

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1365 Session of  
2011

INTRODUCED BY HEFFLEY, BLOOM, CREIGHTON, GIBBONS, GOODMAN,  
GROVE, KAUFFMAN, KIRKLAND, KNOWLES, LAWRENCE, MAHONEY, MURT,  
SCAVELLO, SWANGER AND VULAKOVICH, APRIL 25, 2011

REFERRED TO COMMITTEE ON FINANCE, APRIL 25, 2011

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  
16 under section 203.

17 "Legislative proposal." The three bills proposed and agreed

1 upon by the General Assembly to be included in the nonbinding  
2 referendum under section 501.

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

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

7 Section 103. Intent.

8 This act is intended to create a mechanism for the General  
9 Assembly to provide property tax reform options to registered  
10 electors through a nonbinding Statewide referendum to be  
11 conducted as a part of the 2011 municipal election. The results  
12 of the referendum shall be indicative of the electorate's will  
13 as it relates to the issue of property tax relief.

## 14 CHAPTER 2

### 15 PROCESS IN THE HOUSE OF REPRESENTATIVES

16 Section 201. Introduction date.

17 A member of the House of Representatives who wishes to  
18 introduce a bill relating to property tax relief to be included  
19 in the House proposal under section 203 for the nonbinding  
20 referendum shall introduce the bill in the House of  
21 Representatives by May 1, 2011.

22 Section 202. Fiscal notes.

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

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

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

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

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

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

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

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

15       Section 203. Selection of bills.

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

20       Section 204. Notification of proposal.

21       After the House of Representatives has determined the House  
22       proposal under section 203, the House of Representatives shall  
23       notify the Governor and the Senate of the House proposal by June  
24       1, 2011.

25                               CHAPTER 3

26                               PROCESS IN THE SENATE

27       Section 301. Introduction date.

28       A Senator who wishes to introduce a bill relating to property  
29       tax reform to be included in the Senate proposal under section  
30       303 for the nonbinding referendum shall introduce the bill in

1 the Senate by May 1, 2011.

2 Section 302. Fiscal notes.

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

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

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

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

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

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

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

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

25 Section 303. Selection of bills.

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

30 Section 304. Notification of proposal.

1 After the Senate has determined the Senate proposal under  
2 section 303, the Senate shall notify the Governor and the House  
3 of Representatives of the Senate proposal by June 1, 2011.

#### 4 CHAPTER 4

##### 5 LEGISLATIVE PROPOSAL

6 Section 401. Selection of legislative proposal.

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

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

16 (c) Deadline.--The deadline for determination of the  
17 legislative proposal to be included in the nonbinding referendum  
18 under section 501 shall be no later than June 30, 2011.

#### 19 CHAPTER 5

##### 20 STATEWIDE REFERENDUM

21 Section 501. General rule.

22 At the 2011 municipal election, a Statewide nonbinding  
23 referendum shall be conducted for the purpose of considering the  
24 legislative proposal. The election shall be conducted in  
25 accordance with the act of June 3, 1937 (P.L.1333, No.320),  
26 known as the Pennsylvania Election Code.

27 Section 502. Notice.

28 No later than 30 days after the effective date of this  
29 section, the Department of State shall notify the election  
30 officials of each county of the Statewide nonbinding referendum

1 to be conducted at the 2011 municipal election.

2 Section 503. Form of question.

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

8 (b) Question.--The referendum question shall read as  
9 follows:

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

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

16 (1) Bill number.

17 (2) Brief summary of the bill.

18 (3) New aggregate Statewide revenue generated.

19 (4) New aggregate Statewide property tax eliminated.

20 Section 504. Nonlegal interpretive statement.

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

28 Section 505. Certification of results.

29 The Secretary of the Commonwealth shall certify the results  
30 of the referendum in accordance with the act of June 3, 1937

1 (P.L.1333, No.320), known as the Pennsylvania Election Code, and  
2 shall transmit notice to the Legislative Reference Bureau for  
3 publication as a notice in the Pennsylvania Bulletin.

4 CHAPTER 6

5 MISCELLANEOUS PROVISIONS

6 Section 901. Effective date.

7 This act shall take effect immediately.