

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 558** HLS 13RS 986
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 8, 2013 9:26 AM	Author: HOLLIS
Dept./Agy.: Education	Analyst: Mary Kathryn Drago
Subject: Course Choice	

SCHOOLS/CHOICE OR SEE FISC NOTE LF EX Page 1 of 1
 Provides generally relative to the "Course Choice Program"

The proposed legislation makes technical changes to the language in the Course Choice Program statutes that were enacted by Act 2 of the 2012 Legislative Session. The proposed legislation also provides that current law relative to the Course Choice Program shall be considered severable to give effect to each and every provision or application which is not held invalid, unlawful, or unconstitutional. The Course Choice Program creates a program for entities such as online education providers, postsecondary education institutions, and corporations that offer vocational or technical course work to provide courses to eligible students.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The proposed legislation provides for the severability of every provision in current law for the Course Choice Program in the event any piece of the law is found to be invalid, unlawful, or unconstitutional. The legislation does not directly change the operations or funding for the program, however, if any section of the current law is found to be invalid, unlawful, or unconstitutional there could be an impact on expenditures. Any impact will depend upon the ultimate determination of the court, and then any subsequent changes to the program if it is to continue. It is not possible to determine any potential impact until a final ruling is made.

Act 2 of the 2012 Regular Legislative Session created the Course Choice Program for entities such as online education providers, postsecondary education institutions, and corporations that offer vocational or technical course work to provide courses to eligible students. Eligible students include the following: 1) students attending a "C", "D" or "F" public school, 2) students attending a school that does not offer the course, and 3) Student Scholarship for Excellence Program students. Students attending "A" and "B" public schools, nonpublic school students and approved home study students may take the courses but must pay their own tuition. The other eligible students will use MFP funds allocated to their district to take these courses.

A ruling by Judge Tim Kelley of the 19th Judicial District Court found Act 2 to be unconstitutional for its directing of public Minimum Foundation Program (MFP) funds from public schools. The ruling has been appealed, but the state Supreme Court has not made a ruling regarding this program at the time this fiscal note was prepared.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}	<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}	<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	

Evan Brasseaux

Evan Brasseaux
 Staff Director