

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 419 Session of 2021

INTRODUCED BY HICKERNELL, R. BROWN, FEE, JOZWIAK, MENTZER,
MILLARD, B. MILLER, MOUL, PICKETT, RYAN, SAYLOR AND
ZIMMERMAN, FEBRUARY 4, 2021

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 4, 2021

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 reimbursements by Commonwealth and
6 between school districts, establishing the Emergency Basic
7 Education Subsidy Fund; and making an appropriation for the
8 purpose of emergency basic education funding.

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 a
13 section to read:

14 Section 2599.9. Emergency Basic Education Subsidy Fund.--(a)
15 The Emergency Basic Education Subsidy Fund is established as a
16 separate fund in the State Treasury. The money in the fund is
17 appropriated to carry out the provisions of this section.

18 (b) If a General Appropriation Act providing for a basic
19 education subsidy appropriation is not enacted by August 15 of
20 any fiscal year, money is hereby appropriated to the Department

1 of Education for the purpose of emergency basic education
2 funding. To the extent the money is available, the State
3 Treasurer shall transfer the money to the Emergency Basic
4 Education Subsidy Fund in the total amount required to make
5 payments under subsection (d)(2). The transfers shall be up to
6 the dollar amounts and at the times as necessary to meet the
7 requirements of section 2517(c).

8 (c) If the Governor fails to certify revenue estimates under
9 section 618 of the act of April 9, 1929 (P.L.177, No.175), known
10 as "The Administrative Code of 1929," prior to the date on which
11 a basic education subsidy payment is due, the State Treasurer
12 shall certify to the Secretary of the Budget each time a
13 transfer is needed under subsection (b) that there is adequate
14 General Fund money to make the transfer.

15 (d) (1) The Secretary of Education shall draw a warrant on
16 the State Treasurer in favor of each district for the amount to
17 which the district is entitled, to meet each basic education
18 subsidy payment to the school districts under paragraph (2).

19 (2) Payments made to each school district shall be in the
20 same amount as provided in the previous year.

21 (e) Transfers provided under this section shall only be in
22 effect during the time in which no General Appropriation Act
23 providing for a basic education subsidy appropriation has been
24 enacted for the current fiscal year.

25 (f) Notwithstanding any other provisions of this act, the
26 board of school directors of each school district may reopen the
27 school district's annual budget to reflect funding provided
28 under this section.

29 Section 2. This act shall apply to fiscal years beginning
30 after June 30, 2021.

1 Section 3. This act shall take effect immediately.