

No. 2004-82

AN ACT

SB 157

Amending the act of March 10, 1949 (P.L.30, No.14), 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," further providing for firefighter and emergency service training as creditable high school courses; reenacting provisions relating to education empowerment districts and for temporary aid for school districts affected by reductions in assessed value of real estate; reenacting provisions for powers and duties of the State Board of Education; and providing for regulation of credit card marketing on a college or university campus.

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

Section 1. Section 1550 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, added December 23, 2003 (P.L.304, No.48), is amended to read:

Section 1550. Firefighter and Emergency Service Training.—(a) Beginning with the 2003-2004 school year and each school year thereafter, a school district may offer firefighter and emergency service training as credit-earning courses to students of the age of sixteen (16) years or older. Such courses may include:

(1) Training as a Firefighter I from the National Board on Fire Service Professional Qualifications.

(2) Training as an emergency medical technician [**by the Department of Health under**] *pursuant to* the act of July 3, 1985 (P.L.164, No.45), known as the "Emergency Medical Services Act."

(b) A school district that offers firefighter and emergency service training as credit-earning courses shall provide transportation to and supervision during any firefighter and emergency service training program that takes place off school grounds. Supervision of training shall be conducted as a cooperative education program in accordance with the provisions of 22 Pa. Code § 11.28 (relating to out-of-school programs).

Section 2. Section 1705-B(h)(4) of the act, amended December 23, 2003 (P.L.304, No.48), is reenacted to read:

Section 1705-B. Education Empowerment Districts.—* * *

(h) * * *

(4) The department may utilize up to \$2,000,000 of undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the department to assist school districts certified as an education empowerment district under paragraph (3). There is hereby established a restricted account from which payments under this paragraph shall be paid. Funds shall be transferred by the Secretary of the Budget to the restricted account to the extent necessary to make payments under this

paragraph. Funds in the restricted account are hereby appropriated to carry out the purposes of this paragraph. The subsidy payment from this account shall be utilized to supplement the operational budget of the eligible school districts. This paragraph shall apply to fiscal years 2000-2001, 2001-2002, 2002-2003 and 2003-2004 and shall expire June 30, 2004.

Section 3. The act is amended by adding an article to read:

**ARTICLE XXIII-A.
CREDIT CARD MARKETING.**

Section 2301-A. Definitions.—For the purposes of this article the following terms shall have the following meanings:

(1) *“Board” shall mean the State Board of Education.*

(2) *“Campus” shall include the premises and grounds of an institution of higher education.*

(3) *“Credit card debt education literature” shall mean the information developed by a college or university, by a registered nonprofit organization, credit card marketer or by other sources, as identified and approved by the institution of higher education that details the appropriate use, benefit and risk of incurring debt through the use of credit cards.*

(4) *“Credit card marketer” shall include a person, corporation, financial institution or business entity that promotes, offers or accepts applications for a credit card.*

(5) *“Institution of higher education” means any of the following:*

(i) *A community college operating under Article XIX-A.*

(ii) *A university within the State System of Higher Education.*

(iii) *The Pennsylvania State University.*

(iv) *The University of Pittsburgh.*

(v) *Temple University.*

(vi) *Lincoln University.*

(vii) *Any other institution that is hereafter designated as “State-related” by the Commonwealth.*

(viii) *Any accredited private or independent college or university.*

(6) *“Student” shall mean a person who is at least 18 years of age and who attends an institution of higher education, whether enrolled on a full-time or part-time basis.*

Section 2302-A. Regulation of On-Campus Credit Card Marketing.—The board shall require an institution of higher education to establish a policy that regulates the marketing of credit cards on campus. The policy may prohibit any marketing of credit cards on the campus. In establishing the policy, the institution of higher education shall consider all of the following:

(1) *Requiring registration of on-campus credit card marketers.*

(2) *Limiting credit card marketers to specific areas of the campus designated by the institution of higher education.*

(3) Prohibiting credit card marketers from offering gifts to a student in exchange for completing a credit card application unless the student has been provided credit card debt education literature, which includes, but is not limited to, brochures of written or electronic information.

(4) Providing, at least quarterly, credit card debt education literature with campus bookstore purchases.

(5) Incorporating into orientation programming a credit card debt education presentation.

Section 2303-A. Construction.—Nothing in this article shall be construed to impose civil or criminal liability on an institution of higher education for any claim involving student credit card debt.

Section 4. Sections 2502.30 and 2603-B(d)(10)(iii) of the act, amended December 23, 2003 (P.L.304, No.48), are reenacted to read:

Section 2502.30. Temporary Special Aid to School Districts Suffering Loss of Tax Revenue Due to Reduction in Assessed Valuation of Taxable Property.—(a) Temporary special aid shall be paid in fiscal years 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2001-2002, 2002-2003 and 2003-2004 to school districts experiencing a severe reduction in local revenue due to a decline in the assessed value of taxable properties. The allocation to these districts shall be determined by multiplying the reduction in assessed value between 1985-1986 and 1992-1993 by the 1992-1993 real estate millage rate. This aid shall be paid from undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the Department of Education. No other funds shall be used for assistance under this section. These funds shall be sufficient to provide temporary relief to seven school districts in fiscal year 1995-1996 at seventy-five per centum (75%) of the funds received in fiscal year 1994-1995, in fiscal year 1996-1997 at fifty per centum (50%) of the funds received in fiscal year 1994-1995, in fiscal year 1997-1998, 1998-1999 and in fiscal year 1999-2000 at twenty-five per centum (25%) of the funds received in fiscal year 1994-1995. For fiscal years 2001-2002, 2002-2003 and 2003-2004 to the extent funds are available as determined by the Secretary of the Budget, qualifying school districts shall receive twenty-five per centum (25%) of the funds received in fiscal year 1994-1995.

(b) Payments made pursuant to subsection (a) shall be paid from a restricted receipt account, which is hereby established, for such payments. Funds shall be transferred by the Secretary of the Budget to the restricted account only to the extent necessary to make the payments authorized by this section. The money in the restricted account is hereby appropriated from the account for purposes of this section.

(c) This section shall expire October 1, 2004.

Section 2603-B. Powers and Duties of the Board.—* * *

(d) The board shall also have the authority and duty to:

* * *

(10) * * *

(iii) These standards shall be exempt from:

(A) Sections 201 through 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

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

(D) This subclause shall expire June 30, 2004.

* * *

Section 5. The reenactment of sections 1705-B(h)(4), 2502.30 and 2603-B(d)(10)(iii) of the act shall apply retroactively to June 30, 2003.

Section 6. This act shall take effect as follows:

(1) The reenactment of sections 1705-B(h)(4), 2502.30 and 2603-B(d)(10)(iii) of the act shall take effect immediately.

(2) The amendment of section 1550 of the act shall take effect immediately.

(3) Section 5 of this act and this section shall take effect immediately.

(4) The remainder of this act shall take effect in 60 days.

APPROVED—The 15th day of July, A.D. 2004.

EDWARD G. RENDELL