

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 257 Session of
2011

INTRODUCED BY GROVE, BOYD, D. COSTA, FLECK, GINGRICH, HARRIS,
HENNESSEY, MILNE, MOUL, PICKETT, PYLE, RAPP, STERN, SWANGER,
TALLMAN, BROOKS, MURT, BOBACK, GILLEN AND STEPHENS,
JANUARY 26, 2011

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 6, 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," further providing for acquisition of
6 buildings, sites for school buildings and playgrounds, and
7 disposing thereof, for approval by department of plans, etc.,
8 of buildings and exceptions and for approval of lease
9 agreements.

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

12 Section 1. Section 703 of the act of March 10, 1949 (P.L.30,
13 No.14), known as the Public School Code of 1949, amended June 1,
14 1972 (P.L.325, No.89), is amended to read:

15 Section 703. Acquisition of Buildings, Sites for School
16 Buildings and Playgrounds, and Disposing Thereof.--In order to
17 comply with the provisions of this act, and subject to the
18 conditions thereof, the board of school directors of each
19 district is hereby vested with the necessary power and authority
20 to acquire, in the name of the district, by purchase, lease,

1 gift, devise, agreement, condemnation, or otherwise, any and all
2 schools and real estate, either vacant or occupied, including
3 lands theretofore occupied by streets and alleys which have been
4 vacated by municipal authorities, and to acquire by purchase,
5 lease, gift or devise, other buildings approved for school use
6 by the Department of Education as the board of school directors
7 may deem necessary to furnish school buildings or other suitable
8 sites for proper school purposes for said district or to enlarge
9 the grounds of any school property held by such district, and to
10 sell, convey, transfer, dispose of, or abandon the same, or any
11 part thereof, as the board of school directors may determine.

12 Approval of the Department of Education SHALL NOT BE REQUIRED ←
13 for school buildings and playgrounds on any school construction
14 project that is not eligible for WHICH State reimbursement shall ←
15 not be required IS NOT REQUESTED. ←

16 Section 2. Section 731 of the act is amended by adding a
17 clause to read:

18 Section 731. Approval by Department of Plans, etc., of
19 Buildings; Exceptions.--The Department of Education, with
20 respect to construction or reconstruction of public school
21 buildings, shall have the power and its duties shall be:

22 * * *

23 (7) Approval of the department SHALL NOT BE REQUIRED for ←
24 projects, plans and specifications for school construction
25 projects not eligible for WHICH reimbursement from the ←
26 Commonwealth shall not be required IS NOT REQUESTED. ←

27 * * *

28 Section 3. Section 731.1 of the act, added December 6, 1972
29 (P.L.1445, No.323), is amended to read:

30 Section 731.1. Approval of Lease Agreements.--No building

1 facilities for school use authorized under the provisions of
2 section 703.1, shall be leased by any school district until such
3 lease agreement has been approved by the Department of
4 Education. Such approval shall not be given unless the building
5 facilities to be leased meet the standards required to operate
6 public school buildings in use in the Commonwealth; Provided,
7 however, That Department of Education approval of any lease
8 agreement shall not be required for any lease agreement that ←
9 does not qualify for WHICH Commonwealth reimbursement IS NOT ←
10 REQUESTED.

11 Section 4. This act shall take effect immediately.