

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 848 Session of 2007

INTRODUCED BY HALUSKA, ARGALL, CLYMER, CREIGHTON, FABRIZIO, HERSHEY, HORNAMAN, W. KELLER, KIRKLAND, MYERS, NAILOR AND YOUNGBLOOD, MARCH 19, 2007

REFERRED TO COMMITTEE ON EDUCATION, MARCH 19, 2007

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 the sale of  
 6 unused and unnecessary lands and buildings.

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

9 Section 1. Section 707 of the act of March 10, 1949 (P.L.30,  
 10 No.14), known as the Public School Code of 1949, is amended by  
 11 adding a clause to read:

12 Section 707. Sale of Unused and Unnecessary Lands and  
 13 Buildings.--The board of school directors of any district is  
 14 hereby vested with the necessary power and authority to sell  
 15 unused and unnecessary lands and buildings, by any of the  
 16 following methods and subject to the following provisions:

17 \* \* \*

18 (4.1) Notwithstanding the foregoing provision of this  
 19 section, no unused and unnecessary school building, nor any

1 unused and unnecessary land upon which such a building is  
2 located, may be sold for less than the fair market value of the  
3 building, or of the land and building, as the case may be,  
4 except that the building, or land and building, may be donated  
5 to a political subdivision of this Commonwealth or to a  
6 nonprofit corporation that qualifies as an institution of purely  
7 public charity under section 5 of the act of November 26, 1997  
8 (P.L.508, No.55), known as the "Institutions of Purely Public  
9 Charity Act." The fair market value, as used in this clause,  
10 shall be determined by a State-certified real estate appraiser  
11 who is certified under the act of July 10, 1990 (P.L.404,  
12 No.98), known as the "Real Estate Appraisers Certification Act,"  
13 or by taking the mean average of the fair market values as  
14 determined by two or three such State-certified real estate  
15 appraisers. For the purpose of this clause, no appraisal may be  
16 utilized that was made more than one year prior to the date of  
17 sale. Any unused and unnecessary school building that cannot be  
18 sold for fair market value and is not donated to a political  
19 subdivision or a nonprofit corporation pursuant to this section  
20 shall be demolished by the school district within ten years of  
21 its becoming unused.

22 \* \* \*

23 Section 2. This act shall take effect in 60 days.