

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 366 Session of 2005

INTRODUCED BY COSTA, LOGAN, STACK, FUMO, MUSTO, PIPPY, ERICKSON,
M. WHITE, WOZNIAK, BOSCOLA, THOMPSON, RHOADES, GORDNER,
TARTAGLIONE, KASUNIC, LAVALLE, PILEGGI, RAFFERTY AND KITCHEN,
MARCH 10, 2005

REFERRED TO FINANCE, MARCH 10, 2005

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," further providing for exemptions from the realty
11 transfer tax.

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

14 Section 1. Section 1102-C.3(6) of the act of March 4, 1971
15 (P.L.6, No.2), known as the Tax Reform Code of 1971, added July
16 2, 1986 (P.L.318, No.77), is amended to read:

17 Section 1102-C.3. Excluded Transactions.--The tax imposed by
18 section 1102-C shall not be imposed upon:

19 * * *

20 (6) A transfer between husband and wife, between persons who
21 were previously husband and wife who have since been divorced,

1 provided the property or interest therein subject to such
2 transfer was acquired by the husband and wife or husband or wife
3 prior to the granting of the final decree in divorce, between
4 parent and child or the spouse of such child, between a
5 stepparent and a stepchild or the spouse of the stepchild,
6 between brother or sister or spouse of a brother or sister and
7 brother or sister or the spouse of a brother or sister and
8 between a grandparent and grandchild or the spouse of such
9 grandchild, except that a subsequent transfer by the grantee
10 within one year shall be subject to tax as if the grantor were
11 making such transfer.

12 * * *

13 Section 2. This act shall take effect in 60 days.