taxpayer shall
3 provide evidence of the written commitment to the Oklahoma Tax
4 Commission at the time of filing the refund claim.

5 3. The credits authorized pursuant to the provisions of this
6 subsection shall be allocable to the partners, shareholders,
7 members, or other equity owners of a taxpayer that is authorized to
8 be treated as a partnership for purposes of federal income tax
9 reporting for the taxable year for which the tax credits authorized
10 by this subsection are claimed on the applicable return, together
11 with required schedules, forms or reports of the partners,
12 shareholders, members, or other equity owners of the taxpayer. Tax
13 credits which are allocated to such equity owners shall only be
14 limited in amount for the income tax return of a natural person or
15 persons based upon the limitation of the total credit amount to the
16 entity from which the tax credits have been allocated and shall not
17 be limited to One Thousand Dollars (\$1,000.00) for single
18 individuals or limited to Two Thousand Dollars (\$2,000.00) for
19 married persons filing a joint return.

20 4. On or before ~~April 30, 2024~~ December 31, 2029, and once
21 every ~~two (2)~~ four (4) years thereafter, such scholarship-granting
22 organization and educational improvement grant organization shall
23 electronically submit to the Oklahoma Tax Commission, the Governor,
24 President Pro Tempore of the Senate, the Speaker of the House of

1 Representatives, and the chairs and vice chairs of the education
2 committees of the Senate and House of Representatives an audited
3 financial statement for the organization along with information
4 detailing the benefits, successes, or failures of the program, and
5 make publicly available on its website the financial statement and
6 information submitted pursuant to this paragraph.

7 C. 1. Except as provided in subsection G of this section, on
8 or after August 26, 2011 January 1, 2027, there shall be allowed a
9 credit for any taxpayer who makes a contribution to an eligible
10 educational improvement grant organization. Except as otherwise
11 provided by paragraph 2 of this subsection, the credit shall be
12 equal to fifty percent (50%) of the total amount of contributions
13 made during a taxable year, not to exceed One Thousand Dollars
14 (\$1,000.00) for single individuals, Two Thousand Dollars (\$2,000.00)
15 for married individuals filing jointly, or One Hundred Thousand
16 Dollars (\$100,000.00) for any taxpayer which is a legal business
17 entity including limited and general partnerships, corporations,
18 subchapter S corporations and limited liability companies, plus any
19 suspended credits pursuant to subparagraph d of paragraph 2 of
20 subsection I of this section; provided, if total credits claimed
21 pursuant to this paragraph exceed the cap amount established
22 pursuant to paragraphs 3 and 4 of subsection E of this section, the
23 credit shall be equal to the taxpayer's proportionate share of the
24

1 cap for the taxable year, as determined pursuant to subsection I of
2 this section.

3 2. For any taxpayer who makes a contribution to an eligible
4 educational improvement grant organization and makes a written
5 commitment to contribute the same amount for an additional year, the
6 credit for the first year and the additional year shall be equal to
7 seventy-five percent (75%) of the total amount of the contribution
8 made during a taxable year, not to exceed the cap amount established
9 in paragraphs 3 and 4 of subsection E of this section for the
10 taxable year in which the credit provided in this paragraph is
11 claimed; provided, if total credits claimed pursuant to this
12 paragraph exceed the cap established pursuant to paragraphs 3 and 4
13 of subsection E of this section, the credit shall be equal to the
14 taxpayer's proportionate share of the cap for the taxable year, as
15 determined pursuant to subsection I of this section. The taxpayer
16 shall provide evidence of the written commitment to the Oklahoma Tax
17 Commission at the time of filing the refund claim.

18 3. The credits authorized pursuant to the provisions of this
19 subsection shall be allocable to the partners, shareholders,
20 members, or other equity owners of a taxpayer that is authorized to
21 be treated as a partnership for purposes of federal income tax
22 reporting for the taxable year for which the tax credits authorized
23 by this subsection are claimed on the applicable return, together
24 with required schedules, forms, or reports of the partners,

1 shareholders, members, or other equity owners of the taxpayer. Tax
2 credits which are allocated to such equity owners shall only be
3 limited in amount for the income tax return of a natural person or
4 persons based upon the limitation of the total credit amount to the
5 entity from which the tax credits have been allocated and shall not
6 be limited to One Thousand Dollars (\$1,000.00) for single
7 individuals or limited to Two Thousand Dollars (\$2,000.00) for
8 married persons filing a joint return.

9 D. 1. For contributions made on or after January 1, ~~2022~~ 2027,
10 there shall be allowed a credit for any taxpayer who makes a
11 contribution to an eligible public school foundation or public
12 school district. Except as otherwise provided by paragraph 2 of
13 this subsection, the credit shall be equal to fifty percent (50%) of
14 the total amount of contributions made during a taxable year, not to
15 exceed One Thousand Dollars (\$1,000.00) for single individuals, Two
16 Thousand Dollars (\$2,000.00) for married individuals filing jointly,
17 or One Hundred Thousand Dollars (\$100,000.00) for any taxpayer which
18 is a legal business entity including limited and general
19 partnerships, corporations, subchapter S corporations and limited
20 liability companies; provided, if total credits claimed pursuant to
21 this paragraph exceed the cap amount established pursuant to
22 paragraph 4 of subsection E of this section, the credit shall be
23 equal to the taxpayer's proportionate share of the cap for the
24

1 taxable year, as determined pursuant to subsection I of this
2 section.

3 2. Except as otherwise provided by paragraph 1 of this
4 subsection, for any taxpayer who makes a contribution to an eligible
5 public school foundation or public school district and makes a
6 written commitment to contribute the same amount for an additional
7 year, the credit for the first year and the additional year shall be
8 equal to seventy-five percent (75%) of the total amount of the
9 contribution made during a taxable year, not to exceed the cap
10 amount established in paragraph 4 of subsection E of this section
11 for the taxable year in which the credit provided in this paragraph
12 is claimed. The taxpayer shall provide evidence of the written
13 commitment to the Oklahoma Tax Commission at the time of filing the
14 refund claim; provided, if total credits claimed pursuant to this
15 paragraph exceed the cap amount established pursuant to paragraph 4
16 of subsection E of this section, the credit shall be equal to the
17 taxpayer's proportionate share of the cap for the taxable year, as
18 determined pursuant to subsection I of this section.

19 3. The credits authorized pursuant to the provisions of this
20 subsection shall be allocable to the partners, shareholders,
21 members, or other equity owners of a taxpayer that is authorized to
22 be treated as a partnership for purposes of federal income tax
23 reporting for the taxable year for which the tax credits authorized
24 by this subsection are claimed on the applicable return, together

1 with required schedules, forms, or reports of the partners,
2 shareholders, members, or other equity owners of the taxpayer. Tax
3 credits which are allocated to such equity owners shall only be
4 limited in amount for the income tax return of a natural person or
5 persons based upon the limitation of the total credit amount to the
6 entity from which the tax credits have been allocated and shall not
7 be limited to One Thousand Dollars (\$1,000.00) for single
8 individuals or limited to Two Thousand Dollars (\$2,000.00) for
9 married persons filing a joint return.

10 4. On or before April 30, 2024, and once every four (4) years
11 thereafter, such eligible public school foundation and public school
12 district shall submit to the Oklahoma Tax Commission, the Governor,
13 President Pro Tempore of the Senate, and the Speaker of the House of
14 Representatives an audited financial statement for the organization
15 along with information detailing the benefits, successes, or
16 failures of the programs.

17 E. Except as otherwise provided pursuant to subsection I of
18 this section:

19 1. The total credits authorized pursuant to subsection B of
20 this section for all taxpayers for tax years 2017 through 2021 shall
21 not exceed Three Million Five Hundred Thousand Dollars
22 (\$3,500,000.00) annually;

23 2. The total credits authorized pursuant to subsection B of
24 this section for all taxpayers for tax years 2022 and subsequent tax

1 years shall not exceed Twenty-five Million Dollars (\$25,000,000.00)
2 annually;

3 3. The total credits authorized pursuant to subsection C of
4 this section for all taxpayers for tax years 2017 through 2021 shall
5 not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00)
6 annually;

7 4. The total credits authorized pursuant to subsections C and D
8 of this section for all taxpayers for tax year 2022 and subsequent
9 tax years shall not exceed Twenty-five Million Dollars
10 (\$25,000,000.00) annually. In addition to the cap amount prescribed
11 by this paragraph, the credit amount shall also be limited to Two
12 Hundred Thousand Dollars (\$200,000.00) of credits per public school
13 district annually; and

14 5. The cap on total credits provided for in this subsection
15 shall be allocated by the Tax Commission as provided in subsection I
16 of this section.

17 F. For credits claimed for eligible contributions made during
18 tax year 2014 and thereafter, a credit shall not be allowed by the
19 Oklahoma Tax Commission for contributions made to a scholarship-
20 granting organization or an educational improvement grant
21 organization if that organization's percentage of funds actually
22 awarded is less than ninety percent (90%). For purposes of this
23 section, the "percentage of funds actually awarded" shall be
24 determined by dividing the total amount of funds actually awarded as

1 educational scholarships or educational improvement grants over the
2 most recent twenty-four (24) months by the total amount available to
3 award as educational scholarships or educational improvement grants
4 over the most recent twenty-four (24) months.

5 G. Any tax credits which are earned by a taxpayer pursuant to
6 this section during the time period beginning August 26, 2011,
7 through December 31, 2012, may not be claimed for any period prior
8 to the taxable year beginning January 1, 2013. No credits which
9 accrue during the time period beginning August 26, 2011, through
10 December 31, 2012, may be used to file an amended tax return for any
11 taxable year prior to the taxable year beginning January 1, 2013.

12 H. As used in this section:

13 1. "Eligible student" means a child of school age who is
14 lawfully present in the United States and who is a member of a
15 household in which the total annual verified household adjusted
16 gross income during the preceding tax year does not exceed an amount
17 equal to ~~three hundred percent (300%)~~ five hundred fifty-five
18 percent (555%) of the ~~income standard used to qualify for a free or~~
19 ~~reduced-price school lunch~~ federal poverty level, as published
20 annually by the United States Department of Health and Human
21 Services or who, during the immediately preceding school year,
22 attended or, by virtue of the location of such student's place of
23 residence, was eligible to attend a public school in this state
24 which has been identified for school improvement as determined by

1 the State Board of Education pursuant to ~~the requirements of the No~~
2 ~~Child Left Behind Act of 2001, P.L. No. 107-110~~ Section 1210.545 of
3 Title 70 of the Oklahoma Statutes. Once a student has received an
4 educational scholarship, as defined in paragraph 3 of this
5 subsection, the student and any siblings who are members of the same
6 household shall remain eligible until they graduate from high school
7 or reach twenty-one (21) years of age, whichever occurs first;

8 2. "Eligible special needs student" means a child who has been
9 provided services under an Individualized Family Service Plan
10 through the SoonerStart program and during transition was evaluated
11 and determined to be eligible for school district services, a child
12 of school age who has attended public school in our state with an
13 individualized education program pursuant to the Individuals With
14 Disabilities Education Act, 20 U.S.C.A., Section 1400 et seq., or a
15 child who has been diagnosed by a clinical professional as having a
16 significant disability that will affect learning and who has been
17 approved by the board of a scholarship-granting organization;

18 3. "Educational scholarships" means:

19 a. scholarships to an eligible student of up to Five
20 Thousand Dollars (\$5,000.00) or eighty percent (80%)
21 of the statewide annual average per-pupil expenditure
22 as determined by the National Center for Education
23 Statistics, U.S. Department of Education, whichever is
24 greater, to cover all or part of the tuition, fees,

1 and transportation costs of a qualified school which
2 is accredited by the State Board of Education or an
3 accrediting association approved by the Board pursuant
4 to Section 3-104 of Title 70 of the Oklahoma Statutes,

5 b. scholarships to an eligible student of up to Five
6 Thousand Dollars (\$5,000.00) or eighty percent (80%)
7 of the statewide annual average per-pupil expenditure
8 as determined by the National Center for Education
9 Statistics, U.S. Department of Education, whichever is
10 greater, to cover the educational costs of a qualified
11 school which does not charge tuition, which enrolls
12 special populations of students, and which is
13 accredited by the State Board of Education or an
14 accrediting association approved by the Board pursuant
15 to Section 3-104 of Title 70 of the Oklahoma Statutes,
16 or

17 c. scholarships to an eligible special needs student of
18 up to Twenty-five Thousand Dollars (\$25,000.00) to
19 cover all or part of the tuition, fees, and
20 transportation costs of a qualified school for
21 eligible special needs students which is accredited by
22 the State Board of Education or an accrediting
23 association approved by the Board pursuant to Section
24 3-104 of Title 70 of the Oklahoma Statutes;

1 4. "Low-income eligible student" means an eligible student or
2 eligible special needs student who ~~qualifies for a free or reduced-~~
3 ~~price lunch~~ is a member of a household with a verified household
4 adjusted gross income that does not exceed one hundred eighty-five
5 percent (185%) of the federal poverty level, as published annually
6 by the United States Department of Health and Human Services;

7 5. "Qualified school" means an early childhood, elementary, or
8 secondary private school in this state including schools which
9 provide special educational programs for three-year-olds or
10 prekindergarten educational programs for four-year-olds, which:

- 11 a. is accredited by the State Board of Education or an
12 accrediting association approved by the Board pursuant
13 to Section 3-104 of Title 70 of the Oklahoma Statutes,
- 14 b. is in compliance with all applicable health and safety
15 laws and codes,
- 16 c. has a stated policy against discrimination in
17 admissions on the basis of race, color, national
18 origin, or disability, and
- 19 d. ensures academic accountability to parents and
20 guardians of students through regular progress
21 reports;

22 6. "Qualified school for eligible special needs students" means
23 an early childhood, elementary, or secondary private school in a
24 county in this state including schools which provide special

1 educational programs for three-year-olds or prekindergarten
2 educational programs for four-year-olds;

3 7. "Scholarship-granting organization" means an organization
4 which:

5 a. is a nonprofit entity exempt from taxation pursuant to
6 the provisions of the Internal Revenue Code, 26
7 U.S.C., Section 501(c)(3),

8 b. distributes periodic scholarship payments as checks
9 made out to an eligible student's or eligible special
10 needs student's parent or guardian and mailed to the
11 qualified school where the student is enrolled or by
12 secure electronic funds transfer, including, but not
13 limited to, automated clearinghouse transfer, to an
14 account of the qualified school designated to receive
15 scholarship payments on behalf of the eligible
16 student,

17 c. spends no more than ten percent (10%) of its annual
18 revenue on expenditures other than educational
19 scholarships as defined in paragraph 3 of this
20 subsection,

21 d. spends each year a portion of its expenditures on
22 educational scholarships for low-income eligible
23 students, as defined in paragraph 4 of this
24 subsection, in an amount equal to or greater than the

1 percentage of ~~low-income-eligible~~ students in the
2 state whose household adjusted gross income does not
3 exceed one hundred eighty-five percent (185%) of the
4 federal poverty level,

5 e. ensures that scholarships are portable during the
6 school year and can be used at any qualified school
7 that accepts the eligible student or at any qualified
8 school for special needs students that accepts the
9 eligible special needs student,

10 f. registers with the Oklahoma Tax Commission as a
11 scholarship-granting organization, and

12 g. has policies in place to:

13 (1) carry out criminal background checks on all
14 employees and board members to ensure that no
15 individual is involved with the organization who
16 might reasonably pose a risk to the appropriate
17 use of contributed funds, and

18 (2) maintain full and accurate records with respect
19 to the receipt of contributions and expenditures
20 of those contributions and supply such records
21 and any other documentation required by the Tax
22 Commission to demonstrate financial
23 accountability;

24

1 8. "Annual revenue" means the total amount or value of
2 contributions received by an organization from taxpayers awarded
3 credits during the organization's fiscal year and all amounts earned
4 from interest or investments. For purposes of determining
5 compliance with the limitations on administrative expenditures, only
6 contributions for which a tax credit is allowed pursuant to this
7 section and received during the applicable fiscal year shall be
8 included in the calculation, and any interest, dividends, or other
9 investment earnings or income derived from such contributions shall
10 be excluded;

11 9. "Public school" means public schools as defined in Section
12 1-106 of Title 70 of the Oklahoma Statutes;

13 10. "Eligible public school district" means any public school;

14 11. "Early childhood education program" means a special
15 educational program for eligible special needs students who are
16 three (3) years of age or a prekindergarten educational program
17 provided to children who are at least four (4) years of age but not
18 more than five (5) years of age on or before September 1;

19 12. "Innovative educational program" means an advanced academic
20 or academic improvement program that is not part of the regular
21 coursework of a public school but that enhances the curriculum or
22 academic program of the school or provides early childhood education
23 programs to students;

24

1 13. "Educational improvement grant" means a grant to an
2 eligible public school to implement an innovative educational
3 program for students including the ability for multiple public
4 schools to make an application and be awarded a grant to jointly
5 provide an innovative educational program;

6 14. "Educational improvement grant organization" means an
7 organization which:

8 a. is a nonprofit entity exempt from taxation pursuant to
9 the provisions of the Internal Revenue Code, 26
10 U.S.C., Section 501(c)(3), and

11 b. contributes at least ninety percent (90%) of its
12 annual receipts as grants to eligible schools for
13 innovative educational programs. For purposes of this
14 subparagraph, an educational improvement grant
15 organization contributes its annual cash receipts when
16 it expends or otherwise irrevocably encumbers those
17 funds for expenditure during the then current fiscal
18 year of the organization or during the next succeeding
19 fiscal year of the organization; and

20 15. "Eligible public school foundation" means a nonprofit
21 entity formed pursuant to the laws of this state and is exempt from
22 federal income taxation pursuant to either Section 501(c)(3) or
23 Section 509(a) of the Internal Revenue Code of 1986, as amended.

1 Each public school foundation must be approved by the local board of
2 education prior to accepting qualifying donations.

3 I. Total credits authorized by this section shall be allocated
4 as follows:

5 1. By January 10 of the year immediately following each
6 calendar year, a scholarship-granting organization, an educational
7 improvement grant organization, an eligible public school
8 foundation, or public school district which accepts contributions
9 pursuant to this section shall provide electronically to the Tax
10 Commission information on each contribution accepted during such
11 taxable year. At least once each taxable year, the entity making
12 the report shall notify each contributor that Oklahoma law provides
13 for a total, statewide cap on the amount of income tax credits
14 allowed annually;

15 2. a. If the Tax Commission determines the total combined
16 credits claimed for contributions made to scholarship-
17 granting organizations during the most recently
18 completed calendar year by all taxpayers are in excess
19 of the statewide cap amount provided in paragraphs 1
20 and 2 of subsection E of this section, the Tax
21 Commission shall first allocate any amount of credits
22 not claimed for contributions made to organizations
23 authorized pursuant to subsections C and D of this
24 section, then shall determine the percentage of the

1 contribution which establishes the proportionate share
2 of the credit which may be claimed by any taxpayer so
3 that the total maximum credits authorized by this
4 section are not exceeded.

5 b. If the Tax Commission determines the total combined
6 credits claimed for contributions made to
7 organizations authorized pursuant to subsections C and
8 D of this section during the most recently completed
9 calendar year by all taxpayers are in excess of the
10 statewide cap amount provided in paragraphs 3 and 4 of
11 subsection E of this section, the Tax Commission shall
12 first allocate any amount of credits not claimed for
13 contributions made to scholarship-granting
14 organizations, then shall determine the percentage of
15 the contribution which establishes the proportionate
16 share of the credit which may be claimed by any
17 taxpayer so that the maximum credits authorized by
18 this section are not exceeded.

19 c. If the Tax Commission determines the total combined
20 credits claimed for contributions made to
21 organizations authorized pursuant to subsections C and
22 D of this section during the most recently completed
23 calendar year by all taxpayers are in excess of the
24 per public school district cap pursuant to paragraph 4

1 of subsection E of this section, the Tax Commission
2 shall first allocate any amount of credits not claimed
3 for contributions made to other organizations
4 authorized pursuant to subsections C and D of this
5 section, then shall determine the percentage of the
6 contribution which establishes the proportionate share
7 of the credit which may be claimed by any taxpayer so
8 that the maximum credits authorized by this section
9 are not exceeded.

10 d. Beginning for tax year 2016, credits earned, but not
11 allowed due to the application of statewide caps
12 provided in subsection E of this section will be
13 considered suspended and authorized to be used in the
14 next immediate tax year and applied to the next year's
15 statewide cap; and

16 3. The Tax Commission shall publish the percentage of the
17 contribution which may be claimed as a credit by contributors for
18 the most recently completed calendar year on the Tax Commission
19 website no later than February 15 of each calendar year for
20 contributions made the previous year. Each organization authorized
21 pursuant to subsections B, C, and D of this section shall notify
22 contributors of that amount annually.

23 J. No tax credits authorized by this section shall be used to
24 reduce the tax liability of the taxpayer to less than zero (0).

1 K. Any credits authorized by this section allowed but not used
2 in any tax year may be carried over, in order, to each of the three
3 (3) years following the year of qualification.

4 L. 1. In order to qualify under this section, each
5 organization authorized pursuant to subsections C and D of this
6 section shall submit an application with information to the Oklahoma
7 Tax Commission on a form prescribed by the Tax Commission that:

8 a. enables the Tax Commission to confirm that the
9 organization is a nonprofit entity exempt from
10 taxation pursuant to the provisions of the Internal
11 Revenue Code, 26 U.S.C., Section 501(c)(3) or Section
12 509(a), and

13 b. describes the proposed innovative educational program
14 or programs supported by the organization.

15 2. The Tax Commission shall review and approve or disapprove
16 the application, in consultation with the State Department of
17 Education.

18 3. In order to maintain eligibility under this section, an
19 organization authorized pursuant to subsections C and D of this
20 section shall annually report the following information to the Tax
21 Commission and publish on its website by September 1 of each year:

22 a. the name of the innovative educational program or
23 programs and the total amount of the grant or grants
24

1 made to those programs during the immediately
2 preceding school year,

3 b. a description of how each grant was utilized during
4 the immediately preceding school year and a
5 description of any demonstrated or expected innovative
6 educational improvements,

7 c. the names of the public school and school districts
8 where innovative educational programs that received
9 grants during the immediately preceding school year
10 were implemented,

11 d. where the organization collects information on a
12 county-by-county basis, and

13 e. the total number and total amount of grants made
14 during the immediately preceding school year for
15 innovative educational programs at public school by
16 each county in which the organization made grants.

17 4. The information required under paragraph 3 of this
18 subsection shall be submitted on a form provided by the Tax
19 Commission. No later than May 1 of each year, the Tax Commission
20 shall annually distribute sample forms together with the forms on
21 which the reports are required to be made to each approved
22 organization.

1 5. The Tax Commission shall not require any other information
2 be provided by an organization, except as expressly authorized in
3 this section.

4 M. 1. Beginning in 2023 for the 2022-2023 academic year, in
5 order to maintain registration, a scholarship-granting organization
6 shall annually report to the Tax Commission by September 1 of each
7 year the following information regarding the educational
8 scholarships funded by the organization in the previous academic
9 year:

- 10 a. the name and address of the scholarship-granting
11 organization,
- 12 b. the names of the qualifying schools that received
13 funding for educational scholarships, the total amount
14 of funds paid to each qualifying school, and the total
15 number of scholarship recipients enrolled in each
16 qualifying school,
- 17 c. the total number and total dollar amount of
18 contributions received during the previous academic
19 year,
- 20 d. the total number and total dollar amount of
21 educational scholarships awarded and funded during the
22 previous academic year,
- 23 e. the total number, total dollar amount, and percentage
24 of educational scholarships awarded and funded during

1 the previous academic year disaggregated into the
2 following categories:

3 (1) low-income eligible students, as determined by
4 verified household adjusted gross income bands as
5 follows:

6 (a) less than or equal to one hundred eighty-
7 five percent (185%) of the federal poverty
8 level,

9 (b) from one hundred eighty-six percent (186%)
10 to three hundred percent (300%) of the
11 federal poverty level, and

12 (c) from three hundred one percent (301%) to
13 five hundred fifty-five percent (555%) of
14 the federal poverty level,

15 (2) students who during the immediately preceding
16 school year attended or who were eligible by
17 virtue of the residence of the student to attend
18 a public school in the state which was identified
19 for school improvement by the State Board of
20 Education pursuant to Section 1210.545 of Title
21 70 of the Oklahoma Statutes,

22 (3) eligible special needs students, and

23 (4) students who were first-time recipients of a
24 scholarship including information about the type

1 of public or private school the student was
2 enrolled in during the entire previous academic
3 year,

4 f. the percentage of annual revenue received by the
5 organization from donations which qualify for tax
6 credits pursuant to this section which was not
7 expended on scholarships,

8 g. disaggregated data reported under this subsection
9 shall be redacted if reporting would allow for
10 identification of specific children, and shall be
11 reported in accordance with the Student Data
12 Accessibility, Transparency and Accountability Act of
13 2013, ~~division~~ subparagraph b of ~~subparagraph~~
14 paragraph 2 of subsection C of Section 3-168 of Title
15 70 of the Oklahoma Statutes, and the Family
16 Educational Rights and Privacy Act of 1974 (FERPA), 20
17 U.S.C., Section 1232g, and

18 h. the percentage of the total amount of education
19 scholarship expenditures spent on low-income eligible
20 students, as determined by verified household adjusted
21 gross income bands as follows:

22 (1) less than or equal to one hundred eighty-
23 five percent (185%) of the federal poverty
24 level,

1 (2) from one hundred eighty-six percent (186%)
2 to three hundred percent (300%) of the
3 federal poverty level, and
4 (3) from three hundred one percent (301%) to
5 five hundred fifty-five percent (555%) of
6 the federal poverty level.

7 2. The Tax Commission shall make available on its website:

- 8 a. the information submitted by the scholarship-granting
9 organization pursuant to paragraph 1 of this
10 subsection,
11 b. a list of participating schools, and
12 c. all other application information submitted to the Tax
13 Commission by a scholarship-granting organization,
14 except that information which would violate the
15 privacy of an individual.

16 3. A scholarship-granting organization shall annually submit
17 verification to the Tax Commission that the organization still meets
18 the criteria set forth in paragraph 7 of subsection H of this
19 section.

20 N. Contributions made pursuant to subsections B, C, and D of
21 this section shall not be used by the Legislature to reduce the
22 amount appropriated for the financial support of public schools.

23 O. In consultation with the State Department of Education, the
24 Tax Commission shall promulgate rules necessary to implement the

1 Oklahoma Equal Opportunity Education Scholarship Act. The rules
2 shall include procedures for the registration of a scholarship-
3 granting organization, an educational improvement grant
4 organization, a public school foundation, or public school district
5 for purposes of determining if the organization meets the
6 requirements of the Oklahoma Equal Opportunity Education Scholarship
7 Act or for the revocation of the registration of an organization, if
8 applicable, and for notice as required in subsection I of this
9 section.

10 SECTION 2. This act shall become effective January 1, 2027.

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