

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1290 Session of 2010

INTRODUCED BY DINNIMAN, MARCH 29, 2010

REFERRED TO EDUCATION, MARCH 29, 2010

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for the American Recovery
6 and Reinvestment Act of 2009 and for certified safety
7 committees; further providing for transferred programs and
8 classes, for actual cost of tuition and maintenance of
9 certain exceptional children in the four chartered schools
10 for education of the deaf and the blind, for the Educational
11 Assistance Program, for education empowerment districts, for
12 financial program and reimbursement of payments, for duties
13 of public institutions of higher education and for the
14 Transfer and Articulation Oversight Committee; providing for
15 participation by State-related institutions and for library
16 funds; further providing for basic education funding for
17 student achievement, for accountability to Commonwealth
18 taxpayers, for special education payments to school
19 districts, for payments on account of homebound children and
20 for Pennsylvania Accountability Grants; and making a repeal.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
24 as the Public School Code of 1949, is amended by adding sections
25 to read:

26 Section 118. American Recovery and Reinvestment Act of
27 2009.--Notwithstanding any other provision of law, funds

1 received under the American Recovery and Reinvestment Act of
2 2009 (Public Law 111-5, 123 Stat. 115) shall be spent in
3 accordance with the American Recovery and Reinvestment Act of
4 2009 and applicable rules and guidelines developed by the
5 Federal Government.

6 Section 615. Certified Safety Committee.--(a) Each school
7 district shall take such steps as necessary during fiscal year
8 2009-2010 in order to have or maintain a certified safety
9 committee by December 31, 2010, for the purposes of section
10 1002(b) of the act of June 2, 1915 (P.L.736, No.338), known as
11 the "Workers' Compensation Act." The Department of Labor and
12 Industry shall provide the Department of Education with the list
13 of school districts that have a certified safety committee. In
14 the case of a school district that does not submit evidence to
15 the Department of Education that complies with this subsection,
16 the Department of Education shall deduct from any allocation
17 from the Commonwealth to which the school district is entitled
18 the amount of the discount the school district would otherwise
19 receive under section 1002(b) of the "Workers' Compensation
20 Act."

21 (b) Subsection (a) shall not apply to a school district that
22 cannot receive a premium discount under section 1002(b) of the
23 "Workers' Compensation Act," or an equivalent reduction in
24 contribution rates, by establishing and maintaining a certified
25 safety committee because it is authorized to self-insure its
26 liabilities under section 305 of the "Workers' Compensation Act"
27 or pool its liabilities under section 802 of the "Workers'
28 Compensation Act."

29 Section 2. Section 1113 of the act is amended by adding a
30 subsection to read:

1 Section 1113. Transferred Programs and Classes.--* * *

2 (b.3) (1) The following shall apply to professional and
3 temporary professional employes of a school formerly operated by
4 the Commonwealth:

5 (i) The Commonwealth shall create a pool for each school
6 comprised of the professional and temporary professional
7 employes who have received formal notice of suspension from the
8 Commonwealth as a result of the Commonwealth's decision to cease
9 Commonwealth operation of the school.

10 (ii) For the three school years immediately following the
11 formal notice of suspension from the Commonwealth, employes in a
12 pool created under subclause (i) shall be offered employment by
13 each eligible school entity as determined under subclause (iv)
14 associated with the applicable pool created under subclause (i),
15 when that eligible school entity has a vacancy for a position
16 that an employe in the applicable pool is properly certified to
17 fill, provided that no employe of the eligible school entity in
18 which the vacancy exists, including a suspended or demoted
19 employe, has a right to the vacancy under this act or the
20 collective bargaining agreement of the respective eligible
21 school entity.

22 (iii) For the three school years immediately following the
23 formal notice of suspension from the Commonwealth, no new
24 employe shall be hired by an eligible school entity as
25 determined under subclause (iv) associated with the applicable
26 pool created under subclause (i), until the position has been
27 offered, in order of seniority, to all properly certified
28 members of the applicable pool created under subclause (i).

29 (iv) For the purpose of subclauses (ii) and (iii), an
30 "eligible school entity" shall be determined as follows:

1 (A) a school district, vocational-technical school or
2 intermediate unit, the administration building of which is
3 seventeen (17) miles or less from the administration building of
4 a school formerly operated by the Commonwealth or a school
5 district which is adjacent to the school district in which a
6 school formerly operated by the Commonwealth was situate; or

7 (B) a school district with average daily membership greater
8 than or equal to eight thousand (8,000), the administration
9 building of which is forty-five (45) miles or less from the
10 administration building of a school formerly operated by the
11 Commonwealth, and which relies on State revenue for no less than
12 fifty percent (50%) of the school district's total budget in the
13 most recent year for which data has been published on the
14 Department of Education's public Internet website.

15 (2) (i) Employees hired from a pool under clause (1) and
16 former employees of a school formerly operated by the
17 Commonwealth who resigned from a school formerly operated by the
18 Commonwealth within the six months prior to the effective date
19 of an act of the General Assembly declining to fund the school
20 and who accepted employment at a school district, intermediate
21 unit or vocational-technical school shall be credited by the
22 hiring school district, intermediate unit or vocational-
23 technical school for all sick leave accumulated in the school
24 and shall be credited for years of service in the school for
25 purposes of salary schedule placement. Employees shall further be
26 credited for their years of service in the school for purposes
27 of sabbatical leave eligibility, suspension and realignment
28 rights and eligibility for any retirement incentives or
29 severance payments in a hiring school district, intermediate
30 unit or vocational-technical school.

1 (ii) Nothing in this clause shall be construed to supersede
2 or preempt any provision of an individual employment agreement
3 between a school district, intermediate unit or vocational-
4 technical school and an employee entered into prior to October 9,
5 2009, or any provision of a collective bargaining agreement in
6 effect as of October 9, 2009, and negotiated by a school entity
7 and an exclusive representative of the employees in accordance
8 with the act of July 23, 1970 (P.L.563, No.195), known as the
9 "Public Employee Relations Act."

10 * * *

11 Section 3. Section 1376.1(b.2) of the act is amended by
12 adding paragraphs to read:

13 Section 1376.1. Actual Cost of Tuition and Maintenance of
14 Certain Exceptional Children in the Four Chartered Schools for
15 Education of the Deaf and the Blind.--* * *

16 (b.2) Payments are as follows:

17 * * *

18 (4) Transition funding:

19 (i) In addition to any other funding provided pursuant to
20 this subsection, the Department of Education shall provide to
21 each chartered school in the 2009-2010 school year for
22 enrollment during the 2009-2010 school year for one or more
23 students who were enrolled as of May 1, 2009, in a school for
24 the deaf formerly operated by the Commonwealth, an amount equal
25 to the product of the following:

26 (A) The number of students enrolled in the chartered school
27 as of October 1, 2009, who were enrolled as of May 1, 2009, in a
28 school for the deaf formerly operated by the Commonwealth,
29 divided by the total number of such students enrolled in all
30 chartered schools as of October 1, 2009, who were enrolled as of

1 May 1, 2009, in a school for the deaf formerly operated by the
2 Commonwealth.

3 (B) Three million three hundred thousand dollars
4 (\$3,300,000).

5 (ii) In addition to any other funds provided to a chartered
6 school under subparagraph (i), the department shall provide to
7 each chartered school that establishes a satellite campus with
8 approval of the department for the purpose of enrolling students
9 previously enrolled in a school for the deaf formerly operated
10 by the Commonwealth, the amount of twenty-seven thousand two
11 hundred seventy-three dollars (\$27,273) multiplied by the number
12 of students enrolled in the chartered school as of October 1,
13 2009, who were enrolled as of May 1, 2009, in a school for the
14 deaf formerly operated by the Commonwealth, provided that the
15 total amount under this subparagraph shall not exceed two
16 million one hundred thousand dollars (\$2,100,000).

17 (5) For the 2010-2011 school year and every school year
18 thereafter, payments under this subsection for a chartered
19 school that establishes a satellite campus with the approval of
20 the department for the purpose of enrolling students previously
21 enrolled in a school for the deaf formerly operated by the
22 Commonwealth shall, in addition to any amount otherwise
23 calculated under this subsection, include the amount provided in
24 fiscal year 2009-2010 pursuant to paragraph (4)(ii). The total
25 shall be subject to the annual adjustment under paragraph (1).

26 (6) For the 2010-2011 and 2011-2012 school years, in
27 addition to any other funds provided to it, the department shall
28 provide to a chartered school that establishes a satellite
29 campus with approval of the department for the purpose of
30 enrolling students previously enrolled in a school for the deaf

1 formerly operated by the Commonwealth, out of funds appropriated
2 to the department, an amount equal to five hundred thousand
3 dollars (\$500,000) annually to the extent appropriated by the
4 General Assembly.

5 * * *

6 Section 4. Section 1512-C(g) and (j) of the act, amended or
7 added July 9, 2008 (P.L.846, No.61), are amended to read:

8 Section 1512-C. Educational Assistance Program.

9 * * *

10 (g) Educational assistance funding.--

11 (1) During the 2003-2004, 2004-2005, 2005-2006,
12 2006-2007, 2007-2008 [and], 2008-2009 and 2009-2010 school
13 years, the department shall provide each eligible school
14 entity with educational assistance funding calculated by:

15 (i) Dividing the number of Pennsylvania System of
16 School Assessment tests administered in the eligible
17 school entity on which students scored below proficient
18 in reading or mathematics by the total number of
19 Pennsylvania System of School Assessment tests
20 administered in the eligible school entity in reading and
21 mathematics during the 2002-2003 school year.

22 (ii) Multiplying the quotient from subparagraph (i)
23 by the average daily membership of the eligible school
24 entity during the 2002-2003 school year.

25 (iii) Multiplying the product from subparagraph (ii)
26 by the dollar value of funds appropriated to the
27 Department of Education for the Educational Assistance
28 Program in the 2004-2005 fiscal year.

29 (iv) Dividing the product from subparagraph (iii) by
30 the sum of the products of subparagraph (ii) for all

1 eligible school entities that qualify for grant funds
2 under this paragraph.

3 (1.1) During the 2005-2006, 2006-2007, 2007-2008 [and],
4 2008-2009 and 2009-2010 school years, the department shall
5 provide each school entity with at least one school that has
6 failed to achieve its 2005 mathematics proficiency target or
7 its 2005 reading proficiency target with educational
8 assistance funding for the support of tutoring services to
9 eligible students enrolled in seventh through twelfth grades.
10 Such funding shall be calculated as follows:

11 (i) Dividing the number of Pennsylvania System of
12 School Assessment tests administered in the eligible
13 school entity to eleventh grade students on which such
14 students scored below the 2005 reading or mathematics
15 proficiency target by the total number of Pennsylvania
16 System of School Assessment tests administered in the
17 eligible school entity to eleventh grade students in
18 reading and mathematics during the 2003-2004 school year.

19 (ii) Multiplying the quotient from subparagraph (i)
20 by the average daily membership of the eligible school
21 entity during the 2004-2005 school year.

22 (iii) Multiplying the product from subparagraph (ii)
23 by the difference between the dollar value of funds
24 appropriated to the department for the educational
25 assistance program in the 2004-2005 fiscal year and the
26 dollar value of funds appropriated to the department for
27 the educational assistance program in the 2007-2008
28 fiscal year.

29 (iv) Dividing the product from subparagraph (iii) by
30 the sum of the products of subparagraph (ii) for all

1 eligible school entities that qualify for grant funds
2 under this paragraph.

3 (2) The amount of educational assistance funding
4 provided under this article shall be limited to funds
5 appropriated for this purpose.

6 * * *

7 (j) Pro rata distribution.--For the 2008-2009 [fiscal year]
8 and 2009-2010 fiscal years, if insufficient funds are
9 appropriated to make Commonwealth payments pursuant to this
10 section, such payments shall be made on a pro rata basis.

11 Section 5. Section 1705-B(h) (4) of the act, amended July 9,
12 2008 (P.L.846, No.61), is reenacted and amended to read:

13 Section 1705-B. Education Empowerment Districts.--* * *

14 (h) * * *

15 (4) The department may utilize up to \$4,500,000 of
16 undistributed funds not expended, encumbered or committed from
17 appropriations for grants and subsidies made to the department
18 to assist school districts certified as an education empowerment
19 district under paragraph (3). There is hereby established a
20 restricted account from which payments under this paragraph
21 shall be paid. Funds shall be transferred by the Secretary of
22 the Budget to the restricted account to the extent necessary to
23 make payments under this paragraph. Funds in the restricted
24 account are hereby appropriated to carry out the purposes of
25 this paragraph. The subsidy payment from this account shall be
26 utilized to supplement the operational budget of the eligible
27 school districts. This paragraph shall apply to fiscal years
28 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005,
29 2005-2006, 2006-2007, 2007-2008 [and] 2008-2009 and 2009-2010
30 and shall expire June 30, [2009] 2010.

1 Section 6. Section 1913-A(b) of the act is amended by adding
2 a paragraph to read:

3 Section 1913-A. Financial Program; Reimbursement of
4 Payments.--* * *

5 (b) * * *

6 (1.9) For the 2009-2010 fiscal year and notwithstanding any
7 other provision of law, Federal and State funds shall be
8 distributed to each community college in an amount equal to the
9 amount paid under paragraph (1.6) during the 2008-2009 fiscal
10 year. If insufficient funds are appropriated, the payments shall
11 be made on a pro rata basis.

12 * * *

13 Section 7. Section 2002-C of the act, added July 11, 2006
14 (P.L.1092, No.114), is amended to read:

15 Section 2002-C. Duties of public institutions of higher
16 education.

17 (a) Completion.--Each public institution of higher education
18 shall complete all of the following by June 30, 2008:

19 (1) Participate in the development and implementation of
20 equivalency standards pursuant to section 2004-C(c)(1).

21 (2) Establish and maintain records and data detailing
22 the credits transferred to and received from other public
23 institutions of higher education as the department may
24 prescribe.

25 (3) Make any reasonable changes and modifications to its
26 foundation courses, including the strengthening of the
27 courses, to ensure equivalency of those credits among the
28 public institutions of higher education, as recommended by
29 the Transfer and Articulation Oversight Committee.

30 (4) Agree to accept for transfer foundation courses

determined to meet equivalency standards under section 2004-C(c) (2) .

(a.1) Completion of second phase.--Each public institution of higher education shall agree to accept with full junior standing the associate of arts or associate of science degree into a parallel baccalaureate program as outlined under section 2004-C(c) (2.1), (2.2), (2.3) and (2.4) by the timelines established by the transfer and articulation oversight committee, but no later than December 31, 2011. For the purposes of this subsection, an associate of arts or associate of science degree is a degree designed primarily for transfer to a baccalaureate institution and which contains a minimum of 60 credits.

(b) Reporting requirements.--

(1) A public institution of higher education shall submit to the department a series of interim reports outlining the actions that the public institution of higher education has undertaken or intends to undertake to comply with subsection (a), which shall be filed December 31, 2006, June 30, 2007, and December 31, 2007.

(2) Each public institution of higher education shall submit to the department interim reports outlining the actions that the public institution of higher education has undertaken or intends to undertake to comply with subsection (a.1), which shall be filed by December 31, 2009, June 30, 2010, and December 31, 2010.

Section 8. Section 2004-C(c) of the act is amended by adding paragraphs to read:

Section 2004-C. Transfer and Articulation Oversight Committee.

* * *

1 (c) Duties of Transfer and Articulation Oversight

2 Committee.--The committee shall:

3 * * *

4 (2.1) By December 1, 2009, consult with the department
5 on a process and timeline, subject to approval by the
6 department, to identify the associate of arts or associate of
7 science degree aligned with the graduation requirements of
8 the parallel baccalaureate degree in all public institutions
9 of higher education in consultation with faculty and
10 personnel.

11 (2.2) Identify associate of arts or associate of science
12 degree programs for transfer with full junior standing into a
13 parallel baccalaureate degree in consultation with faculty
14 and personnel in those degree programs by December 31, 2011.

15 (2.3) Identify modifications that may be required in
16 existing associate or baccalaureate degrees to satisfy
17 external accreditation or licensure requirements in
18 consultation with faculty and personnel. Approved
19 modifications shall recognize all competencies attained
20 within either the associate or baccalaureate programs.

21 (2.4) Define requirements, in consultation with faculty
22 and personnel, for education degrees, including early
23 childhood education degrees, leading to certification to be
24 included in an associate degree and to be accepted for
25 transfer with full junior standing into a parallel
26 baccalaureate degree program.

27 * * *

28 Section 9. The act is amended by adding sections to read:

29 Section 2006.1-C. Participation by State-related institutions.

30 (a) Identification.--No later than June 15, 2010, each

1 State-related institution shall identify 30 credit hours of
2 course content from equivalent courses identified under this
3 article that it will accept from a student accepted for transfer
4 from an institution of higher education participating in this
5 article. A State-related institution shall count a course in the
6 same manner that it would count the same or equivalent course if
7 taken by a student at the State-related institution.

8 (b) Posting.--Each State-related institution shall make the
9 information identified under subsection (a) available to the
10 department for posting on the department's publicly accessible
11 Internet website.

12 (c) Construction.--Nothing in this section shall be
13 construed to do any of the following:

14 (1) Require a State-related institution to apply a
15 course to graduation or degree requirements if that course or
16 its equivalent course would not be applied to graduation or
17 degree requirements if taken at the State-related
18 institution.

19 (2) Infringe on a State-related institution's sole
20 authority to accept a student for transfer, to determine
21 acceptance into a major, to determine the campus assignment
22 of the student or to determine how many and which credit
23 hours shall apply for the transfer student toward the
24 completion of a degree. The manner in which accepted courses
25 apply toward completion of a degree and whether they are
26 counted for general education, major or free elective credit
27 shall be subject to the requirements established by the
28 accepting State-related institution for each individual major
29 or program of study.

30 (3) Prohibit a State-related institution's ability to

enter into discussions with the department to increase the
number of credits under subsection (a).

Section 2318. Library funds.

(a) Distribution.--Funds appropriated for libraries shall be
distributed to each library under the following formula:

(1) Divide the sum of the amount of funding that the
library received in fiscal year 2007-2008 under section 2316
by the total State-aid subsidy for fiscal year 2007-2008.

(2) Multiply the quotient under subparagraph (i) by the
total State-aid subsidy for 2009-2010.

(b) Remaining funds.--Following distribution of funds
appropriated for State aid to libraries, any remaining funds may
be distributed at the discretion of the State Librarian.

(c) Waiver.--If funds appropriated for State aid to
libraries in fiscal year 2009-2010 are less than funds
appropriated in fiscal year 2002-2003, the State Librarian may
waive standards as prescribed under section 103 of the act of
June 14, 1961 (P.L.324, No.188), known as The Library Code,
relating to hours of operation, continuing professional
development, collections, expenditures and other aspects of
library operation.

(d) Local share.--The following shall apply:

(1) Each library system receiving State aid under this
section may distribute the local library share of that aid in
a manner as determined by the board of directors of the
library system.

(2) Paragraph (1) shall not apply to a library system
operating in a county of the second class.

Section 10. Section 2502.48(a) and (b)(5) of the act, added
July 9, 2008 (P.L.846, No.61), are amended and the section is

1 amended by adding a subsection to read:

2 Section 2502.48. Basic Education Funding for Student
3 Achievement.--(a) The Department of Education shall calculate a
4 base cost per student. For the 2007-2008 school year, the base
5 cost per student shall be eight thousand three dollars (\$8,003),
6 increased by the 2008-2009 index. For the 2008-2009 school year,
7 the base cost per student shall be the base cost per student of
8 the prior school year, increased by the index for the school
9 year in which funding will be paid.

10 (b) The Department of Education shall determine an adequacy
11 target for each school district by calculating the sum of the
12 following:

13 * * *

14 (5) An adjustment for geographic price differences
15 calculated as follows:

16 (i) Add the amounts under paragraphs (1), (2), (3) and (4).

17 (ii) Multiply:

18 (A) the sum under subparagraph (i); by

19 (B) the school district's location cost metric for the
20 2007-2008 school year; or

21 (C) the school district's location cost metric or one (1),
22 whichever is greater, for the 2008-2009 school year.

23 (iii) Subtract:

24 (A) the sum under subparagraph (i); from

25 (B) the product under subparagraph (ii).

26 * * *

27 (d.1) The Commonwealth shall pay to each school district a
28 basic education funding allocation for the 2008-2009 school year
29 which shall consist of the following:

30 (1) An amount equal to the allocations received by the

school district for the 2007-2008 school year under subsections (d) (1) and (2) and (e).

(2) If a school district has been declared a Commonwealth partnership school district under Article XVII-B, an amount equal to two million dollars (\$2,000,000).

(3) (i) For a school district subject to subsection (d) (3) (i), twenty-seven and eighty-two one-hundredths percent (27.82%) of the State funding target determined under subsection (c) (1).

(ii) For a school district subject to subsection (d) (3) (ii), twenty-one and four-tenths percent (21.4%) of the State funding target determined under subsection (c) (1).

(4) Any additional amount required so that the total amount provided under this subsection equals two percent (2%) greater than the amount provided under subsections (d) and (e).

* * *

Section 11. Section 2502.49(b) of the act is amended by adding a paragraph to read:

Section 2502.49. Accountability to Commonwealth Taxpayers.--

* * *

(b) The following shall apply:

* * *

(5) (i) For the 2008-2009 school year, the Department of Education may grant a waiver for the use of up to twenty-five percent (25%) of the funds subject to subsection (a) (1) if all of the following apply:

(A) The school district would otherwise be required to reduce or eliminate one or more of the programs listed in subsection (a) (1) due to a projected budget shortfall.

(B) The funds subject to the waiver must be used to maintain one or more existing programs listed under subsection (a) (1).

1 (C) The school district has, in the determination of the
2 department, pursued alternative opportunities for greater
3 efficiency and internal savings in order to fund the program or
4 programs without need for a waiver.

5 (D) The program to be maintained addresses a significant
6 need of the school district's students and has demonstrated
7 effectiveness at increasing student achievement in the school
8 district, in the determination of the department.

9 (ii) The decision to grant a waiver shall be at the sole
10 discretion of the department and shall not be subject to appeal.

11 * * *

12 Section 12. Section 2509.5 of the act is amended by adding a
13 subsection to read:

14 Section 2509.5. Special Education Payments to School
15 Districts.--* * *

16 (aaa) For the 2009-2010 fiscal year, funds appropriated for
17 special education payments to school districts shall be
18 distributed to each school district in an amount equal to the
19 amount paid during the 2008-2009 school year under subsection
20 (zz). If insufficient funds are appropriated, the payments shall
21 be made on a pro rata basis.

22 Section 13. Section 2510.1 of the act, added February 1,
23 1966 (1965 P.L.1642, No.580), is amended to read:

24 Section 2510.1. Payments on Account of Homebound Children.--
25 Every school district, regardless of classification, shall be
26 paid by the Commonwealth for the school year 1966-1967 through
27 the school year 2006-2007, [and for each school year
28 thereafter,] on account of the instruction of homebound
29 children, an amount determined by multiplying the mandated
30 minimum hourly rate for instructing homebound children by the

1 district's aid ratio.

2 Section 14. Section 2599.2(d.4) of the act, added July 9,
3 2008 (P.L.846, No.61), is amended to read:

4 Section 2599.2. Pennsylvania Accountability Grants.--* * *

5 (d.4) During the 2008-2009 and 2009-2010 school [year]
6 years, the department shall pay to each school district a
7 Pennsylvania accountability grant equal to the amount paid
8 during the 2007-2008 school year under subsections (d.2) and
9 (d.3). If insufficient funds are appropriated, the payments
10 shall be made on a pro rata basis.

11 * * *

12 Section 15. Repeals are as follows:

13 (1) The General Assembly declares that the repeals under
14 paragraph (2) are necessary to effectuate the following:

15 (i) The addition of sections 118, 615, 1113(b.3),
16 1376(b.2)(4), (5) and (6), 1913-A(b)(1.9), 2318,
17 2502.48(d.1), 2509.5(aaa), 2004-C(c)(2.1), (2.2), (2.3),
18 (2.4) and (2.5) and 2006.1-C of the act.

19 (ii) The amendment of sections 1512-C(g)(1) and
20 (1.1) and (j), 1705-B(h)(4), 2002-C, 2510.1 and
21 2599.2(d.4) of the act.

22 (2) Sections 1722-E and 1722-J(1), (4), (5), (8), (9),
23 (10), (12), (14) and (17) of the act of April 9, 1929
24 (P.L.343, No.176), known as The Fiscal Code, are repealed.

25 Section 16. The reenactment of section 1705-B(h)(4) of the
26 act shall apply retroactively to June 30, 2009.

27 Section 17. This act shall take effect immediately.