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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 974 Session of  
2007

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INTRODUCED BY BENNINGHOFF, COX, CREIGHTON, DALLY, EVERETT,  
FAIRCHILD, GEORGE, GRELL, HALUSKA, HERSHEY, KIRKLAND, KORTZ,  
MACKERETH, NAILOR, PICKETT, RAPP, RUBLEY, SCHRODER, SONNEY,  
STEIL, SWANGER, WATSON AND VULAKOVICH, APRIL 5, 2007

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REFERRED TO COMMITTEE ON EDUCATION, APRIL 5, 2007

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AN ACT

1 Requiring fiscal notes and a continuing study of all  
2 legislation, regulations and court decisions having a fiscal  
3 impact on public schools.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Public School  
8 Fiscal Impact Act.

9 Section 2. Legislative intent.

10 It is the intent of the General Assembly to provide an  
11 ongoing mechanism to monitor fiscal impacts on public schools,  
12 to review proposed changes and reforms in the public schools and  
13 to review relevant statutes.

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

1 "Committee." For a bill introduced in the Senate, the  
2 Education Committee of the Senate. For a bill introduced in the  
3 House of Representatives, the Education Committee of the House  
4 of Representatives.

5 "Department." The Department of Education of the  
6 Commonwealth.

7 Section 4. Powers and duties.

8 The committee shall have the following powers and duties:

9 (1) To analyze any bill relating to public schools or  
10 public school fiscal policy and to issue a fiscal note  
11 thereto in a timely fashion. The fiscal note shall be  
12 submitted to the Governor and the General Assembly and shall  
13 include an assessment of the fiscal impact, feasibility and  
14 cost of the legislation.

15 (2) To monitor and evaluate from time to time all the  
16 laws and systems that relate to public school fiscal policy  
17 in this Commonwealth.

18 (3) To study the relationship of public school fiscal  
19 policy to other aspects of public school policy and to the  
20 effective operation of government generally.

21 (4) To recommend to the General Assembly a change in the  
22 process by which public school legislation having a fiscal  
23 impact on the Commonwealth or public schools is analyzed and  
24 acted upon by the General Assembly.

25 (5) To issue fiscal impact notes pursuant to section 5.

26 (6) To issue fiscal impact studies pursuant to section  
27 6.

28 Section 5. Fiscal impact notes.

29 (a) Note required for bills.--No bill proposing any change  
30 relative to the imposition or expansion of a mandate on public

1 schools shall be given second consideration in either house of  
2 the General Assembly until the committee has attached a fiscal  
3 impact note which shall include a reliable estimate of the cost  
4 and fiscal effect of the proposed change in any such public  
5 school.

6 (b) Note required for amendments.--No amendment to any bill  
7 concerning the imposition or expansion of a mandate on public  
8 schools shall be considered by either house of the General  
9 Assembly until a fiscal impact note has been attached.

10 (c) Contents of note.--The fiscal impact note shall be  
11 factual and shall, if possible, provide a reliable estimate of  
12 both the immediate cost and effect of the bill and, if  
13 determinable or reasonably foreseeable, the long-range cost and  
14 effect of the measure.

15 (d) Notes for proposed constitutional amendments.--The  
16 committee shall issue a fiscal impact note for any joint  
17 resolution proposing an amendment to the Constitution of  
18 Pennsylvania which initially passes either house of the General  
19 Assembly. If the joint resolution is subsequently amended and  
20 passes either house of the General Assembly, a new fiscal impact  
21 note shall be prepared.

## 22 Section 6. Fiscal impact study.

23 The committee shall conduct a fiscal impact study on any  
24 department regulation, enacted law or judicial decision of an  
25 action in which the department is a party to determine how costs  
26 imposed by the regulation, act or decision will be allocated  
27 between the State and local school districts.

## 28 Section 7. Reports to be public information.

29 Each report and analysis compiled by the committee shall be a  
30 public record and shall be available for public inspection at

1 the offices of the committee during the usual business hours of  
2 the Commonwealth.

3 Section 8. Effective date.

4 This act shall take effect in 60 days.