

**LEGISLATIVE REFERENCE BUREAU**

AMENDMENTS TO HOUSE BILL NO. 479

Sponsor:

Printer's No. 1092

1 Amend Bill, page 1, lines 1 through 30; page 2, lines 1  
2 through 10; by striking out all of said lines on said pages and  
3 inserting  
4 Amending the act of April 9, 1929 (P.L.343, No.176), entitled  
5 "An act relating to the finances of the State government;  
6 providing for cancer control, prevention and research, for  
7 ambulatory surgical center data collection, for the Joint  
8 Underwriting Association, for entertainment business  
9 financial management firms, for private dam financial  
10 assurance and for reinstatement of item vetoes; providing for  
11 the settlement, assessment, collection, and lien of taxes,  
12 bonus, and all other accounts due the Commonwealth, the  
13 collection and recovery of fees and other money or property  
14 due or belonging to the Commonwealth, or any agency thereof,  
15 including escheated property and the proceeds of its sale,  
16 the custody and disbursement or other disposition of funds  
17 and securities belonging to or in the possession of the  
18 Commonwealth, and the settlement of claims against the  
19 Commonwealth, the resettlement of accounts and appeals to the  
20 courts, refunds of moneys erroneously paid to the  
21 Commonwealth, auditing the accounts of the Commonwealth and  
22 all agencies thereof, of all public officers collecting  
23 moneys payable to the Commonwealth, or any agency thereof,  
24 and all receipts of appropriations from the Commonwealth,  
25 authorizing the Commonwealth to issue tax anticipation notes  
26 to defray current expenses, implementing the provisions of  
27 section 7(a) of Article VIII of the Constitution of  
28 Pennsylvania authorizing and restricting the incurring of  
29 certain debt and imposing penalties; affecting every  
30 department, board, commission, and officer of the State  
31 government, every political subdivision of the State, and  
32 certain officers of such subdivisions, every person,  
33 association, and corporation required to pay, assess, or  
34 collect taxes, or to make returns or reports under the laws  
35 imposing taxes for State purposes, or to pay license fees or  
36 other moneys to the Commonwealth, or any agency thereof,  
37 every State depository and every debtor or creditor of the

1 Commonwealth," in Treasury Department, establishing the  
2 Pennsylvania Award for Student Success Scholarship Program  
3 and the Pennsylvania Award for Student Success Scholarship  
4 Fund; and providing for 2023-2024 budget implementation.

5 Amend Bill, page 2, lines 13 through 35; page 3, lines 1  
6 through 15; by striking out all of said lines on said pages and  
7 inserting

8 Section 1. Article III of the act of April 9, 1929 (P.L.343,  
9 No.176), known as The Fiscal Code, is amended by adding a  
10 subarticle heading immediately after the article heading to  
11 read:

12 SUBARTICLE A  
13 GENERAL PROVISIONS

14 Section 2. Article III of the act is amended by adding a  
15 subarticle to read:

16 SUBARTICLE B  
17 PENNSYLVANIA AWARD FOR STUDENT  
18 SUCCESS SCHOLARSHIP PROGRAM

19 Section 321. Scope of subarticle.

20 This subarticle relates to the Pennsylvania Award for Student  
21 Success Scholarship Program.

22 Section 322. Definitions.

23 The following words and phrases when used in this subarticle  
24 shall have the meanings given to them in this section unless the  
25 context clearly indicates otherwise:

26 "Applicant." A parent who applies for participation in the  
27 program under section 324 on behalf of an eligible student.

28 "Attendance boundary." As defined in section 2002-B of the  
29 act of March 10, 1949 (P.L.30, No.14), known as the Public  
30 School Code of 1949.

31 "Department." The Department of Education of the  
32 Commonwealth.

33 "Eligible student." A school-age child who:

34 (1) Is a resident of this Commonwealth.

35 (2) Has not received a high school diploma.

36 (3) Resides, as determined under section 1302 of the  
37 Public School Code of 1949, within the attendance boundary of  
38 a low-achieving school or resided, as determined under  
39 section 1302 of the Public School Code of 1949, within the  
40 attendance boundary of a low-achieving school at the time the  
41 State Treasury received written confirmation that the child  
42 accepted an offer of enrollment under section 324.

43 (4) Lives in a household with a household income below  
44 250% of the Federal poverty guidelines or lived in a  
45 household with a household income below 250% of the Federal  
46 poverty guidelines at the time the State Treasury received  
47 written confirmation that the child accepted an offer of  
48 enrollment under section 324.

1 (5) Satisfies one of the following:

2 (i) Attended a public school in this Commonwealth in  
3 the preceding school year.

4 (ii) Received a scholarship from the program in the  
5 preceding school year.

6 (iii) Will attend kindergarten for the first time in  
7 the next school year.

8 "Fund." The Pennsylvania Award for Student Success  
9 Scholarship Fund established in section 328.

10 "Kindergarten." A one-year formal educational program,  
11 whether part time or full time, that occurs during the school  
12 year immediately prior to first grade.

13 "Low-achieving school." As defined in section 2002-B of the  
14 Public School Code of 1949.

15 "Nonpublic school." A nonprofit school, other than a public  
16 school, located in this Commonwealth where a resident of this  
17 Commonwealth may legally fulfill the compulsory attendance  
18 requirements of this subarticle.

19 "Parent." An individual who is a resident of this  
20 Commonwealth and:

21 (1) has legal custody or guardianship of an eligible  
22 student; or

23 (2) keeps in the individual's home an eligible student  
24 and supports the student gratis as if the student were a  
25 lineal descendant of the individual.

26 "Participating nonpublic school." A nonpublic school  
27 offering a program of instruction for kindergarten through grade  
28 twelve, or a combination of grades, that notifies the State  
29 Treasury of the nonpublic school's desire to participate in the  
30 program and provides certification to the State Treasury that  
31 the nonpublic school meets the criteria under section 331.

32 "PASS scholarship account." A spending account established  
33 and administered by the State Treasury, and directed by a parent  
34 for a scholarship recipient, that may be used for tuition,  
35 school-related fees and special education services fees to  
36 attend a participating nonpublic school.

37 "Program." The Pennsylvania Award for Student Success  
38 Scholarship Program established under section 323(a).

39 "Public school." A school operated by a school district, an  
40 intermediate unit, area career and technical school, a charter  
41 school, regional charter school or cyber charter school.

42 "Resident school district." The school district in which an  
43 eligible student resides.

44 "Scholarship." A scholarship that is awarded to an eligible  
45 student under the program.

46 "Scholarship recipient." An eligible student that is awarded  
47 a scholarship under the program.

48 "School-age child." A child enrolling in kindergarten or in  
49 grade one through grade twelve.

50 "School-related fee." A fee charged by a participating  
51 nonpublic school to all students for books, instructional

1 materials, technology equipment and services, uniforms,  
2 activities and concurrent enrollment programs under Article XVI-  
3 B of the Public School Code of 1949.

4 "School year." A school term as defined in section 102 of  
5 the Public School Code of 1949.

6 "Special education services fee." A fee charged by a  
7 participating nonpublic school for special education services  
8 for a student with special needs as agreed to by the parent and  
9 the participating nonpublic school.

10 "State Treasury." The Treasury Department of the  
11 Commonwealth.

12 "Student with special needs." A child who is subject to an  
13 individualized education program under 20 U.S.C. Ch. 33  
14 (relating to education of individuals with disabilities) and 22  
15 Pa. Code Ch. 14 (relating to special education services and  
16 programs).

17 Section 323. Pennsylvania Award for Student Success Scholarship  
18 Program.

19 (a) Establishment.--Beginning with the 2024-2025 school  
20 year, the Pennsylvania Award for Student Success Scholarship  
21 Program is established as a program in the State Treasury to  
22 provide scholarships to help eligible students pay tuition,  
23 school-related fees and special education services fees for  
24 attendance at a participating nonpublic school. The program may  
25 be referred to as the PASS Scholarship Program.

26 (b) Notice to parents.--

27 (1) Within 15 days of receipt of a notice under section  
28 2010-B of the act of March 10, 1949 (P.L.30, No.14), known as  
29 the Public School Code of 1949, each year thereafter, a  
30 school district with at least one school designated as a low-  
31 achieving school shall notify the parent of a student who is  
32 attending or residing within the attendance boundary of a  
33 low-achieving school during the school year of the school's  
34 designation.

35 (2) The notice shall be in a form provided by the State  
36 Treasury, in consultation with the department, and shall  
37 provide the following information regarding the program:

38 (i) A description of the program.

39 (ii) Instructions for obtaining information about  
40 applying for a scholarship under the program.

41 (iii) A list of schools in the school district that  
42 have been designated as low-achieving schools.

43 (iv) Notice of the parent's responsibilities  
44 regarding application to a participating nonpublic school  
45 if the parent seeks to enroll an eligible student in a  
46 participating nonpublic school.

47 (3) The notice shall be posted on the school district's  
48 publicly accessible Internet website.

49 (c) Notice to State Treasury.--A school district required to  
50 submit a notice to parents under subsection (b) shall provide  
51 the State Treasury with a list of students whose parents were

1 provided the notice. The notification shall be made in a manner  
2 and form established by the State Treasury.  
3 Section 324. Application.

4 (a) Application form.--By March 1, 2024, the State Treasury  
5 shall develop an application form that can be accessed from and  
6 submitted electronically on the State Treasury's publicly  
7 accessible Internet website.

8 (b) Application and approval process.--

9 (1) By April 1, 2024, and by April 1 of each year  
10 thereafter, the applicant may apply to the State Treasury for  
11 a scholarship for the following school year according to  
12 guidelines developed by the State Treasury under section 329.  
13 An application shall be approved by the State Treasury if the  
14 student meets the eligibility requirements of this  
15 subarticle.

16 (1.1) A renewal application shall be approved by the  
17 State Treasury if the student meets the eligibility  
18 requirements of this subarticle, notwithstanding the  
19 residence and income criteria specified in paragraphs (3) and  
20 (4) of the definition of "eligible student" in section 322.

21 (2) By May 1, 2024, and by May 1 of each year  
22 thereafter, the State Treasury shall notify the applicant  
23 whether a scholarship will be awarded for the following  
24 school year.

25 (3) For the 2024-2025 school year, scholarships shall be  
26 awarded on a first-come, first-served basis considering money  
27 available in the fund.

28 (4) For the 2025-2026 school year and each school year  
29 thereafter, priority for scholarships shall be given to prior  
30 year scholarship recipients. New applicants shall be awarded  
31 a scholarship on a first-come, first-served basis considering  
32 money available in the fund.

33 (5) Upon notification by the State Treasury that a  
34 scholarship has been awarded, the applicant shall apply for  
35 enrollment of the scholarship recipient directly to the  
36 participating nonpublic school under an application procedure  
37 developed by the participating nonpublic school.

38 (6) By June 1, 2024, and by June 1 each year thereafter,  
39 a participating nonpublic school shall provide written  
40 confirmation to the State Treasury of scholarship recipients  
41 who have accepted an offer of enrollment for the following  
42 school year and provide the State Treasury with the amounts  
43 to be charged to the scholarship recipient for tuition,  
44 school-related fees and special education services fees. The  
45 notification shall be made in a manner and form established  
46 by the State Treasury.

47 (7) The State Treasury may establish a waiting list for  
48 eligible students with approved applications and who did not  
49 receive awards due to availability of money in the fund and,  
50 if, after July 1, 2024, and by July 1 each year thereafter,  
51 additional money is available in the fund for scholarships,

1 may award scholarships to the eligible students on a first-  
2 come, first-served basis.

3 Section 325. Agreement.

4 (a) Authorization.--Upon receipt of written confirmation  
5 that the scholarship recipient has accepted an offer of  
6 enrollment under section 324, the State Treasury shall enter  
7 into or renew an agreement with the applicant. The agreement  
8 shall provide the following:

9 (1) The scholarship recipient shall enroll in a  
10 participating nonpublic school for the school year for which  
11 the agreement applies.

12 (2) A certain sum of money shall be deposited into a  
13 PASS scholarship account under section 326 on behalf of the  
14 scholarship recipient.

15 (3) The money in the PASS scholarship account may be  
16 expended only as authorized under this subarticle.

17 (4) The parent shall notify the State Treasury if the  
18 scholarship recipient no longer resides in this Commonwealth  
19 or withdraws or is forced to withdraw from the participating  
20 nonpublic school within 15 days of the change of residency or  
21 withdrawal.

22 (b) Term of agreement.--Except as otherwise provided under  
23 this subarticle, an agreement entered into under subsection (a)  
24 shall be valid for one school year.

25 (c) Termination.--

26 (1) An agreement entered into under subsection (a) may  
27 be terminated early by the parent for any reason.

28 (2) An agreement entered into under subsection (a) shall  
29 be terminated by the State Treasury for the following  
30 reasons:

31 (i) The parent is found to have engaged in  
32 fraudulent misuse of the PASS scholarship account. In  
33 such case, the scholarship recipient shall be ineligible  
34 for future participation in the program. The parent may  
35 appeal the State Treasury's decision regarding  
36 termination and student eligibility within 30 days of  
37 issuance of the decision. The appeal shall be governed by  
38 2 Pa.C.S. Chs. 1 (relating to general provisions), 5  
39 (relating to practice and procedure) and 7 (relating to  
40 judicial review).

41 (ii) The scholarship recipient no longer resides in  
42 this Commonwealth.

43 (iii) The scholarship recipient withdraws or is  
44 forced to withdraw from a participating nonpublic school  
45 prior to the completion of the school year.

46 (3) If an agreement is terminated early under this  
47 subsection, the following shall apply:

48 (i) All available money in the PASS scholarship  
49 account shall revert to the fund.

50 (ii) The participating nonpublic school shall repay  
51 to the State Treasury for deposit into the fund the full

1 amount of the scholarship payment, reduced on a pro rata  
2 basis by the tuition, school related fees and special  
3 education services fees owed for the portion of the  
4 school year in which the scholarship recipient was  
5 enrolled.

6 (iii) The participating nonpublic school may not  
7 require a parent to reimburse the participating nonpublic  
8 school for the amount of the scholarship returned to the  
9 State Treasury.

10 (d) Renewal.--An agreement entered into under subsection (a)  
11 may be renewed for each school year for the same student.

12 (e) Multiple agreements.--A parent may enter into separate  
13 agreements under subsection (a) for each child of the parent who  
14 is a scholarship recipient.

15 (f) Explanation.--Upon entering into an agreement under  
16 subsection (a) or renewing an agreement under subsection (d),  
17 the State Treasury shall provide the parent with a written  
18 explanation of the authorized uses of the money in the PASS  
19 scholarship account and, a notice that students with  
20 disabilities who participate in the program are "parentally  
21 placed private school children with disabilities" under 20  
22 U.S.C. § 1412 (relating to state eligibility) and an explanation  
23 of the rights of parentally placed private school children under  
24 20 U.S.C. Ch. 33 (relating to Education of Individuals with  
25 Disabilities) ("Individuals with Disabilities Education Act")  
26 and any applicable State law and regulation.  
27 Section 326. Pennsylvania Award for Student Success Scholarship  
28 Account.

29 (a) Establishment.--If an agreement is entered into under  
30 section 325(a), the State Treasury shall establish a  
31 Pennsylvania Award for Student Success Scholarship Account for  
32 the scholarship recipient. The PASS scholarship account shall be  
33 administered by the State Treasury in accordance with this  
34 subarticle.

35 (b) Deposit.--

36 (1) Upon establishment of a PASS scholarship account,  
37 the State Treasury shall deposit a sum of money for the  
38 applicable school year in the PASS scholarship account for  
39 the scholarship recipient in accordance with this section.

40 (2) For the 2024-2025 school year, the sum shall be as  
41 follows:

42 (i) for a student in half-day kindergarten, \$2,500;

43 (ii) for a student in full-day kindergarten through  
44 grade eight, \$5,000;

45 (iii) for a student in grade nine through grade  
46 twelve, \$10,000; or

47 (iv) for a student with special needs regardless of  
48 grade level, \$15,000.

49 (3) Beginning with the 2025-2026 school year, and each  
50 school year thereafter, the amounts in paragraph (2) shall be  
51 increased by the greater of the average percentage increase

1 in the index as defined in section 302 of the act of June 27,  
2 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer  
3 Relief Act, for all school districts for the prior school  
4 year and the percentage increase in the appropriation for  
5 basic education for the prior fiscal year. The State Treasury  
6 shall calculate the increases on an annual basis and shall  
7 submit a notice of the increases to the Legislative Reference  
8 Bureau for publication in the next available issue of the  
9 Pennsylvania Bulletin.

10 (c) Installments.--The State Treasury shall deposit the  
11 money for each scholarship into a PASS scholarship account on a  
12 schedule determined by the State Treasury in consultation with  
13 the department.

14 (d) Payments to participating nonpublic schools.--A parent  
15 may direct payments from the PASS scholarship account to a  
16 participating nonpublic school on behalf of the scholarship  
17 recipient via an electronic money transfer system or other  
18 method approved by the State Treasury under section 329.  
19 Section 327. Qualified education expenses.

20 (a) General rule.--Money deposited into a PASS scholarship  
21 account may be used only to pay for the following qualified  
22 expenses incurred by or associated with the scholarship  
23 recipient:

24 (1) Tuition required by a participating nonpublic  
25 school.

26 (2) School-related fees.

27 (3) Special education services fees.

28 (b) Prohibition.--A participating nonpublic school that  
29 receives a payment for qualified education expenses authorized  
30 under subsection (a) may not refund, rebate or otherwise  
31 directly share any portion of the payment with the parent who  
32 made the payment.

33 (c) Tax consequences and status of awards.--

34 (1) The money in a PASS scholarship account is not  
35 taxable income to the parent or scholarship recipient under  
36 State law.

37 (2) An award made to, or payment from, a PASS  
38 scholarship account may not be construed to be an  
39 appropriation or financial assistance to a participating  
40 nonpublic school.

41 Section 328. Pennsylvania Award for Student Success Scholarship  
42 Fund.

43 (a) Establishment.--The Pennsylvania Award for Student  
44 Success Scholarship Fund is established in the State Treasury.  
45 All interest and earnings received from investment or deposit of  
46 the money in the fund shall be paid into the fund and used for  
47 scholarships. Any unexpended money and interest or earnings on  
48 the money in the fund may not be transferred or revert to the  
49 General Fund but shall remain in the fund.

50 (b) Deposits.--Deposits in the fund shall consist of the  
51 following:



1       (1) Money that is appropriated, given, granted or  
2 donated by the Commonwealth or any other government or  
3 private agency or person for the purpose established under  
4 this subarticle.

5       (2) \$100,000,000 transferred from funds received under  
6 the authority of Article III of the act of March 4, 1971  
7 (P.L.6, No.2), known as the Tax Reform Code of 1971. This  
8 transfer shall occur no later than August 1, 2023, and each  
9 August 1 thereafter.

10       (c) Continuing appropriation.--The money in the fund is  
11 appropriated on a continuing basis to the State Treasury for  
12 scholarships.

13 Section 329. Duties of State Treasury.

14       (a) General rule.--The State Treasury shall:

15       (1) Develop guidelines, in consultation with the  
16 department, as necessary for the administration of this  
17 subarticle.

18       (2) Make payments to PASS scholarship accounts as  
19 provided in this subarticle.

20       (3) Develop a system that enables a parent to direct  
21 payment to a participating nonpublic school in accordance  
22 with this subarticle.

23       (4) Develop a process by which a nonpublic school may  
24 inform the State Treasury of the nonpublic school's interest  
25 to participate in the program and demonstrate compliance with  
26 the requirements of this subarticle.

27       (5) Ensure that eligible students and their parents are  
28 informed annually of the participating nonpublic schools in  
29 the program by posting a list of participating nonpublic  
30 schools on the State Treasury's publicly accessible Internet  
31 website by April 1, 2024, and by April 1 of each year  
32 thereafter.

33       (6) At such time and in such form and manner as may be  
34 directed by the State Treasury, request and receive  
35 information and data from a public school, resident school  
36 district, participating nonpublic school or applicant  
37 determined to be necessary by the State Treasury to  
38 administer this subarticle.

39       (b) Third-party administration.--The State Treasury may  
40 contract with a third party to administer the program.

41       (c) Contracting.--

42       (1) Notwithstanding any provision of 62 Pa.C.S. Pt. I  
43 (relating to Commonwealth Procurement Code), to the contrary  
44 and in order to facilitate the prompt implementation of this  
45 subarticle, a contract may be awarded for a supply or service  
46 without competition if the State Treasury determines in  
47 writing that the contract is necessary for the implementation  
48 of any provision of this subarticle and is in the best  
49 interest of the Commonwealth. The State Treasury shall  
50 provide and make publicly available a written justification  
51 of any procurement under this section.

1       (2) Paragraph (1) shall expire no later than two years  
2 following the issuance of the procurement under paragraph  
3 (1). Procurements issued after this period shall be issued as  
4 provided by law.

5 (d) Regulations.--

6       (1) In order to facilitate the prompt implementation of  
7 this chapter, regulations determined to be necessary and  
8 promulgated by the State Treasury shall be deemed temporary  
9 regulations and shall expire no later than two years  
10 following the publication of temporary regulations. The State  
11 Treasury may promulgate temporary regulations not subject to:

12       (i) Section 612 of the act of April 9, 1929  
13 (P.L.177, No.175), known as The Administrative Code of  
14 1929.

15       (ii) Sections 201, 202, 203, 204 and 205 of the act  
16 of July 31, 1968 (P.L.769, No.240), referred to as the  
17 Commonwealth Documents Law.

18       (iii) Section 204(b) of the act of October 15, 1980  
19 (P.L.950, No.164), known as the Commonwealth Attorneys  
20 Act.

21       (iv) The act of June 25, 1982 (P.L.633, No.181),  
22 known as the Regulatory Review Act.

23       (2) The authority provided to the State Treasury to  
24 adopt temporary regulations in this subsection shall expire  
25 no later than two years following the publication of the  
26 temporary regulations. Regulations adopted after this period  
27 shall be promulgated as provided by law.

28 Section 330. Duties of Auditor General.

29 The Auditor General may:

30       (1) Conduct a random audit of PASS scholarship accounts.

31       (2) Refer cases of suspected fraudulent misuse of PASS  
32 scholarship accounts to the Inspector General for  
33 investigation. If the investigation results in a finding that  
34 rises to the level of criminal activity, the Inspector  
35 General shall refer the matter to the appropriate law  
36 enforcement agency for prosecution.

37       (3) Notify the State Treasury of cases of suspected  
38 fraudulent misuse that are referred to the Inspector General.

39 Section 331. Duties of participating nonpublic schools.

40       (a) Notification requirement.--A nonpublic school that  
41 desires to participate in the program shall notify the State  
42 Treasury by a date and in a manner and form established by the  
43 State Treasury. The notification shall include certification by  
44 the nonpublic school that:

45       (1) The nonpublic school is a nonprofit entity exempt  
46 from Federal taxation under 26 U.S.C. § 501(c)(3) (relating  
47 to exemption from tax on corporations, certain trusts, etc.).

48       (2) The nonpublic school complies with the  
49 nondiscrimination policies specified in 42 U.S.C. § 1981  
50 (relating to equal rights under the law).

51       (3) The nonpublic school complies with the provisions of

1 sections 111 and 111.1 of the act of March 10, 1949 (P.L.30,  
2 No.14), known as the Public School Code of 1949.

3 (b) Prohibition.--A participating nonpublic school may not  
4 charge a Pennsylvania award for student success scholarship  
5 recipient a tuition rate, student-related fees or special  
6 education services fees that are higher than the rates the  
7 participating nonpublic school would have charged to a student  
8 who had not received a Pennsylvania award for student success  
9 scholarship.

10 (c) Reporting requirements.--

11 (1) Each participating nonpublic school shall report in  
12 a manner and form determined by the State Treasury, in  
13 consultation with the department, information regarding  
14 scholarship recipients enrolled in the participating  
15 nonpublic school as follows:

16 (i) Enrollment and disenrollment.

17 (ii) Regular attendance.

18 (iii) Chronic absenteeism.

19 (iv) Academic progress as measured by advancement to  
20 the next grade level.

21 (v) Indication of graduation.

22 (vi) Concurrent or dual enrollment course credits.

23 (2) The State Treasury shall report the information  
24 regularly to the department on a schedule agreed to by the  
25 State Treasury and the department.

26 (d) Construction.--

27 (1) For purposes of this subarticle, a participating  
28 nonpublic school shall be autonomous and is not an agent of  
29 the State Treasury, the department or the Commonwealth.

30 (2) Neither the State Treasury, the department nor other  
31 State agency may regulate the educational program of a  
32 participating nonpublic school that accepts money from a  
33 scholarship recipient beyond what is necessary to administer  
34 the program.

35 Section 332. Bar of certain participating nonpublic schools.

36 (a) General rule.--The State Treasury may bar a nonpublic  
37 school from participation in the program if State Treasury  
38 establishes that the nonpublic school has:

39 (1) routinely failed to comply with the requirements  
40 established in section 331; or

41 (2) failed to provide a scholarship recipient with the  
42 educational services funded by the recipient's PASS  
43 scholarship account.

44 (b) Notice.--If the State Treasury bars a nonpublic school  
45 from participation in the program, the State Treasury shall,  
46 after any appeal is concluded and the State Treasury's decision  
47 is upheld under subsection (c), post the decision on the State  
48 Treasury's publicly accessible Internet website.

49 (c) Appeal.--A nonpublic school may appeal the State  
50 Treasury's decision to bar its participation in the program  
51 within 30 days of issuance of the decision. The appeal shall be

1 governed by 2 Pa.C.S. Chs. 1 (relating to general provisions), 5  
2 (relating to practice and procedure) and 7 (relating to judicial  
3 review).

4 Section 333. Duties of resident school districts.

5 A resident school district shall provide a participating  
6 nonpublic school that has admitted a scholarship recipient with  
7 a complete copy of the scholarship recipient's school record  
8 within 10 days of the receipt of notice from the participating  
9 nonpublic school of the scholarship recipient's enrollment.

10 Section 334. Report.

11 (a) Duty to prepare and submit.--Beginning January 31, 2025,  
12 and each January 31 thereafter, the State Treasury, in  
13 consultation with the department, shall prepare and submit to  
14 the General Assembly an annual report on the program.

15 (b) Contents.--The report shall include the following:

16 (1) The total number of applications received for the  
17 program.

18 (2) The total number of applications received for the  
19 program, by resident school district.

20 (3) The total number of applications approved for the  
21 program.

22 (4) The total number of applications approved for the  
23 program, by resident school district.

24 (5) The total number of PASS scholarship accounts  
25 terminated early.

26 (6) The total number of PASS scholarship accounts  
27 investigated for fraud by the Inspector General.

28 (7) The total number of scholarships awarded to students  
29 attending half-day kindergarten.

30 (8) The total number of scholarships awarded to students  
31 attending full-day kindergarten through grade eight.

32 (9) The total number of scholarships awarded to students  
33 attending grade nine through grade twelve.

34 (10) The total dollar amount of scholarships awarded.

35 (11) The total number of applications not approved due  
36 to lack of funding.

37 (12) The cost of administration of the program.

38 (13) Other information the State Treasury deems helpful  
39 to the General Assembly.

40 Section 3. The act is amended by adding an article to read:

41 ARTICLE XVII-F.3

42 2023-2024 BUDGET IMPLEMENTATION

43 SUBARTICLE A

44 PRELIMINARY PROVISIONS

45 Section 1701-F.3. Applicability.

46 Except as specifically provided in this article, this article  
47 applies to the General Appropriation Act of 2023 and all other  
48 appropriation acts of 2023.

49 Section 1702-F.3. Definitions.

50 The following words and phrases when used in this article  
51 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "General Appropriation Act of 2023." The act of \_\_\_\_\_,  
3 2023 (P.L. \_\_\_\_\_, No. \_\_\_\_\_), known as the General Appropriation Act of  
4 2023.

5 SUBARTICLE B

6 EXECUTIVE DEPARTMENTS

7 Section 1711-F.3. Treasury Department.

8 The following apply to appropriations for the Treasury  
9 Department:

10 (1) From funds appropriated for general government  
11 operations, \$3,700,000 is allocated for costs related to the  
12 implementation of the Pennsylvania Award for Student Success  
13 Scholarship Program.

14 (2) (Reserved).

15 Section 1712-F.3. Department of Human Services.

16 The following apply to appropriations for the Department of  
17 Human Services:

18 (1) From money appropriated for medical assistance  
19 capitation:

20 (i) Subject to Federal approval as may be necessary  
21 and contingent on Federal financial participation,  
22 sufficient funds are included to provide reimbursement  
23 for ground mileage for every loaded mile and to provide  
24 the greater of Medicare rates published in the Ambulance  
25 Fee Schedule Public Use File for calendar year 2023 or  
26 the current Medicaid Ambulance Fees as updated by Medical  
27 Assistance Bulletin 26-22-07 effective date January 1,  
28 2023, beginning on January 1, 2024.

29 (ii) (Reserved).

30 (2) The following shall apply to amounts appropriated  
31 for medical assistance fee-for-service:

32 (i) Subject to Federal approval as may be necessary  
33 and contingent on Federal financial participation,  
34 sufficient funds are included to provide reimbursement  
35 for ground mileage for every loaded mile and to provide  
36 the greater of Medicare rates published in the Ambulance  
37 Fee Schedule Public Use File for calendar year 2023 or  
38 the current Medicaid Ambulance Fees as updated by Medical  
39 Assistance Bulletin 26-22-07 effective date January 1,  
40 2023, beginning on January 1, 2024.

41 (ii) (Reserved).

42 Section 4. This act shall take effect in 60 days.

