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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 571 Session of  
2021

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INTRODUCED BY DeLUCA, PISCIOTTANO AND McNEILL, FEBRUARY 22, 2021

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 22, 2021

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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 grounds and buildings, further  
6 providing for approval by department of plans, etc., of  
7 buildings and exceptions.

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

10 Section 1. Section 731 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 731. Approval by Department of Plans, etc., of  
14 Buildings; Exceptions.--The Department of Education, with  
15 respect to construction or reconstruction of public school  
16 buildings, shall have the power and its duties shall be:

17 (1) To review all projects, plans and specifications for  
18 school building construction or reconstruction, and to make  
19 recommendations thereon to the General Assembly and the  
20 Governor: Provided, however, That approval of the Department of  
21 Education shall not be required for projects, plans and

1 specifications for school construction projects for which  
2 reimbursement from the Commonwealth is not requested[;].

3 (2) To assist school districts in preplanning construction  
4 and reconstruction projects, and offer such architectural,  
5 engineering and financial advice as will enable the project to  
6 comply with the standards prescribed by the State Board of  
7 Education[;].

8 (3) To hold hearings on any or all projects and subpoena  
9 witnesses, administer oaths, take testimony and compel the  
10 production of documents relevant to any investigation[;].

11 (4) To act as liaison between the public, local school  
12 officials, the General Assembly, and the Governor on school  
13 building construction and reconstruction projects[;].

14 (5) To receive and investigate complaints from the public or  
15 other source concerning any school building construction or  
16 reconstruction project[;].

17 (6) To conduct investigations on any phase of school  
18 building construction or reconstruction projects.

19 (7) To stop a school building construction or reconstruction  
20 project and require a referendum if a school district fails to  
21 comply with the requirements under section 701.1.

22 The Department of Education shall employ engineers,  
23 architects, financial advisors, and such other staff personnel  
24 as may be necessary for the proper performance of the duties of  
25 the Department with respect to construction or reconstruction of  
26 public school buildings.

27 No public school building shall be contracted for,  
28 constructed, or reconstructed, in any school district of the  
29 second, third, or fourth class until the plans and  
30 specifications therefor have been approved by the Department of

1 Education.

2 When ordinary repairs are proposed, such as plastering,  
3 painting, replacement of floors, improvement of school grounds,  
4 repairing or providing walks, roadways or retaining walls, the  
5 cost of which in districts of the second class or in districts  
6 of the third and fourth class will not exceed fifteen thousand  
7 dollars (\$15,000) per building, no approval shall be required.  
8 Where any structural change is involved, such as moving or  
9 adding doors, windows, partitions, making additions or any  
10 excavations, or any work which may affect the safety or health  
11 of the pupils, or any work which comes under the jurisdiction of  
12 another department of the Commonwealth, approval of the  
13 Department of Education shall be required regardless of the cost  
14 of such structural change.

15 No school building shall be purchased by any school district  
16 until such purchase shall have been approved by the Department  
17 of Education. Such approval shall not be given unless the school  
18 building to be purchased and any approved structural changes or  
19 renovations meet the standards required to operate public school  
20 buildings of a similar age currently in use in the Commonwealth.

21 A school district which submits an unsworn falsification to  
22 the Department of Education to receive approval under this  
23 section shall be subject to 18 Pa.C.S. § 4904 (relating to  
24 unsworn falsification to authorities).

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