
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1397

Session of
1983

INTRODUCED BY BROUJOS, LASHINGER, KUKOVICH, FISCHER, CLARK,
FREEMAN, McHALE, BATTISTO, STUBAN, KASUNIC, VAN HORNE,
MOWERY, GAMBLE, DUFFY, CALTAGIRONE, LEVI, KENNEDY, MICHLOVIC,
MURPHY, LIVENGOD AND BUNT, JULY 21, 1983

AS AMENDED ON SECOND CONSIDERATION, MARCH 19, 1984

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 public hearings prior to
6 closing schools; FURTHER PROVIDING FOR AN ALTERNATIVE PAYMENT <—
7 PLAN FOR ILLNESS OR ACCIDENTAL INJURY; AND AUTHORIZING THE
8 STATE TREASURER TO RECOVER SOCIAL SECURITY OVERPAYMENTS ON
9 BEHALF OF SCHOOL EMPLOYEES, SCHOOL ENTITIES AND THE <—
10 COMMONWEALTH.

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

13 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
14 as the Public School Code of 1949, is amended by adding a
15 section to read:

16 Section 780. Public Hearing Prior to Closing School.--In the
17 event of a PERMANENT closing of a public school or substantially <—
18 all of a school's facilities, the board of school directors
19 shall hold a public hearing on the question not less than three

1 months prior to the decision of the board relating to the
2 closing of the school. Notice of the hearing shall be given in a
3 newspaper of general circulation in the school district at least
4 fifteen (15) days prior to the date of such hearings.

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

6 SECTION 2. SECTION 1154.1 OF THE ACT, ADDED DECEMBER 9, 1980 <—
7 (P.L.1121, NO.197), IS REENACTED AND AMENDED TO READ: <—

8 SECTION 1154.1. ALTERNATIVE PAYMENT PLAN.--(A) IN ANY
9 SCHOOL YEAR WHENEVER A PROFESSIONAL, TEMPORARY PROFESSIONAL OR
10 NONPROFESSIONAL EMPLOYE IS PREVENTED BY ILLNESS OR ACCIDENTAL
11 INJURY FROM FOLLOWING HIS OR HER OCCUPATION, THE SCHOOL DISTRICT
12 OR OTHER SCHOOL ENTITY BY WRITTEN AGREEMENT WITH THE EMPLOYE <—
13 MAY, AS AN ALTERNATIVE TO THE PAYMENTS PROVIDED IN SECTION
14 1154(A), ESTABLISH A PLAN EXCLUDING FROM WAGES PAYMENTS MADE AS
15 PROVIDED IN SECTION 209(B) OF THE SOCIAL SECURITY ACT (49
16 STATUTE 629).

17 (B) THE STATE TREASURER IS AUTHORIZED TO RECOVER ON BEHALF
18 OF THE COMMONWEALTH AND SCHOOL DISTRICTS AND ALL OTHER SCHOOL <—
19 ENTITIES ENUMERATED IN THIS ACT AND ON BEHALF OF ALL OFFICERS
20 AND EMPLOYEES THEREOF, SOCIAL SECURITY OVERPAYMENTS MADE TO THE
21 UNITED STATES TREASURY.

22 (C) THE EXPENSES INCURRED BY THE STATE TREASURER IN
23 RECOVERING SUCH OVERPAYMENTS MAY BE PAID OUT OF ANY RECOVERIES
24 OF OVERPAYMENTS ON BEHALF OF THE COMMONWEALTH AND SCHOOL
25 DISTRICTS ENTITIES. <—

26 (D) THE STATE TREASURER MAY TAKE SUCH ACTIONS AS HE DEEMS
27 REASONABLE IN THE RECOVERY OF SUCH OVERPAYMENTS.

28 (E) THE FULL AMOUNT OF ANY RECOVERIES OF OVERPAYMENTS FOR
29 EMPLOYEES SHALL BE REFUNDED TO SUCH EMPLOYEES. THE AMOUNT OF ANY
30 RECOVERIES ON BEHALF OF SCHOOL DISTRICTS ENTITIES, AFTER <—

1 DEDUCTING THE EXPENSES OF COLLECTION, SHALL BE TRANSFERRED OR
2 CREDITED TO THE SCHOOL DISTRICTS ENTITIES. ANY EXPENSES <—
3 PREVIOUSLY PAID BY THE STATE TREASURER SHALL BE REFUNDED FROM
4 SUCH RECOVERIES. ANY UNPAID EXPENSES SHALL BE PAID FROM SUCH
5 RECOVERIES.

6 SECTION 3. SECTION 2 OF THIS ACT RELATING TO SECTION 1154.1
7 SHALL BE RETROACTIVE TO JANUARY 1, 1979.

8 ~~SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.~~ <—

9 SECTION 4. (A) SECTION 1 OF THIS ACT, RELATING TO SECTION
10 780, SHALL TAKE EFFECT SEPTEMBER 1, 1984.

11 (B) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.