

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. - **A7**
(to be filled in by
Principal Clerk)

S257-ANIf-13 [v.7]

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Amends Title [NO]
Second Edition

Date _____, 2025

Senator

Kandice Smith

moves to amend the bill on page 159, lines 5-6, by inserting the following between the lines:

**"ELIMINATE THIRD AND FOURTH INCOME ELIGIBILITY TIERS FOR
OPPORTUNITY SCHOLARSHIPS**

SECTION 8A.11.(a) G.S. 115C-562.1 reads as rewritten:

"§ 115C-562.1. Definitions.

The following definitions apply in this Part:

...

(3a) Eligible student. – A student residing in North Carolina who has not yet received a high school diploma and who meets all of the following requirements:

- a. Is eligible to attend a North Carolina public school pursuant to Article 25 of this Chapter. A child who is the age of 4 on or before April 16 is eligible to attend the following school year if the principal, or equivalent, of the school in which the child seeks to enroll finds that the student meets the requirements established by the Authority pursuant to G.S. 115C-562.2(d) and those findings are submitted to the Authority.
- b. Has not been enrolled in a postsecondary institution as a full-time student taking at least 12 hours of academic credit.
- c. Has not been placed in a nonpublic school or facility by a public agency at public expense.
- d. Resides in a household with an income level between the amount required for the student to qualify for the federal free or reduced-price lunch program and not in excess of two hundred percent (200%) of that amount.

...."

SECTION 8A.11.(b) G.S. 115C-562.2 reads as rewritten:

"§ 115C-562.2. Scholarship grants.

(a) The Authority shall make available no later than February 1 annually applications to eligible students for the award of scholarship grants to attend any nonpublic school on a full- or part-time basis. Information about scholarship grants and the application process shall be made



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1 available on the Authority's ~~Web site.~~ website. Beginning March 15, the Authority shall begin
2 awarding scholarship grants to students who have applied by March 1 in the following order:

- 3 (1) Eligible students who received a scholarship grant for the school year prior to
4 the school year for which the students are applying.
- 5 (2) Eligible students qualifying for a scholarship grant in the amount provided
6 under subdivision (1) of subsection (b2) of this section.
- 7 (3) Eligible students qualifying for a scholarship grant in the amount provided
8 under subdivision (2) of subsection (b2) of this section.
- 9 (4) ~~Eligible students qualifying for a scholarship grant in the amount provided~~
10 ~~under subdivision (3) of subsection (b2) of this section.~~
- 11 (5) ~~All other students.~~

12 ...
13 (b2) Scholarship grants shall be awarded to eligible students as follows:

- 14 (1) For students residing in households with an income level not in excess of the
15 amount required for the student to qualify for the federal free or reduced-price
16 lunch program, per year per eligible student, an amount of up to one hundred
17 percent (100%) of the average State per pupil allocation for average daily
18 membership in the prior fiscal year.
- 19 (2) For students residing in households with an income level between the amount
20 required for the student to qualify for the federal free or reduced-price lunch
21 program and not in excess of two hundred percent (200%) of that amount, per
22 year per eligible student, an amount of up to ninety percent (90%) of the
23 average State per pupil allocation for average daily membership in the prior
24 fiscal year.
- 25 (3) ~~For students residing in households with an income level of between two~~
26 ~~hundred percent (200%) of the amount required for the student to qualify for~~
27 ~~the federal free or reduced-price lunch program and not in excess of four~~
28 ~~hundred fifty percent (450%) of that amount, per year per eligible student, an~~
29 ~~amount of up to sixty percent (60%) of the average State per pupil allocation~~
30 ~~for average daily membership in the prior fiscal year.~~
- 31 (4) ~~For all students, per year per eligible student, an amount of up to forty-five~~
32 ~~percent (45%) of the average State per pupil allocation for average daily~~
33 ~~membership in the prior fiscal year, unless the student qualifies for a higher~~
34 ~~amount under this subsection.~~

35 (b3) Tuition and fees for a nonpublic school may include tuition and fees for books,
36 transportation, equipment, or other items required by the nonpublic school.

37 (b4) No scholarship grant shall exceed, per year per eligible student, an amount equal to
38 one hundred percent (100%) of the average State per pupil allocation for average daily
39 membership in the prior fiscal year, and no scholarship grant shall exceed the required tuition
40 and fees for the nonpublic school the eligible student will attend.

41 (b5) In addition to the amount of the scholarship grant, for any student receiving a
42 scholarship grant in grades three, eight, or 11, the Authority shall provide to the nonpublic school

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1 an amount equal to the cost of the nationally standardized test required to be administered as
2 provided in G.S. 115C-562.5.

3"

4 **SECTION 8A.11.(c)** G.S. 115C-562.8 reads as rewritten:

5 **"§ 115C-562.8. The Opportunity Scholarship Grant Fund Reserve.**

6 ...

7 (b) ~~The General Assembly finds that, due to the critical need in this State to provide~~
8 ~~opportunity for school choice for North Carolina students, it is imperative that the State provide~~
9 ~~an increase of funds for 15 years to the Opportunity Scholarship Grant Fund Reserve. Therefore,~~
10 ~~there~~ There is appropriated from the General Fund to the Reserve the following amounts for each
11 fiscal year to be used for the purposes set forth in this section:

Fiscal Year

Appropriation

12 ...

13 2027-2028

\$700,000,000\$513,278,920

14 2028-2029

\$725,000,000\$538,278,920

15 2029-2030

\$750,000,000\$563,278,920

16 2030-2031

\$775,000,000\$588,278,920

17 2031-2032

\$800,000,000\$613,278,920

18
19 For the 2032-2033 fiscal year and each fiscal year thereafter, there is appropriated from the
20 General Fund to the Reserve the sum of ~~eight hundred twenty-five million dollars~~
21 ~~(\$825,000,000)~~six hundred thirty-eight million two hundred seventy-eight thousand nine
22 hundred twenty dollars (\$638,278,920) to be used for the purposes set forth in this section. When
23 developing the base budget, as defined by G.S. 143C-1-1, for each fiscal year specified in this
24 subsection, the Director of the Budget shall include the appropriated amount specified in this
25 subsection for that fiscal year.

26"

27 **SECTION 8A.11.(d)** Notwithstanding any other provision of law or of the
28 Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated
29 to the Opportunity Scholarship Grant Fund Reserve for the award of opportunity scholarship
30 grants pursuant to Part 2A of Article 39 of Chapter 115C of the General Statutes are reduced as
31 follows:

- 32 (1) Of the funds allocated from the Reserve for the award of scholarship grants in
33 the 2025-2026 fiscal year, by the sum of three hundred five million seven
34 hundred ninety-two thousand nine hundred sixty-one dollars (\$305,792,961)
35 in nonrecurring funds.
36 (2) Of the funds appropriated for the 2025-2026 fiscal year, by the sum of one
37 hundred eighty-six million seven hundred twenty-one thousand eight dollars
38 (\$186,721,080) in recurring funds.

39 **SECTION 8A.11.(e)** This section applies beginning with the 2025-2026 school
40 year."; and

41
42 on page 439, lines 6-7, by inserting the following between those lines:
43

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"EARNED INCOME TAX CREDIT

SECTION 44.6.(a) G.S. 105-151.31 is reenacted as it existed immediately before its expiration, is recodified as G.S. 105-153.12, and reads as rewritten:

"§ 105-153.12. Earned income tax credit.

(a) Credit. – An individual who claims for the taxable year an earned income tax credit under section 32 of the Code is allowed a credit against the tax imposed by this Part equal to a ~~percentage~~ **ten percent (10%)** of the amount of credit the individual qualified for under section 32 of the Code. A nonresident or part-year resident who claims the credit allowed by this section must reduce the amount of the credit by multiplying it by the fraction calculated under G.S. 105-153.4(b) or (c), as appropriate. ~~The percentage is as follows:~~

(1) ~~For taxable year 2013, four and one-half percent (4.5%).~~

(2) ~~For all other taxable years, five percent (5%).~~

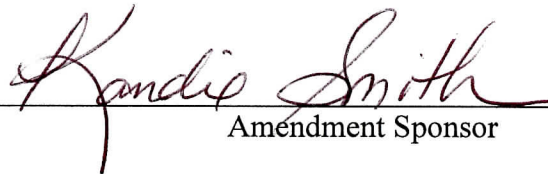
(b) Credit Refundable. – If the credit allowed by this section exceeds the amount of tax imposed by this Part for the taxable year reduced by the sum of all credits allowable, the Secretary must refund the excess to the taxpayer. The refundable excess is governed by the provisions governing a refund of an overpayment by the taxpayer of the tax imposed in this Part. Section 3507 of the Code, Advance Payment of Earned Income Credit, does not apply to the credit allowed by this section. In computing the amount of tax against which multiple credits are allowed, nonrefundable credits are subtracted before refundable credits.

(e) ~~Sunset. — This section is repealed effective for taxable years beginning on or after January 1, 2014.~~

SECTION 44.6.(b) This section is effective for taxable years beginning on or after January 1, 2025."; and

by adjusting the appropriate totals accordingly.

SIGNED


Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**