

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 257

AMENDMENT NO. A35
(to be filled in by
Principal Clerk)

S257-ANL-1 [v.15]

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Amends Title [NO]
Second Edition

Date _____, 2025

Senator Grafstein

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

2
3 **"ELIMINATE THIRD AND FOURTH INCOME ELIGIBILITY TIERS FOR**
4 **OPPORTUNITY SCHOLARSHIPS**

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

6 **"§ 115C-562.1. Definitions.**

7 The following definitions apply in this Part:

8 ...

9 (3a) Eligible student. – A student residing in North Carolina who has not yet
10 received a high school diploma and who meets all of the following
11 requirements:

- 12 a. Is eligible to attend a North Carolina public school pursuant to Article
13 25 of this Chapter. A child who is the age of 4 on or before April 16 is
14 eligible to attend the following school year if the principal, or
15 equivalent, of the school in which the child seeks to enroll finds that
16 the student meets the requirements established by the Authority
17 pursuant to G.S. 115C-562.2(d) and those findings are submitted to the
18 Authority.
- 19 b. Has not been enrolled in a postsecondary institution as a full-time
20 student taking at least 12 hours of academic credit.
- 21 c. Has not been placed in a nonpublic school or facility by a public
22 agency at public expense.
- 23 d. Resides in a household with an income level between the amount
24 required for the student to qualify for the federal free or reduced-price
25 lunch program and not in excess of two hundred percent (200%) of
26 that amount.

27"

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

29 **"§ 115C-562.2. Scholarship grants.**

30 (a) The Authority shall make available no later than February 1 annually applications to
31 eligible students for the award of scholarship grants to attend any nonpublic school on a full- or
32 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:

12 **Fiscal Year**

Appropriation

13 ...

14 2027-2028

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

15 2028-2029

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

16 2029-2030

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

17 2030-2031

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

18 2031-2032

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

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

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1 on page 197, lines 8 and 9, by inserting between the lines:

2
3 **"CREATE JOBS SERVING PEOPLE WITH I/DD**

4 **SECTION 9E.21.(a)** Notwithstanding any other provision of law or of the
5 Committee Report referenced in Section 45.2 of this act to the contrary, the funds appropriated
6 in the act from the General Fund to the Department of Health and Human Services, Division of
7 Health Benefits (DHB), are increased by the sum of one hundred seventy-eight million six
8 hundred seventy thousand dollars (\$178,670,000) in recurring funds for each year of the
9 2025-2027 fiscal biennium. These funds shall be used to increase the number of North Carolina
10 Innovations waiver slots, as directed by this section.

11 **SECTION 9E.21.(b)** DHB shall amend the North Carolina Innovations waiver to
12 increase the number of waiver slots available under the waiver by 5,000. These 5,000 waiver
13 slots shall be distributed in accordance with subsection (c) of this section and are to be made
14 available July 1, 2025, unless the method of acceptance or rejection of waiver slots detailed in
15 subsection (c) of this section requires approval by the Centers for Medicare and Medicaid
16 Services (CMS). If CMS approval is required, then any waiver slots that are rejected under the
17 procedure described in subsection (c) of this section shall be made available July 1, 2025, or the
18 date that CMS grants or denies approval of the rejection and acceptance procedure, whichever is
19 later. If CMS approval is required and CMS does not approve the rejection and acceptance
20 procedure in subsection (c) of this section, then any rejected waiver slots shall remain distributed
21 using the allocation formula currently in place as of the effective date of this section.

22 **SECTION 9E.21.(c)** DHB shall distribute the 5,000 waiver slots identified under
23 subsection (b) of this section using the allocation formula currently in place as of the effective
24 date of this act, provided that all waiver slots shall be filled on a first-come, first-served basis
25 determined by the length of time an individual has been on the waiting list for an Innovations
26 waiver slot. Each LME/MCO shall, within 30 days of receiving the offer of the waiver slot, elect
27 whether to accept some, all, or none of the waiver slots offered. All waiver slots not accepted by
28 an LME/MCO shall be distributed equally among the LME/MCOs that attest to the following
29 requirements:

- 30 (1) The LME/MCO ensures that all rates paid to providers for any services
31 provided to beneficiaries receiving those services through the Innovations
32 Waiver are sufficient to pay its direct care employees a minimum wage of
33 twenty dollars (\$20.00) per hour. The LME/MCO may include in the rates
34 paid any additional amounts authorized by the General Assembly that are
35 designated for direct care personnel wages.
- 36 (2) The ability and capacity to provide services to the beneficiaries that will
37 receive the additional waiver slots exists within the LME/MCO's catchment
38 area.";

39
40 and by adjusting the appropriate totals accordingly.

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____