

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 305

Session of
1985

INTRODUCED BY BURNS AND GALLAGHER, FEBRUARY 12, 1985

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 6, 1985

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," further providing for the return of
6 funds received for building site costs.

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

9 Section 1. Section 2574.1 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended October 21, 1965 (P.L.601, No.312) and January 26, 1966
12 (1965 P.L.1591, No.560), is amended to read:

13 Section 2574.1. Payments on Account of Building Site
14 Costs.--Whenever any school district acquires a site for a
15 school building in advance of its need and in accordance with a
16 long range master plan for school building construction approved
17 by the Department of [Public Instruction] Education to the
18 extent that the cost of the acquisition shall be deemed
19 reasonable by the Department of [Public Instruction] Education,

1 the Commonwealth shall pay, in the year of such acquisition, one
2 hundred percent (100%) of the reimbursement due the district
3 under applicable laws in force at that time for the cost of
4 acquisition. If such site is not thereafter used by the district
5 for school building purposes, within a period of ten years from
6 date of purchase, the amounts paid to the district under this
7 section shall be returned to the Commonwealth by the district
8 within two years of the end of such ten year period of non-user.
9 If such amounts are not so returned within such two year period,
10 Commonwealth moneys due and payable to the district by the
11 Department of [Public Instruction] Education as a subsidy or
12 reimbursement for any purpose shall first be withheld in the
13 amount of the moneys owed the Commonwealth by the district under
14 this section and credited as returned in full hereunder before
15 any part of such Commonwealth reimbursement or subsidy is paid
16 to the district. The district shall not be required to return
17 the funds it received if the district can demonstrate in its
18 long-range plan that the site will still be needed for a school
19 building, or that the site is being used EVEN THOUGH THE SITE <—
20 MAY BE USED TEMPORARILY by a political subdivision, or agency
21 thereof, for public purposes. If the district conveys or
22 transfers the site to another party, the district shall repay
23 the amount it was reimbursed and appropriate interest, as
24 determined by the department.

25 Section 2. This act shall take effect immediately.