
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1915 Session of
2021

INTRODUCED BY WEBSTER, HOHENSTEIN, FREEMAN, DELLOSO, SANCHEZ,
LONGIETTI, HILL-EVANS, MADDEN, SCHLOSSBERG, CIRESI AND
NEILSON, SEPTEMBER 27, 2021

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 27, 2021

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," providing for capital investment
6 needs.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XXVI-L

13 CAPITAL INVESTMENT NEEDS

14 Section 2601-L. Definitions.

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

18 "COVID-19." The novel coronavirus as identified in the
19 proclamation of disaster emergency issued by the Governor on

1 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and
2 any renewal of the state of disaster emergency.

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

5 "School entity." A public school, including a charter school
6 or cyber charter school, private school, nonpublic school,
7 intermediate unit or area career and technical school operating
8 within this Commonwealth.

9 Section 2602-L. Reporting requirements.

10 (a) Authorization.--The department shall conduct a one-time
11 survey of each school entity to determine the amount of current
12 capital investment needs of the school entity. The survey shall:

13 (1) Include all needs related to physical, digital,
14 sanitary and curricular infrastructure of the school entity.

15 (2) Include an inventory of all delayed or deferred
16 capital projects of the school entity.

17 (3) Be based on the best available information provided
18 by the school entity.

19 (b) Report.--A report by a school entity in response to a
20 survey described in subsection (a) shall be provided to the
21 department and shall include:

22 (1) A full inventory of all infrastructure costs
23 currently delayed, deferred or predicted through the 2025-
24 2026 school year.

25 (2) The age and model of any current physical
26 infrastructure replaced since January 2020 or needing to be
27 replaced, in addition to other physical infrastructure
28 details, including the full price of purchase or lease of the
29 infrastructure and the cost of installation of the
30 infrastructure.

1 (3) The full cost or best estimation of the full cost of
2 other educational infrastructure required for the purposes of
3 continuing education since January 2020, including laptops,
4 webcams, additional servers, curriculum adaptation or fees
5 for services for curriculum adaptation as a result of the
6 COVID-19 pandemic.

7 (4) The full cost or best estimation of the full cost of
8 sanitation equipment, sanitation measures and sanitation
9 services purchased by the school entity, including personal
10 protective equipment, classroom and office sanitizers or
11 other sanitation needs.

12 (5) Major required equipment costing more than \$1,000
13 since January 2020, which has already been purchased or
14 leased, including the costs paid to purchase or lease the
15 equipment.

16 (6) Equipment or infrastructure that has not yet been
17 purchased but that the school entity believes will be needed
18 to provide a safe, effective and sanitary school environment
19 through the end of the 2025-2026 school year.

20 Section 2603-L. Report to General Assembly.

21 The department shall consolidate the survey results under
22 this article and issue to the General Assembly a detailed report
23 of all current and predicted capital investment and
24 infrastructure needs of school entities throughout this
25 Commonwealth, including all capital costs resulting from the
26 COVID-19 pandemic. The report shall:

27 (1) Specify the full actual cost or best estimation of
28 the full costs of the capital investment needs required for
29 all the school entities in this Commonwealth.

30 (2) Delineate between actual incurred costs that school

1 entities have already paid, in addition to predicted capital
2 costs for school entities, through the 2025-2026 school year.
3 Section 2604-L. Temporary regulations.

4 (a) Promulgation.--Notwithstanding any other provision of
5 law, to facilitate the prompt implementation of this article,
6 the department shall promulgate temporary regulations that shall
7 expire not later than two years after the publication of the
8 temporary regulations in the Pennsylvania Bulletin. The
9 promulgated temporary regulations shall not be subject to any of
10 the following:

11 (1) Section 612 of the act of April 9, 1929 (P.L.177,
12 No.175), known as The Administrative Code of 1929.

13 (2) Sections 201, 202, 203, 204 and 205 of the act of
14 July 31, 1968 (P.L.769, No.240), referred to as the
15 Commonwealth Documents Law.

16 (3) Sections 204(b) and 301(10) of the act of October
17 15, 1980 (P.L.950, No.164), known as the Commonwealth
18 Attorneys Act.

19 (4) The act of June 25, 1982 (P.L.633, No.181), known as
20 the Regulatory Review Act.

21 (b) Expiration.--The authority of the department to
22 promulgate temporary regulations under subsection (a) shall
23 expire six months after the effective date of this section.
24 Regulations adopted after this period shall be promulgated as
25 provided by law.

26 (c) Publication.--The department shall transmit notice of
27 the temporary regulations under this section to the Legislative
28 Reference Bureau for publication in the Pennsylvania Bulletin no
29 later than 90 days after the effective date of this section.

30 Section 2. This act shall take effect immediately.