

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 122 Session of
2005

INTRODUCED BY DALLY, ARMSTRONG, CALTAGIRONE, DALEY, DeWEESE,
FREEMAN, GEIST, GRUCELA, HARHART, LEACH, McCALL, NAILOR,
REICHLEY, SAYLOR, SCAVELLO, TIGUE, WASHINGTON, SEMMEL AND
YOUNGBLOOD, JANUARY 31, 2005

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 31, 2005

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," providing for exceptions for certain
6 payments made to community colleges in determining costs
7 excepted from certain referendum requirements.

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

10 Section 1. Section 1909-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, added
12 July 1, 1985 (P.L.103, No.31), is amended to read:

13 Section 1909-A. Taxation.--The governing body of each school
14 district or municipality comprising a local sponsor may levy,
15 annually, taxes on subjects of taxation as prescribed by law in
16 such school district or municipality for the purpose of
17 establishing, operating and maintaining a community college.

18 This tax levy shall be in excess of and beyond the millage fixed
19 or limited by law, so long as the aggregate amount of all taxes

1 imposed by any local sponsor, other than a school district of
2 the first class or a city of the first class or county of the
3 first class, for the establishment, operation and maintenance of
4 a community college shall not exceed an amount equal to the
5 product obtained by multiplying the latest total market value of
6 the local sponsor as determined by the State Tax Equalization
7 Board in the case of school districts, and by the Board of
8 Assessment and Revision of Taxes or any other similar board
9 which determines market values of real estate in the case of
10 municipalities, by five mills. Where a county levies such a tax
11 for the establishment, operation and maintenance of a community
12 college, no such tax shall be levied upon the property in a
13 municipality situate in such county if the school district in
14 which the municipality is situate levies a tax on the property
15 in the municipality for the establishment, operation and
16 maintenance of a community college situate in a county other
17 than the one in which the municipality is located. The aggregate
18 amount of all taxes imposed by a school district of the first
19 class or a city of the first class or county of the first class
20 for the establishment, operation and maintenance of a community
21 college shall not exceed an amount equal to the product obtained
22 by multiplying the latest total market value of the school
23 district of the first class as determined by the State Tax
24 Equalization Board and by the Board of Assessment and Revision
25 of Taxes or any other similar board which determines market
26 values of real estate in the case of cities of the first class
27 or counties of the first class, by one mill. Costs used to
28 determine the need for a referendum pursuant to the act of July
29 5, 2004 (P.L.654, No.72), known as the "Homeowner Tax Relief
30 Act," shall not include any increase in annual payments made to

1 community colleges above the payments made in the prior fiscal
2 year.

3 Section 2. This act shall take effect immediately.