

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1027 Session of  
2015

---

INTRODUCED BY SCAVELLO, AUMENT, BOSCOLA AND YAW,  
DECEMBER 5, 2015

---

REFERRED TO EDUCATION, DECEMBER 5, 2015

---

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 preliminary provisions, further  
6 providing for publication of notices and proofs of  
7 publication.

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

10 Section 1. Section 106 of the act of March 10, 1949 (P.L.30,  
11 No.14), known as the Public School Code of 1949, is amended to  
12 read:

13 Section 106. Publication of Notices, etc.; Proofs of  
14 Publication.--(a) Whenever, under the provisions of this act,  
15 notice is required to be published in one newspaper, such  
16 publication shall be made as follows:

17 (1) in a newspaper of general circulation [as defined by the  
18 "Newspaper Advertising Act" of May sixteen, one thousand nine  
19 hundred twenty-nine (Pamphlet Laws 1784), printed in the county,  
20 unless the matter in connection with which the advertising is

1 being done affects only a school district, in which case such  
2 advertisement shall be published in a newspaper printed in such  
3 school district, if there is such a newspaper, and if not, then  
4 in a newspaper circulating generally in such school district. If  
5 such notice is required to be published in more than one  
6 newspaper, it shall be published in at least one newspaper of  
7 general circulation, defined as aforesaid, printed, if there be  
8 such a newspaper, or circulating generally, as above provided,  
9 in the school district.

10 (b) When such notice relates to any proceeding or matter in  
11 any court, or the holding of an election for the increase of  
12 indebtedness, or the issue and sale of bonds to be paid by  
13 taxation, such notice, in each school district, shall also be  
14 published in the legal newspaper, if any, designated by the  
15 rules of court of the proper county for the publication of legal  
16 notices and advertisements: Provided, That auditors' statements,  
17 summaries of auditors' statements, advertisements inviting  
18 proposals for public contracts and for bids for materials and  
19 supplies, or lists of delinquent taxpayers, shall be published  
20 only in newspapers of general circulation, defined as  
21 aforesaid.] in which the school district is located;

22 (2) in a legal newspaper designated by the rules of court of  
23 the county in which the school district is located for the  
24 publication of legal notices and advertisements;

25 (3) on the official, public Internet website of a newspaper  
26 listed in paragraph (1) or (2), using HTML format or an  
27 equivalent language format; or

28 (4) in a locally circulated printed publication that is at  
29 least four pages long, is issued on at least a weekly basis and  
30 is distributed by audited carriers to all known addresses within

1 a political subdivision.

2 (b.1) If notice is required to be published in more than one  
3 publication, the publication shall be made by at least two of  
4 the means of publication listed in subsection (a).

5 (b.2) A school district may determine the appropriate means  
6 of publication from the means of publication listed in  
7 subsection (a), unless such notice is required to be published  
8 in the legal newspaper, if any, designated by the rules of court  
9 of the proper county for the publication of legal notices and  
10 advertisements.

11 (b.3) Before a school district changes the manner in which  
12 the school district publishes notices as required under this  
13 act, the school district shall publish on its official, public  
14 Internet website a timely notice of the change in manner of  
15 publication.

16 (b.4) A school district shall maintain a permanent record of  
17 notices published on the school district's official, public  
18 Internet website. The record shall include the text, manner,  
19 date and duration of publication of each notice.

20 (c) Proof of publication of any notice required to be given  
21 by the posting of handbills or statements shall be made by  
22 attaching an original copy of such handbill or statement as  
23 actually printed and posted to an affidavit made by the person  
24 posting such notice. Such affiant shall not be an interested  
25 party or an employe of any person or persons interested in the  
26 subject matter of said notice. His affidavit shall state where  
27 and when the notices were posted and [where] the manner in which  
28 the notice was published [in newspapers, as aforesaid]. A  
29 printed copy, exactly as published [in said newspaper], shall be  
30 securely attached to a similar affidavit of the publisher or his

1 designated agent.

2 Section 2. This act shall take effect immediately.