

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 60th Legislature (2026)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3708

By: Caldwell (Chad) of the
House

and

Seifried of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to education; amending 68 O.S. 2021,
12 Section 2357.206, as amended by Section 1, Chapter
13 49, O.S.L. 2022 (68 O.S. Supp. 2025, Section
14 2357.206), which relates to the Oklahoma Equal
15 Opportunity Education Scholarship Act; modifying
16 definition of a scholarship-granting organization;
17 defining capital improvement grant; adding
18 requirements to information to be submitted to the
19 Oklahoma Tax Commission; providing an effective date;
20 and declaring an emergency.

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

22 SECTION 1. AMENDATORY 68 O.S. 2021, Section 2357.206, as
23 amended by Section 1, Chapter 49, O.S.L. 2022 (68 O.S. Supp. 2025,
24 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,
2 after August 26, 2011, there shall be allowed a credit for any
3 taxpayer who makes a contribution to an eligible scholarship-
4 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, and once every two (2) years
21 thereafter, such scholarship-granting organization and educational
22 improvement grant organization shall electronically submit to the
23 Oklahoma Tax Commission, the Governor, President Pro Tempore of the
24 Senate, the Speaker of the House of Representatives, and the chairs

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

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

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

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

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

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

24

1 2. Except as otherwise provided by paragraph 1 of this
2 subsection, for any taxpayer who makes a contribution to an eligible
3 public school foundation or public school district and makes a
4 written commitment to contribute the same amount for an additional
5 year, the credit for the first year and the additional year shall be
6 equal to seventy-five percent (75%) of the total amount of the
7 contribution made during a taxable year, not to exceed the cap
8 amount established in paragraph 4 of subsection E of this section
9 for the taxable year in which the credit provided in this paragraph
10 is claimed. The taxpayer shall provide evidence of the written
11 commitment to the Oklahoma Tax Commission at the time of filing the
12 refund claim; provided, if total credits claimed pursuant to this
13 paragraph exceed the cap amount established pursuant to paragraph 4
14 of 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 3. The credits authorized pursuant to the provisions of this
18 subsection shall be allocable to the partners, shareholders,
19 members, or other equity owners of a taxpayer that is authorized to
20 be treated as a partnership for purposes of federal income tax
21 reporting for the taxable year for which the tax credits authorized
22 by this subsection are claimed on the applicable return, together
23 with required schedules, forms, or reports of the partners,
24 shareholders, members, or other equity owners of the taxpayer. Tax

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

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

15 E. Except as otherwise provided pursuant to subsection I of
16 this section:

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

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

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

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

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

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

1 award as educational scholarships or educational improvement grants
2 over the most recent twenty-four (24) months.

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

10 H. As used in this section:

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

1 school or reach twenty-one (21) years of age, whichever occurs
2 first;

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

13 3. "Educational scholarships" means:

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

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

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

21 4. "Low-income eligible student" means an eligible student or
22 eligible special needs student who qualifies for a free or reduced-
23 price lunch;

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

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

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

21 7. "Scholarship-granting organization" means an organization
22 which:
23
24

- 1 a. is a nonprofit entity exempt from taxation pursuant to
2 the provisions of the Internal Revenue Code, 26
3 U.S.C., Section 501(c)(3),
- 4 b. (1) distributes periodic scholarship payments as
5 checks made out to an eligible student's or
6 eligible special needs student's parent or
7 guardian and mailed to the qualified school where
8 the student is enrolled, or
9 (2) awards capital improvement grants to qualified
10 schools to fund capital improvement projects that
11 would increase the instructional capacity of the
12 qualified school,
- 13 c. spends no more than ten percent (10%) of its annual
14 revenue on expenditures other than educational
15 scholarships as defined in paragraph 3 of this
16 subsection or capital improvement grants as defined in
17 paragraph 16 of this subsection,
- 18 d. spends each year a portion of its expenditures on
19 educational scholarships for low-income eligible
20 students, as defined in paragraph 4 of this
21 subsection, in an amount equal to or greater than the
22 percentage of low-income eligible students in the
23 state,
- 24

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

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

8 g. has policies in place to:

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

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

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

1 9. "Public school" means public schools as defined in Section
2 1-106 of Title 70 of the Oklahoma Statutes;

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

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

9 12. "Innovative educational program" means an advanced academic
10 or academic improvement program that is not part of the regular
11 coursework of a public school but that enhances the curriculum or
12 academic program of the school or provides early childhood education
13 programs to students;

14 13. "Educational improvement grant" means a grant to an
15 eligible public school to implement an innovative educational
16 program for students including the ability for multiple public
17 schools to make an application and be awarded a grant to jointly
18 provide an innovative educational program;

19 14. "Educational improvement grant organization" means an
20 organization which:

21 a. is a nonprofit entity exempt from taxation pursuant to
22 the provisions of the Internal Revenue Code, 26
23 U.S.C., Section 501(c)(3), and
24

1 b. contributes at least ninety percent (90%) of its
2 annual receipts as grants to eligible schools for
3 innovative educational programs. For purposes of this
4 subparagraph, an educational improvement grant
5 organization contributes its annual cash receipts when
6 it expends or otherwise irrevocably encumbers those
7 funds for expenditure during the then current fiscal
8 year of the organization or during the next succeeding
9 fiscal year of the organization; ~~and~~

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

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

19 I. Total credits authorized by this section shall be allocated
20 as follows:

21 1. By January 10 of the year immediately following each
22 calendar year, a scholarship-granting organization, an educational
23 improvement grant organization, an eligible public school
24 foundation, or public school district which accepts contributions

1 pursuant to this section shall provide electronically to the Tax
2 Commission information on each contribution accepted during such
3 taxable year. At least once each taxable year, the entity making
4 the report shall notify each contributor that Oklahoma law provides
5 for a total, statewide cap on the amount of income tax credits
6 allowed annually;

7 2. a. If the Tax Commission determines the total combined
8 credits claimed for contributions made to scholarship-
9 granting organizations during the most recently
10 completed calendar year by all taxpayers are in excess
11 of the statewide cap amount provided in paragraphs 1
12 and 2 of subsection E of this section, the Tax
13 Commission shall first allocate any amount of credits
14 not claimed for contributions made to organizations
15 authorized pursuant to subsections C and D of this
16 section, then shall determine the percentage of the
17 contribution which establishes the proportionate share
18 of the credit which may be claimed by any taxpayer so
19 that the total maximum credits authorized by this
20 section are not exceeded.

21 b. If the Tax Commission determines the total combined
22 credits claimed for contributions made to
23 organizations authorized pursuant to subsections C and
24 D of this section during the most recently completed

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

11 c. If the Tax Commission determines the total combined
12 credits claimed for contributions made to
13 organizations authorized pursuant to subsections C and
14 D of this section during the most recently completed
15 calendar year by all taxpayers are in excess of the
16 per public school district cap pursuant to paragraph 4
17 of subsection E of this section, the Tax Commission
18 shall first allocate any amount of credits not claimed
19 for contributions made to other organizations
20 authorized pursuant to subsections C and D of this
21 section, then shall determine the percentage of the
22 contribution which establishes the proportionate share
23 of the credit which may be claimed by any taxpayer so
24

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

3 d. Beginning for tax year 2016, credits earned, but not
4 allowed due to the application of statewide caps
5 provided in subsection E of this section will be
6 considered suspended and authorized to be used in the
7 next immediate tax year and applied to the next year's
8 statewide cap; and

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

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

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

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

- 1 a. enables the Tax Commission to confirm that the
2 organization is a nonprofit entity exempt from
3 taxation pursuant to the provisions of the Internal
4 Revenue Code, 26 U.S.C., Section 501(c)(3) or Section
5 509(a), and
6 b. describes the proposed innovative educational program
7 or programs supported by the organization.

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

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

- 15 a. the name of the innovative educational program or
16 programs and the total amount of the grant or grants
17 made to those programs during the immediately
18 preceding school year,
19 b. a description of how each grant was utilized during
20 the immediately preceding school year and a
21 description of any demonstrated or expected innovative
22 educational improvements,
23 c. the names of the public school and school districts
24 where innovative educational programs that received

1 grants during the immediately preceding school year
2 were implemented,

3 d. where the organization collects information on a
4 county-by-county basis, and

5 e. the total number and total amount of grants made
6 during the immediately preceding school year for
7 innovative educational programs at public school by
8 each county in which the organization made grants.

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

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

18 M. 1. Beginning in 2023 for the 2022-2023 academic year, in
19 order to maintain registration, a scholarship-granting organization
20 shall annually report to the Tax Commission by September 1 of each
21 year the following information regarding the educational
22 scholarships and the capital improvement grants funded by the
23 organization in the previous academic year:

24

- 1 a. the name and address of the scholarship-granting
2 organization,
- 3 b. the names of the qualifying schools that received
4 funding for educational scholarships, the total amount
5 of funds paid to each qualifying school, and the total
6 number of scholarship recipients enrolled in each
7 qualifying school,
- 8 c. the total number and total dollar amount of
9 contributions received during the previous academic
10 year,
- 11 d. the total number and total dollar amount of
12 educational scholarships awarded and funded during the
13 previous academic year,
- 14 e. the total number, total dollar amount, and percentage
15 of educational scholarships awarded and funded during
16 the previous academic year disaggregated into the
17 following categories:
- 18 (1) low-income eligible students,
- 19 (2) students who during the immediately preceding
20 school year attended or who were eligible by
21 virtue of the residence of the student to attend
22 a public school in the state which was identified
23 for school improvement by the State Board of
24 Education,

1 (3) eligible special needs students, and
2 (4) students who were first-time recipients of a
3 scholarship including information about the type
4 of public or private school the student was
5 enrolled in during the entire previous academic
6 year,

7 f. the percentage of annual revenue received by the
8 organization from donations which qualify for tax
9 credits pursuant to this section which was not
10 expended on scholarships or capital improvement
11 grants,

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

21 h. the percentage of the total amount of education
22 scholarship expenditures spent on low-income eligible
23 students,

24

- 1 i. the names of the qualifying schools awarded capital
2 improvement grants and the total amount of the grant
3 or grants made to those qualifying schools during the
4 immediately preceding school year,
5 j. a description of each capital improvement grant
6 project and the increased capacity the project will
7 provide to the qualified school, and
8 l. the total number and total amount of grants awarded
9 during the immediately preceding school year.

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

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

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

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

4 O. In consultation with the State Department of Education, the
5 Tax Commission shall promulgate rules necessary to implement the
6 Oklahoma Equal Opportunity Education Scholarship Act. The rules
7 shall include procedures for the registration of a scholarship-
8 granting organization, an educational improvement grant
9 organization, a public school foundation, or public school district
10 for purposes of determining if the organization meets the
11 requirements of the Oklahoma Equal Opportunity Education Scholarship
12 Act or for the revocation of the registration of an organization, if
13 applicable, and for notice as required in subsection I of this
14 section.

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

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

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21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
22 02/25/2026 - DO PASS, As Amended and Coauthored.