

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 257 Session of 2011

INTRODUCED BY GROVE, BOYD, D. COSTA, FLECK, GINGRICH, HARRIS,  
HENNESSEY, MILNE, MOUL, PICKETT, PYLE, RAPP, STERN, SWANGER,  
TALLMAN AND BROOKS, JANUARY 26, 2011

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 26, 2011

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 acquisition of  
6 buildings, sites for school buildings and playgrounds, and  
7 disposing thereof, for approval by department of plans, etc.,  
8 of buildings and exceptions and for approval of lease  
9 agreements.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Section 703 of the act of March 10, 1949 (P.L.30,  
13 No.14), known as the Public School Code of 1949, amended June 1,  
14 1972 (P.L.325, No.89), is amended to read:

15 Section 703. Acquisition of Buildings, Sites for School  
16 Buildings and Playgrounds, and Disposing Thereof.--In order to  
17 comply with the provisions of this act, and subject to the  
18 conditions thereof, the board of school directors of each  
19 district is hereby vested with the necessary power and authority  
20 to acquire, in the name of the district, by purchase, lease,  
21 gift, devise, agreement, condemnation, or otherwise, any and all

1 schools and real estate, either vacant or occupied, including  
2 lands theretofore occupied by streets and alleys which have been  
3 vacated by municipal authorities, and to acquire by purchase,  
4 lease, gift or devise, other buildings approved for school use  
5 by the Department of Education as the board of school directors  
6 may deem necessary to furnish school buildings or other suitable  
7 sites for proper school purposes for said district or to enlarge  
8 the grounds of any school property held by such district, and to  
9 sell, convey, transfer, dispose of, or abandon the same, or any  
10 part thereof, as the board of school directors may determine.

11 Approval of the Department of Education for school buildings and  
12 playgrounds on any school construction project that is not  
13 eligible for State reimbursement shall not be required.

14 Section 2. Section 731 of the act is amended by adding a  
15 clause to read:

16 Section 731. Approval by Department of Plans, etc., of  
17 Buildings; Exceptions.--The Department of Education, with  
18 respect to construction or reconstruction of public school  
19 buildings, shall have the power and its duties shall be:

20 \* \* \*

21 (7) Approval of the department for projects, plans and  
22 specifications for school construction projects not eligible for  
23 reimbursement from the Commonwealth shall not be required.

24 \* \* \*

25 Section 3. Section 731.1 of the act, added December 6, 1972  
26 (P.L.1445, No.323), is amended to read:

27 Section 731.1. Approval of Lease Agreements.--No building  
28 facilities for school use authorized under the provisions of  
29 section 703.1, shall be leased by any school district until such  
30 lease agreement has been approved by the Department of

1 Education. Such approval shall not be given unless the building  
2 facilities to be leased meet the standards required to operate  
3 public school buildings in use in the Commonwealth; Provided,  
4 however, That Department of Education approval of any lease  
5 agreement shall not be required for any lease agreement that  
6 does not qualify for Commonwealth reimbursement.

7 Section 4. This act shall take effect immediately.