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**SENATE COMMITTEE AMENDMENTS**

2024 Regular Session

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 313  
by Senator Edmonds

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1 AMENDMENT NO. 1

2 On page 1, line 4, delete "4037.11" and insert "4037.13"

3 AMENDMENT NO. 2

4 On page 2, line 1, after "another;" insert the following:

5 "to provide for the duties of a program manager; to prohibit fraud or theft of program  
6 funds; to provide for prosecution; to provide for venue; to require the department to  
7 post certain information on its website;"

8 AMENDMENT NO. 3

9 On page 2, line 7, delete "4037.11" and insert "4037.13"

10 AMENDMENT NO. 4

11 On page 2, at the end of line 24, delete "an institution"

12 AMENDMENT NO. 5

13 On page 3, delete line 5, and insert the following:

14 "Subsection A C of this Section relative to the required operation of a minimum"

15 AMENDMENT NO. 6

16 On page 3, line 21, delete "C" and insert "F"

17 AMENDMENT NO. 7

18 On page 3, line 24, delete "C" and insert "F"

19 AMENDMENT NO. 8

20 On page 3, line 25, delete "C" and insert "F"

21 AMENDMENT NO. 9

22 On page 3, at the end of line 26, delete the quotation mark (").

23 AMENDMENT NO. 10

24 On page 4, line 12, after "program" insert "and enters into a written agreement to  
25 provide one or more part-time participating students with one or more individual  
26 courses at the charter school"

27 AMENDMENT NO. 11

28 On page 4, line 23, change "§4437.1" to "§4037.1"

1 AMENDMENT NO. 12

2 On page 4, line 28, after "their" and before "tax" insert "state"

3 AMENDMENT NO. 13

4 On page 5, between line 9 and 10, insert the following:

5 **"C. To confirm and ensure that local property taxes, local sales taxes,**  
6 **or any other local tax revenue that is collected by a local government for the**  
7 **purpose of funding local public schools shall not be used to fund any part of**  
8 **an educational savings account fund."**

9 AMENDMENT NO. 14

10 On page 5, delete lines 16 through 17, and insert the following:

11 **"(2) "Account fund" means state general fund dollars that are**  
12 **deposited into an educational savings account on behalf of a participating**  
13 **student.**  
14 **(2.1) "Amount equivalent" means the state general fund dollars that**  
15 **are deposited into the education savings account fund in the amount that is**  
16 **equivalent to the statewide average allocation per pupil as provided in the**  
17 **minimum foundation program plus the statewide average local allocation per**  
18 **pupil."**

19 AMENDMENT NO. 15

20 On page 5, on line 21, after "Chapter" delete the "."(period) and insert the following:

21 **"and meets one of the following categories:**  
22 **(a) Is a non-public school that provides full-time or part-time**  
23 **enrollment for participating students.**  
24 **(b) Is a public school that is operated by a parish, city or local school**  
25 **governing authority or a public charter school that enters into an agreement**  
26 **to offer individual courses to a participating student who is not enrolled in**  
27 **the public school on a full-time basis and for whom the public school does not**  
28 **receive minimum foundation per pupil funding."**

29 AMENDMENT NO. 16

30 On page 5, line 28, change "17:4037.2" to "17:4037.4"

31 AMENDMENT NO. 17

32 On page 6, delete line 5, and insert the following:

33 **"not limited to individual classes and educational extracurricular activities**  
34 **and programs. Educational extracurricular activities shall not include fees or**  
35 **charges for sporting events."**

36 AMENDMENT NO. 18

37 On page 6, line 24, change "means" to "provided by"

38 AMENDMENT NO. 19

39 On page 8, line 17, change "phase in" to "phase-in"

1 AMENDMENT NO. 20

2 On page 8, line 19 through 22 in their entirety and insert the following:

3 **“available to each account as follows:**

4 **(1) An amount equivalent to one hundred and sixty-percent shall be**  
5 **deposited into an account for a student who meets the”**

6 AMENDMENT NO. 21

7 On page 8, delete lines 25 through 29, and on Page 9, delete lines 1 through 26, and insert  
8 the following:

9 **“(2) An amount equivalent to eighty percent shall be deposited into a**  
10 **student's account for a student from a family with a total income that does**  
11 **not exceed two hundred and fifty percent of the federal poverty guidelines**  
12 **and meets the qualifications of Paragraph (B)(2) of this Section.**

13 **(3) An amount equivalent to fifty-five percent shall be deposited into a**  
14 **student's account for a student from a family with a total income that does**  
15 **not exceed four hundred percent of the federal poverty guidelines and meets**  
16 **the qualifications of Paragraph (B)(3) of this Section.**

17 **B.(1) During the first two school years of the program, initial student**  
18 **eligibility shall be phased in as provided in Paragraphs (2) and (3) of this**  
19 **Subsection.**

20 **(2)(a) For the 2025-2026 school year, a student who participated in the**  
21 **Student Scholarships for Educational Excellence Program for the 2024-2025**  
22 **school year, shall be eligible for an education savings account if the student is**  
23 **from a family with a total income at or below two hundred fifty percent of the**  
24 **federal poverty guidelines and meets one of the following requirements:**

25 **(i) The student is entering kindergarten.**

26 **(ii) The student was enrolled in a public school for the 2024-2025 school**  
27 **year.**

28 **(b) A student who participated in the Student Scholarships for**  
29 **Educational Excellence Program shall be granted first priority in terms of**  
30 **participation in the 2025-2026 year of the education savings account program.**

31 **(c) Beginning in the 2026-2027 school year, the only requirement for a**  
32 **student to be eligible for an education savings account pursuant to this**  
33 **Paragraph is that the student is from a family with a total income at or below**  
34 **two hundred fifty percent of the federal poverty guidelines.**

35 **(3)(a) For the 2026-2027 school year, a student is initially eligible if the**  
36 **student is from a family with a total income at or below four hundred percent**  
37 **of the federal poverty guidelines and meets one of the following criteria:**

38 **(i) The student is entering kindergarten.**

39 **(ii) The student was enrolled in a public school in the 2025-2026 school**  
40 **year.**

41 **(b) Beginning in the 2027-2028 school year and annually thereafter, the**  
42 **only requirement for a student to be eligible for an educational savings account**  
43 **pursuant to this Paragraph is that the student is from a family with a total**  
44 **income at or below four hundred percent of the federal poverty guidelines.**

45 **(4) Beginning in the 2028-2029 school year, the only initial eligibility**  
46 **requirements shall be provided in R.S. 17:4037.6(A).**

1 AMENDMENT NO. 22

2 On page 11, line 9, change "good" to "goods"

3 AMENDMENT NO. 23

4 On page 11, line 22, delete "Subparagraph (A)(1)(b)" and insert "Subparagraph (A)(2)"

5 AMENDMENT NO. 24

6 On page 12, delete lines 4 through 8, insert the following:

7 "C.(1) The parent shall indicate on the application that the participating  
8 student is or intends to enroll in one of the following educational options:

9 (a) As a student in a participating non-public school on a full-time basis.

10 (b) As a student in a home study program approved by the state board  
11 or a home study program registered with the department.

12 (c) As a hybrid student who intends to take individual courses from  
13 various participating schools or various services providers. A parent may not  
14 elect to have a participating student enroll as a hybrid student before the 2026-  
15 2027 school year.

16 (2) If the parent selects the educational option that a student will attend  
17 a non-public participating school on a full-time basis, the department shall not  
18 make any payments to a service provider until the tuition is paid in full to the  
19 participating school."

20 AMENDMENT NO. 25

21 On page 13, line 17, change "is not" to "shall not be"

22 AMENDMENT NO. 26

23 On page 14, line 3, after "No" insert "applicant or"

24 AMENDMENT NO. 27

25 On page 14, line 4, after "alter its" insert "religious statement of faith,"

26 AMENDMENT NO. 28

27 On page 15, delete lines 5 through 8, and insert the following:

28 "B. Notwithstanding Subsection A of this Section:

29 (1) Upon approval by the state board, a participating nonpublic school  
30 may select an assessment that is substantially aligned with its program of study  
31 and that is to be administered to participating students.

32 (2) A student with an exceptionality shall not be required to take any  
33 assessment from which he would have been exempt if enrolled in a public  
34 school."

35 AMENDMENT NO. 29

36 On page 16, between lines 25 and 26, insert the following:

37 "§4037.12. Requirements of the department or program manager of the  
38 program

39 A. The department or program manager shall take reasonable steps to  
40 ensure that the fraud or theft of program funds, as prohibited in R.S.  
41 17:4037.13, does not occur.

42 B.(1) Except as provided in Paragraph (2) of this Subsection, the account  
43 fund shall be accessible by the parent through an online portal to make online

1 purchases or may include a debit card to purchase qualified education expenses,  
2 as is defined in R.S. 17:4437.3.

3 (2) If a parent elects to have their child attend a non-public participating  
4 school on a full-time basis as provided in R.S. 17:4037.6(C)(2), the parent may  
5 access other qualified educational expenses with any funds that are left over in  
6 the account after the tuition to the child's school has been paid.

7 C. All purchases for material, tuition, courses, or services shall be made  
8 through the online portal provided in Subsection (B) of this Section, except that  
9 the department or program manager shall reimburse a parent if a receipt for  
10 a qualified educational expense is presented for reimbursement and the child's  
11 account fund has adequate moneys for reimbursement.

12 §4037.13. Fraud or theft of program funds

13 A. Any fraud or theft of program funds shall be prosecuted as the crime  
14 of government benefits fraud pursuant to R.S. 14:70.9. The department shall  
15 display on its website and include in its contracts that any fraud or theft of  
16 program funds includes the act of any person, whether acting as an individual  
17 or a juridical person, who acts with intent to defraud the program by doing any  
18 of the following:

19 (1) Presents for allowance or payment any false or fraudulent claim for  
20 furnishing services, merchandise, or payments.

21 (2) Knowingly submits false information for the purpose of obtaining  
22 greater compensation than that to which he is legally entitled for furnishing  
23 services, merchandise, or payments.

24 (3) Knowingly submits false information for the purpose of obtaining  
25 authorization for furnishing services, merchandise, or payments.

26 (4) Knowingly makes or causes to be made a false statement or  
27 representation of material fact on an application or form for assistance, goods,  
28 services, or payments when the false statement or representation is made for the  
29 purpose of determining the person's eligibility to receive benefits or payments.

30 (5) Knowingly conceals or fails to disclose any material fact affecting the  
31 applicant's or recipient's initial or continued eligibility to receive benefits or  
32 payments.

33 B. In addition to the venue established by Code of Criminal Procedure  
34 Articles 611 and 614, venue for prosecution pursuant to this Section shall also  
35 be appropriate in the Nineteenth Judicial District Court, parish of East Baton  
36 Rouge."

37 AMENDMENT NO. 30

38 On page 17, line 7, delete "has been"