

Amend CSHB 100 (senate committee report) as follows:

(1) In SECTION 3.02 of the bill, in added Section 29.354(b)(1), Education Code (page 34, line 29), between "perform" and "the", insert "one or more of".

(2) In SECTION 3.02 of the bill, in added Section 29.354(b)(3), Education Code (page 34, line 34), between "program" and the underlined comma, insert "in whole or in part".

(3) In SECTION 3.02 of the bill, in added Section 29.354(c)(1), Education Code (page 34, line 47), between "administering" and the underlined colon, insert "in whole or in part".

(4) In SECTION 3.02 of the bill, in added Section 29.356(a), Education Code (page 35, line 34), between "organization" and "to", insert "designated by the comptroller".

(5) In SECTION 3.02 of the bill, adding Subchapter J, Chapter 29, Education Code, strike "quarterly" in each of the following places it appears:

(A) in added Section 29.356(a) (page 35, line 35);

(B) in added Section 29.356(c) (page 35, line 68); and

(C) in added Section 29.361(a) (page 38, line 51).

(6) In SECTION 3.02 of the bill, in added Section 29.356(b-1), Education Code (page 35, line 57), between "organization" and "regarding", insert "designated under Subsection (a)".

(7) In SECTION 3.02 of the bill, in added Section 29.356(b-1), Education Code (page 35, line 61), between "organization" and "shall", insert "designated under Subsection (a)".

(8) In SECTION 3.02 of the bill, in added Section 29.356(c), Education Code (page 35, lines 64 through 67), strike the first sentence of the subsection and substitute "The comptroller shall create an application form for the program and ensure that the application form is made readily available through various sources, including a certified educational assistance organization's Internet website.".

(9) In SECTION 3.02 of the bill, in added Section 29.356(c), Education Code (page 36, line 1), strike "organization" and

substitute "certified educational assistance organization designated under Subsection (a)".

(10) In SECTION 3.02 of the bill, adding Subchapter J, Chapter 29, Education Code, strike "A certified educational assistance organization" and substitute "Each certified educational assistance organization designated under Subsection (a)" in each of the following places:

(A) in added Section 29.356(d) (page 36, line 4); and

(B) in added Section 29.356(e) (page 36, line 16).

(11) In SECTION 3.02 of the bill, in added Section 29.356(f), Education Code (page 36, line 20), strike "A certified educational assistance organization" and substitute "The comptroller or a certified educational assistance organization designated under Subsection (a)".

(12) In SECTION 3.02 of the bill, in added Section 29.357(4), Education Code (page 36, line 41), strike "business".

(13) In SECTION 3.02 of the bill, in added Section 29.358(b)(3), Education Code (page 37, lines 19 through 32), strike Paragraphs (B) and (C) and substitute the following:

(B) the tutor or therapist or each employee of the teaching service who intends to provide educational services to a child participating in the program provides to the comptroller a national criminal history record information review completed by the tutor, therapist, or employee, as applicable, within a period established by comptroller rule; and

(C) the tutor or therapist or each employee of the teaching service who intends to provide educational services to a child participating in the program is not:

(i) required to be discharged or refused to be hired by a school district under Section 22.085; or

(ii) included in the registry under Section 22.092; or

(14) In SECTION 3.02 of the bill, in added Section 29.358(c), Education Code (page 37, lines 38 and 39), strike "and verify that the individual is not included in the registry under Section 22.092".

(15) In SECTION 3.02 of the bill, in added Section

29.358(c), Education Code (page 37, line 40), strike "service" and substitute "employee".

(16) In SECTION 3.02 of the bill, in added Section 29.358(c), Education Code (page 37, line 41), strike "requested by the comptroller".

(17) In SECTION 3.02 of the bill, in added Section 29.358(e), Education Code (page 37, line 51), strike "business".

(18) In SECTION 3.02 of the bill, in added Section 29.360, Education Code (page 38, lines 42 through 49), strike Subsection (e) and substitute the following:

(e) A certified educational assistance organization shall provide the parent of a child participating in the program for which the organization is responsible with electronic access to:

(1) view the current balance of the child's account;

(2) initiate the payment process under Subsection (b);

and

(3) view a summary of the past activity on the child's account, including payments from the account to education service providers and vendors of educational products.

(19) In SECTION 3.02 of the bill, in added Section 29.361(a), Education Code (page 38, line 53), between "each" and "year", insert "school".

(20) In SECTION 3.02 of the bill, in added Section 29.361(b), Education Code (page 38, line 61), between "\$10,000" and "from", insert "for the child".

(21) In SECTION 3.02 of the bill, in added Section 29.361(b), Education Code (page 38, at the end of line 62), insert "Not later than the first day of October and March of each year, the agency shall provide to the comptroller information necessary to disburse the amount to which a school district is entitled under this subsection.".

(22) In SECTION 3.02 of the bill, in added Section 29.361(f), Education Code (page 39, line 6), between "law" and the underlined period, insert "or another state's law".

(23) In SECTION 3.02 of the bill, in added Section 29.361, Education Code (page 39, lines 7 through 9), strike Subsection (g).

(24) In SECTION 3.02 of the bill, in added Section

29.362(d), Education Code (page 39, lines 29 and 30), strike "calculated as provided by Subsection (e)".

(25) In SECTION 3.02 of the bill, in added Section 29.362(d), Education Code (page 39, lines 30 through 34), strike the second sentence of the subsection and substitute "The total amount disbursed to certified educational assistance organizations under this subsection for a state fiscal year may not exceed five percent of the amount of money appropriated for purposes of the program for that fiscal year."

(26) In SECTION 3.02 of the bill, in added Section 29.362, Education Code (page 39, lines 35 through 44), strike Subsection (e) and reletter subsequent subsections of the section and cross-references to those subsections accordingly.

(27) In SECTION 3.02 of the bill, in added Section 29.362(f), Education Code (page 39, line 45), between "February" and the underlined comma, insert "or another date determined by comptroller rule".

(28) In SECTION 3.02 of the bill, in added Section 29.362, Education Code (page 39, lines 59 through 64), strike Subsection (g) and substitute the following appropriately lettered subsection:

() The comptroller by rule shall establish a process by which the parent of a child participating in the program may authorize the comptroller or the certified educational assistance organization to make a payment directly from the child's account to a preapproved education service provider or vendor of educational products for an expense allowed under Section 29.359.

(29) In SECTION 3.02 of the bill, in added Section 29.362(i), Education Code (page 40, line 3), strike "education" and substitute "educational".

(30) In SECTION 3.02 of the bill, in added Section 29.363(c), Education Code (page 40, line 23), strike ", including" and substitute "and".

(31) In SECTION 3.02 of the bill, in added Section 29.363(c), Education Code (page 40, line 24), strike the underlined comma.

(32) In SECTION 3.02 of the bill, in added Section

29.364(b), Education Code (page 40, line 38), strike "program participant" and substitute "parent of a child participating in the program".

(33) In SECTION 3.02 of the bill, in added Section 29.364(b), Education Code (page 40, line 41), strike "participant has 30 business" and substitute "parent has 30".

(34) In SECTION 3.02 of the bill, in added Section 29.364(d), Education Code (page 40, lines 55 through 57), strike "in accordance with Subtitles A and B, Title 2, Tax Code, or as provided by other law".

(35) In SECTION 3.02 of the bill, in added Section 29.364(d), Education Code (page 40, line 58), between the underlined period and "The", insert "Failure to reimburse the state on demand by the comptroller constitutes a debt to the state for purposes of Section 403.055, Government Code.".

(36) In SECTION 3.02 of the bill, adding Subchapter J, Chapter 29, Education Code, strike added Section 29.366 (page 41, lines 1 through 8) and substitute the following appropriately numbered section:

Sec. 29. . REFERRAL TO ATTORNEY GENERAL OR PROSECUTING ATTORNEY. (a) If the comptroller obtains evidence of fraudulent use of an account or money distributed under the program or any other violation of law by a certified educational assistance organization or program participant, the comptroller shall notify the attorney general or the appropriate local county or district attorney with jurisdiction over the principal place of business of the certified educational assistance organization or the residence of the program participant, as applicable.

(b) With the consent of the appropriate local county or district attorney, the attorney general has concurrent jurisdiction with the consenting local prosecutor to prosecute an offense referred to the attorney general under Subsection (a).

(37) In SECTION 3.02 of the bill, in added Section 29.367(a), Education Code (page 41, lines 9 and 10), strike "A certified educational assistance organization" and substitute "Each certified educational assistance organization designated under Section 29.356(a)".

(38) In SECTION 3.02 of the bill, in added Section 29.368, Education Code (page 41, lines 32 through 50), strike Subsection (b) and substitute the following appropriately lettered subsection:

() A rule adopted or other action taken related to the program may not unduly limit the ability of an education service provider, vendor of educational products, or program participant to:

(1) determine:

(A) the methods of instruction or curriculum used to educate students;

(B) admissions and enrollment practices, policies, and standards; or

(C) employment practices, policies, and standards; or

(2) exercise the provider's, vendor's, or participant's religious or institutional practices as determined by the provider, vendor, or participant.

(39) In SECTION 3.02 of the bill, in added Section 29.369(c), Education Code (page 42, line 2), strike "The" and substitute "A".

(40) In SECTION 3.02 of the bill, in added Section 29.371(a), Education Code (page 42, line 16), strike "each certified educational assistance organization" and substitute "the certified educational assistance organizations collaborate to".

(41) In SECTION 3.02 of the bill, in added Section 29.371(a)(8), Education Code (page 42, line 34), strike "an organization" and substitute "the organizations".

(42) In SECTION 3.02 of the bill, in added Section 29.371(b), Education Code (page 42, lines 51 and 52), strike "each certified educational assistance organization" and substitute "the certified educational assistance organizations".

(43) In SECTION 3.02 of the bill, adding Subchapter J, Chapter 29, Education Code, strike added Section 29.373 (page 42, line 68, through page 43, line 11) and substitute the following appropriately numbered section:

Sec. 29. . APPEAL; FINALITY OF DECISIONS. (a) A program

participant may appeal to the comptroller an administrative decision made by a certified educational assistance organization under this subchapter, including a decision regarding eligibility, allowable expenses, or the participant's removal from the program.

(b) This subchapter may not be construed to confer a property right on a certified educational assistance organization, education service provider, vendor of educational products, or program participant.

(c) A decision of the comptroller made under this subchapter is final and not subject to appeal.

(44) In SECTION 3.06 of the bill, providing transition language (page 43, line 48), strike "(a)".

(45) In SECTION 3.06 of the bill, providing transition language (page 43, lines 51 through 58), strike Subsection (b).

(46) In SECTION 3.07 of the bill, in Subsection (a) of that section (page 43), strike lines 64 and 65 and substitute "Travis County."

(47) In SECTION 3.08 of the bill (page 44, lines 41 and 42), strike "and may not be affected".