

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 139 Session of 2011

INTRODUCED BY GODSHALL, BOYD, CLYMER, CREIGHTON, DALEY, DeLUCA,
GROVE, HARPER, HENNESSEY, MARSHALL, MILLER, READSHAW,
REICHLEY AND SWANGER, JANUARY 20, 2011

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 20, 2011

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 State reimbursement for
6 mobile classroom facilities; and making editorial changes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 2574(a) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended September 29, 1959 (P.L.992, No.407), is amended to
12 read:

13 Section 2574. Approved Reimbursable Rental for Leases
14 Hereafter Approved and Approved Reimbursable Sinking Fund
15 Charges on Indebtedness.--(a) For school building projects for
16 which the general construction contract is awarded subsequent to
17 March 22, 1956, and for approved school building projects for
18 which the general construction contract was awarded but for
19 which a lease was not approved by the Department of [Public

Instruction] Education prior to March 22, 1956, the Department of [Public Instruction] Education shall calculate an approved reimbursable rental or approved reimbursable sinking fund charges. Reimbursable sinking fund charges may include charges for temporary indebtedness within constitutional limitations, if the indebtedness is incurred for approved permanent improvements to the school plant including the cost of acquiring a suitable site for a school building, the cost of constructing a new school building, or the cost of providing needed additions or alterations to existing buildings for which no bond issue is provided and for which an approved obligation or obligations other than bonds have been issued and the obligation or obligations are payable within five (5) years from the date of issue of the obligation in equal annual installments. Nothing in this section or in the Department of Education guidelines shall prohibit a school district from receiving reimbursement for approved building improvements, including the cost of acquiring a suitable site for a school building, the cost of constructing a new school building or the cost of providing needed additions or alterations to existing buildings, if a school district elects not to remove any relocatable or modular classroom utilized after the completion of a building project. The term "relocatable or modular classroom" shall mean a classroom not of a permanent nature which meets the criteria and specifications of the Department of Education.

Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund charge attributable to--

(1) The cost of acquiring the land upon which the school buildings are situate, the cost of necessary rough grading to

1 permit proper placement of the building upon said land and the
2 cost of sewage treatment plants, as required by the Department
3 of Health, to the extent that such costs are deemed reasonable
4 by the Department of [Public Instruction] Education and the
5 interest on such costs of acquisition, grading and sewage
6 treatment plants earned subsequent to date the construction
7 contract is awarded, and

8 (2) The approved building construction cost and the interest
9 on such construction cost.

10 * * *

11 Section 2. This act shall take effect in 60 days.