

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 49

Session of
2003

INTRODUCED BY NAILOR, EGOLF, DeWEESE, MARSICO, ALLEN, ARMSTRONG, BAKER, BALDWIN, BARRAR, BASTIAN, BEBKO-JONES, BELARDI, BELFANTI, BISHOP, BROWNE, BUXTON, CAPPELLI, CAUSER, CIVERA, CLYMER, COSTA, COY, CRAHALLA, CRUZ, DALEY, DeLUCA, DiGIROLAMO, EACHUS, FAIRCHILD, FICHTER, FLEAGLE, FLICK, FORCIER, GEIST, GEORGE, GILLESPIE, GODSHALL, GORDNER, GRUCELA, HARHAI, HARPER, HASAY, HENNESSEY, HERMAN, HERSHEY, HESS, HICKERNELL, HORSEY, HUTCHINSON, JAMES, KENNEY, KIRKLAND, KOTIK, LAUGHLIN, LEACH, LEDERER, LEH, LEWIS, MAITLAND, MAJOR, MANDERINO, MARKOSEK, McGEEHAN, MELIO, METCALFE, R. MILLER, S. MILLER, PAYNE, PHILLIPS, PIPPY, PRESTON, REED, REICHLEY, ROBERTS, ROHRER, SANTONI, SATHER, SAYLOR, SCHRODER, SHANER, B. SMITH, SOLOBAY, STABACK, R. STEVENSON, T. STEVENSON, SURRA, E. Z. TAYLOR, THOMAS, TRUE, TURZAI, VANCE, WATSON, WILT, WOJNAROSKI, YEWIC, YOUNGBLOOD, YUDICHAK AND ZUG, JANUARY 29, 2003

REFERRED TO COMMITTEE ON FINANCE, JANUARY 29, 2003

AN ACT

1 Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An
2 act relating to tax reform and State taxation by codifying
3 and enumerating certain subjects of taxation and imposing
4 taxes thereon; providing procedures for the payment,
5 collection, administration and enforcement thereof; providing
6 for tax credits in certain cases; conferring powers and
7 imposing duties upon the Department of Revenue, certain
8 employers, fiduciaries, individuals, persons, corporations
9 and other entities; prescribing crimes, offenses and
10 penalties," providing for military tax credits for employers
11 who pay or subsidize the wages of an employee called to
12 active duty.

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

15 Section 1. The act of March 4, 1971 (P.L.6, No.2), known as
16 the Tax Reform Code of 1971, is amended by adding a section to

1 read:

2 Section 3003.15. Military Tax Credit.--(a) A credit shall
3 exist for an employer who pays an employee's difference in wages
4 between the employee's civilian employment and the employee's
5 military wages pursuant to 51 Pa.C.S. § 7302 (relating to
6 voluntary paid leave by employer) against any tax due from that
7 employer under Article III, IV, VI, VII, VII-A, VIII, IX, XII or
8 XV of this act and against any payment of estimated tax or
9 payment of tentative tax due from the employer on account of
10 taxes.

11 (b) The amount of the tax credit available to an employer
12 under subsection (a) who elects to subsidize the employee's
13 difference in wages from the employee's civilian employment wages
14 and the employee's military wages shall be equal to one hundred
15 per cent of the employee's subsidized difference in earnings
16 between the employee's civilian wages and the employee's military
17 wages for the period in which the employee is absent from work
18 due to being granted a military leave of absence in accordance
19 with 51 Pa.C.S. § 7302(a).

20 (c) The Secretary of Revenue shall promulgate regulations
21 that are necessary for the administration of this section.

22 Section 2. This act shall apply to all tax years commencing
23 after December 31, 2002.

24 Section 3. This act shall take effect immediately.