

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1883 Session of
2003

INTRODUCED BY STAIRS, JUNE 16, 2003

REFERRED TO COMMITTEE ON EDUCATION, JUNE 16, 2003

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," requiring school districts to reopen
6 their 2003-2004 budgets; imposing limitations on certain
7 unreserved fund balances; further providing for auxiliary
8 service; deleting provisions relating to professional teacher
9 assessment; further providing for cost of tuition and
10 maintenance of certain exceptional children in approved
11 private schools; providing for firefighter and emergency
12 service training; further providing for Education Support
13 Services Program, for education empowerment districts, for
14 mandate waiver program and for school improvement grants;
15 further defining "educational improvement organization" and
16 "scholarship organization"; further providing for payments on
17 account of pupils enrolled in vocational curriculums and for
18 small district assistance; providing for basic education
19 funding for 2002-2003 school year; further providing for
20 payments to intermediate units, for special education
21 payments to school districts and for Commonwealth
22 reimbursements for charter schools and cyber charter schools;
23 and making appropriations, repeals and an editorial change.

24 The General Assembly of the Commonwealth of Pennsylvania

25 hereby enacts as follows:

26 Section 1. Section 687 of the act of March 10, 1949 (P.L.30,
27 No.14), known as the Public School Code of 1949, is amended by
28 adding a subsection to read:

Section 687. Annual Budget; Additional or Increased
Appropriations; Transfer of Funds.--* * *

(j) (1) Notwithstanding any other provisions of this act,
the board of school directors of each school district is
required to and shall reopen its 2003-2004 budget during the
month of July 2003 to reflect any increased State allocations
under sections 2502.13 and 2502.41 for fiscal year 2003-2004
provided by the General Assembly through this act and to comply
with section 688.

(2) In those school districts which levy taxes and where the
increased State allocations exceed the State revenue figures
utilized by the school district at the time of adoption of its
original fiscal year 2003-2004 budget, the board of school
directors shall first use the increase in State allocations to
do any of the following:

(i) offset the increase in the employer contribution rate on
behalf of active members of the Public School Employees'
Retirement System as calculated under 24 Pa.C.S. § 8328
(relating to actuarial cost method). Such amount shall supplant
any other school district revenues allocated for this purpose;

(ii) abate any local taxes which were levied at the time of
original budget adoption. Such tax abatements shall occur within
sixty (60) days of the reopening of the school district's budget
and may take the form of tax reductions, rebates or credits;

(iii) reduce or retire any outstanding indebtedness of the
school district; or

(iv) restore funding to any educational programs which were
reduced or eliminated for the 2003-2004 school year.

(3) Under no circumstances shall any increased State
allocations be used to increase a school district's reserved or

1 unreserved fund balances.

2 Section 2. The act is amended by adding a section to read:

3 Section 688. Limitations on Certain Unreserved Fund

4 Balances.--(a) For the 2003-2004 school year and each school
5 year thereafter, no school district shall approve an increase in
6 real property taxes unless it has adopted a budget or a reopened
7 budget pursuant to section 687 that includes an estimated,
8 ending unreserved undesignated fund balance in accordance with
9 the limitations set forth as follows:

<u>School District</u>	<u>Estimated, Ending Unreserved Undesignated</u>
<u>Total Budgeted</u>	<u>Fund Balance as Percentage of</u>
<u>Expenditures</u>	<u>Total Budgeted Expenditures</u>
<u>Less Than or Equal to \$11,999,999</u>	<u>12%</u>
<u>Between \$12,000,000 and \$12,999,999</u>	<u>11.5%</u>
<u>Between \$13,000,000 and \$13,999,999</u>	<u>11%</u>
<u>Between \$14,000,000 and \$14,999,999</u>	<u>10.5%</u>
<u>Between \$15,000,000 and \$15,999,999</u>	<u>10%</u>
<u>Between \$16,000,000 and \$16,999,999</u>	<u>9.5%</u>
<u>Between \$17,000,000 and \$17,999,999</u>	<u>9%</u>
<u>Between \$18,000,000 and \$18,999,999</u>	<u>8.5%</u>
<u>Greater Than or Equal to \$19,000,000</u>	<u>8%</u>

22 (b) By August 15, 2003, and each year thereafter, each
23 school district that approves an increase in real property taxes
24 shall provide the Department of Education with information
25 certifying compliance with this section. Such information shall
26 be provided in a form and manner prescribed by the Department of
27 Education and shall include information on the school district's
28 estimated, ending unreserved undesignated fund balance expressed
29 as a dollar amount and as a percentage of the school district's
30 total budgeted expenditures for that school year.

1 (c) As used in this section, "estimated, ending unreserved
2 undesignated fund balance" shall mean that portion of the fund
3 balance, which is appropriable for expenditure or not legally or
4 otherwise segregated for a specific or tentative future use,
5 projected for the close of the school year for which a school
6 district's budget was adopted and held in the General Fund
7 accounts of the school district.

8 Section 3. Section 922.1-A of the act, amended or added
9 August 1, 1975 (P.L.180, No.89), April 24, 1977 (P.L.199,
10 No.59), October 10, 1980 (P.L.924, No.159) and May 10, 2000
11 (P.L.44, No.16), is reenacted to read:

12 Section 922.1-A. Auxiliary Services.--(a) Legislative
13 Finding; Declaration of Policy. The welfare of the Commonwealth
14 requires that the present and future generation of school age
15 children be assured ample opportunity to develop to the fullest,
16 their intellectual capacities. It is the intent of the General
17 Assembly by this enactment to ensure that the intermediate units
18 in the Commonwealth shall furnish on an equal basis auxiliary
19 services to all pupils in the Commonwealth in both public and
20 nonprofit nonpublic schools.

21 (b) Definitions. The following terms, whenever used or
22 referred to in this section, shall have the following meanings,
23 except in those circumstances where the context clearly
24 indicates otherwise:

25 "Auxiliary services" means guidance, counseling and testing
26 services; psychological services; visual services as defined in
27 section 923.2-A; services for exceptional children; remedial
28 services; speech and hearing services; services for the
29 improvement of the educationally disadvantaged (such as, but not
30 limited to, the teaching of English as a second language), and

1 such other secular, neutral, nonideological services as are of
2 benefit to all school children and are presently or hereafter
3 provided for public school children of the Commonwealth.

4 "Nonpublic school" means nonprofit school, other than a
5 public school within the Commonwealth of Pennsylvania, wherein a
6 resident of the Commonwealth may legally fulfill the compulsory
7 school attendance requirements of this act and which meet the
8 requirements of Title VI of the Civil Rights Act of 1964
9 (Pub.L.88-352; 42 U.S.C. Section 2000 et seq).

10 (c) Program of Auxiliary Services. Students attending
11 nonpublic schools shall be furnished a program of auxiliary
12 services which are provided to public school students in the
13 school district in which their nonpublic school is located. The
14 program of auxiliary services shall be provided by the
15 intermediate unit in which the nonpublic school is located, in
16 accordance with standards of the Secretary of Education. Before
17 an intermediate unit makes any decision that affects the
18 opportunities for children attending nonpublic schools to
19 participate in the auxiliary services provided under this
20 section, the intermediate unit shall consult with such nonpublic
21 schools to determine at a minimum: which general categories of
22 children shall receive services; what services shall be
23 provided; how and where the services shall be provided; and how
24 the services shall be evaluated. Such services shall be provided
25 directly to the nonpublic school students by the intermediate
26 unit in the schools which the students attend, in mobile
27 instructional units located on the grounds of such schools or in
28 any alternative setting mutually agreed upon by the school and
29 the intermediate unit, to the extent permitted by the
30 Constitution of the United States and the Constitution of the

1 Commonwealth of Pennsylvania.

2 Such auxiliary services shall be provided directly by the
3 intermediate units and no auxiliary services presently provided
4 to public school students by the intermediate units and/or
5 school districts by means of State or local revenues, during the
6 school year 1974-1975, shall be eliminated. No school districts
7 shall be required, pursuant to any section of this act, to offer
8 auxiliary services provided by any other school districts within
9 such intermediate units.

10 (d) Allocations. In July of 1977 and annually thereafter in
11 July, the Secretary of Education shall allocate to each
12 intermediate unit an amount equal to the number of nonpublic
13 school students as of October 1 of the preceding school year who
14 are enrolled in nonpublic schools within the intermediate unit
15 times seventy-two dollars (\$72). The Secretary of Education
16 shall increase this figure on a proportionate basis whenever
17 there is an increase in the median actual instruction expense
18 per WADM as defined in clause (12.1) of section 2501 of this
19 act. The Commonwealth shall pay to each intermediate unit
20 fifteen per centum (15%) of its allocation on August 1, seventy-
21 five per centum (75%) on October 1, and the remaining ten per
22 centum (10%) on the first day of February.

23 (e) Limitations. The intermediate unit shall not use more
24 than six per centum (6%) of the funds it receives for
25 administration or eighteen per centum (18%) for rental of
26 facilities. The Department of Education shall not use more than
27 one per centum (1%) of the funds it allocates under this section
28 for administrative expenses. If all funds allocated by the
29 intermediate units to administration, or rental facilities are
30 not expended for those purposes, such funds may be used for the

1 program costs.

2 (f) Interest. There shall be no adjustment in the allocation
3 as provided in subsection (d) because of interest earned on the
4 allocations by the intermediate units. Interest so earned shall
5 be used for the purpose of this section but shall not be subject
6 to the limitations of subsection (e).

7 (g) Preliminary Budget. Annually, each intermediate unit
8 shall submit to the secretary a preliminary budget on or before
9 January 31 and a final budget on or before June 15, for the
10 succeeding year; and shall file a final financial report on or
11 before October 31 for the preceding year.

12 Section 3.1. Article XII-A of the act is repealed.

13 Section 4. Section 1376 of the act, amended June 7, 1993
14 (P.L.49, No.16), June 30, 1995 (P.L.220, No.26) and June 22,
15 2001 (P.L.530, No.35), is amended to read:

16 Section 1376. Cost of Tuition and Maintenance of Certain
17 Exceptional Children in Approved Institutions.--(a) When any
18 child between school entry age and twenty-one (21) years of age
19 and resident in this Commonwealth, who is blind or deaf, or has
20 cerebral palsy and/or neurological impairment and/or muscular
21 dystrophy and/or is mentally retarded and/or has a serious
22 emotional disturbance and/or has autism/pervasive developmental
23 disorder and is enrolled, with the approval of the Department of
24 Education, as a pupil in an approved private school approved by
25 the Department of Education, in accordance with standards and
26 regulations promulgated by the State Board of Education, the
27 school district in which such child is resident or, for students
28 placed by a charter school, the charter school in which the
29 student was enrolled shall pay the greater of either twenty per
30 centum (20%) of the actual audited cost of tuition and

1 maintenance of such child in such school, as determined by the
2 Department of Education, or its "tuition charge per elementary
3 pupil" or its "tuition charge per high school pupil," as
4 calculated pursuant to section 2561, and the Commonwealth shall
5 pay, out of funds appropriated to the department for special
6 education, the balance due for the costs of such child's tuition
7 and maintenance, as determined by the department. For the school
8 years 1989-1990, 1990-1991 and 1991-1992, the school district
9 payment shall be no greater than forty percent (40%) of the
10 actual audited costs of tuition and maintenance of such child in
11 such school. For the 1992-1993 school year and each school year
12 thereafter, the school district or charter school payment shall
13 be the greater of forty percent (40%) of the actual audited
14 costs of tuition and maintenance of such child in such school,
15 as determined by the Department of Education, or its "tuition
16 charge per elementary pupil" or its "tuition charge per high
17 school pupil," as calculated pursuant to section 2561, and the
18 Commonwealth shall pay, out of funds appropriated to the
19 department for approved private schools, the balance due for the
20 costs of such child's tuition and maintenance, as determined by
21 the department. The department will credit the district of
22 residence with average daily membership for such child
23 consistent with the rules of procedure developed in accordance
24 with section 2501. If the residence of such child in a
25 particular school district cannot be determined, the
26 Commonwealth shall pay, out of moneys appropriated to the
27 department for special education, the whole cost of tuition and
28 maintenance of such child. [The Department of Education shall be
29 provided with such financial data from approved private schools
30 as may be necessary to determine the reasonableness of costs for

1 tuition and room and board concerning Pennsylvania resident
2 approved reimbursed students. The Department of Education shall
3 evaluate such data and shall disallow any cost deemed
4 unreasonable. Any costs deemed unreasonable by the Department of
5 Education for disallowance shall be considered an adjudication
6 within the meaning of Title 2 of the Pa.C.S. (relating to
7 administrative law and procedure) and regulations promulgated
8 thereunder.]

9 (b) When any person less than school entry age or more than
10 twenty-one (21) years of age and resident in this Commonwealth,
11 who is blind or deaf, or has cerebral palsy and/or has
12 neurological impairment and/or has muscular dystrophy, or has
13 autism/pervasive developmental delay, and is enrolled, with the
14 approval of the Department of Education, as a pupil in an
15 approved private school approved by the Department of Education,
16 the Commonwealth shall pay to such school, out of moneys
17 appropriated to the department for special education, the actual
18 audited cost of tuition and maintenance of such person, as
19 determined by the Department of Education, subject to review and
20 approval in accordance with standards and regulations
21 promulgated by the State Board of Education in accordance with
22 subsection (b.1), and in addition, in the case of any child less
23 than school entry age, who is blind, the cost, as determined by
24 the Department of Education of instructing the parent of such
25 blind child in caring for such child.

26 (b.1) For the 2004-2005 school year and each school year
27 thereafter, an approved private school shall submit to the
28 Department of Education its budgeted costs for the upcoming
29 school year. Based upon this information and the prior year's
30 settled audit, the Department of Education shall develop an

1 interim reimbursement rate for the approved private school. The
2 Department of Education shall provide the approved private
3 school with monthly payments in advance of the final cost
4 settlement as provided for in subsection (c.2). The Department
5 of Education shall adopt final reimbursement rates based on the
6 final cost settlement. The Department of Education may withhold
7 a portion of such payments not exceeding five percent (5%) of
8 such payment, pending final cost settlement. In no event shall
9 either the payments made in advance of the final cost settlement
10 or final reimbursements based on the final cost settlement made
11 by the Department of Education exceed the appropriation
12 available for approved private schools.

13 [(c) Each approved private school, prior to the start of the
14 school year, shall submit to the department such information as
15 the department may require in order to establish an estimate of
16 reimbursable costs. Based upon this information, any other data
17 deemed necessary by the department and in accordance with
18 department standards, the department shall develop for each
19 approved private school an estimate of reimbursable costs. Based
20 upon such estimate, the department shall provide each approved
21 private school with monthly payments in advance of department
22 audit. The department may withhold a portion of such payments
23 not exceeding five percent (5%) of such payment, pending final
24 audit. In no event shall either the advance payments or final
25 reimbursement made by the department following audit exceed the
26 appropriation available for approved private schools.]

27 (c.1) Any funds remaining from the appropriation line items
28 "for special education - approved private schools" or for
29 Pennsylvania Charter Schools for the Deaf and Blind from the
30 general appropriations acts for fiscal years 1978-1979 and each

1 fiscal year thereafter shall be transferred by the State
2 Treasurer into a restricted account (continuing appropriation)
3 for audit resolution which is hereby established. The Department
4 of Education shall also deposit into this restricted account any
5 funds returned to or recovered by the department from approved
6 private schools or chartered schools for overpayments during
7 fiscal years 1978-1979 and each fiscal year thereafter. The
8 funds in the restricted account are hereby appropriated upon
9 approval of the Governor to the Department of Education for
10 payments to approved private schools for audit resolutions for
11 fiscal years 1978-1979 and each fiscal year thereafter. Funds in
12 this restricted account shall not be subject to the limitations
13 in subsection [(c)] (b.1) which prohibit advance payments and
14 final reimbursement from exceeding the appropriation available
15 for approved private schools. During the 1995-1996 fiscal year
16 and during each fiscal year thereafter, the Department of
17 Education shall review the activity in the restricted account
18 and may recommend that the Governor authorize the lapsing into
19 the General Fund of any funds that are estimated not to be
20 needed for audit resolution.

21 (c.2) The Department of Education shall establish procedures
22 and audit standards to govern the scope of reportable costs, the
23 methods used to examine costs and determine allowability and
24 timeliness of cost reporting. For the 2004-2005 school year and
25 each school year thereafter, cost reports shall be prepared by
26 an approved private school and audited by the approved private
27 school's independent public accountant. Such cost reports shall
28 be prepared in accordance with established procedures and audit
29 standards and delivered to the Department of Education within
30 six (6) months after the conclusion of the school year. The

1 Department of Education shall have six (6) months to process
2 these cost reports and settle any outstanding payments due to or
3 from the approved private school. Nothing in this subsection
4 shall be construed to preclude the Department of Education from
5 conducting its own audits on a periodic basis. Where the
6 Department of Education conducts such audits, the audits must be
7 completed within one (1) year of the cost report deadline and
8 may not delay the allowable period for settlement of any
9 payments due to or from the approved private school. Audits of
10 cost reports submitted for school years prior to the 2004-2005
11 school year shall be completed in a manner consistent with prior
12 audit practices.

13 (d) No private institution receiving payment in accordance
14 with this section shall impose any charge on the student and/or
15 parents who are Pennsylvania approved reimbursable residents for
16 a program of individualized instruction and maintenance
17 appropriate to the child's needs; except that charges for
18 services not part of such program may be made if agreed to by
19 the parents.

20 [(e) (1) The Education Committees of the Senate and House
21 of Representatives are directed to jointly examine the issues of
22 the funding of approved private schools and special education
23 students' access to approved private schools as part of the full
24 continuum of special education placements. The committees'
25 examination should address, at a minimum, the following issues:

26 (i) The funding methodology which supports the school
27 district's responsibility for individualized, appropriate
28 educational services to special education students through
29 access to the most comprehensive continuum of educational
30 options and settings.

(ii) The role of the approved private school in the mandated continuum of special education services available to students in Pennsylvania.

(iii) The relative roles of the Department of Education and school districts to ensure free appropriate public education (FAPE) through adequate funding and appropriate distribution of comprehensive services.

(iv) The provisions of the Individuals with Disabilities Education Act (IDEA) (P.L.101-476), the Cordero Court Orders, this act and 22 Pa. Code Chs. 14 and 342 as they relate to the provision of programs and services to special education students should be carefully reviewed as they pertain to approved private schools, continuum of placement options, funding, FAPE and other pertinent issues.

(2) The committees shall report back to the General Assembly by November 15, 1993, with legislative and/or administrative recommendations. The committees may hold such meetings and hearings as they deem appropriate to accomplish the provisions of this subsection.]

Section 5. The act is amended by adding a section to read:

Section 1550. Firefighter and Emergency Service Training.--

(a) Beginning with the 2003-2004 school year and each school year thereafter, a school district may offer firefighter and emergency service training as credit-earning courses to students of the age of sixteen (16) years or older. Such courses may include:

(1) Training as a Firefighter I from the National Board on Fire Service Professional Qualifications.

(2) Training as an emergency medical technician by the Department of Health under the act of July 3, 1985 (P.L.164,

1 No.45), known as the "Emergency Medical Services Act."

2 (b) A school district that offers firefighter and emergency
3 service training as credit-earning courses shall provide
4 transportation to and supervision during any firefighter and
5 emergency service training program that takes place off school
6 grounds. Supervision of training shall be conducted as a
7 cooperative education program in accordance with the provisions
8 of 22 Pa. Code § 11.28 (relating to out-of-school programs).

9 Section 6. Section 1501-C of the act, amended June 29, 2002
10 (P.L.524, No.88), is reenacted to read:

11 Section 1501-C. Definitions.

12 The following words and phrases when used in this article
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Department." The Department of Education of the
16 Commonwealth.

17 "Eligible student." A resident of this Commonwealth who is
18 enrolled in third, fourth, fifth or sixth grade in a school
19 entity and is deemed eligible pursuant to section 1502-C(b).

20 "Eligibility test." The Pennsylvania System of School
21 Assessment or a commercially prepared, standardized achievement
22 test approved by the Department of Education. A list of approved
23 tests under this article shall be published annually in the
24 Pennsylvania Bulletin.

25 "Grant." A grant awarded to a grant recipient under this
26 article.

27 "Grant recipient." A resident of this Commonwealth who is a
28 parent, guardian or person in parental relation to an eligible
29 student.

30 "Program." The Education Support Services Program

1 established in section 1502-C.

2 "Provider." A school entity, an institution of higher
3 education, a nonprofit or for-profit organization or a certified
4 teacher employed by a school entity, that is approved by the
5 Department of Education to provide education support services.

6 "School entity." Any of the following located in this
7 Commonwealth: a school district, intermediate unit, joint school
8 district, area vocational-technical school, charter school,
9 independent school, licensed private academic school, accredited
10 school, a school registered under section 1327(b), the Scotland
11 School for Veterans' Children or the Scranton School for the
12 Deaf.

13 Section 7. Sections 1502-C, 1503-C and 1504-C, of the act,
14 added May 17, 2001 (P.L.4, No.4), are reenacted to read:

15 Section 1502-C. Establishment of program.

16 (a) Establishment.--The Education Support Services Program
17 is established within the department to provide individual or
18 small group instruction in reading and mathematics to strengthen
19 the skills that an eligible student needs to achieve the
20 standards in 22 Pa. Code Ch. 4 (relating to academic standards
21 and assessment), which shall be provided at a time other than
22 the regularly scheduled school hours.

23 (b) Eligibility.--The department shall utilize the
24 Pennsylvania System of School Assessment test or other test
25 results to identify eligible students under this article. Scores
26 used to determine eligible students in each grade shall be
27 published annually in the Pennsylvania Bulletin.

28 (c) Approval.--A provider must be approved by the department
29 in order to provide education support services under this
30 article.

1 Section 1503-C. Application and approval.

2 (a) Application.--A prospective grant recipient shall apply
3 annually to the department for a grant to purchase education
4 support services for an eligible student from an approved
5 provider in a time and manner prescribed by the department.

6 (b) Required information.--An application submitted under
7 this section shall include verification of the eligibility test
8 results and such other information as the department may
9 require.

10 Section 1504-C. Powers and duties of the department.

11 The department shall:

12 (1) Establish criteria to annually identify eligible
13 students in grades three, four, five and six to participate
14 in the program under section 1502-C.

15 (2) Approve providers of education support services.

16 (3) Adopt standards, procedures and guidelines to be
17 used to approve providers of education support services under
18 this article.

19 (4) Award grants to a grant recipient in an amount not
20 to exceed \$500 per fiscal year for each eligible student.

21 (5) Establish minimum qualifications for individuals
22 utilized by providers of education support services.

23 (6) Establish periods during which applications will be
24 reviewed to accommodate the dates when results of approved
25 eligibility tests become available.

26 Section 8. Section 1505-C of the act, amended June 29, 2002
27 (P.L.524, No.88), is reenacted to read:

28 Section 1505-C. Providers.

29 A prospective provider shall submit an application to the
30 department for approval to provide education support services

1 under this article. The application shall include a description
2 of the services to be provided, the cost of the services, the
3 qualification of all individuals providing those services,
4 including evidence of compliance with section 111 and with 23
5 Pa.C.S. § 6355 (relating to requirement), and such other
6 information as may be required by the department.

7 Section 9. Sections 1506-C, 1507-C, 1508-C, 1509-C, 1510-C
8 and 1511-C of the act, added May 17, 2001 (P.L.4, No.4), are
9 reenacted to read:

10 Section 1506-C. Notification of program.

11 A school entity in this Commonwealth with students enrolled
12 in third, fourth, fifth or sixth grade shall notify parents of
13 the availability of education support services at such time as
14 the parents receive the results of any eligibility test.

15 Section 1507-C. Payment of grants.

16 (a) Certificates.--A certificate for education support
17 services under this article shall be issued by the department in
18 an amount authorizing up to \$500 for each eligible student
19 identified on the certificate. The certificate shall be issued
20 to the grant recipient and shall be valid only for the fiscal
21 year in which it is issued. After receiving the certificate from
22 a grant recipient, the provider shall include the following
23 information on the certificate: name of eligible student served,
24 type of instruction, date and length of instruction and cost of
25 instruction provided to the eligible student. When the amount of
26 the certificate has been utilized or when the eligible student
27 is no longer receiving education support services from the
28 provider, the provider shall return the completed certificate to
29 the grant recipient for submission to the department for
30 payment. The department shall make payment directly to the grant

1 recipient for the amount due. Grant recipients must send all
2 outstanding certificates to the department for payment no later
3 than 90 days after receiving the completed certificate from the
4 provider.

5 (b) Penalty for grant recipients.--A grant recipient who
6 knowingly defrauds the Commonwealth by receiving reimbursement
7 for education support services not rendered to the eligible
8 student and grant recipient identified on the certificate
9 commits a misdemeanor of the third degree and shall, upon
10 conviction, be sentenced to pay a fine of not more than \$1,000
11 per violation and shall be disqualified from eligibility for an
12 additional grant for a period of not less than five years.

13 (c) Penalty for providers.--A provider that knowingly
14 violates section 1509-C or knowingly defrauds the Commonwealth
15 by receiving reimbursement for education support services not
16 rendered to the eligible student and grant recipient identified
17 on the certificate commits a misdemeanor of the third degree and
18 shall, upon conviction, be sentenced to pay a fine of not more
19 than \$1,000 per violation and shall be barred from participation
20 in the program for not less than five years.

21 Section 1508-C. Limitations.

22 (a) Amount.--The amount of grants provided under this
23 article in a fiscal year shall be limited to the funds
24 appropriated for that purpose. No more than 10% of the total
25 funds appropriated for this program in any fiscal year shall be
26 awarded to grant recipients within a specific school district
27 except that, if the department determines that all school
28 entities in the Commonwealth have had an opportunity to
29 participate in the program and that funds remain available, it
30 may waive the 10% limitation under this subsection.

1 (b) Availability of funds.--In the event that the funds
2 appropriated in any fiscal year are insufficient to provide
3 grants to all grant recipients, grants shall be awarded on a
4 first-come, first-served basis. The department shall hold a
5 portion of the funds in reserve to ensure that money is
6 available for each application period established under section
7 1504-C(6).

8 Section 1509-C. Confidentiality.

9 Nothing in this article shall authorize the department, a
10 school entity or a provider to release or otherwise utilize
11 student identifiable information or individual student test
12 scores for purposes other than the administration of this
13 article.

14 Section 1510-C. Nontaxable income.

15 A grant received by a grant recipient shall not be considered
16 to be taxable income for the purposes of Article III of the act
17 of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
18 1971.

19 Section 1511-C. Applicability.

20 Services provided under this article do not constitute
21 tutoring or instruction under the act of January 28, 1988
22 (P.L.24, No.11), known as the Private Academic Schools Act.

23 Section 10. Section 1705-B(h)(4) of the act, amended June
24 29, 2002 (P.L.524, No.88) and December 9, 2002 (P.L.1472,
25 No.187), is amended to read:

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

27 (h) * * *

28 (4) The department may utilize up to \$2,000,000 of
29 undistributed funds not expended, encumbered or committed from
30 appropriations for grants and subsidies made to the department

1 to assist school districts certified as an education empowerment
2 district under paragraph (3). There is hereby established a
3 restricted account from which payments under this paragraph
4 shall be paid. Funds shall be transferred by the Secretary of
5 the Budget to the restricted account to the extent necessary to
6 make payments under this paragraph. Funds in the restricted
7 account are hereby appropriated to carry out the purposes of
8 this paragraph. The subsidy payment from this account shall be
9 utilized to supplement the operational budget of the eligible
10 school districts. This paragraph shall apply to fiscal years
11 2000-2001, 2001-2002 [and], 2002-2003 and 2003-2004 and shall
12 expire June 30, [2003] 2004.

13 Section 11. Section 1709-B of the act, added May 10, 2000
14 (P.L.44, No.16), is reenacted to read:

15 Section 1709-B. School Improvement Grants.--(a) The
16 department shall establish a program of annual school
17 improvement grants for school districts on the education
18 empowerment list or certified as an education empowerment
19 district to assist in the implementation of their school
20 district improvement plans.

21 (b) Grants shall be limited to the amount appropriated for
22 that purpose.

23 (c) Grants shall be provided annually to the school district
24 for use as directed by the school district empowerment team or
25 the board of control in implementing the school district
26 improvement plan developed pursuant to sections 1703-B and 1706-
27 B as follows:

28 (1) To purchase instructional materials, including
29 textbooks, technology and related educational materials and
30 supplies.

(2) To reduce class size in kindergarten through grade three.

(3) To establish after-school, summer and weekend programs.

(4) To establish or expand full-day kindergarten program.

(5) To fund curriculum development.

(6) To fund enhanced staff professional development.

(7) To fund any other program contained in the school district improvement plan.

(d) Subject to the requirements of this section, each qualifying school district shall receive a base annual grant of four hundred fifty thousand dollars (\$450,000) and an additional grant of up to seventy-five dollars (\$75) per average daily membership for the prior school year of the school district. The school district or the board of control shall give priority in allocating the grant funding received under this section to the individual schools identified pursuant to sections 1703-B(b) and 1706-B(b).

(e) The department shall set forth the specific allowable uses for grant funds and place conditions, as necessary, on the use of grant funds. The department shall establish accountability procedures and auditing guidelines to ensure that grant funds are utilized in accordance with the allowable uses and conditions.

(f) A school district receiving a grant under this section shall be required to maintain separate accounts in that school district's budget to facilitate monitoring the use of these grant funds. In no case shall a school district use more than five per centum of the grant funds for administrative costs.

(g) The department shall reduce the amount of a State subsidy payment to a school district by the amount of any grant

1 funds provided under this section if the school district does
2 not use the grant funds in accordance with the allowable uses
3 and conditions set forth by the department.

4 Section 12. Section 1714-B(g) of the act, added May 10, 2000
5 (P.L.44, No.16), is amended to read:

6 Section 1714-B. Mandate Waiver Program.--* * *

7 (g) The following provisions of this act shall not be
8 subject to waiver pursuant to this section: sections 108, 110,
9 111, 321, 322, 323, 324, 325, 326, 327, 431, 436, 437, 440.1,
10 443, 510, 513, 518, 527, 687, 688, 701.1, 708, 736, 737, 738,
11 739, 740, 741, 752, 753, 755, 771, 776, 777, 808, 809, 810,
12 1303(a), 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1327.1, 1330,
13 1332, 1361, 1366, 1501, 1502, 1513, 1517, 1518, 1521, 1523, 1546
14 and 1547; provisions prohibiting discrimination; Articles VI,
15 XI, XI-A, XII, XIII-A, XIV and XVII-A and this article.

16 * * *

17 Section 13. The definition of "educational improvement
18 organization" and "scholarship organization" in section 2002-B
19 of the act, added May 17, 2001 (P.L.4, No.4), are amended to
20 read:

21 Section 2002-B. Definitions.

22 The following words and phrases when used in this article
23 shall have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 * * *

26 "Educational improvement organization." A nonprofit entity
27 which:

28 (1) is exempt from Federal taxation under section
29 501(c)(3) of the Internal Revenue Code of 1986 (Public Law
30 99-514, 26 U.S.C. § 1 et seq.); and

(2) contributes at least 80% of its annual receipts as grants to a public school for innovative educational programs.

For purposes of this definition, a nonprofit entity "contributes" its annual cash receipts when it expends or otherwise irrevocably encumbers those funds for expenditure during the then current fiscal year of the nonprofit entity or during the next succeeding fiscal year of the nonprofit entity.

* * *

"Scholarship organization." A nonprofit entity which:

(1) is exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.); and

(2) contributes at least 80% of its annual cash receipts to a scholarship program.

For purposes of this definition, a nonprofit entity "contributes" its annual cash receipts to a scholarship program when it expends or otherwise irrevocably encumbers those funds for distribution during the then current fiscal year of the nonprofit entity or during the next succeeding fiscal year of the nonprofit entity.

* * *

Section 14. Section 2502.8 of the act, amended June 22, 2001 (P.L.530, No. 35), is reenacted to read:

Section 2502.8. Payments on Account of Pupils Enrolled in Vocational Curriculum.--(a) For the purpose of reimbursement in accordance with this section, vocational curriculums are agriculture education, distributive education, health occupations education, home economics education (gainful), business education, technical education, trade and industrial

1 education, or any other occupational oriented program approved
2 by the Secretary of Education.

3 (b) For the 1981-1982 school year through the 1984-1985
4 school year, each school district so entitled shall be paid, in
5 addition to any other subsidy to which it is entitled, an amount
6 on account of resident pupils enrolled in vocational
7 curriculums; for the 1985-1986 school year through the 1999-2000
8 school year, each school district and area vocational-technical
9 school shall be paid an amount on account of students enrolled
10 in vocational curriculums; for the 2000-2001 school year and
11 each school year thereafter, each school district, area
12 vocational-technical school and charter school shall be paid an
13 amount on account of students enrolled in vocational
14 curriculums, determined as follows:

15 (1) Determine the increase in the weighted average daily
16 membership by multiplying the number of students in average
17 daily membership in vocational curriculums in area vocational-
18 technical schools by twenty-one hundredths (.21) and the number
19 of students in average daily membership in school district and
20 charter school vocational curriculums by seventeen hundredths
21 (.17).

22 (2) Multiply the lesser of the district's actual instruction
23 expense per weighted average daily membership or the base earned
24 for reimbursement by the market value/income aid ratio or by
25 three hundred seventy-five thousandths (.375), whichever is
26 greater.

27 (3) Multiply the increase in weighted average daily
28 membership determined in clause (1) by the result of clause (2).

29 (4) For the 1985-1986 through 1999-2000 school years, the
30 Commonwealth shall pay the amount required by this section to

1 the school district or area vocational-technical school which
2 provides the program upon which reimbursement is based.

3 (5) For the 2000-2001 school year and each school year
4 thereafter, the Commonwealth shall pay the amount required under
5 this section to the school district, area vocational-technical
6 school or charter school which provides the programs upon which
7 reimbursement is based.

8 (c) For the school year 1998-1999, any additional funding
9 provided by the Commonwealth over the amount provided for the
10 school year 1997-1998 will be distributed to area vocational-
11 technical schools and to school districts with eight (8) or more
12 vocational programs based on subsection (b).

13 (d) For the school year 1999-2000, any additional funding
14 provided by the Commonwealth over the amount provided for the
15 school year 1998-1999 will be distributed to area vocational-
16 technical schools, to school districts with eight (8) or more
17 vocational programs and to school districts offering a
18 vocational agricultural education program, based on subsection
19 (b).

20 (e) For the school year 2000-2001 and each school year
21 thereafter, any additional funding provided by the Commonwealth
22 over the amount provided for the school year 1998-1999 will be
23 distributed to area vocational-technical schools, to school
24 districts and charter schools with eight (8) or more vocational
25 programs and to school districts and charter schools offering a
26 vocational agricultural education program based on subsection
27 (b).

28 Section 15. Section 2502.13 of the act, amended June 29,
29 2002 (P.L.524, No.88), is amended to read:

30 Section 2502.13. Small District Assistance.--For the 1984-

1 1985 and 1985-1986 school years, the Commonwealth shall pay to
2 each school district which has an average daily membership of
3 one thousand five hundred (1,500) or less and has a market
4 value/income aid ratio of five thousand ten-thousandths (0.5000)
5 or greater, an amount equal to fifty dollars (\$50) multiplied by
6 that district's average daily membership. For the 1985-1986
7 school year, no school district shall receive less on account of
8 this section than it did for the 1984-1985 school year. For the
9 school year 1986-1987, the Commonwealth shall pay to each school
10 district which has an average daily membership of one thousand
11 five hundred (1,500) or less and has a market value/income aid
12 ratio of five thousand ten-thousandths (0.5000) or greater, or
13 received payments under this section for the 1985-1986 school
14 year, an amount equal to seventy-five dollars (\$75) multiplied
15 by that district's average daily membership. For the school year
16 1987-1988, the Commonwealth shall pay to each school district
17 which has an average daily membership of one thousand five
18 hundred (1,500) or less and a market value/income aid ratio of
19 five thousand ten-thousandths (0.5000) or greater, or received
20 payments under this section for the 1986-1987 school year, an
21 amount equal to eighty-five dollars (\$85) multiplied by that
22 district's average daily membership. For the school year 1988-
23 1989, the Commonwealth shall pay to each school district which
24 has an average daily membership of one thousand five hundred
25 (1,500) or less and a market value/income aid ratio of five
26 thousand ten thousandths (0.5000) or greater, or received
27 payments under this section for the 1987-1988 or 1988-1989
28 school year, an amount equal to one hundred five dollars (\$105).
29 For the school year 1989-1990, the Commonwealth shall pay to
30 each school district which has an average daily membership of

1 one thousand five hundred (1,500) or less and a market
2 value/income aid ratio of five thousand ten-thousandths (0.5000)
3 or greater, or received payments under this section for the
4 1987-1988 school year, an amount equal to one hundred fifteen
5 dollars (\$115) multiplied by the district's average daily
6 membership as provided for in section 212 of the act of July 1,
7 1990 (P.L.1591, No.7A), known as the "General Appropriation Act
8 of 1990." For the school year 1990-1991, the Commonwealth shall
9 pay to each school district which has an average daily
10 membership of one thousand five hundred (1,500) or less and a
11 market value/income aid ratio of five thousand ten-thousandths
12 (0.5000) or greater, or received payments under this section for
13 the prior school year, an amount equal to one hundred seventy
14 dollars (\$170) multiplied by that district's average daily
15 membership. For the school year 1990-1991, each school district
16 with a population per square mile of less than ninety (90),
17 which otherwise meets the average daily membership and market
18 value/income aid ratio requirements of this section, or received
19 payments under this section for the prior school year, shall
20 instead receive an amount equal to one hundred ninety dollars
21 (\$190) multiplied by that district's average daily membership.
22 For the 1987-1988 school year through the 1990-1991 school year,
23 no school district shall receive less on account of this section
24 than it did for the prior school year. For the school year 1994-
25 1995, the Commonwealth shall pay to each school district which
26 has an average daily membership of one thousand five hundred
27 (1,500) or less and a market value/income aid ratio of five
28 thousand ten-thousandths (0.5000) or greater, an amount equal to
29 ninety five dollars (\$95) multiplied by that district's average
30 daily membership. For each of the school years 1997-1998 through

1 1999-2000, the Commonwealth shall pay to each school district
2 which has an average daily membership of one thousand five
3 hundred (1,500) or less and a market value/income aid ratio of
4 five thousand ten-thousandths (0.5000) or greater an amount
5 equal to seventy-five dollars (\$75) multiplied by that
6 district's average daily membership. For the school years 2000-
7 2001 [and], 2001-2002 and 2002-2003, the Commonwealth shall pay
8 to each school district which has an average daily membership of
9 one thousand five hundred (1,500) or less an amount equal to
10 seventy-five dollars (\$75) multiplied by that district's average
11 daily membership.

12 Section 16. The act is amended by adding a section to read:

13 Section 2502.41. Basic Education Funding for 2002-2003
14 School Year.--For the 2002-2003 school year, the Commonwealth
15 shall pay to each school district a basic education funding
16 allocation which shall consist of the following:

17 (1) An amount equal to the basic education funding
18 allocation for the 2001-2002 school year pursuant to sections
19 2502.13 and 2502.40.

20 (2) A base supplement calculated as follows:

21 (i) Multiply the school district's 2003-2004 market
22 value/income aid ratio by its 2002-2003 average daily
23 membership.

24 (ii) Multiply the product from subparagraph (i) by fifty
25 million dollars (\$50,000,000).

26 (iii) Divide the product from subparagraph (ii) by the sum
27 of the products of the 2003-2004 market value/income aid ratio
28 multiplied by the 2002-2003 average daily membership for all
29 school districts.

30 (3) A poverty supplement calculated for qualifying school

1 districts as follows:

2 (i) To qualify for the poverty supplement, a school
3 district's 2003-2004 market value/income aid ratio shall be
4 equal to or greater than 0.6500 and its personal income
5 valuation when divided by its 2002-2003 average daily membership
6 shall be equal to or less than one hundred three thousand five
7 hundred seventy-one dollars (\$103,571).

8 (ii) The poverty supplement shall be calculated for
9 qualifying school districts as follows:

10 (A) Multiply the school district's 2002-2003 average daily
11 membership by thirty million dollars (\$30,000,000).

12 (B) Divide the product from clause (A) by the sum of the
13 2002-2003 average daily membership for all qualifying school
14 districts.

15 (4) A tax effort supplement calculated for qualifying school
16 districts as follows:

17 (i) To qualify for the tax effort supplement, a school
18 district's 2001 equalized millage must be equal to or greater
19 than 20.6 equalized mills.

20 (ii) The tax effort supplement shall be calculated for
21 qualifying school districts as follows:

22 (A) Multiply the school district's 2002-2003 average daily
23 membership by fifteen million dollars (\$15,000,000).

24 (B) Divide the product from clause (A) by the sum of the
25 2002-2003 average daily membership for all qualifying school
26 districts.

27 (5) A growth supplement calculated for qualifying school
28 districts as follows:

29 (i) To qualify for the growth supplement, a school
30 district's 2002-2003 average daily membership must be greater

1 than its 2001-2002 average daily membership.

2 (ii) The growth supplement shall be calculated for
3 qualifying school districts as follows:

4 (A) Subtract the school district's 2001-2002 average daily
5 membership from its 2002-2003 average daily membership.

6 (B) Multiply the difference from clause (A) by five million
7 dollars (\$5,000,000).

8 (C) Divide the product from clause (B) by the sum of the
9 differences from clause (A) for all qualifying school districts.

10 (6) Each school district shall receive additional funding as
11 necessary so that the sum of the amounts under section 2502.13
12 and under paragraphs (2), (3), (4), (5) and this paragraph will
13 equal at least two percent (2%) of the amount in paragraph (1).

14 Section 17. Sections 2509.1 and 2509.5 of the act are
15 amended by adding subsections to read:

16 Section 2509.1. Payments to Intermediate Units.--* * *

17 (b.11) Up to nine million five hundred thousand dollars
18 (\$9,500,000) may be utilized for programs administered and
19 operated by intermediate units during the 2003-2004 school year
20 for institutionalized children as established in subsection
21 (b.1).

22 * * *

23 Section 2509.5. Special Education Payments to School
24 Districts.--* * *

25 (ll) During the 2003-2004 school year, each school district
26 shall be paid the amount it received during the 2002-2003 school
27 year under subsection (kk).

28 (mm) During the 2003-2004 school year, thirty-six million
29 one hundred forty-nine thousand five hundred eighty-seven
30 dollars (\$36,149,587) of the funds appropriated to the

1 Department of Education for special education shall be used to
2 provide supplemental funding for special education to all school
3 districts. The supplemental funding shall be calculated as
4 follows:

5 (1) multiply each school district's 2003-2004 market
6 value/income aid ratio by sixteen per centum (16%) of its 2002-
7 2003 average daily membership;

8 (2) multiply the product from paragraph (1) by thirty-six
9 million one hundred forty-nine thousand five hundred eighty-
10 seven dollars (\$36,149,587); and

11 (3) divide the resultant product from paragraph (2) by the
12 sum of the products of the 2003-2004 market value/income aid
13 ratio multiplied by sixteen per centum (16%) of the 2002-2003
14 average daily membership for all school districts.

15 Section 18. Section 2591.1 of the act, added June 29, 2002
16 (P.L.524, No.88), is amended to read:

17 Section 2591.1. Commonwealth Reimbursements for Charter
18 Schools and Cyber Charter Schools.--(a) For the 2001-2002
19 school year, the Commonwealth shall pay to each school district
20 with resident students enrolled in a charter school, a charter
21 school approved under section 1717-A or 1718-A which provides
22 instruction through the Internet or other electronic means or a
23 cyber charter school as defined pursuant to Article XVII-A an
24 amount equal to thirty percent (30%) of the total funding
25 required under section 1725-A(a). If insufficient funds are
26 appropriated to make Commonwealth reimbursements under this
27 section, the reimbursements shall be made on a pro rata basis.

28 (b) For the 2002-2003 school year, the Commonwealth shall
29 pay to each school district that received funding under
30 subsection (a) for the 2001-2002 school year and that had

resident students enrolled in a charter school, a charter school approved under section 1717-A or 1718-A which provides instruction through the Internet or other electronic means or a cyber charter school as defined under Article XVII-A during the 2002-2003 school year an amount equal to the lesser of:

(1) the payment received for the 2001-2002 school year pursuant to subsection (a); or

(2) thirty percent (30%) of the total funding required under section 1725-A(a).

(c) For the 2002-2003 school year, the Commonwealth shall pay to each school district that did not receive funding under subsection (a) for the 2001-2002 school year and that had resident students enrolled in a charter school, a charter school approved under section 1717-A or 1718-A which provides instruction through the Internet or other electronic means or a cyber charter school as defined under Article XVII-A during the 2002-2003 school year an amount equal to thirty percent (30%) of the total funding required under section 1725-A(a).

Section 19. The following amounts are hereby appropriated from the General Fund to the Department of Education for the fiscal period July 1, 2003, to June 30, 2004, as follows:

(1) The sum of \$25,000,000 is hereby appropriated for payments to any school district of the first class which has been declared distressed pursuant to section 691(c) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, provided that such school district submits a quarterly itemization of all Federal, State and local funds distributed to each school in the school district, including schools governed by agreements currently in effect pursuant to section 696(i)(2) of the Public School

1 Code of 1949 and schools designated as partnership schools
2 under the School Reform Commission Resolution Number 10 of
3 April 17, 2002, to the Department of Education and to the
4 chairman and minority chairman of the Education Committee of
5 the Senate and to the chairman and minority chairman of the
6 Education Committee of the House of Representatives. If the
7 Department of Education determines that the report is not
8 being submitted in accordance with the requirements of this
9 paragraph, the Department of Education shall withhold from
10 any and all payments to which that school district of the
11 first class may be entitled under the act an amount equal to
12 the funds received from this appropriation.

13 (2) The sum of \$56,762,000 is hereby appropriated for
14 payments on account of vocational education as provided for
15 under section 2502.8 of the Public School Code of 1949,
16 provided that any amounts expended by the Department of
17 Education pursuant to the former State appropriation in the
18 amount of \$55,378,000 for vocational education under section
19 212 of the act of March 20, 2003 (P.L. , No.1A), known as
20 the General Appropriation Act of 2003, shall be deducted from
21 the sum appropriated in this paragraph.

22 (3) The sum of \$896,177,000 is hereby appropriated for
23 payments on account of special education of exceptional
24 children, provided that this amount includes \$563,000 for
25 community support services which is not to be included in the
26 base calculations of the special education program
27 components, and provided further that this amount includes
28 \$500,000 for payments to Pennsylvania charter schools for the
29 deaf and blind, and provided further that this amount
30 includes \$500,000 for special education-approved private

1 schools, and provided further that any amounts expended by
2 the Department of Education pursuant to the former State
3 appropriation in the amount of \$874,319,000 for payments on
4 account of special education of exceptional children under
5 section 212 of the General Appropriation Act of 2003 shall be
6 deducted from the sum appropriated in this paragraph.

7 (4) The sum of \$4,204,406,906 is hereby appropriated for
8 basic education funding to school districts, provided that
9 the Secretary of Education, with the approval of the
10 Governor, may make payments from this appropriation in
11 advance of the due date prescribed by law to school districts
12 which are financially handicapped whenever the Secretary of
13 Education shall deem it necessary to make such advance
14 payments to enable the school districts to keep their schools
15 open.

16 (5) The sum of \$25,380,000 is hereby appropriated for
17 school improvement grants as provided for under section 1709-
18 B of the Public School Code of 1949.

19 (6) The sum of \$15,000,000 is hereby appropriated for
20 education support services as provided for under Article XV-C
21 of the Public School Code of 1949.

22 (7) The sum of \$73,991,328 is hereby appropriated for
23 services to nonpublic schools as provided under section
24 922.1-A of the Public School Code of 1949, provided that any
25 amounts expended by the Department of Education pursuant to
26 the former State appropriation in the amount of \$71,976,000
27 for services to nonpublic schools under section 212 of the
28 General Appropriation Act of 2003, shall be deducted from the
29 sum appropriated in this paragraph.

30 Section 20. The following acts and parts of acts are

1 repealed to the extent specified:

2 Section 2509.8 of the act of March 10, 1949 (P.L.30, No.14),
3 known as the Public School Code of 1949.

4 As much as relates to the State appropriations in the amount
5 of \$55,378,000 for vocational education and in the amount of
6 \$874,319,000 for payments on account of special education of
7 exceptional children, and in the amount of \$71,976,000 for
8 services to nonpublic schools in section 212 of the act of March
9 20, 2003 (P.L. , No.1A), known as the General Appropriation
10 Act of 2003.

11 Section 21. This act shall take effect immediately.