

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 637 Session of
2009

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CLYMER, CREIGHTON, EVERETT, GEIST, GIBBONS, GILLESPIE,
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SIPTROTH, SOLOBAY, SONNEY, SWANGER, THOMAS AND VULAKOVICH,
FEBRUARY 27, 2009

REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 27, 2009

AN ACT

1 Providing for a nonbinding Statewide referendum on property tax
2 relief.

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

5 CHAPTER 1

6 PRELIMINARY PROVISIONS

7 Section 101. Short title.

8 This act shall be known and may be cited as the Voter Options
9 for Property Tax Relief Act.

10 Section 102. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "House proposal." The three bills proposed by the House of
15 Representatives to be included in the nonbinding referendum

1 under section 203.

2 "Legislative proposal." The three bills proposed and agreed
3 upon by the General Assembly to be included in the nonbinding
4 referendum under section 501.

5 "Registered elector." A qualified elector who is registered
6 to vote under 25 Pa.C.S. § 1102 (relating to definitions).

7 "Senate proposal." The three bills proposed by the Senate to
8 be included in the nonbinding referendum under section 303.

9 Section 103. Intent.

10 This act is intended to create a mechanism for the General
11 Assembly to provide property tax reform options to registered
12 electors through a nonbinding Statewide referendum to be
13 conducted as a part of the 2009 municipal election. The results
14 of the referendum shall be indicative of the electorate's will
15 as it relates to the issue of property tax relief.

16 CHAPTER 2

17 PROCESS IN THE HOUSE OF REPRESENTATIVES

18 Section 201. Introduction date.

19 A member of the House of Representatives who wishes to
20 introduce a bill relating to property tax relief to be included
21 in the House proposal under section 203 for the nonbinding
22 referendum shall introduce the bill in the House of
23 Representatives by May 1, 2009.

24 Section 202. Fiscal notes.

25 (a) Fiscal note required.--A bill introduced by a member of
26 the House of Representatives under section 201 shall be assigned
27 a fiscal note from the Department of Revenue. The Department of
28 Revenue shall work with the majority and minority caucuses of
29 the Appropriations Committee of the House of Representatives in
30 assigning the fiscal note.

(b) Contents.--A fiscal note shall provide all of the following information:

(1) The designation of the fund out of which the appropriation providing for expenditures under the bill shall be made.

(2) The probable cost of the bill for the fiscal year of its enactment.

(3) The projected cost estimate of the program for each of the five succeeding fiscal years.

(4) The probable loss of revenue from the bill for the fiscal year of its enactment.

(5) The projected loss of revenue estimate from the bill for each of the five succeeding fiscal years.

(6) The line item, if any, of the General Fund, special fund or other account out of which losses of Commonwealth funds shall occur as a result of the bill.

Section 203. Selection of bills.

The three bills introduced under section 201 that receive the most cosponsors shall be proposed by the House of Representatives for nonbinding referendum under section 501 and shall be considered the House proposal.

Section 204. Notification of proposal.

After the House of Representatives has determined the House proposal under section 203, the House of Representatives shall notify the Governor and the Senate of the House proposal by June 1, 2009.

CHAPTER 3

PROCESS IN THE SENATE

Section 301. Introduction date.

A Senator who wishes to introduce a bill relating to property

1 tax reform to be included in the Senate proposal under section
2 303 for the nonbinding referendum shall introduce the bill in
3 the Senate by May 1, 2009.

4 Section 302. Fiscal notes.

5 (a) Fiscal note required.--A bill introduced by a Senator
6 under section 301 shall be assigned a fiscal note from the
7 Department of Revenue. The Department of Revenue shall work in
8 conjunction with both the majority and minority caucuses of the
9 Appropriations Committee of the Senate in assigning the fiscal
10 note.

11 (b) Contents.--A fiscal note shall provide all of the
12 following information:

13 (1) The designation of the fund out of which the
14 appropriation providing for expenditures under the bill shall
15 be made.

16 (2) The probable cost of the bill for the fiscal year of
17 its enactment.

18 (3) The projected cost estimate of the program for each
19 of the five succeeding fiscal years.

20 (4) The probable loss of revenue from the bill for the
21 fiscal year of its enactment.

22 (5) The projected loss of revenue estimate from the bill
23 for each of the five succeeding fiscal years.

24 (6) The line item, if any, of the General Fund, special
25 fund or other account out of which losses of Commonwealth
26 funds shall occur as a result of the bill.

27 Section 303. Selection of bills.

28 The three bills introduced under section 301 that receive the
29 most cosponsors shall be proposed by the Senate for nonbinding
30 referendum under section 501 and shall be considered the Senate

1 proposal.

2 Section 304. Notification of proposal.

3 After the Senate has determined the Senate proposal under
4 section 303, the Senate shall notify the Governor and the House
5 of Representatives of the Senate proposal by June 1, 2009.

6 CHAPTER 4

7 LEGISLATIVE PROPOSAL

8 Section 401. Selection of legislative proposal.

9 (a) Legislative proposal.--In the event that the House
10 proposal and Senate proposal contain the same bills, those bills
11 shall be the legislative proposal for consideration in the
12 referendum under section 501.

13 (b) Conference committee.--In the event that the House
14 proposal differs from the Senate proposal, the matter of
15 selecting the legislative proposal to be included in the
16 nonbinding referendum shall be resolved through a conference
17 committee.

18 (c) Deadline.--The deadline for determination of the
19 legislative proposal to be included in the nonbinding referendum
20 under section 501 shall be no later than June 30, 2009.

21 CHAPTER 5

22 STATEWIDE REFERENDUM

23 Section 501. General rule.

24 At the 2009 municipal election, a Statewide nonbinding
25 referendum shall be conducted for the purpose of considering the
26 legislative proposal. The election shall be conducted in
27 accordance with the act of June 3, 1937 (P.L.1333, No.320),
28 known as the Pennsylvania Election Code.

29 Section 502. Notice.

30 No later than 30 days after the effective date of this

1 section, the Department of State shall notify the election
2 officials of each county of the Statewide nonbinding referendum
3 to be conducted at the 2009 municipal election.

4 Section 503. Form of question.

5 (a) Generally.--The question on the referendum shall provide
6 registered electors with the choice of the three bills included
7 in the legislative proposal to determine the will of the
8 electorate as to the preferred method to provide property tax
9 relief. A registered elector may select one bill.

10 (b) Question.--The referendum question shall read as
11 follows:

12 When the General Assembly considers the issue of property
13 tax relief, which one of the following options do you
14 prefer?

15 (c) Summary of bills.--For the purposes of the question
16 under subsection (b), each bill in the legislative proposal
17 shall include all of the following information:

- 18 (1) Bill number.
- 19 (2) Brief summary of the bill.
- 20 (3) New aggregate Statewide revenue generated.
- 21 (4) New aggregate Statewide property tax eliminated.

22 Section 504. Nonlegal interpretive statement.

23 The Department of State shall draft a nonlegal interpretive
24 statement that shall accompany the nonbinding referendum
25 question in accordance with section 201.1 of the act of June 3,
26 1937 (P.L.1333, No.320), known as the Pennsylvania Election
27 Code. The department shall also provide election officials of
28 each county with the information contained in the Pennsylvania
29 Bulletin as required under section 505.

30 Section 505. Certification of results.

1 The Secretary of the Commonwealth shall certify the results
2 of the referendum in accordance with the act of June 3, 1937
3 (P.L.1333, No.320), known as the Pennsylvania Election Code, and
4 shall transmit notice to the Legislative Reference Bureau for
5 publication as a notice in the Pennsylvania Bulletin.

6 CHAPTER 9

7 MISCELLANEOUS PROVISIONS

8 Section 901. Effective date.

9 This act shall take effect immediately.