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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 628

Session of  
2005

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INTRODUCED BY SCHRODER, HENNESSEY, HERSHEY, ROSS, ARMSTRONG,  
BARRAR, CALTAGIRONE, CIVERA, CLYMER, CRAHALLA, CREIGHTON,  
DeWEESE, FORCIER, GEIST, GINGRICH, M. KELLER, KILLION, LEH,  
McCALL, METCALFE, MUSTIO, PALLONE, REICHLEY, ROHRER,  
SCAVELLO, STERN, E. Z. TAYLOR, THOMAS, WHEATLEY, WILT,  
YOUNGBLOOD AND BENNINGHOFF, FEBRUARY 16, 2005

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SENATOR RHOADES, EDUCATION, IN SENATE, AS AMENDED, JUNE 14, 2005

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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 annual budget;  
6 prescribing a penalty; and making an editorial change.

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

9 Section 1. Section 687(a) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, is  
11 amended to read:

12 Section 687. Annual Budget; Additional or Increased  
13 Appropriations; Transfer of Funds.--(a) (1) The board of  
14 school directors of each school district of the second, third,  
15 or fourth class shall, annually, at least thirty (30) days prior  
16 to the adoption of the annual budget, prepare a proposed budget  
17 of the amount of funds that will be required by the school

1 district in its several departments for the following fiscal  
2 year. Such proposed budget shall be prepared on a uniform form,  
3 prepared and furnished by the Department of [Public Instruction] <—  
4 ~~Education~~, and shall be apportioned to the several classes of  
5 expenditures of the district as the board of school directors  
6 thereof may determine.] EDUCATION. THE UNIFORM FORM SHALL <—  
7 REQUIRE IDENTIFICATION OF SPECIFIC FUNCTION, SUBFUNCTION AND  
8 MAJOR OBJECT OF EXPENDITURE. ON THE DATE OF ADOPTION OF THE  
9 PROPOSED BUDGET REQUIRED UNDER THIS SECTION, THE PRESIDENT OF  
10 THE BOARD OF SCHOOL DIRECTORS SHALL CERTIFY TO THE DEPARTMENT OF  
11 EDUCATION THAT THE PROPOSED BUDGET HAS BEEN PREPARED, PRESENTED  
12 AND WILL BE MADE AVAILABLE FOR PUBLIC INSPECTION USING THE  
13 UNIFORM FORM PREPARED AND FURNISHED BY THE DEPARTMENT OF  
14 EDUCATION. THE CERTIFICATION SHALL BE IN A FORM AND MANNER AS  
15 REQUIRED BY THE DEPARTMENT OF EDUCATION. FINAL ACTION SHALL NOT  
16 BE TAKEN ON ANY PROPOSED BUDGET THAT HAS NOT BEEN PREPARED,  
17 PRESENTED AND MADE AVAILABLE FOR PUBLIC INSPECTION USING THE  
18 UNIFORM FORM PREPARED AND FURNISHED BY THE DEPARTMENT OF  
19 EDUCATION. Final action shall not be taken on any proposed  
20 budget[, ] in which the estimated expenditures exceed two <—  
21 thousand dollars (\$2000)[, ] until after ten (10) days' public <—  
22 notice. Nothing in this act shall be construed to prevent any  
23 school district[, ] whose total estimated expenditures do not <—  
24 exceed two thousand dollars (\$2000)[, ] from holding a public <—  
25 hearing.

26 (2) (i) The proposed budget ~~in the format,~~ ON THE UNIFORM <—  
27 FORM required by the Department of Education, all proposed line <—  
28 item expenditures, and a list of the several classes of  
29 expenditures and the types of expenditures included under each  
30 class shall be printed[, ] or otherwise made available for public <—

1 inspection ~~and duplication~~ to all persons [who may interest <—  
2 themselves,] AND SHALL BE MADE AVAILABLE FOR DUPLICATION TO ANY <—  
3 PERSON, ON REQUEST, at least twenty (20) days prior to the date  
4 set for the adoption of the budget.

5 (ii) Fees for duplication under this paragraph by  
6 photocopying, printing from electronic media or microfilm,  
7 copying onto electronic media, transmission by facsimile or  
8 other electronic means and other means of duplication must be  
9 reasonable and based on prevailing fees for comparable  
10 duplication services provided by local business entities.

11 ~~(iii) An agency or public official who violates this <—~~  
12 ~~paragraph with the intent and purpose of violating this~~  
13 ~~paragraph commits a summary offense subject to prosecution by~~  
14 ~~the Attorney General or the appropriate district attorney and~~  
15 ~~shall, upon conviction, be sentenced to pay a fine of not more~~  
16 ~~than \$300 per incident plus costs of prosecution.~~

17 ~~(iv) For the purposes of this paragraph, "public official"~~  
18 ~~shall mean a member of the school board of directors, chief~~  
19 ~~financial officer, superintendent or any other school official~~  
20 ~~empowered by the board of directors to oversee the creation and~~  
21 ~~enactment of the annual budget of the district.~~

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23 Section 2. This act shall take effect in ~~30~~ 60 days. <—