

FOURTH CLASS SCHOOL DISTRICTS, FINANCES

Act of May. 5, 1921, P.L. 344, No. 167

Cl. 24

AN ACT

Authorizing school districts of the fourth class, with the assent of the electors, to use moneys, borrowed or authorized to be borrowed for purposes which have proved impracticable or undesirable, for other lawful purposes.

Section 1. Be it enacted, &c., That whenever any school district of the fourth class has increased its indebtedness, with the assent of the electors of such district, in accordance with the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (Pamphlet Laws, sixty-five), entitled "An act to regulate the manner of increasing the indebtedness of municipalities; to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and the purpose for which said increase was asked and assent obtained has proved to be impracticable or undesirable, the board of school directors of any such school district may, by their resolution or vote, signify a desire to use the money, so borrowed or authorized to be borrowed, for any other lawful purpose, and such other purpose may include the erection of a joint school building with another school district, or the building of an addition to an existing school building; and the said moneys, so borrowed or authorized to be borrowed, may be used for such other purpose, if the assent of the electors thereto is obtained as herein provided.

Section 2. The board of school directors of any such school district shall give notice, during at least thirty days, by weekly advertisements in newspapers, not exceeding three, in the district, and, if no newspaper be published therein, then by at least twenty printed handbills posted in public places in said district, of an election to be held at the place or places of holding the municipal elections on a day to be by them fixed. Such notices shall state: (a) The date of such election; (b) the amount of money theretofore borrowed or authorized to be borrowed; (c) the purpose for which such money was originally authorized; (d) the reason why said money may not be used for the purpose for which it was borrowed or authorized to be borrowed; (e) the new purpose for which the board desires to use said money borrowed or authorized to be borrowed.

A certified copy of the resolution hereinbefore required and of the above notice shall be filed in the office of the clerk of the court of quarter sessions.

Section 3. The board of school directors of such school district shall, in all cases, fix the time of the holding of any such election on the day of the municipal or general or other special election, unless more than ninety days elapse between the date of the resolution and the day of holding the municipal or general or other special election. If any day other than the day of the municipal or general or other special election day is fixed, the expense of holding the election shall be paid by the school district.

Section 4. Such election shall be held at the place, time and under the same regulations, as provided by law for the holding of municipal elections, and the question to be submitted to the electors shall be in the following form:

Shall the sum of.....dollars heretofore borrowed or authorized to be borrowed by the school district of.....for the purpose of.....be

used by the said school district for the purpose
of..... ?

The ballot shall be prepared in the manner provided by the
general election law for the submission of similar questions.

Section 5. The election shall be conducted by the regular
election officers. The election officers shall count the tickets
cast at such election, and make a return thereof to the clerk
of the court of quarter sessions of the county, duly certified
as is required by law. In receiving and counting, and in making
return of the votes cast, the inspectors, clerks, and judges
of election shall be governed by the laws of this Commonwealth
governing municipal elections; and the vote shall be counted
by the court as is now provided by laws governing municipal
elections. All penalties of the said election laws for violation
thereof are hereby extended to and shall apply to the voters,
inspectors, judges, and clerks, voting at, and in attendance
upon, elections held under the provisions of this act.

Section 6. The clerk of the court shall make a return of
the vote cast upon such question, as filed in his office, to
the board of school directors of such school district, and the
same shall be placed on record among or upon the minutes
thereof.

Section 7. If at such election a majority of the electors
voting thereat shall vote in favor of using said borrowed or
authorized to be borrowed money for the purpose other than that
for which it was originally authorized, the said money shall
thereafter be used for such new purpose in the same manner as
if it had originally been authorized and borrowed for such
purpose.