

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2431 Session of 2020

INTRODUCED BY GLEIM AND CUTLER, APRIL 24, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 24, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws
32 imposing taxes for State purposes, or to pay license fees or
33 other moneys to the Commonwealth, or any agency thereof,
34 every State depository and every debtor or creditor of the
35 Commonwealth," in emergency finance and tax provisions,

1 providing for local taxation on real property and for
2 reopening of 2019-2020 school district budgets.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
6 as The Fiscal Code, is amended by adding sections to read:

7 Section 104-A. Local taxation on real property.

8 (a) Scope.--This section provides for a temporary
9 prohibition on a school district increasing the rate of tax on
10 real property.

11 (b) Increase prohibited.--Notwithstanding any other
12 provision of law, the following apply:

13 (1) A board of school directors for a school district
14 that operates on a calendar year basis may not levy a tax on
15 real property for the benefit of the school district for the
16 calendar year beginning January 1, 2021, at a rate above the
17 rate of taxation on real property for the benefit of the
18 school district imposed for the calendar year beginning
19 January 1, 2020.

20 (2) A board of school directors for a school district
21 that operates on a fiscal year basis may not levy a tax on
22 real property for the benefit of the school district for the
23 fiscal year beginning July 1, 2020, at a rate above the rate
24 that was assessed on real property for the benefit of the
25 school district the fiscal year beginning July 1, 2019.

26 (c) Definitions.--As used in this section, the following
27 words and phrases shall have the meanings given to them in this
28 subsection unless the context clearly indicates otherwise:

29 "Board of school directors." The term includes the
30 following:

31 (1) A board of school directors of a school district of

1 the first class A, second class, third class or fourth class.

2 (2) A city council of a city of the first class.

3 "School district." A school district of the first class,
4 first class A, second class, third class or fourth class.

5 Section 105-A. Reopening of 2019-2020 school district budgets.

6 (a) General rule.--Notwithstanding any other provision of
7 law, a board of school directors of a school district may reopen
8 its annual budget for the 2019-2020 school year to reflect
9 increases or decreases to budgeted expenditures for the 2019-
10 2020 school year as a result of the COVID-19 pandemic of 2020,
11 the waiver of the minimum instructional day requirement under
12 section 1501.8(b)(1) of the act of March 10, 1949 (P.L.30,
13 No.14), known as the Public School Code of 1949, or any action
14 taken by the Secretary of Education under section 1501.8(b)(2)
15 of the Public School Code of 1949.

16 (b) Report.--No later than July 31, 2020, a school district
17 shall report to the department, on a form prescribed by the
18 department, any contract renegotiated by the school district
19 from March 1, 2020, through June 30, 2020, including the type of
20 contract and information related to the renegotiated terms,
21 except when disclosure is prohibited under Federal or State law.
22 No later than August 31, 2020, the department shall report the
23 information required under this subsection to the Education
24 Committee of the Senate and the Education Committee of the House
25 of Representatives.

26 (c) Definitions.--As used in this section, the following
27 words and phrases shall have the meanings given to them in this
28 subsection unless the context clearly indicates otherwise:

29 "Board of school directors." As defined under section 104-
30 A(c).

1 "Department." The Department of Education of the
2 Commonwealth.

3 "School district." As defined under section 104-A(c).

4 Section 2. This act shall take effect immediately.