

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 624

Session of
1987

INTRODUCED BY NAHILL, SWEET, JOHNSON, J. L. WRIGHT, MRKONIC,
TIGUE, SHOWERS, FOX, MICOZZIE, MERRY, KENNEY, WOGAN, STABACK,
NOYE, TRELLO, CARLSON, GEIST, McHALE, BUNT, GLADECK, GANNON,
MAIALE, HOWLETT, HALUSKA, BALDWIN, CORNELL, REBER, BOOK,
E. Z. TAYLOR, BURD, CAWLEY, B. SMITH, KASUNIC, PRESTON,
PETRARCA AND McVERRY, MARCH 4, 1987

REFERRED TO COMMITTEE ON FINANCE, MARCH 4, 1987

AN ACT

1 Amending the act of March 11, 1971 (P.L.104, No.3), entitled, as
2 reenacted and amended, "An act providing property tax or rent
3 rebate and inflation dividends to certain senior citizens,
4 widows, widowers and permanently disabled persons with
5 limited incomes; establishing uniform standards and
6 qualifications for eligibility to receive rebates and
7 dividends; providing for transportation assistance grants and
8 grants to area agencies on aging for services to older
9 persons; and imposing duties upon the Department of Revenue,"
10 further providing for the filing of claims by executors or
11 administrators.

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

14 Section 1. Sections 3(7) and 4(d) of the act of March 11,
15 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and
16 Assistance Act, reenacted and amended June 16, 1975 (P.L.7,
17 No.4) and amended March 10, 1982 (P.L.177, No.56), are amended
18 to read:

19 Section 3. Definitions.--As used in this act:

20 * * *

1 (7) "Claimant" means a person who files a claim for property
2 tax rebate or rent rebate in lieu of property taxes and
3 inflation dividend and was sixty-five years of age or over, or
4 whose spouse (if a member of the household) was sixty-five years
5 of age or over, during a calendar year in which real property
6 taxes, rent and inflation costs were due and payable or was a
7 widow or widower and was fifty years of age or over during a
8 calendar year or part thereof in which real property taxes, rent
9 and inflation costs were due and payable, or was a permanently
10 disabled person eighteen years of age or over during a calendar
11 year or part thereof in which real property taxes, rent and
12 inflation costs were due and payable. For the purposes of this
13 act the term "widow" or "widower" shall mean the surviving wife
14 or the surviving husband, as the case may be, of a deceased
15 individual and who has not remarried except as provided in
16 subsection (c) and (d) of section 4 of this act. For the
17 purposes of this act the term "permanently disabled person"
18 shall mean a person who is unable to engage in any substantial
19 gainful activity by reason of any medically determinable
20 physical or mental impairment which can be expected to continue
21 indefinitely, except as provided in subsection (c) and (d) of
22 section 4 of this act. The term "claimant" shall mean and
23 include the estate of any claimant who dies during the year for
24 which a claim is filed or in the year immediately subsequent to
25 the year for which a claim is filed.

26 * * *

27 Section 4. Property Tax; Rent Rebate and Inflation Cost.--

28 * * *

29 (d) If a homestead is owned or rented and occupied for only
30 a portion of a year or is owned or rented in part by a person

1 who does not meet the qualifications for a claimant, exclusive
2 of any interest owned or leased by a claimant's spouse, or if
3 the claimant is a widow or widower who remarries, or if the
4 claimant is a permanently disabled person who is no longer
5 disabled, the department shall apportion the real property taxes
6 or rent in accordance with the period or degree of ownership or
7 leasehold or eligibility of the claimant in determining the
8 amount of rebate for which a claimant is eligible. The
9 determination of the amount of the claim filed by an estate of a
10 claimant shall be governed by the provisions of this subsection.
11 A claimant who receives public assistance from the Department of
12 Public Welfare shall not be eligible for rent rebate in lieu of
13 property taxes, or an inflation dividend during those months
14 within which he receives public assistance.

15 * * *

16 Section 2. This act shall apply to claims filed on or after
17 the effective date of this act.

18 Section 3. This act shall take effect in 60 days.