

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2147 Session of 2019

INTRODUCED BY FIEDLER, KENYATTA, LEE, MULLERY, HARKINS, BRADFORD, DAWKINS, RABB, NEILSON, MURT, CALTAGIRONE, KINSEY, McCLINTON, DELLOSO, ISAACSON, A. DAVIS, OTTEN, SCHLOSSBERG, BURGOS, FLYNN, YOUNGBLOOD, CEPHAS, FRANKEL, MARKOSEK, MULLINS, CIRESI, RAVENSTAHL, READSHAW, ROEBUCK, BOYLE, BRIGGS, SANCHEZ, SOLOMON, HILL-EVANS, HOHENSTEIN, DEASY, INNAMORATO, DONATUCCI, SIMS, WILLIAMS, DAVIDSON, SHUSTERMAN, ULLMAN, WEBSTER, T. DAVIS, SCHWEYER, VITALI, DALEY AND O'MARA, DECEMBER 18, 2019

REFERRED TO COMMITTEE ON APPROPRIATIONS, DECEMBER 18, 2019

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 the Public School
6 Building Emergency Repair and Renovation Grant Program;
7 establishing the Public School Building Emergency Repair and
8 Renovation Grant Fund; and making an appropriation.

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

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

14 ARTICLE VII-A

15 PUBLIC SCHOOL BUILDING EMERGENCY REPAIR

16 AND RENOVATION GRANT PROGRAM

17 Section 701-A. Scope.

1 This article relates to the Public School Building Emergency
2 Repair and Renovation Grant Program.

3 Section 702-A. Definitions.

4 The following words and phrases when used in this article
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Department." The Department of Education of the
8 Commonwealth.

9 "Eligible cost." The term includes the cost of all labor,
10 materials, necessary operational machinery and equipment, plans
11 and specifications, surveys, prefeasibility studies, engineering
12 and other professional services related to an emergency repair
13 and renovation project.

14 "Emergency repair and renovation projects." Eligible costs
15 associated with the improvement, repair, rehabilitation or
16 renovation of all or part of a public school building, which
17 include the following:

18 (1) Emergency repairs resulting from a natural or
19 manmade disaster.

20 (2) Lead abatement, remediation and removal.

21 (3) Asbestos abatement, remediation and removal.

22 (4) Heating, ventilation and air conditioning purchase,
23 repair or replacement.

24 (5) Electrical system repair or replacement.

25 (6) Roof and window repair or replacement.

26 (7) Plumbing repairs or replacement.

27 (8) Purchase, repair or replacement of indoor air
28 quality systems.

29 (9) Removal of the presence of toxins, chemicals and
30 health hazards, including mercury, radon, PCBs, mold, mildew,

1 rodents and pests.

2 (10) Repairs or renovations that ensure the building
3 envelopes of public school buildings protect occupants and
4 interiors from the elements and are structurally sound and
5 secure.

6 (11) Repairs or renovations that ensure the safety of
7 drinking water and water used for meal preparation in public
8 school buildings, which may include testing of the potability
9 of water for the presence of lead and other contaminants.

10 (12) Repairs or renovations that bring public school
11 facilities into compliance with applicable fire, health and
12 safety codes.

13 (13) Other improvements, actions, repairs or renovations
14 that will improve the physical health, welfare and safety of
15 students as approved by the department.

16 "Fund." The Public School Building Emergency Repair and
17 Renovation Grant Fund established under section 704-A.

18 Section 703-A. Public School Building Emergency Repair and
19 Renovation Grant Program.

20 (a) Establishment.--The Public School Building Emergency
21 Repair and Renovation Grant Program is established and shall be
22 administered by the department.

23 (b) Application.--A school district may submit a single
24 application in writing to the department which identifies each
25 project for which grant funding is requested under this section.
26 The department may establish the form and manner in which an
27 application is submitted.

28 (c) Requirements of application.--An application submitted
29 under subsection (b) shall include:

30 (1) A detailed plan of each emergency repair and

1 renovation project for which the school district is seeking
2 funding.

3 (2) The total amount of grant funding requested.

4 (3) A statement indicating that the emergency repair and
5 renovation project is necessary to protect the health and
6 safety of the students in the school district.

7 (4) Any other information required by the department.

8 (d) Review.--Within 30 days of receipt of an application,
9 the department shall review and approve or deny the application.
10 If the application is approved, the department shall award the
11 grant and execute a grant agreement with the school district. If
12 the application is denied, the department shall forward the
13 reasons for denial to the applicant and allow the applicant to
14 reapply.

15 Section 704-A. Public School Building Emergency Repair and
16 Renovation Grant Fund.

17 There is established in the State Treasury a special fund to
18 be known as the Public School Building Emergency Repair and
19 Renovation Grant Fund.

20 Section 705-A. Use of money.

21 (a) Grants.--Money in the fund may only be used for grants
22 to school districts for emergency repair and renovation projects
23 approved under section 703-A(d).

24 (b) Distribution.--Money in the fund shall be distributed as
25 follows:

26 (1) The sum of \$85,000,000 shall be allocated for grants
27 for emergency repair and renovation projects in a school
28 district of the first class.

29 (2) The sum of \$30,000,000 shall be used for grants for
30 emergency repair and renovation projects in school districts,

1 except school districts of the first class, that are in one
2 of the following categories:

3 (i) In financial recovery status under Subchapter C
4 of Article VI-A.

5 (ii) In financial watch status under Subchapter B of
6 Article VI-A.

7 (iii) With 20% or more of school-age children
8 identified as in acute poverty by the American Community
9 Survey data, as used in section 2502.53.

10 (3) The sum of \$10,000,000 shall be used for grants for
11 emergency repair and renovation projects in school districts
12 other than those identified in paragraphs (1) and (2).

13 (c) Prohibition.--The department may not award grants for
14 any of the following purposes:

15 (1) Construction of a new public school building.

16 (2) Payment of maintenance costs other than those
17 allowed in this article.

18 (3) Purchase, lease or upgrade of school district
19 vehicles.

20 (4) Improvement of a stand-alone facility which is not
21 used for the purpose of educating children, including
22 administrative or operations buildings or logistical support
23 facilities.

24 (d) Guidelines.--The department shall develop guidelines for
25 the following:

26 (1) Submitting applications for a grant.

27 (2) Reviewing applications and selecting projects for
28 the awarding of grants.

29 (3) Eligible uses of money by school districts that
30 receive grants.

1 (4) Minimum grant amounts.

2 Section 706-A. Amount of grant.

3 Maximum grant amounts for a school district shall be as
4 follows:

5 (1) \$2,000,000 for school districts under section 705-
6 A(b)(2).

7 (2) \$500,000 for school districts under section 705-A(b)
8 (3).

9 Section 707-A. Deposit and transfer of money.

10 For fiscal year 2020-2021, the sum of \$125,000,000 shall be
11 transferred from the General Fund for deposit into the fund for
12 purposes of awarding grants under this article.

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