

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1400 Session of
1975

INTRODUCED BY SHANE, IRVIS AND LAUDADIO, JUNE 4, 1975

REFERRED TO COMMITTEE ON APPROPRIATIONS, JUNE 9, 1975

AN ACT

1 Repealing the act of August 27, 1971 (P.L.358, No.92), entitled
2 "An act creating an authority for the purpose of avoiding
3 increased costs of public education by providing partial
4 reimbursement for nonpublic education and defining its powers
5 and duties," transferring all moneys in the Parent
6 Reimbursement Fund to the General Fund and providing for the
7 contingency of future claims against the Parent Reimbursement
8 Fund.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. It is hereby determined and declared as a matter
12 of legislative finding:

13 (1) That on June 25, 1973, the United States Supreme Court
14 declared unconstitutional the act of August 27, 1971 (P.L.358,
15 No.92), known as the "Parent Reimbursement Act for Nonpublic
16 Education."

17 (2) That litigation is presently pending in which parents
18 are seeking reimbursement under the act for all or part of the
19 tuition they paid for their children to attend nonpublic schools
20 for the two years between the passage of the Parent
21 Reimbursement Act for Nonpublic Education and its subsequent

1 declaration of unconstitutionality by the United States Supreme
2 Court.

3 (3) That the outcome of this litigation may not be finally
4 resolved for a period of years.

5 (4) That moneys accumulated pursuant to the Parent
6 Reimbursement Act for Nonpublic Education are presently in a
7 special fund created by said act.

8 (5) That until such time as said litigation is resolved, the
9 existence of said moneys in a special fund precludes their use
10 for other more pressing and immediate demands of the
11 Commonwealth and its citizens.

12 Section 2. The act of August 27, 1971 (P.L.358, No.92),
13 known as the "Parent Reimbursement Act for Nonpublic Education"
14 is repealed.

15 Section 3. All moneys in the Parent Reimbursement Fund on
16 the effective date of this act are hereby transferred to the
17 General Fund.

18 Section 4. All records, books, accounts and other documents
19 of or pertaining to or having any relation with the Parent
20 Reimbursement Authority created by the Parent Reimbursement Act
21 for Nonpublic Education which are presently being maintained by
22 said authority are hereby transferred to the Department of
23 Education.

24 Section 5. Should a judgment be entered in any pending
25 litigation authorizing the payment of any claims arising against
26 the Parent Assistance Authority concerning reimbursement for
27 tuition for the school years 1971-1972 and 1972-1973, then such
28 claims authorized to be paid by said judgment shall be paid out
29 of the General Fund of the State Treasury.

30 Section 6. The act shall take effect immediately.