

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 553 Session of 2013

INTRODUCED BY SCAVELLO, O'NEILL, STERN, R. BROWN, MILLARD,
TALLMAN, V. BROWN, SCHLOSSBERG, M. K. KELLER, COHEN, GROVE,
GRELL, MOUL, MURT AND MILLER, FEBRUARY 6, 2013

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 6, 2013

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," in preliminary provisions, further
6 providing for publication of notices and proofs of
7 publication.

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

10 Section 1. Section 106 of the act of March 10, 1949 (P.L.30,
11 No.14), known as the Public School Code of 1949, is amended to
12 read:

13 Section 106. Publication of Notices, etc.; Proofs of
14 Publication.--(a) Whenever, under the provisions of this act,
15 notice is required to be published in one newspaper, such
16 publication shall be made as follows:

17 (1) in a newspaper of general circulation [as defined by the
18 "Newspaper Advertising Act" of May sixteen, one thousand nine
19 hundred twenty-nine (Pamphlet Laws 1784), printed in the county,
20 unless the matter in connection with which the advertising is

1 being done affects only a school district, in which case such
2 advertisement shall be published in a newspaper printed in such
3 school district, if there is such a newspaper, and if not, then
4 in a newspaper circulating generally in such school district. If
5 such notice is required to be published in more than one
6 newspaper, it shall be published in at least one newspaper of
7 general circulation, defined as aforesaid, printed, if there be
8 such a newspaper, or circulating generally, as above provided,
9 in the school district.

10 (b) When such notice relates to any proceeding or matter in
11 any court, or the holding of an election for the increase of
12 indebtedness, or the issue and sale of bonds to be paid by
13 taxation, such notice, in each school district, shall also be
14 published in the legal newspaper, if any, designated by the
15 rules of court of the proper county for the publication of legal
16 notices and advertisements: Provided, That auditors' statements,
17 summaries of auditors' statements, advertisements inviting
18 proposals for public contracts and for bids for materials and
19 supplies, or lists of delinquent taxpayers, shall be published
20 only in newspapers of general circulation, defined as
21 aforesaid.] in which the school district is located;

22 (2) in a legal newspaper designated by the rules of court of
23 the county in which the school district is located for the
24 publication of legal notices and advertisements;

25 (3) on the official, public Internet website of a newspaper
26 listed in paragraph (1) or (2), using HTML format or an
27 equivalent language format; or

28 (4) in a locally circulated printed publication that is at
29 least four pages long, is issued on at least a weekly basis and
30 is distributed by audited carriers to all known addresses within

1 a political subdivision.

2 (b.1) If notice is required to be published in more than one
3 publication, the publication shall be made by at least two of
4 the means of publication listed in subsection (a).

5 (b.2) A school district may determine the appropriate means
6 of publication from the means of publication listed in
7 subsection (a).

8 (b.3) Before a school district changes the manner in which
9 the school district publishes notices as required under this
10 act, the school district shall publish on its official, public
11 Internet website a timely notice of the change in manner of
12 publication.

13 (b.4) A school district shall maintain a permanent record of
14 notices published on the school district's official, public
15 Internet website. The record shall include the text, manner,
16 date and duration of publication of each notice.

17 (c) Proof of publication of any notice required to be given
18 by the posting of handbills or statements shall be made by
19 attaching an original copy of such handbill or statement as
20 actually printed and posted to an affidavit made by the person
21 posting such notice. Such affiant shall not be an interested
22 party or an employe of any person or persons interested in the
23 subject matter of said notice. His affidavit shall state where
24 and when the notices were posted and [where] the manner in which
25 the notice was published [in newspapers, as aforesaid]. A
26 printed copy, exactly as published [in said newspaper], shall be
27 securely attached to a similar affidavit of the publisher or his
28 designated agent.

29 Section 2. This act shall take effect immediately.