

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1220 Session of
2001

INTRODUCED BY ADOLPH, BARRAR, FLICK, RAYMOND, ALLEN, ARMSTRONG,
M. BAKER, BELARDI, BELFANTI, BROWNE, CALTAGIRONE, CAPPELLI,
CAWLEY, CLARK, L. I. COHEN, COLAFELLA, CORRIGAN, COSTA, COY,
CURRY, DAILEY, DALLY, DeLUCA, DeWEESE, DONATUCCI, FAIRCHILD,
FEESE, FICHTER, FORCIER, FREEMAN, GANNON, GEIST, GEORGE,
GRUCELA, HARHAI, HARPER, HENNESSEY, HERMAN, HERSHEY, HORSEY,
JAMES, KELLER, LAUGHLIN, LEH, LESCOVITZ, LEVDANSKY, MARKOSEK,
McCALL, McILHATTAN, MELIO, MUNDY, PIPPY, PISTELLA, ROBERTS,
ROSS, RUBLEY, SAINATO, SAMUELSON, SATHER, SCHULER, SHANER,
SOLOBAY, STABACK, STEELMAN, SURRA, TANGRETTI, E. Z. TAYLOR,
J. TAYLOR, THOMAS, TRELLO, TRICH, VANCE, WANSACZ, WATSON,
C. WILLIAMS, WILT, WOJNAROSKI, WRIGHT, YOUNGBLOOD AND
YUDICHAK, MARCH 29, 2001

REFERRED TO COMMITTEE ON FINANCE, MARCH 29, 2001

AN ACT

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

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

14 Section 1. The definition of "income" in section 3 of the
15 act of March 11, 1971 (P.L.104, No.3), known as the Senior
16 Citizens Rebate and Assistance Act, reenacted and amended
17 December 21, 1979 (P.L.570, No.131) and amended June 25, 1999

1 (P.L.226, No.30), is amended and the section is amended by
2 adding a definition to read:

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

4 (1) "Income" means all income from whatever source derived,
5 including but not limited to salaries, wages, bonuses,
6 commissions, income from self-employment, alimony, support
7 money, cash public assistance and relief, the gross amount of
8 any pensions or annuities including railroad retirement benefits
9 for calendar years prior to 1999, and fifty per cent of railroad
10 retirement benefits for calendar years 1999 and [thereafter]
11 2000, all benefits received under the Federal Social Security
12 Act (except Medicare benefits) for calendar years prior to 1999,
13 and fifty per cent of all benefits received under the Federal
14 Social Security Act (except Medicare benefits) for calendar
15 years 1999 and [thereafter] 2000, all benefits received under
16 State unemployment insurance laws and veterans' disability
17 payments, all interest received from the Federal or any State
18 government, or any instrumentality or political subdivision
19 thereof, realized capital gains, rentals, workmen's compensation
20 and the gross amount of loss of time insurance benefits, life
21 insurance benefits and proceeds (except the first five thousand
22 dollars (\$5,000) of the total of death benefit payments), and
23 gifts of cash or property (other than transfers by gift between
24 members of a household) in excess of a total value of three
25 hundred dollars (\$300), but shall not include surplus food or
26 other relief in kind supplied by a governmental agency or
27 property tax or rent rebate or inflation dividend. For calendar
28 years 2001 and thereafter, "income" shall not include: fifty per
29 cent of all benefits received under the Federal Social Security
30 Act (except Medicare benefits) and fifty per cent of any Social

1 Security substitute pension.

2 * * *

3 (10) "Social Security substitute pension" means a pension
4 received as a result of a person's employment by a government
5 entity or an instrumentality of a government entity if such
6 pension is, in whole or in part, provided in lieu of old age and
7 survivors benefit payments under the Federal Social Security
8 Act. The term includes Tier I railroad retirement benefits. The
9 amount of the pension that qualifies as a "Social Security
10 substitute pension" shall not exceed the maximum Federal old age
11 and survivors benefit payments to which an individual eligible
12 for such payments would be entitled, less any Federal old age
13 and survivors benefit payments received under the Federal Social
14 Security Act for employment covered under such act.

15 Section 2. This act shall apply to claims filed for calendar
16 year 2001 and each year thereafter.

17 Section 3. This act shall take effect immediately.