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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 186 Session of  
2005

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INTRODUCED BY STAIRS, FLEAGLE, CURRY, GRUCELA, LEACH, PALLONE,  
SHANER, BELFANTI, CALTAGIRONE, CAPPELLI, CRAHALLA, FABRIZIO,  
FREEMAN, GINGRICH, HARHAI, LEDERER, MELIO, PICKETT, REED,  
REICHLEY, SAYLOR, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE,  
TRUE, WASHINGTON, WATSON, WILT AND YOUNGBLOOD,  
FEBRUARY 1, 2005

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 1, 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 cafeterias.

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

8 Section 1. Section 504 of the act of March 10, 1949 (P.L.30,  
9 No.14), known as the Public School Code of 1949, amended July 1,  
10 1978 (P.L.575, No.105), is amended to read:

11 Section 504. Cafeterias.--(a) The board of school directors  
12 in any school district shall have power to establish, equip,  
13 maintain, and operate cafeterias, or to contract for any  
14 services necessary for the operation of a food service program,  
15 in any of the schools under its jurisdiction, whenever in its  
16 judgment it is deemed advisable to do so, and shall have power  
17 to appoint such directors, supervisors, or other employes as are

1 necessary, and set and pay their salaries.

2 (b) The cost of housing, equipping and operating such  
3 cafeterias may be charged against the funds of the school  
4 district.

5 (c) The food served shall be sold to the pupils, teachers,  
6 and school employes of the cafeterias at such price as will not  
7 materially exceed the cost of operation.

8 (d) It shall be legal for boards of school directors to  
9 authorize the proper school employe to purchase perishable food  
10 supplies for cafeterias without advertising for bids.

11 (e) There shall be a separate cafeteria fund, and all  
12 payments from said fund shall be made upon a special order drawn  
13 by the school employe authorized to purchase food supplies. Said  
14 employe shall present each month to the board of directors, for  
15 approval, a statement of receipts and expenditures.

16 (f) The accounts shall be subject to examination by the  
17 auditors of the school district in like manner as other accounts  
18 of the school district. Any balance of funds accruing from the  
19 operation of the cafeteria must be used only for the improvement  
20 or maintenance of the cafeteria and may not be used for other  
21 purposes.

22 (g) Should the school district contract for any competitive  
23 food or beverage contracts, the board of school directors shall  
24 report to the parents and the community the amounts and specific  
25 sources of funds received and the nature of expenditures made  
26 from funds received from competitive food and beverage  
27 contracts.

28 Section 2. This act shall take effect immediately.