
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1616 Session of
2023

INTRODUCED BY LAWRENCE, M. MACKENZIE AND ZIMMERMAN,
AUGUST 15, 2023

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 15, 2023

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 pupils and attendance, further
6 providing for possession of weapons prohibited; and, in safe
7 schools, further providing for sworn statement and for
8 transfer of records.

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

11 Section 1. Section 1317.2 of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949, is
13 amended by adding a subsection to read:

14 Section 1317.2. Possession of Weapons Prohibited.--* * *

15 (e.2) A school district receiving a student who transfers
16 from a public or private school after withdrawing from the
17 sending public or private school in lieu of expulsion for an act
18 or offense involving a weapon may assign the student to an
19 alternative assignment or provide alternative education service
20 for a period of time to be determined by the receiving school
21 district.

1 * * *

2 Section 2. Sections 1304-A and 1305-A of the act are amended
3 to read:

4 Section 1304-A. Sworn Statement.--(a) Prior to admission to
5 any school entity, the parent, guardian or other person having
6 control or charge of a student shall, upon registration, provide
7 a sworn statement or affirmation stating whether the pupil was
8 previously or is presently suspended [or], expelled or withdrew
9 in lieu of suspension or expulsion from any public or private
10 school of this Commonwealth or any other state for an act or
11 offense involving weapons, alcohol or drugs or for the wilful
12 infliction of injury to another person or for any act of
13 violence committed on school property. The registration shall
14 include the name of the school from which the student was
15 expelled [or], suspended or withdrew in lieu of suspension or
16 expulsion for the above-listed reasons with the dates of
17 expulsion [or], suspension or withdrawal and shall be maintained
18 as part of the student's disciplinary record.

19 (b) Any wilful false statement made under this section shall
20 be a misdemeanor of the third degree.

21 Section 1305-A. Transfer of Records.--Whenever a pupil
22 transfers to another school entity or nonpublic school, a
23 certified copy of the student's disciplinary record shall be
24 transmitted to the school entity or nonpublic school to which
25 the pupil has transferred. The school entity or nonpublic school
26 to which the student has transferred should request the record.
27 The sending school entity or nonpublic school shall have ten
28 (10) days from receipt of the request to supply a certified copy
29 of the student's disciplinary record, which shall include
30 pending or concluded disciplinary investigations on the

1 transferring student. The requirements of this section apply as
2 well to transfers between schools within the same school entity.
3 Section 3. This act shall take effect in 60 days.