

No. 89

AN ACT

SB 1085

Amending the act of March 10, 1949 (P.L.30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," authorizing the purchase, remodeling or lease of buildings and further providing for reimbursements.

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

Section 1. Section 631, act of March 10, 1949 (P.L.30), known as the "Public School Code of 1949," reenacted and amended March 16, 1967 (P.L.9), is amended to read:

Section 631. Power to Incur Debt; Limitations.—The board of school directors in any school district may, in any year, create and incur an indebtedness against such school district and issue bonds to secure the same, payable as provided by the act, approved the twenty-fifth day of June, one thousand nine hundred forty-one (Pamphlet Laws 159), known as the "Municipal Borrowing Law," or any amendment or re-enactment thereof, for any or all of the following purposes:

(1) To purchase or acquire proper sites, *buildings* or grounds for school **[buildings,] use**, or any lands additional to any existing school sites or grounds;

(2) To erect, enlarge, equip or furnish any **[school] building for school use**;

(3) To repair, remodel or rebuild any building of the school district;

(4) To purchase school buses;

(5) To pay any indebtedness incurred by any municipality for or on account of the school district or for school purposes, and required by this act to be assumed by the school district;

(6) To pay any refund of taxes decreed by an order of court;

(7) To refund certain bonds, as hereinafter provided;

(8) To fund floating indebtedness incurred for current expenses and debt service;

(9) To fund temporary indebtedness incurred for permanent improvements, or in anticipation of proceeds from a bond issue;

(10) To purchase or acquire buildings for school use.

The indebtedness of any school district shall never exceed fifteen (15) per centum of the last assessed valuation of property taxable for school purposes therein.

Section 2. Section 703 of the act is amended to read:

Section 703. Acquisition of *Buildings*, Sites for School Buildings and Playgrounds, and Disposing Thereof.—In order to comply with the

provisions of this act, and subject to the conditions thereof, the board of school directors of each district is hereby vested with the necessary power and authority to acquire, in the name of the district, by purchase, lease, gift, devise, agreement, condemnation, or otherwise any and all [**such schools and** real estate, either vacant or occupied, including lands theretofore occupied by streets and alleys which have been vacated by municipal authorities, **and to acquire by purchase, lease, gift or devise, other buildings approved for school use by the Department of Education** as the board of school directors may deem necessary to furnish **school buildings or other** suitable sites for proper school purposes for said district or to enlarge the grounds of any school property held by such district, and to sell, convey, transfer, dispose of, or abandon the same, or any part thereof, as the board of school directors may determine.

Section 3. Section 731 of the act, amended September 27, 1955 (P.L.651), is amended to read:

Section 731. Approval by Department of Plans, etc., of Buildings; Exceptions.—No public school building shall be contracted for, constructed, or reconstructed, in any school district of the second, third, or fourth class, until the plans and specifications therefor have been approved by the Department of [**Public Instruction**] **Education**. When ordinary repairs are proposed, such as plastering, painting, replacement of floors, improvement of school grounds, repairing or providing walks, roadways or retaining walls, the cost of which in districts of the second class will not exceed two thousand dollars (\$2000), or in districts of the third and fourth class will not exceed one thousand five hundred dollars (\$1500), no approval shall be required. Where any structural change is involved, such as moving or adding doors, windows, partitions, making additions or any excavations, or any work which may affect the safety or health of the pupils, or any work which comes under the jurisdiction of another department of the Commonwealth, approval of the Department of [**Public Instruction**] **Education** shall be required regardless of the cost of such structural change.

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

Section 4. Section 2574 of the act is amended by adding a subsection to read:

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.—* * *

(f) For the purchase of any building, reimbursement shall be

computed in the same manner as for constructed school buildings and approved building cost shall be the lesser of

(1) The cost of purchasing the site and structure and the cost of approved renovations including appropriate fixtures and equipment, or

(2) For the purchase of any building (I) the product of the rated pupil capacity as determined by the Department of Education at the time the purchase is approved and (i) one thousand ~~one hundred dollars~~ (\$1,100) in the case of elementary schools, (ii) one thousand seven hundred dollars (\$1,700) in the case of secondary schools, and (iii) an amount in the case of combined elementary-secondary schools obtained by multiplying the rated elementary pupil capacity by one thousand one hundred dollars (\$1,100) and the rated secondary pupil capacity by one thousand seven hundred dollars (\$1,700) and dividing the sum by the total rated pupil capacity; and (II) in the case of renovation of any building including appropriate fixtures and equipment, reimbursement shall be (i) one thousand two hundred dollars (\$1,200) for elementary schools, (ii) one thousand three hundred dollars ~~(\$1,300)~~ for secondary schools, and (iii) for combined elementary-secondary schools an amount obtained by multiplying the rated elementary capacity by one thousand two hundred dollars (\$1,200) and the rated secondary pupil capacity by one thousand three hundred dollars (\$1,300).

Section 5. This act shall take effect immediately.

APPROVED—The 1st day of June, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 89.



Secretary of the Commonwealth.