

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2431 Session of 2020

INTRODUCED BY GLEIM, CUTLER, LEWIS, ROWE, FEE AND JONES, APRIL 24, 2020

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 29, 2020

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws
32 imposing taxes for State purposes, or to pay license fees or
33 other moneys to the Commonwealth, or any agency thereof,

1 every State depository and every debtor or creditor of the
2 Commonwealth," in emergency finance and tax provisions,
3 providing for local taxation on real property and, for
4 reopening of 2019-2020 school district budgets AND FOR
5 CHARTER SCHOOL TUITION RATE FOR THE 2020-2021 SCHOOL YEAR.

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

8 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
9 as The Fiscal Code, is amended by adding sections to read:

10 Section 104-A. Local taxation on real property.

11 (a) Scope.--This section provides for a temporary
12 prohibition on a school district increasing the rate of tax on
13 real property.

14 (b) Increase prohibited.--Notwithstanding any other
15 provision of law, the following apply:

16 (1) A board of school directors for a school district
17 that operates on a calendar year basis may not levy a tax on
18 real property for the benefit of the school district for the
19 calendar year beginning January 1, 2021, at a rate above the
20 rate of taxation on real property for the benefit of the
21 school district imposed for the calendar year beginning
22 January 1, 2020.

23 (2) A board of school directors for a school district
24 that operates on a fiscal year basis may not levy a tax on
25 real property for the benefit of the school district for the
26 fiscal year beginning July 1, 2020, at a rate above the rate
27 that was assessed on real property for the benefit of the
28 school district the fiscal year beginning July 1, 2019.

29 (c) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this
31 subsection unless the context clearly indicates otherwise:

32 "Board of school directors." The term includes the

1 following:

2 (1) A board of school directors of a school district of
3 the first class A, second class, third class or fourth class.

4 (2) A city council of a city of the first class.

5 "School district." A school district of the first class,
6 first class A, second class, third class or fourth class.

7 Section 105-A. Reopening of 2019-2020 school district budgets.

8 (a) General rule.--Notwithstanding any other provision of
9 law, a board of school directors of a school district may reopen
10 its annual budget for the 2019-2020 school year to reflect
11 increases or decreases to budgeted expenditures for the 2019-
12 2020 school year as a result of the COVID-19 pandemic of 2020,
13 the waiver of the minimum instructional day requirement under
14 section 1501.8(b)(1) of the act of March 10, 1949 (P.L.30,
15 No.14), known as the Public School Code of 1949, or any action
16 taken by the Secretary of Education under section 1501.8(b)(2)
17 of the Public School Code of 1949.

18 (b) Report.--No later than July 31, 2020, a school district
19 shall report to the department, on a form prescribed by the
20 department, any contract renegotiated by the school district
21 from March 1, 2020, through June 30, 2020, including the type of
22 contract and information related to the renegotiated terms,
23 except when disclosure is prohibited under Federal or State law.
24 No later than August 31, 2020, the department shall report the
25 information required under this subsection to the Education
26 Committee of the Senate and the Education Committee of the House
27 of Representatives.

28 (c) Definitions.--As used in this section, the following
29 words and phrases shall have the meanings given to them in this
30 subsection unless the context clearly indicates otherwise:

1 "Board of school directors." As defined under section 104-
2 A(c).

3 "Department." The Department of Education of the
4 Commonwealth.

5 "School district." As defined under section 104-A(c).

6 SECTION 106-A. CHARTER SCHOOL TUITION RATE FOR 2020-2021 SCHOOL <--
7 YEAR.

8 NOTWITHSTANDING SECTION 1725-A OF THE ACT OF MARCH 10, 1949
9 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, THE
10 TUITION RATES FOR NON-SPECIAL EDUCATION STUDENTS AND SPECIAL
11 EDUCATION STUDENTS ATTENDING CHARTER SCHOOLS, REGIONAL CHARTER
12 SCHOOLS AND CYBER CHARTER SCHOOLS SHALL BE THE TUITION RATES FOR
13 NON-SPECIAL EDUCATION STUDENTS AND SPECIAL EDUCATION STUDENTS
14 FOR THE 2019-2020 SCHOOL YEAR.

15 Section 2. This act shall take effect immediately.