
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1302 Session of
2013

INTRODUCED BY CUTLER, GALLOWAY, AUMENT, EMRICK, KRIEGER, HESS,
PICKETT, KORTZ, KAUFFMAN, GRELL, HICKERNELL, MOUL, ROCK,
M. K. KELLER, MILLER, TALLMAN, LAWRENCE, GINGRICH, READSHAW,
SWANGER, GROVE, MENTZER, MILNE, SAYLOR, DENLINGER, GILLEN,
MACKENZIE, WATSON, CLYMER, LUCAS, SCHLEGEL CULVER AND GABLER,
MAY 1, 2013

REFERRED TO COMMITTEE ON EDUCATION, MAY 1, 2013

AN ACT

1 Requiring fiscal notes and a continuing study of all
2 legislation, regulations and court decisions having a fiscal
3 impact on public schools; and providing that mandatory
4 educational programs need not be implemented until funding
5 for the cost of the program is provided for by the General
6 Assembly.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Public School
11 Fiscal Impact Act.

12 Section 2. Legislative intent.

13 It is the intent of the General Assembly to provide an
14 ongoing mechanism to monitor fiscal impacts on public schools,
15 to review proposed changes and reforms in the public schools and
16 to review relevant statutes.

17 Section 3. Definitions.

18 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Committee." For a bill introduced in the Senate, the
4 Education Committee of the Senate. For a bill introduced in the
5 House of Representatives, the Education Committee of the House
6 of Representatives.

7 "Department." The Department of Education of the
8 Commonwealth.

9 Section 4. Powers and duties.

10 The committee shall have the following powers and duties:

11 (1) To analyze any bill relating to public schools or
12 public school fiscal policy and to issue a fiscal note
13 thereto in a timely fashion. The fiscal note shall be
14 submitted to the Governor and the General Assembly and shall
15 include an assessment of the fiscal impact, feasibility and
16 cost of the legislation.

17 (2) To monitor and evaluate from time to time all the
18 laws and systems thereunder which relate to public school
19 fiscal policy in this Commonwealth.

20 (3) To study the relationship of public school fiscal
21 policy to other aspects of public school policy and to the
22 effective operation of government generally.

23 (4) To recommend to the General Assembly a change in the
24 process by which public school legislation having a fiscal
25 impact on the Commonwealth or public schools is analyzed and
26 acted upon by the General Assembly.

27 (5) To issue fiscal impact notes under section 5.

28 (6) To issue fiscal impact studies under section 6.

29 Section 5. Fiscal impact notes.

30 (a) Note required for bills.--No bill proposing any change

1 relative to the imposition or expansion of a mandate on public
2 schools shall be given second consideration in either house of
3 the General Assembly until the committee has attached a fiscal
4 impact note which shall include a reliable estimate of the cost
5 and fiscal effect of the proposed change in the public schools.

6 (b) Note required for amendments.--No amendment to any bill
7 concerning the imposition or expansion of a mandate on public
8 schools shall be considered by either house of the General
9 Assembly until a fiscal impact note has been attached.

10 (c) Contents of note.--The fiscal impact note shall be
11 factual and shall, if possible, provide a reliable estimate of
12 both the immediate cost and effect of the bill and, if
13 determinable or reasonably foreseeable, the long-range cost and
14 effect of the measure.

15 (d) Note for proposed constitutional amendment.--The
16 committee shall issue a fiscal impact note for any joint
17 resolution proposing an amendment to the Constitution of
18 Pennsylvania concerning the imposition or expansion of a mandate
19 on public schools, which initially passes either house of the
20 General Assembly. If the joint resolution is subsequently
21 amended and passes either house of the General Assembly, a new
22 fiscal impact note shall be prepared.

23 Section 6. Fiscal impact study.

24 The committee shall conduct a fiscal impact study on any
25 department regulation, enacted law or judicial decision of an
26 action in which the department is a party to determine how costs
27 imposed by the regulation, act or decision will be allocated
28 between the State and local school districts.

29 Section 7. Public information.

30 All reports and analyses compiled by the committee shall be

1 public records and shall be available for public inspection at
2 the offices of the committee during the usual business hours of
3 the Commonwealth.

4 Section 8. State-mandated programs.

5 Notwithstanding any other provision of the act of March 10,
6 1949 (P.L.30, No.14), known as the Public School Code of 1949,
7 the board of school directors in any school district is not
8 required to implement any mandatory educational program enacted
9 through statute, regulation or standard until the General
10 Assembly enacts a method to pay for, and an appropriation
11 sufficient to fund, the additional costs of the program.

12 Section 40. Effective date.

13 This act shall take effect in 60 days.