

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

**HOUSE BILL**  
**No. 1952** Session of  
1975

---

INTRODUCED BY GARZIA, MILLIRON AND DOYLE, NOVEMBER 25, 1975

---

REFERRED TO COMMITTEE ON FINANCE, NOVEMBER 25, 1975

---

AN ACT

1 Amending the act of December 31, 1965 (P.L.1257, No.511),  
2 entitled "An act empowering cities of the second class,  
3 cities of the second class A, cities of the third class,  
4 boroughs, towns, townships of the first class, townships of  
5 the second class, school districts of the second class,  
6 school districts of the third class and school districts of  
7 the fourth class including independent school districts, to  
8 levy, assess, collect or to provide for the levying,  
9 assessment and collection of certain taxes subject to maximum  
10 limitations for general revenue purposes; authorizing the  
11 establishment of bureaus and the appointment and compensation  
12 of officers, agencies and employes to assess and collect such  
13 taxes; providing for joint collection of certain taxes,  
14 prescribing certain definitions and other provisions for  
15 taxes levied and assessed upon earned income, providing for  
16 annual audits and for collection of delinquent taxes, and  
17 permitting and requiring penalties to be imposed and  
18 enforced, including penalties for disclosure of confidential  
19 information, providing an appeal from the ordinance or  
20 resolution levying such taxes to the court of quarter  
21 sessions and to the Supreme Court and Superior Court,"  
22 further excluding certain income from earned income taxation.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

25 Section 1. Section 2, act of December 31, 1965 (P.L.1257,  
26 No.511), known as "The Local Tax Enabling Act," is amended by  
27 adding a clause to read:

28 Section 2. Delegation of Taxing Powers and Restrictions

1 Thereon.--The duly constituted authorities of the following  
2 political subdivisions, cities of the second class, cities of  
3 the second class A, cities of the third class, boroughs, towns,  
4 townships of the first class, townships of the second class,  
5 school districts of the second class, school districts of the  
6 third class, and school districts of the fourth class, in all  
7 cases including independent school districts, may, in their  
8 discretion, by ordinance or resolution, for general revenue  
9 purposes, levy, assess and collect or provide for the levying,  
10 assessment and collection of such taxes as they shall determine  
11 on persons, transactions, occupations, privileges, subjects and  
12 personal property within the limits of such political  
13 subdivisions, and upon the transfer of real property, or of any  
14 interest in real property, situate within the political  
15 subdivision levying and assessing the tax, regardless of where  
16 the instruments making the transfers are made, executed or  
17 delivered or where the actual settlements on such transfer take  
18 place. The taxing authority may provide that the transferee  
19 shall remain liable for any unpaid realty transfer taxes imposed  
20 by virtue of this act. Each local taxing authority may, by  
21 ordinance or resolution, exempt any person whose total income  
22 from all sources is less than three thousand two hundred dollars  
23 (\$3,200) per annum from the per capita or similar head tax,  
24 occupation tax and occupational privilege tax, or any portion  
25 thereof, and may adopt regulations for the processing of claims  
26 for exemptions. Such local authorities shall not have authority  
27 by virtue of this act:

28 \* \* \*

29 (11) To levy, assess and collect any earned income tax or  
30 wage tax on the income of individuals who receive Social

1 Security benefits if such income does not exceed their Social  
2 Security benefits by more than three thousand two hundred  
3 dollars (\$3,200).

4       Section 2. This act shall take effect immediately and apply  
5 to the tax year 1975 and each year thereafter.