

## No. 2001-116

## AN ACT

## HB 209

Providing for a program to assist public and private institutions of higher education to install sprinkler systems in dormitories.

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

**Section 1. Short title.**

This act shall be known and may be cited as the Dormitory Sprinkler System Act.

**Section 2. Definitions.**

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

“Authority.” The Pennsylvania Higher Educational Facilities Authority.

“Bonds.” Notes (other than revenue anticipation notes), bonds and other evidences of indebtedness or obligations which the Pennsylvania Higher Educational Facilities Authority is authorized to issue pursuant to the act of December 6, 1967 (P.L.678, No.318), known as The Pennsylvania Higher Educational Facilities Authority Act of 1967, and which were issued on or after June 1, 2001.

“College.” A nonprofit educational institution situated within this Commonwealth which is empowered to provide a program of education beyond the high school level, which by virtue of governing law and regulation is recognized by the State Board of Education as an institution of higher education and which places no restrictions upon the admission of students based upon race, creed or national origin.

“Department.” The Department of Education of the Commonwealth.

“Dormitory and housing units.” A building owned by a college which is used as a residence by students of the college.

**Section 3. Sprinkler system program.**

(a) Powers.—In addition to its other powers, the authority is authorized to finance projects to retrofit existing college dormitories and housing units with sprinklers by making loans to colleges.

(b) Reimbursement.—For any authority bond issued under subsection (a), the authority shall reimburse the college each fiscal year for the cost of interest paid by the college during the fiscal year on the bond in excess of an interest rate of 3%, using funds from appropriations to the department for such purpose or from any other funds available to the department for such use. The department shall deposit any funds appropriated for this purpose into a restricted account to be used to pay to the authority the interest reimbursements when due.

(c) Bonds.—The bonds of the authority issued to pay the cost of a project under this act shall be authorized by resolution of the board thereof or by the terms of a trust indenture authorized by such board and shall be of such series, shall bear such date or dates, shall mature at such time or times not exceeding 20 years from their respective dates, shall bear interest at such rate or rates, shall be in such denominations, shall be in such form, either coupon or fully registered without coupons, shall carry such registration, exchangeability and interchangeability privileges, shall be payable in such medium of payment and at such place or places, shall be subject to such terms of redemption not exceeding 105% of the principal amount thereof and shall be entitled to such priorities in the revenues, rentals or receipts of the authority as such trust, indenture, resolution or resolutions may provide. The bonds shall be signed by such officers, either manually or by facsimile, as the authority shall determine, and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the authority, all as may be prescribed in such resolution or resolutions. Bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds actually shall be delivered. Such bonds may be sold at public or private sale for such price or prices as the authority shall determine, with the approval of the college for whose use the project is being constructed.

Section 4. Impact on existing law.

Nothing in this act shall affect the scope, effect or applicability of the following:

- (1) Section 1 of the act of May 1, 1913 (P.L.155, No.104), entitled “An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings.”
- (2) The act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act.
- (3) The act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors’ Bond Law of 1967.
- (4) The act of March 3, 1978 (P.L.6, No.3), known as the Steel Products Procurement Act.

Section 5. Effective date.

This act shall take effect July 1, 2001, or immediately, whichever is later.

APPROVED—The 20th day of December, A.D. 2001.

MARK S. SCHWEIKER