

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1792 Session of
1977

INTRODUCED BY DeWEESE, STEWART, ARMSTRONG, COLE, DeMEDIO, SPITZ,
ZELLER, LEVI, TRELLO, ABRAHAM, NOVAK, SCHMITT, PITTS,
KLINGAMAN, LINCOLN, SHUMAN, WHITE, ZWIKL, MELUSKEY, BUTERA
AND RYAN, OCTOBER 25, 1977

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 25, 1977

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 defining active military service.

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

25 Section 1. As much of Division I of section 13, as relates
26 to the definition of "earned income" act of December 31, 1965
27 (P.L.1257, No.511), known as "The Local Tax Enabling Act," is

1 amended to read:

2 Section 13. Earned Income Taxes.--On and after the effective
3 date of this act the remaining provisions of this section shall
4 be included in or construed to be a part of each tax levied and
5 assessed upon earned income by any political subdivision levying
6 and assessing such tax pursuant to this act. The definitions
7 contained in this section shall be exclusive for any tax upon
8 earned income and net profits levied and assessed pursuant to
9 this act, and shall not be altered or changed by any political
10 subdivision levying and assessing such tax.

11 I. Definitions

12 * * *

13 "Earned income." Salaries, wages, commissions, bonuses,
14 incentive payments, fees, tips and other compensation received
15 by a person or his personal representative for services
16 rendered, whether directly or through an agent, and whether in
17 cash or in property; not including, however, wages or
18 compensation paid to persons on active military service which
19 shall include, but not be limited to, a weekend drill or other
20 military training period occurring on two or more consecutive
21 days, periodic payments for sickness and disability other than
22 regular wages received during a period of sickness, disability
23 or retirement or payments arising under workmen's compensation
24 acts, occupational disease acts and similar legislation, or
25 payments commonly recognized as old age benefits, retirement pay
26 or pensions paid to persons retired from service after reaching
27 a specific age or after a stated period of employment or
28 payments commonly known as public assistance, or unemployment
29 compensation payments made by any governmental agency or
30 payments to reimburse expenses or payments made by employers or

1 labor unions for wage and salary supplemental programs,
2 including, but not limited to, programs covering
3 hospitalization, sickness, disability or death, supplemental
4 unemployment benefits, strike benefits, social security and
5 retirement.

6 * * *

7 Section 2. This act shall take effect immediately and shall
8 apply to tax years beginning on or after January 1 next
9 following the date of final enactment.