

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3708 \_\_\_\_\_  
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: Chad Caldwell

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED SUBCOMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL 3708

By: Caldwell (Chad)

PROPOSED SUBCOMMITTEE SUBSTITUTE

An Act relating to the education; amending 68 O.S. 2021, Section 2357.206, as amended by Section 1, Chapter 49, O.S.L. 2022 (68 O.S. Supp. 2025, Section 2357.206), which relates to the Oklahoma Equal Opportunity Education Scholarship Act; modifying definition of a scholarship-granting organization; defining capital improvement grant; adding requirements to information to be submitted to the Oklahoma Tax Commission; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.206, as 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".

B. 1. Except as provided in subsection G of this section, after August 26, 2011, there shall be allowed a credit for any

1 taxpayer who makes a contribution to an eligible scholarship-  
2 granting organization.

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

17 2. For any taxpayer who makes a contribution to an eligible  
18 scholarship-granting organization and makes a written commitment to  
19 contribute the same amount for an additional year, the credit for  
20 the first year and the additional year shall be equal to seventy-  
21 five percent (75%) of the total amount of the contribution made  
22 during a taxable year, not to exceed the amounts established in  
23 paragraph 1 of this subsection for the taxable year in which the  
24 credit provided in this subsection is claimed. The taxpayer shall

1 provide evidence of the written commitment to the Oklahoma Tax  
2 Commission at the time of filing the refund claim.

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

18 4. On or before April 30, 2024, and once every two (2) years  
19 thereafter, such scholarship-granting organization and educational  
20 improvement grant organization shall electronically submit to the  
21 Oklahoma Tax Commission, the Governor, President Pro Tempore of the  
22 Senate, the Speaker of the House of Representatives, and the chairs  
23 and vice chairs of the education committees of the Senate and House  
24 of Representatives an audited financial statement for the

1 organization along with information detailing the benefits,  
2 successes, or failures of the program, and make publicly available  
3 on its website the financial statement and information submitted  
4 pursuant to this paragraph.

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

23 2. For any taxpayer who makes a contribution to an eligible  
24 educational improvement grant organization and makes a written

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

14 3. The credits authorized pursuant to the provisions of this  
15 subsection shall be allocable to the partners, shareholders,  
16 members, or other equity owners of a taxpayer that is authorized to  
17 be treated as a partnership for purposes of federal income tax  
18 reporting for the taxable year for which the tax credits authorized  
19 by this subsection are claimed on the applicable return, together  
20 with required schedules, forms, or reports of the partners,  
21 shareholders, members, or other equity owners of the taxpayer. Tax  
22 credits which are allocated to such equity owners shall only be  
23 limited in amount for the income tax return of a natural person or  
24 persons based upon the limitation of the total credit amount to the

entity from which the tax credits have been allocated and shall not be limited to One Thousand Dollars (\$1,000.00) for single individuals or limited to Two Thousand Dollars (\$2,000.00) for married persons filing a joint return.

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

2. Except as otherwise provided by paragraph 1 of this subsection, for any taxpayer who makes a contribution to an eligible public school foundation or public school district and makes a

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

14 3. The credits authorized pursuant to the provisions of this  
15 subsection shall be allocable to the partners, shareholders,  
16 members, or other equity owners of a taxpayer that is authorized to  
17 be treated as a partnership for purposes of federal income tax  
18 reporting for the taxable year for which the tax credits authorized  
19 by this subsection are claimed on the applicable return, together  
20 with required schedules, forms, or reports of the partners,  
21 shareholders, members, or other equity owners of the taxpayer. Tax  
22 credits which are allocated to such equity owners shall only be  
23 limited in amount for the income tax return of a natural person or  
24 persons based upon the limitation of the total credit amount to the



1 entity from which the tax credits have been allocated and shall not  
2 be limited to One Thousand Dollars (\$1,000.00) for single  
3 individuals or limited to Two Thousand Dollars (\$2,000.00) for  
4 married persons filing a joint return.

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

12 E. Except as otherwise provided pursuant to subsection I of  
13 this section:

14 1. The total credits authorized pursuant to subsection B of  
15 this section for all taxpayers for tax years 2017 through 2021 shall  
16 not exceed Three Million Five Hundred Thousand Dollars  
17 (\$3,500,000.00) annually;

18 2. The total credits authorized pursuant to subsection B of  
19 this section for all taxpayers for tax years 2022 and subsequent tax  
20 years shall not exceed Twenty-five Million Dollars (\$25,000,000.00)  
21 annually;

22 3. The total credits authorized pursuant to subsection C of  
23 this section for all taxpayers for tax years 2017 through 2021 shall  
24

1 not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00)  
2 annually;

3 4. The total credits authorized pursuant to subsections C and D  
4 of this section for all taxpayers for tax year 2022 and subsequent  
5 tax years shall not exceed Twenty-five Million Dollars  
6 (\$25,000,000.00) annually. In addition to the cap amount prescribed  
7 by this paragraph, the credit amount shall also be limited to Two  
8 Hundred Thousand Dollars (\$200,000.00) of credits per public school  
9 district annually; and

10 5. The cap on total credits provided for in this subsection  
11 shall be allocated by the Tax Commission as provided in subsection I  
12 of this section.

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

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

8       H. As used in this section:

9       1. "Eligible student" means a child of school age who is  
10 lawfully present in the United States and who is a member of a  
11 household in which the total annual income during the preceding tax  
12 year does not exceed an amount equal to three hundred percent (300%)  
13 of the income standard used to qualify for a free or reduced-price  
14 school lunch or who, during the immediately preceding school year,  
15 attended or, by virtue of the location of such student's place of  
16 residence, was eligible to attend a public school in this state  
17 which has been identified for school improvement as determined by  
18 the State Board of Education pursuant to the requirements of the No  
19 Child Left Behind Act of 2001, P.L. No. 107-110. Once a student has  
20 received an educational scholarship, as defined in paragraph 3 of  
21 this subsection, the student and any siblings who are members of the  
22 same household shall remain eligible until they graduate from high  
23 school or reach twenty-one (21) years of age, whichever occurs  
24 first;

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

11        3. "Educational scholarships" means:

- 12            a.    scholarships to an eligible student of up to Five  
13                    Thousand Dollars (\$5,000.00) or eighty percent (80%)  
14                    of the statewide annual average per-pupil expenditure  
15                    as determined by the National Center for Education  
16                    Statistics, U.S. Department of Education, whichever is  
17                    greater, to cover all or part of the tuition, fees,  
18                    and transportation costs of a qualified school which  
19                    is accredited by the State Board of Education or an  
20                    accrediting association approved by the Board pursuant  
21                    to Section 3-104 of Title 70 of the Oklahoma Statutes,  
22            b.    scholarships to an eligible student of up to Five  
23                    Thousand Dollars (\$5,000.00) or eighty percent (80%)  
24                    of the statewide annual average per-pupil expenditure

1 as determined by the National Center for Education  
2 Statistics, U.S. Department of Education, whichever is  
3 greater, to cover the educational costs of a qualified  
4 school which does not charge tuition, which enrolls  
5 special populations of students, and which is  
6 accredited by the State Board of Education or an  
7 accrediting association approved by the Board pursuant  
8 to Section 3-104 of Title 70 of the Oklahoma Statutes,  
9 or

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

18 4. "Low-income eligible student" means an eligible student or  
19 eligible special needs student who qualifies for a free or reduced-  
20 price lunch;

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

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

6. "Qualified school for eligible special needs students" means an early childhood, elementary, or secondary private school in a county in this state including schools which provide special educational programs for three-year-olds or prekindergarten educational programs for four-year-olds;

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

- a. is a nonprofit entity exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
- b. (1) distributes periodic scholarship payments as checks made out to an eligible student's or eligible special needs student's parent or

guardian and mailed to the qualified school where the student is enrolled, or

(2) awards capital improvement grants to qualified schools to fund capital improvement projects that would increase the instructional capacity of the qualified school,

c. spends no more than ten percent (10%) of its annual revenue on expenditures other than educational scholarships as defined in paragraph 3 of this subsection or capital improvement grants as defined in paragraph 16 of this subsection,

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

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

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

g. has policies in place to:

- (1) carry out criminal background checks on all employees and board members to ensure that no individual is involved with the organization who might reasonably pose a risk to the appropriate use of contributed funds, and
- (2) maintain full and accurate records with respect to the receipt of contributions and expenditures of those contributions and supply such records and any other documentation required by the Tax Commission to demonstrate financial accountability;

8. "Annual revenue" means the total amount or value of contributions received by an organization from taxpayers awarded credits during the organization's fiscal year and all amounts earned from interest or investments;

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

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

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



1        12. "Innovative educational program" means an advanced academic  
2 or academic improvement program that is not part of the regular  
3 coursework of a public school but that enhances the curriculum or  
4 academic program of the school or provides early childhood education  
5 programs to students;

6        13. "Educational improvement grant" means a grant to an  
7 eligible public school to implement an innovative educational  
8 program for students including the ability for multiple public  
9 schools to make an application and be awarded a grant to jointly  
10 provide an innovative educational program;

11        14. "Educational improvement grant organization" means an  
12 organization which:

- 13            a. is a nonprofit entity exempt from taxation pursuant to  
14                the provisions of the Internal Revenue Code, 26  
15                U.S.C., Section 501(c)(3), and
- 16            b. contributes at least ninety percent (90%) of its  
17                annual receipts as grants to eligible schools for  
18                innovative educational programs. For purposes of this  
19                subparagraph, an educational improvement grant  
20                organization contributes its annual cash receipts when  
21                it expends or otherwise irrevocably encumbers those  
22                funds for expenditure during the then current fiscal  
23                year of the organization or during the next succeeding  
24                fiscal year of the organization; ~~and~~

1        15. "Eligible public school foundation" means a nonprofit  
2 entity formed pursuant to the laws of this state and is exempt from  
3 federal income taxation pursuant to either Section 501(c)(3) or  
4 Section 509(a) of the Internal Revenue Code of 1986, as amended.  
5 Each public school foundation must be approved by the local board of  
6 education prior to accepting qualifying donations; and

7        16. "Capital improvement grant" means a grant to a qualified  
8 school to fund capital improvement projects that would increase the  
9 instructional capacity of the qualified school.

10        I. Total credits authorized by this section shall be allocated  
11 as follows:

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

22        2.    a.    If the Tax Commission determines the total combined  
23                    credits claimed for contributions made to scholarship-  
24                    granting organizations during the most recently

1 completed calendar year by all taxpayers are in excess  
2 of the statewide cap amount provided in paragraphs 1  
3 and 2 of subsection E of this section, the Tax  
4 Commission shall first allocate any amount of credits  
5 not claimed for contributions made to organizations  
6 authorized pursuant to subsections C and D of this  
7 section, then shall determine the percentage of the  
8 contribution which establishes the proportionate share  
9 of the credit which may be claimed by any taxpayer so  
10 that the total maximum credits authorized by this  
11 section are not exceeded.

- 12 b. If the Tax Commission determines the total combined  
13 credits claimed for contributions made to  
14 organizations authorized pursuant to subsections C and  
15 D of this section during the most recently completed  
16 calendar year by all taxpayers are in excess of the  
17 statewide cap amount provided in paragraphs 3 and 4 of  
18 subsection E of this section, the Tax Commission shall  
19 first allocate any amount of credits not claimed for  
20 contributions made to scholarship-granting  
21 organizations, then shall determine the percentage of  
22 the contribution which establishes the proportionate  
23 share of the credit which may be claimed by any  
24

1 taxpayer so that the maximum credits authorized by  
2 this section are not exceeded.

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

18 d. Beginning for tax year 2016, credits earned, but not  
19 allowed due to the application of statewide caps  
20 provided in subsection E of this section will be  
21 considered suspended and authorized to be used in the  
22 next immediate tax year and applied to the next year's  
23 statewide cap; and  
24

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

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

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

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

- 17           a. enables the Tax Commission to confirm that the  
18           organization is a nonprofit entity exempt from  
19           taxation pursuant to the provisions of the Internal  
20           Revenue Code, 26 U.S.C., Section 501(c)(3) or Section  
21           509(a), and  
22           b. describes the proposed innovative educational program  
23           or programs supported by the organization.

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

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

8            a. the name of the innovative educational program or  
9 programs and the total amount of the grant or grants  
10 made to those programs during the immediately  
11 preceding school year,

12           b. a description of how each grant was utilized during  
13 the immediately preceding school year and a  
14 description of any demonstrated or expected innovative  
15 educational improvements,

16           c. the names of the public school and school districts  
17 where innovative educational programs that received  
18 grants during the immediately preceding school year  
19 were implemented,

20           d. where the organization collects information on a  
21 county-by-county basis, and

22           e. the total number and total amount of grants made  
23 during the immediately preceding school year for  
24

1 innovative educational programs at public school by  
2 each county in which the organization made grants.

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

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

12 M. 1. Beginning in 2023 for the 2022-2023 academic year, in  
13 order to maintain registration, a scholarship-granting organization  
14 shall annually report to the Tax Commission by September 1 of each  
15 year the following information regarding the educational  
16 scholarships and the capital improvement grants funded by the  
17 organization in the previous academic year:

18 a. the name and address of the scholarship-granting  
19 organization,

20 b. the names of the qualifying schools that received  
21 funding for educational scholarships, the total amount  
22 of funds paid to each qualifying school, and the total  
23 number of scholarship recipients enrolled in each  
24 qualifying school,

- 1 c. the total number and total dollar amount of  
2 contributions received during the previous academic  
3 year,
- 4 d. the total number and total dollar amount of  
5 educational scholarships awarded and funded during the  
6 previous academic year,
- 7 e. the total number, total dollar amount, and percentage  
8 of educational scholarships awarded and funded during  
9 the previous academic year disaggregated into the  
10 following categories:
- 11 (1) low-income eligible students,
- 12 (2) students who during the immediately preceding  
13 school year attended or who were eligible by  
14 virtue of the residence of the student to attend  
15 a public school in the state which was identified  
16 for school improvement by the State Board of  
17 Education,
- 18 (3) eligible special needs students, and
- 19 (4) students who were first-time recipients of a  
20 scholarship including information about the type  
21 of public or private school the student was  
22 enrolled in during the entire previous academic  
23 year,
- 24



- 1 f. the percentage of annual revenue received by the  
2 organization from donations which qualify for tax  
3 credits pursuant to this section which was not  
4 expended on scholarships or capital improvement  
5 grants,
- 6 g. disaggregated data reported under this subsection  
7 shall be redacted if reporting would allow for  
8 identification of specific children, and shall be  
9 reported in accordance with the Student Data  
10 Accessibility, Transparency and Accountability Act of  
11 2013, division b of subparagraph 2 of subsection C of  
12 Section 3-168 of Title 70 of the Oklahoma Statutes,  
13 and the Family Educational Rights and Privacy Act of  
14 1974 (FERPA), 20 U.S.C., Section 1232g, ~~and~~
- 15 h. the percentage of the total amount of education  
16 scholarship expenditures spent on low-income eligible  
17 students, and
- 18 i. the names of the qualifying schools awarded capital  
19 improvement grants and the total amount of the grant  
20 or grants made to those qualifying schools during the  
21 immediately preceding school year,
- 22 j. a description of each capital improvement grant  
23 project and the increased capacity the project will  
24 provide to the qualified school, and

1           1.   the total number and total amount of grants awarded  
2           during the immediately preceding school year.

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

4           a.   the information submitted by the scholarship-granting  
5           organization pursuant to paragraph 1 of this  
6           subsection,

7           b.   a list of participating schools, and

8           c.   all other application information submitted to the Tax  
9           Commission by a scholarship-granting organization,  
10          except that information which would violate the  
11          privacy of an individual.

12          3.   A scholarship-granting organization shall annually submit  
13          verification to the Tax Commission that the organization still meets  
14          the criteria set forth in paragraph 7 of subsection H of this  
15          section.

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

19          O.   In consultation with the State Department of Education, the  
20          Tax Commission shall promulgate rules necessary to implement the  
21          Oklahoma Equal Opportunity Education Scholarship Act. The rules  
22          shall include procedures for the registration of a scholarship-  
23          granting organization, an educational improvement grant  
24          organization, a public school foundation, or public school district

1 for purposes of determining if the organization meets the  
2 requirements of the Oklahoma Equal Opportunity Education Scholarship  
3 Act or for the revocation of the registration of an organization, if  
4 applicable, and for notice as required in subsection I of this  
5 section.

6 SECTION 2. This act shall become effective July 1, 2026.

7 SECTION 3. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

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12 60-2-15959 AQH 02/04/26  
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