



Senate Education Committee

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BILL SUMMARY

Senate Bill 1127, Printer's No. 1317

Prime Sponsor: D. White

A. SYNOPSIS:

Senate Bill 1127 would amend the Pennsylvania Public School Code to prohibit lame duck school boards from voting or taking other official action. The bill would also subject any school board members who vote during a lame duck period to a surcharge equal to 10% of the cost of the matter upon which the vote was taken. The bill exempts first class school districts and school districts with special boards of control.

B. BILL ANALYSIS:

S.B. 1127 would create a new section 328 in the School Code, which would prohibit a school board from voting or taking other official action, other than votes or actions of a ministerial or emergency nature, between October 1 of each odd-numbered year and the organizational meeting of the school board required to be held in December of such year under section 401 of the School Code.

Under the bill, any school board members who vote in violation of the provision described above would be jointly and severally subject to a surcharge payable to the school district equal to ten percent of the cost of the matter on which the vote was taken. The surcharge would not apply where the matter on which the vote was taken was not approved by the school board.

The bill's provisions would not apply to a school district of the first class or to a school district in which a special board of control has been appointed under section 692 of the School Code.

The bill would take effect 60 days following enactment.

C. SUMMARY OF RELEVANT EXISTING LAW:

Current law does not restrict a school board from taking actions near the end of a term.