
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **708** Session of
1961

INTRODUCED BY MESSRS. HAYS, SESLER, KALMAN,
ROONEY AND SEYLER, MAY 31, 1961.

REFERRED TO COMMITTEE ON EDUCATION, MAY 31, 1961.

AN ACT

Amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for apportionment of rental obligations in certain cases

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

- 1 Section 1 Sections 271 272 and 273 Act of March 10 1949 (P L
- 2 30) known as the "Public School Code of 1949" are amended to read

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 271 Amicable Adjustment and Apportionment In any case
2 where (1) any school district is abolished and its land reverts to or
3 becomes a part of two or more school districts or (2) any land here-
4 tofore annexed to one school district is made a part of the district in
5 which it is located or (3) a new district is made by the creation of a
6 new city borough township or independent school district out of one or
7 more school districts or (4) the boundary lines of any district are
8 changed by the changing of the boundary lines of any city incorporated
9 town borough township or school district or (5) any part of any school
10 district is merged with any other district or districts or parts thereof
11 then in any such case the school districts to which land has been annexed
12 or from which land has been taken or which have been newly created
13 shall make a just and proper adjustment and apportionment of all school
14 property real and personal including funds as well as indebtedness and
15 rental obligations to an approved school building authority if any to
16 and among such school districts Such adjustment and apportionment
17 shall be made as of the date of the decree or order creating such new
18 city borough township or school district or of the decree of the court
19 or vote of the electors effecting such annexation or merger or the first

1 Monday of July following approval by the State Council of Education

2 of the annexation for school purposes

3 Section 272 Apportionments How and When Made In making

4 such adjustment and apportionment of property [and] indebtedness and

5 rental obligations to an approved school building authority the amount

6 and assessed value of land acquired by or taken from such districts as

7 compared with the amount and assessed value of the other land in the

8 districts as well as the value of the school grounds together with the

9 buildings thereon and the furniture and equipment therein and other

10 school property in such districts shall be taken into consideration in

11 determining the amount if any that shall be paid by one district to

12 another or in apportioning the indebtedness and rental obligations to an

13 approved school building authority if any that shall be assumed and

14 paid by any of the districts Such adjustment and apportionment of prop-

15 erty and liability shall be made by the boards of school directors of the

16 several districts concerned before or during the first school year after

17 such boundaries have been changed

18 Section 273 Apportionment by Commissioners In case the boards

19 of school directors of the several school districts cannot make amicable

20 apportionment and adjustment of their property [and] indebtedness

1 and rental obligations to an approved school building authority before
2 or during the first school year beginning after any such change in their
3 boundary lines is made any one of such school districts may at any time
4 within the succeeding school year present its petition to the court of
5 common pleas of the county in which such school district is located The
6 court shall appoint three disinterested commissioners residents and tax-
7 payers of the county not residing in either of the districts whose boun-
8 dary lines are changed Such commissioners after a hearing shall make a
9 report to the court making an apportionment and adjustment according
10 to the provisions of this act of all school property as well as indebted-
11 ness and rental obligations to an approved school building authority
12 if any to and among the several school districts from which or to which
13 land has been taken or added or which have been newly created as the
14 case may be Said report shall state the amount if any that shall be due
15 and payable from one district to another as well as the amount of in-
16 debtedness and rental obligations to an approved school building au-
17 thority if any that shall be assumed by any district Due notice of such
18 hearing shall be given to the several districts interested as the court
19 may direct

20 Section 2 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1901.

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Governor