

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1907 Session of 2015

INTRODUCED BY BENNINGHOFF, SAYLOR, ADOLPH, BAKER, V. BROWN, D. COSTA, CUTLER, DeLUCA, ELLIS, EVERETT, GILLESPIE, HARHART, A. HARRIS, PHILLIPS-HILL, KLUNK, OBERLANDER, PICKETT, STEPHENS, THOMAS, TOOHIL, WARD, WATSON, WHITE, PEIFER, ZIMMERMAN, MOUL AND MICCARELLI, MARCH 17, 2016

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 13, 2016

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," in pupils and attendance, further
6 providing for definitions, providing for attendance policy at
7 charter, regional charter and cyber charter schools, further
8 providing for penalties for violation of compulsory
9 attendance requirements, providing for procedure by school
10 when child habitually truant, for procedure upon filing of
11 citation and for penalties for violating compulsory school
12 attendance requirements and further providing for suspension
13 of operating privilege.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 1326 of the act of March 10, 1949
17 (P.L.30, No.14), known as the Public School Code of 1949, is
18 amended to read:

19 Section 1326. Definitions.--[The term "compulsory school
20 age," as hereinafter used, shall mean the period of a child's
21 life from the time the child's parents elect to have the child

1 enter school, which shall be not later than at the age of eight
2 (8) years, until the age of seventeen (17) years. The term shall
3 not include any child who holds a certificate of graduation from
4 a regularly accredited senior high school.

5 The term "migratory child," wherever used in this subdivision
6 of this article, shall include any child domiciled temporarily
7 in any school district for the purpose of seasonal employment,
8 but not acquiring residence therein, and any child accompanying
9 his parent or guardian who is so domiciled.] When used in this
10 article, the following words and phrases shall have the
11 following meanings:

12 "Citation" shall mean a nontraffic citation or private
13 criminal complaint.

14 "Compulsory school age" shall mean the period of a child's
15 life between eight (8) and seventeen (17) years of age. The term
16 does not include a child who holds a certificate of graduation
17 from a regularly accredited, licensed, registered or approved
18 high school.

19 "Conviction" shall mean a conviction under section 1333.2 for
20 violation of the requirement for compulsory school attendance.

21 "Court" shall mean a magisterial district court or a court of
22 common pleas.

23 "Department" shall mean the Department of Education of the
24 Commonwealth.

25 "Excused absence" shall mean an absence from school which is
26 permitted under section 1329.

27 "Governing body" shall mean the board of school directors of
28 a school district or any other governing entity of a school.

29 "Habitually truant" shall mean six (6) or more school days of
30 unexcused absences during the current school year by a child

1 subject to compulsory school attendance under this article.

2 "Judge" shall mean a magisterial district judge or a judge of
3 a court of common pleas.

4 "Juvenile act" shall mean the provisions of 42 Pa.C.S. Ch. 63
5 (relating to juvenile matters).

6 "Migratory child" shall mean a child domiciled temporarily in
7 a school district for the purpose of seasonal employment, but
8 not acquiring residence therein, and a child accompanying his or
9 her person in parental relation who is so domiciled.

10 "Offense" shall mean each citation filed under section 1333.1
11 for a violation of the requirement for compulsory school
12 attendance under this article regardless of the number of
13 unexcused absences alleged in the citation.

14 "Person in parental relation" shall mean a:

15 (1) Custodial biological or adoptive parent.

16 (2) Noncustodial biological or adoptive parent.

17 (3) Guardian of the person of a child.

18 (4) Person with whom a child lives and who is acting in a
19 parental role of a child.

20 This definition shall not include any county agency or person
21 acting as an agent of the county agency in the jurisdiction of a
22 dependent child defined under 42 Pa.C.S. § 6302 (relating to
23 definitions). This definition shall not expand the right of a
24 child under any other section of this act.

25 "School" shall mean the educational entity in which the child
26 is enrolled and at which a resident of this Commonwealth may
27 legally fulfill the compulsory school attendance requirements of
28 this article.

29 "School attendance improvement conference" shall mean a
30 conference where the child's absences and reasons therefore are

1 examined in an effort to improve attendance, with or without
2 additional services, and to which the child, the child's person
3 in parental relation, other individuals identified by the person
4 in parental relation who may be a resource, appropriate school
5 personnel and recommended service providers shall be invited.

6 "School day" shall mean the length of time that a child
7 subject to compulsory school attendance is expected to be
8 receiving instruction during a calendar day, as determined by
9 the governing body.

10 "School year" shall have the same meaning as "school term" as
11 defined in section 102, as applicable to a school district, and
12 as further defined in section 1327(b) for a day school which is
13 operated by a bona fide church or other religious body, section
14 1327.1(c) for a day school or boarding school accredited by an
15 accrediting association which is approved by the State Board of
16 Education, section 1327.1(d) for a home education program, and
17 sections 1501 and 1504 for a public kindergarten, elementary or
18 secondary school or a school district.

19 "Truant" shall mean three (3) or more school days of
20 unexcused absences during the current school year by a child
21 subject to compulsory school attendance under this article.

22 "Unexcused absence" shall mean an absence from school which
23 is not permitted by the provisions of section 1329 and for which
24 an approved explanation has not been submitted within the time
25 period and in the manner prescribed by the governing body. An
26 out-of-school suspension may not be considered an unexcused
27 absence.

28 Section 2. The act is amended by adding a section to read:

29 Section 1327.2. Attendance Policy at Charter, Regional
30 Charter and Cyber Charter Schools.--(a) Each charter, regional

1 charter and cyber charter school shall establish an attendance
2 policy designed to determine when a child who is enrolled in a
3 charter, regional charter or cyber charter school has an
4 unexcused absence, which may differ from the policy of the
5 school district in which the child resides. The policy must
6 conform to the provisions of this act relating to compulsory
7 attendance. Each cyber charter school may develop guidelines
8 setting forth alternative methods of calculating unexcused
9 absences for the purposes of determining whether a child
10 enrolled in a cyber charter school has an unexcused absence,
11 subject to approval by the department.

12 (b) Notwithstanding section 1333.2(a), in the case of a
13 child enrolled in a cyber charter school the venue for the
14 filing of a citation under section 1333.1 shall be based upon
15 the residence of the child. A cyber charter school may
16 participate in a proceeding under sections 1333.1, 1333.2 and
17 1333.3 in person, by phone conferencing, by video conferencing
18 or by any other electronic means.

19 (c) Charter, regional charter and cyber charter schools shall
20 report unexcused absences directly to the department annually
21 through the Pennsylvania Information Management System (PIMS).

22 Section 2.1. Section 1333 of the act, amended November 17,
23 1995 (1st Sp.Sess. P.L.1110, No.29), is amended to read:

24 Section 1333. [Penalties for Violation of Compulsory
25 Attendance Requirements.--(a) (1) Every parent, guardian, or
26 person in parental relation, having control or charge of any
27 child or children of compulsory school age, who shall fail to
28 comply with the provisions of this act regarding compulsory
29 attendance, shall on summary conviction thereof, be sentenced to
30 pay a fine, for the benefit of the school district in which such

1 offending person resides, not exceeding three hundred dollars
2 (\$300) and to pay court costs or be sentenced to complete a
3 parenting education program offered and operated by a local
4 school district, medical institution or other community
5 resources, and, in default of the payment of such fine and costs
6 or completion of the parenting program by the person so
7 offending, shall be sentenced to the county jail for a period
8 not exceeding five (5) days. Any person sentenced to pay any
9 such fine may appeal to the court of common pleas of the proper
10 county, upon entering into a recognizance, with one or more
11 proper sureties, in double the amount of penalty and costs.
12 Before any proceedings are instituted against any parent,
13 guardian, or person in parental relation, for failure to comply
14 with the provisions of this act, the district superintendent,
15 attendance officer, or secretary of the board of school
16 directors, shall give the offending person three (3) days'
17 written notice of such violation. If, after such notice has been
18 given, the provisions of this act regarding compulsory
19 attendance are again violated by the persons so notified, at any
20 time during the term of compulsory attendance, such person, so
21 again offending, shall be liable under the provisions of this
22 section without further notice.

23 (2) The child and every parent, guardian or person in
24 parental relation must appear at a hearing established by the
25 district justice. If the parent, guardian or person in parental
26 relation charged with a summary offense under this subsection
27 shows that he or she took every reasonable step to insure
28 attendance of the child at school, he or she shall not be
29 convicted of the summary offense.

30 (3) Upon a summary conviction, the district justice may

1 suspend, in whole or in part, a sentence in which a parent,
2 guardian or person in parental relation is summoned to pay as
3 required under this section: Provided, That the child no longer
4 is habitually truant from school without justification.

5 (4) In lieu of or in addition to any other sentence imposed
6 under this section, the district justice may order the parent,
7 guardian or person in parental relation to perform community
8 service in the school district in which the offending child
9 resides for a period not to exceed six (6) months.

10 (b) (1) If the parent, guardian or person in parental
11 relation is not convicted of a summary offense because he or she
12 took every reasonable step to insure attendance of the child at
13 school, a child of compulsory school age who has attained the
14 age of thirteen (13) years and fails to comply with the
15 provisions of this act regarding compulsory attendance or who is
16 habitually truant from school without justification commits a
17 summary offense and except as provided in clause (4) shall, upon
18 conviction, be sentenced to pay a fine not exceeding three
19 hundred dollars (\$300) for each offense for the benefit of the
20 school district in which such offending child resides or shall
21 be assigned to an adjudication alternative program pursuant to
22 42 Pa.C.S. § 1520 (relating to adjudication alternative
23 program).

24 (2) For any child who has attained the age of thirteen (13)
25 years who fails to pay the fine under clause (1) or to comply
26 with the adjudication alternative program, the district justice
27 may allege the child to be dependent under 42 Pa.C.S. § 6303(a)
28 (1) (relating to scope of chapter). The failure by the child to
29 pay a fine or comply with the adjudication alternative program
30 shall not constitute a delinquent act under 42 Pa.C.S. Ch. 63

1 (relating to juvenile matters).

2 (3) Upon a summary conviction or assignment to an
3 adjudication alternative program, the district justice may
4 suspend, in whole or in part, a sentence or an adjudication
5 alternative program in which a child who has attained the age of
6 thirteen (13) years must pay or comply with the adjudication
7 alternative program: Provided, That the child no longer is
8 habitually truant from school without justification.

9 (4) Any child who has not attained the age of thirteen (13)
10 years who fails to comply with the compulsory attendance
11 provisions of this act and is habitually truant shall be
12 referred by the school district for services or possible
13 disposition as a dependent child as defined under 42 Pa.C.S. §
14 6302 (relating to definitions). Any child who has attained the
15 age of thirteen (13) years who fails to comply with the
16 compulsory attendance provisions of this act and is habitually
17 truant may, in lieu of a prosecution under clause (1), be
18 referred by the school district for services or possible
19 disposition as a dependent child as defined under 42 Pa.C.S. §
20 6302.

21 (5) The following words, when used in this subsection, shall
22 have the following meaning, except where the context clearly
23 indicates or requires a different meaning:

24 "Community resources" shall mean those agencies and services
25 for children and youth provided by the juvenile court, the
26 county, the Department of Health, the Department of Public
27 Welfare and other public or private institutions.

28 "District justice" shall mean such court as the court of
29 common pleas shall direct in counties not having district
30 justices.

1 "Habitually truant" shall mean absence for more than three
2 (3) school days or their equivalent following the first notice
3 of truancy given under section 1354. A person may be habitually
4 truant after such notice.

5 "Offense" shall mean each citation which goes before a
6 district justice or court of common pleas.

7 "Person in parental relation" shall not include any county
8 agency or person acting as an agent of the county agency in the
9 jurisdiction of a dependent child defined under 42 Pa.C.S. §
10 6302 (relating to definitions).

11 (c) If a child is convicted for a violation of this section,
12 the court, including a court not of record, shall send to the
13 Department of Transportation a certified record of the
14 conviction or other disposition on a form prescribed by the
15 department.

16 (d) Nothing in this section shall be construed to apply to a
17 parent, guardian or person in parental relation whose child or
18 children are in a home education program under section 1327.1.]

19 Procedure When Child is Truant.--(a) (1) When a child is
20 truant the school shall provide written notice to the person in
21 parental relation who resides in the same household as the child
22 of the child's violation of compulsory school attendance within
23 ten (10) school days of the child's third unexcused absence.

24 (2) The notice required under paragraph (1):

25 (i) Shall include a description of the consequences that
26 will follow if the child becomes habitually truant.

27 (ii) Shall be in a form and use language that would be
28 considered reasonably understandable by the person in parental
29 relation.

30 (iii) May include the offer of a school attendance

1 improvement conference.

2 (3) If the individual receiving notification under paragraph
3 (1) is not the biological or adoptive parent, written notice
4 shall also be provided to the child's biological or adoptive
5 parents if their mailing addresses are on file with the school
6 and they are not precluded to receive the information by a court
7 order.

8 (b) (1) If unexcused absences continue after the school has
9 issued the notice required under subsection (a), the school
10 shall offer, by advance written notice, a school attendance
11 improvement conference to the child and person in parental
12 relation unless such a conference was previously held following
13 the notice provided under subsection (a)(1). This subsection
14 shall not be construed to place a legal obligation on the child
15 or the person in parental relation to attend the conference. The
16 conference may occur if the person in parental relation declines
17 to participate.

18 (2) The outcome of the conference shall be documented in a
19 written school attendance improvement plan. The department shall
20 develop a form to be used for this purpose, and each school
21 shall use a form substantially similar to the form developed by
22 the department.

23 (3) The school may not take further legal action to address
24 unexcused absences by the child until after the date for the
25 scheduled school attendance improvement conference has passed.

26 Section 3. The act is amended by adding sections to read:

27 Section 1333.1. Procedure By School When Child Habitually
28 Truant.--(a) When a child is habitually truant and under
29 fifteen (15) years of age at the time of referral, the school:

30 (1) Shall refer the child to either of the following:

1 (i) A school-based or community-based attendance improvement
2 program.

3 (ii) The county children and youth agency for services or
4 for possible disposition as a dependent child under the
5 provisions of 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

6 (2) May file a citation in the office of the appropriate
7 magisterial district judge against the person in parental
8 relation who resides in the same household as the child.

9 (b) When a child is habitually truant and fifteen (15) years
10 of age or older at the time of referral, the school shall
11 either:

12 (1) Refer the child to a school-based or community-based
13 attendance improvement program or service.

14 (2) File a citation in the office of the appropriate
15 magisterial district judge against the child or the person in
16 parental relation who resides in the same household as the
17 child.

18 (c) If a child who is fifteen (15) years of age or older
19 continues to incur additional unexcused absences after being
20 referred to a school-based or community-based attendance
21 improvement program or refuses to participate in a school-based
22 or community-based attendance improvement program as recommended
23 through the school attendance improvement conference, the school
24 may refer the child to the county children and youth agency for
25 possible disposition as a dependent child under the provisions
26 of 42 Pa.C.S. Ch. 63.

27 (d) When referring a habitually truant child to the county
28 children and youth agency or filing a citation with the
29 magisterial district court because a child has been habitually
30 truant, the school shall provide verification that a school

1 attendance improvement conference was offered.

2 Section 1333.2. Procedure Upon Filing of Citation.--(a) The
3 venue for the filing of a citation under section 1333.1 shall be
4 based on the location of the school in which the child is
5 enrolled.

6 (b) When a citation is filed against a child or a person in
7 parental relation who resides in the same household as the child
8 under the provisions of section 1333.1, the magisterial district
9 judge shall provide the following notices:

10 (1) Written notice of the hearing with respect to the
11 citation to the school, the person in parental relation, the
12 child and the county children and youth agency.

13 (2) Notice to the child or person in parental relation who
14 resides in the same household as the child of the availability
15 of a preconviction diversionary program authorized under 42
16 Pa.C.S. § 1520 (relating to adjudication alternative program).

17 (c) At the hearing with respect to the citation, the burden
18 is upon the school to prove beyond a reasonable doubt that the
19 child was habitually truant in noncompliance with the compulsory
20 school attendance requirements of this article.

21 (d) If the citation is filed against the person in parental
22 relation who resides in the same household as the child, it is a
23 defense if the person in parental relation can prove by a
24 preponderance of the evidence that every reasonable step to
25 ensure attendance of the child at school was taken.

26 (e) Before entering a sentence, the judge shall permit the
27 school, person in parental relation or child to present relevant
28 information that will assist the judge in making an informed
29 decision regarding the appropriate sentence. The judge may
30 consider the child's school attendance after the citation was

1 filed and while the proceeding was pending for the purpose of
2 imposing a sentence.

3 Section 1333.3. Penalties for Violating Compulsory School
4 Attendance Requirements.--(a) A person convicted of a summary
5 offense under section 1333.2 may be sentenced:

6 (1) To pay a fine for the benefit of the school in an amount
7 not exceeding three hundred dollars (\$300) for each citation,
8 together with court costs.

9 (2) To perform community service.

10 (3) To complete an appropriate course or program designed to
11 improve school attendance, which has been approved by the
12 president judge of the judicial district.

13 (b) The court may suspend the sentence of a person convicted
14 under the provisions of sections 1333, 1333.1 and 1333.2 and may
15 remit or waive fines and costs if the child attends school in
16 accordance with a plan devised by the court.

17 (c) A person convicted of a summary offense under this
18 section by a magisterial district judge shall have a right to
19 appeal de novo to a court of common pleas of the proper county
20 within thirty (30) days after conviction. Thereafter, the appeal
21 shall proceed as any other appeal of a summary conviction.

22 (d) No citation shall be filed against a child or a person
23 in parental relation who resides in the same household as the
24 child for a subsequent violation of compulsory school attendance
25 if any of the following circumstances apply:

26 (1) A proceeding under sections 1333.1 and 1333.2 is already
27 pending against the child or the person in parental relation who
28 resides in the same household as the child until the judgment
29 has been entered in such proceeding unless a warrant has been
30 issued for failure of that parent or child to appear before the

1 court and the warrant has not yet been served.

2 (2) A referral for services has been made to the county's
3 children and youth agency under section 1333.1 and the agency
4 has not closed the case.

5 (3) A petition has been filed alleging the child is
6 dependent under 42 Pa.C.S. Ch. 63 (relating to juvenile matters)
7 due to being habitually truant and the case remains under the
8 jurisdiction of the juvenile court.

9 (e) Upon a second or subsequent conviction of a child or a
10 person in parental relation who resides in the same household as
11 the child for a violation of the compulsory school attendance
12 requirements of this article in a court within this Commonwealth
13 within a period of three (3) years, the court shall refer the
14 child for services or possible disposition as a dependent child
15 under 42 Pa.C.S. Ch. 63.

16 (f) Upon the willful failure of a person to satisfy a fine
17 or costs imposed under this section and a finding by the court
18 that the person has the ability to pay the financial obligation
19 imposed, the willful failure to comply with a payment plan or
20 the willful failure to comply with any other part of the
21 sentence imposed by the court under subsection (a), the
22 following shall apply:

23 (1) The court may:

24 (i) In the case of a person in parental relation who resides
25 in the same household as the child, impose a period of
26 incarceration not to exceed five (5) days.

27 (ii) Impose community service.

28 (2) In the case of a child, the failure shall not be
29 considered a delinquent act, provided that the president judge
30 of the judicial district may adopt a local policy pursuant to 42

1 Pa.C.S. § 6304 (relating to powers and duties of probation
2 officers) and the Pennsylvania Rules of Juvenile Court Procedure
3 to provide that a juvenile probation officer may receive
4 allegations that the child is dependent for the purpose of
5 considering the commencement of proceedings under 42 Pa.C.S. Ch.
6 63.

7 (g) (1) If a child is convicted of a violation of the
8 compulsory school attendance requirements of this article, the
9 court may send the Department of Transportation a certified
10 record of the conviction on a form prescribed by the department
11 only if the child fails to comply with a lawful sentence entered
12 for the violation and is not subject to an exception to
13 compulsory attendance under section 1330.

14 (2) The Department of Transportation shall suspend for
15 ninety (90) days the operating privilege of a child upon
16 receiving a certified record that the child was convicted of a
17 summary offense under the compulsory school attendance
18 requirements of this article. If the Department of
19 Transportation receives a certified record of a second or
20 subsequent conviction of a child pursuant to this section, the
21 department shall suspend the child's operating privilege for six
22 (6) months.

23 (3) A child whose record is received by the Department of
24 Transportation under this section and who does not have a
25 driver's license shall be ineligible to apply for a driver's
26 license under 75 Pa.C.S. § 1505 (relating to learners' permits)
27 and 1507 (relating to application for driver's license or
28 learner's permit by minor) for the time period specified in
29 paragraph (2). If the child is under sixteen (16) years of age
30 when convicted, suspension of operating privileges shall

1 commence in accordance with 75 Pa.C.S. § 1541 (relating to
2 period of disqualification, revocation or suspension of
3 operating privilege) for the time specified in paragraph (2).

4 (4) A child whose driving privileges have been suspended or
5 whose eligibility for a permit or license is delayed under this
6 section may have that license or eligibility restored by
7 providing the Department of Transportation with a form developed
8 by the Department of Transportation containing the following
9 information in the form of a certified record from the child's
10 school that either of the following applies:

11 (i) The child:

12 (A) Has attended school for a period of at least two (2)
13 months after the first conviction or four (4) months after the
14 second conviction without an unexcused absence or unexcused
15 tardy.

16 (B) Has no school disciplinary actions pending or has not
17 served a disciplinary sanction during the period of the
18 suspension or delay.

19 (C) Is attending and passing all classes.

20 (ii) The child is subject to an exception to compulsory
21 attendance under section 1330.

22 (5) An insurer may not increase premiums, impose a surcharge
23 or rate penalty, make a driver record point assignment for
24 automobile insurance or cancel or refuse to renew an automobile
25 insurance policy on account of a suspension under this section.

26 (6) Nothing in this section shall prohibit a child who is
27 convicted of a violation of the compulsory school attendance
28 requirements of this article from being eligible for an
29 occupational limited license under 75 Pa.C.S. § 1553 (relating
30 to occupational limited license).

1 (H) (1) UPON APPLICATION FROM A CHILD WHO HAS NO MORE THAN <--
2 TWO (2) CONVICTIONS OF A SUMMARY OFFENSE UNDER SECTION 1333.2,
3 THE COURT SHALL GRANT AN EXPUNGEMENT OF THE CONVICTIONS FROM THE
4 CHILD'S RECORD IF ALL OF THE FOLLOWING APPLY:

5 (I) THE CHILD HAS EARNED A HIGH SCHOOL DIPLOMA, A
6 COMMONWEALTH SECONDARY SCHOOL DIPLOMA OR ANOTHER DEPARTMENT OF
7 EDUCATION-APPROVED EQUIVALENT, OR IS SUBJECT TO AN EXCEPTION TO
8 COMPULSORY ATTENDANCE UNDER SECTION 1330.

9 (II) THE CHILD HAS SATISFIED ANY SENTENCE IMPOSED BY THE
10 COURT WITH RESPECT TO THE CONVICTION, INCLUDING PAYMENT OF FINES
11 AND COSTS.

12 (2) IF THE COURT GRANTS AN EXPUNGEMENT UNDER PARAGRAPH (1),
13 THE COURT SHALL ORDER THE DEPARTMENT OF TRANSPORTATION TO
14 EXPUNGE ALL ADMINISTRATIVE RECORDS RELATED TO THE CONVICTIONS.

15 Section 4. Section 1338.1 of the act, added November 17,
16 1995 (1st Sp.Sess. P.L.1110, No.29), is repealed:

17 [Section 1338.1. Suspension of Operating Privilege.--(a)
18 The Department of Transportation shall suspend for 90 days the
19 operating privilege of any child upon receiving a certified
20 record that the child was convicted of violating section 1333.
21 If the department receives a second or subsequent conviction for
22 a child's violation of section 1333, the department shall
23 suspend the child's operating privilege for six months.

24 (b) Any child whose record is received by the department
25 under section 1333(c) and who does not have a driver's license
26 shall be ineligible to apply for a driver's license under 75
27 Pa.C.S. §§ 1505 (relating to learners' permits) and 1507
28 (relating to application for driver's license or learner's
29 permit by minor) for the time periods specified in subsection
30 (a). If the child is under sixteen (16) years of age when

1 convicted, suspension of operating privileges shall commence in
2 accordance with 75 Pa.C.S. § 1541 (relating to period of
3 revocation or suspension of operating privilege) for the time
4 specified in subsection (a).

5 (c) An insurer may not increase premiums, impose any
6 surcharge or rate penalty or make any driver record point
7 assignment for automobile insurance, nor shall an insurer cancel
8 or refuse to renew an automobile insurance policy on account of
9 a suspension under this section.]

10 Section 5. The amendment or addition of sections 1326,
11 1327.2, 1333, 1333.1, 1333.2, 1333.3 and 1338.1 of the act shall
12 apply to school years beginning with the 2017-2018 school year
13 and each school year thereafter.

14 Section 6. This act shall take effect immediately.