

1 AN ACT relating to the qualified elementary and secondary education scholarship
2 federal tax credit.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 →SECTION 1. A NEW SECTION OF KRS CHAPTER 43 IS CREATED TO
5 READ AS FOLLOWS:

6 (1) In accordance with 26 U.S.C. sec. 25F(g):

7 (a) The General Assembly hereby elects that in each calendar year the
8 Commonwealth of Kentucky shall:

9 1. Participate in the qualified elementary and secondary education
10 scholarship federal tax credit established under 26 U.S.C. sec. 25F, or
11 any successor program, for individuals who make qualifying
12 contributions to scholarship granting organizations; and

13 2. Identify scholarship granting organizations located in the state; and

14 (b) The Auditor of Public Accounts is hereby designated under Kentucky law as
15 the official authorized to:

16 1. Report the state's election to participate in the qualified elementary
17 and secondary education scholarship federal tax credit established
18 under 26 U.S.C. sec. 25F; and

19 2. Submit to the Secretary of the Treasury under 26 U.S.C. sec. 25F(g)
20 the list of the state's scholarship granting organizations that meet the
21 requirements of 26 U.S.C. sec. 25F.

22 (2) (a) The Auditor of Public Accounts shall maintain the state's list of scholarship
23 granting organizations and publish the list on the Auditor's website.

24 (b) The website shall also provide any administrative regulations promulgated
25 by the Auditor under subsection (3) of this section and other applicable
26 guidance issued by the United States Secretary of the Treasury or the
27 Internal Revenue Service.

1 (3) The Auditor may promulgate administrative regulations in accordance with KRS
2 Chapter 13A to establish the application process and documentation necessary
3 for an entity to qualify to be included as a scholarship granting organization on
4 the list maintained under subsection (2) of this section.

5 (4) The Auditor may enter into agreements with other state agencies to assist in
6 implementing this section.