
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1252 Session of
2024

INTRODUCED BY ARGALL, COLEMAN, BREWSTER AND DUSH, JUNE 7, 2024

REFERRED TO EDUCATION, JUNE 7, 2024

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," in construction and renovation of
6 buildings by school entities, further providing for
7 definitions and for building condition assessments.

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

10 Section 1. Section 2601-J of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended by adding definitions to read:

13 Section 2601-J. Definitions.

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

17 * * *

18 "Equipment." The term includes property, whether fixed or
19 movable, that is incidental and necessary to conduct an
20 educational program. The term includes, but is not limited to,
21 movable equipment such as desks, chairs, tables, information

1 technology infrastructure, portable physical education
2 equipment, audio-visual equipment and science, family and
3 consumer science, industrial art and business equipment and
4 instructional materials and fixtures such as casework,
5 laboratory equipment, kitchen equipment, auditorium seating and
6 any other special fixtures or equipment required to conduct a
7 particular educational program.

8 * * *

9 "Maintenance costs." The term includes the cost for routine,
10 preventative, predictive and emergent unscheduled tasks and
11 minor repairs required to ensure that a facility functions
12 according to its design and for its expected lifespan.

13 "Nonconstruction costs." The term includes design fees,
14 financing, permitting, construction management fees, legal fees,
15 advertising fees, insurance and equipment.

16 "Operations costs." The term includes the cost for
17 custodial, security and utility services required to keep a
18 facility clean and safe so that occupants are comfortable,
19 healthy and productive, and for the operational services
20 required for a vacant facility or site.

21 * * *

22 "Total project costs." The term includes all of the costs to
23 implement a facility improvement measure, including, but not
24 limited to, construction, site costs and nonconstruction costs.

25 * * *

26 Section 2. Section 2605-J of the act is amended to read:
27 Section 2605-J. [Building] Facilities condition assessments.

28 [(a) Duties of department.--

29 (1) The department shall develop guidelines for school
30 entities to voluntarily report information related to school

1 building safety, inventory and condition. The guidelines
2 shall include a building condition assessment to be
3 voluntarily completed every 10 years for school entities that
4 includes, but is not limited to, a projection of costs to
5 maintain and renovate existing school buildings.

6 (2) The department shall post completed building
7 condition assessments on the department's publicly accessible
8 Internet website.

9 (3) The department shall provide additional points under
10 the funding rubric contained in section 2604-J(d) for grants
11 applied for by school entities that complete building
12 condition assessments.

13 (b) Completion incentive.--A school entity that completes a
14 building condition assessment shall receive a 2% increase above
15 the amount calculated under section 2606-J. The department shall
16 develop a process, in coordination with the application process
17 in section 2602-J, for awarding an enhanced reimbursement for
18 completing a building condition assessment.]

19 (c) Duty of department.--By October 1, 2024, the department
20 shall develop a facilities condition assessment form for a
21 school entity to use in filing assessments under subsection (d).
22 The form shall require the following information to be reported:

23 (1) School entity enrollment.

24 (2) A list of the names, addresses, building age,
25 including dates and descriptions of major renovations, owned
26 or leased status, including who is responsible for
27 maintenance, of all school entity buildings.

28 (3) A condition assessment of all school entity
29 buildings, including:

30 (i) Structural components, including walls, floors,

1 roofs, windows and doors.

2 (ii) System components, including mechanical,
3 electrical, plumbing, ventilation, heating and air
4 conditioning.

5 (iii) Interior components, including finishes and
6 fixtures.

7 (iv) Exterior components, including finishes and
8 fixtures.

9 (4) Estimated annual operations costs and maintenance
10 costs for the next seven years.

11 (5) Expected facility improvements, including estimated
12 total project costs for the next five years.

13 (6) Asbestos, lead, air quality and water quality
14 mitigation plans, including costs for remediation.

15 (7) Estimated costs for nonstructural safety concerns
16 such as the need for secure vestibules, escape routes,
17 recessed doors and other design features that would reduce
18 the possibility of or the severity of a violent incident.

19 (8) Evidence of compliance with 35 Pa.C.S. § 7701
20 (relating to duties concerning disaster prevention). A copy
21 of an "All-Hazards" plan may be used to satisfy the
22 requirements of this paragraph.

23 (d) Duty of school entities.--By October 1, 2025, and every
24 seven years thereafter, a school entity shall submit a
25 facilities condition assessment to the department. The
26 assessment may be conducted by an individual with professional
27 qualifications and experience in architecture, engineering,
28 construction or facilities management.

29 (e) Effect of failure to comply.--A school entity that fails
30 under subsection (d) to submit a complete facilities condition

1 assessment to the department shall disqualify the school entity
2 from being eligible for a grant under section 1753.2-E of the
3 act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
4 Code, or reimbursement under section 2602-J or a grant under
5 section 2604-J or 2603-L.

6 (f) Public posting of assessments.--The department shall
7 post a list of school entities that have submitted a completed
8 facility condition assessment on the department's publicly
9 accessible Internet website.

10 (g) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection unless the context clearly indicates otherwise:

13 "School entity." A school district, intermediate unit, area
14 career and technical school, charter school or regional charter
15 school.

16 Section 3. This act shall take effect immediately.