

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1032 Session of 2018

INTRODUCED BY DINNIMAN, FOLMER, AUMENT, RAFFERTY, BAKER, MENSCH, WAGNER, STEFANO, WARD AND SCHWANK, JANUARY 26, 2018

SENATOR EICHELBERGER, EDUCATION, AS AMENDED, MAY 22, 2018

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 Keystone Exams AND FOR POWERS AND DUTIES OF THE <--
7 SECRETARY OF EDUCATION; and, in State Board of Education,
8 further providing for powers and duties of the board.

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

11 Section 1. Sections 121, 124 and 2603-B of the act of March <--
12 10, 1949 (P.L.30, No.14), known as the Public School Code of
13 1949, are amended by adding a ~~subsection~~ SUBSECTIONS to read: <--

14 Section 121. Keystone Exams.--\* \* \*

15 (e) (C.1) In addition to a requirement on the State Board of <--
16 Education under the "Regulatory Review Act," on the same date
17 that pursuant to the "Regulatory Review Act" the State Board of
18 Education submits a proposed regulation for or related to the
19 implementation of Keystone Exams under this section to the
20 Legislative Reference Bureau for publication of notice of
21 proposed rulemaking in the Pennsylvania Bulletin as required by

1 the act of July 31, 1968 (P.L.769, No.240), referred to as the  
2 Commonwealth Documents Law, and thereafter on the same date the  
3 State Board of Education submits the text of the final-form  
4 regulation to the Independent Regulatory Review Commission, the  
5 State Board of Education shall submit to the chairman and  
6 minority chairman of the Education Committee of the Senate and  
7 the chairman and minority chairman of the Education Committee of  
8 the House of Representatives a detailed fiscal impact statement  
9 that the proposed or final-form regulation will have on the  
10 Commonwealth, the communities, the school districts and, if  
11 applicable, private and private religious schools. The detailed  
12 fiscal impact statement shall include a comprehensive fiscal  
13 note of all direct and indirect costs whether incurred in  
14 preparation of the proposed or final-form regulation or which  
15 will be required as a result of the promulgation of the  
16 regulation to the State Board of Education's best dollar  
17 estimate. The State Board of Education may include narrative  
18 statements to accompany the best dollar estimate, but may not do  
19 so in lieu of detailed best estimated dollar amounts.

20 \* \* \*

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21 SECTION 124. POWERS AND DUTIES OF THE SECRETARY OF  
22 EDUCATION.--\* \* \*

23 (C.1) (1) IN ADDITION TO THE REQUIREMENTS CONTAINED IN THE  
24 "REGULATORY REVIEW ACT" AND THE REQUIREMENTS CONTAINED IN THE  
25 ACT OF JULY 31, 1968 (P.L.769, NO.240), REFERRED TO AS THE  
26 COMMONWEALTH DOCUMENTS LAW, THE DEPARTMENT OF EDUCATION SHALL  
27 SUBMIT TO THE THE CHAIR AND MINORITY CHAIR OF THE EDUCATION  
28 COMMITTEE OF THE SENATE AND THE THE CHAIR AND MINORITY CHAIR OF  
29 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES A FISCAL  
30 IMPACT STATEMENT WHICH DESCRIBES IN DETAIL THE IMPACT THAT A

1 PROPOSED REGULATION OR FINAL-FORM REGULATION WOULD HAVE ON THE  
2 COMMONWEALTH, TAXPAYERS, SCHOOL DISTRICTS AND, IF APPLICABLE,  
3 PRIVATE SCHOOLS AND PRIVATE RELIGIOUS SCHOOLS. THE FISCAL IMPACT  
4 STATEMENT SHALL BE SUBMITTED ON THE SAME DATE THAT THE  
5 DEPARTMENT OF EDUCATION SUBMITS A PROPOSED REGULATION TO THE  
6 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION OF NOTICE OF  
7 PROPOSED RULEMAKING IN THE PENNSYLVANIA BULLETIN. THE FISCAL  
8 IMPACT STATEMENT SHALL INCLUDE A COMPREHENSIVE ITEMIZATION OF  
9 ALL DIRECT AND INDIRECT COSTS, WHETHER INCURRED IN PREPARATION  
10 OF THE PROPOSED OR FINAL-FORM REGULATION, CONTRACTING FOR  
11 SERVICES OR OTHERWISE REQUIRED TO IMPLEMENT THE REGULATION, TO  
12 THE DEPARTMENT OF EDUCATION'S BEST ESTIMATE. THE DEPARTMENT OF  
13 EDUCATION MAY INCLUDE NARRATIVE STATEMENTS TO ACCOMPANY AN  
14 ESTIMATE, BUT MAY NOT DO SO IN LIEU OF A DETAILED ESTIMATE OF  
15 THE AMOUNTS.

16 (2) ON THE SAME DATE THE DEPARTMENT OF EDUCATION SUBMITS THE  
17 TEXT OF A FINAL-FORM REGULATION TO THE INDEPENDENT REGULATORY  
18 REVIEW COMMISSION, THE DEPARTMENT OF EDUCATION SHALL SUBMIT TO  
19 THE CHAIR AND MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE  
20 SENATE AND THE CHAIR AND MINORITY CHAIR OF THE EDUCATION  
21 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AN UPDATED FISCAL  
22 IMPACT STATEMENT WHICH REFLECTS ANY CHANGES OCCURRING DURING THE  
23 REGULATORY REVIEW PROCESS. UPON SUBMISSION OF A FINAL-FORM  
24 REGULATION, THE DEPARTMENT OF EDUCATION MAY SUBMIT, IN LIEU OF  
25 ITS OWN STATEMENT, THE FISCAL NOTE PREPARED BY THE OFFICE OF THE  
26 BUDGET PURSUANT TO SECTION 612 OF THE ACT OF APRIL 9, 1929  
27 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929."

28 \* \* \*

29 Section 2603-B. Powers and Duties of the Board.--\* \* \*

30 (1) Notwithstanding any other provision of law to the

1 contrary, the board shall require that each regulation prepared  
2 by the STATE BOARD OF EDUCATION, THE Council of Basic Education <--  
3 or the Council of Higher Education under section 2604-B and  
4 promulgated by the board under the act of June 25, 1982 <--  
5 (P.L.633, No.181), known as the "Regulatory Review Act,"  
6 includes SHALL INCLUDE, insofar as the regulation relates to <--  
7 costs to the Commonwealth, THE FISCAL IMPACT STATEMENT REQUIRED <--  
8 UNDER SECTION 124(C.1) OR the fiscal note prepared by the Office  
9 of the Budget under section 612 of the act of April 9, 1929  
10 (P.L.177, No.175), known as "The Administrative Code of 1929."

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