

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 139 Session of  
2011

INTRODUCED BY GODSHALL, BOYD, CLYMER, CREIGHTON, DALEY, DeLUCA,  
GROVE, HARPER, HENNESSEY, MARSHALL, MILLER, READSHAW,  
REICHLEY AND SWANGER, JANUARY 20, 2011

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 20, 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," providing for State reimbursement for  
6 mobile classroom facilities; and making editorial changes.

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

9 Section 1. Section 2574(a) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended September 29, 1959 (P.L.992, No.407), is amended to  
12 read:

13 Section 2574. Approved Reimbursable Rental for Leases  
14 Hereafter Approved and Approved Reimbursable Sinking Fund  
15 Charges on Indebtedness.--(a) For school building projects for  
16 which the general construction contract is awarded subsequent to  
17 March 22, 1956, and for approved school building projects for  
18 which the general construction contract was awarded but for  
19 which a lease was not approved by the Department of [Public

1 Instruction] Education prior to March 22, 1956, the Department  
2 of [Public Instruction] Education shall calculate an approved  
3 reimbursable rental or approved reimbursable sinking fund  
4 charges. Reimbursable sinking fund charges may include charges  
5 for temporary indebtedness within constitutional limitations, if  
6 the indebtedness is incurred for approved permanent improvements  
7 to the school plant including the cost of acquiring a suitable  
8 site for a school building, the cost of constructing a new  
9 school building, or the cost of providing needed additions or  
10 alterations to existing buildings for which no bond issue is  
11 provided and for which an approved obligation or obligations  
12 other than bonds have been issued and the obligation or  
13 obligations are payable within five (5) years from the date of  
14 issue of the obligation in equal annual installments. Nothing in  
15 this section or in the Department of Education guidelines shall  
16 prohibit a school district from receiving reimbursement for  
17 approved building improvements, including the cost of acquiring  
18 a suitable site for a school building, the cost of constructing  
19 a new school building or the cost of providing needed additions  
20 or alterations to existing buildings, if a school district  
21 elects not to remove any relocatable or modular classroom  
22 utilized after the completion of a building project. The term  
23 "relocatable or modular classroom" shall mean a classroom not of  
24 a permanent nature which meets the criteria and specifications  
25 of the Department of Education.

26 Approved reimbursable rental or sinking fund charge shall  
27 consist of that part of the annual rental or sinking fund charge  
28 attributable to--

29 (1) The cost of acquiring the land upon which the school  
30 buildings are situate, the cost of necessary rough grading to

1 permit proper placement of the building upon said land and the  
2 cost of sewage treatment plants, as required by the Department  
3 of Health, to the extent that such costs are deemed reasonable  
4 by the Department of [Public Instruction] Education and the  
5 interest on such costs of acquisition, grading and sewage  
6 treatment plants earned subsequent to date the construction  
7 contract is awarded, and

8 (2) The approved building construction cost and the interest  
9 on such construction cost.

10 \* \* \*

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