

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2917

Session of
1980

INTRODUCED BY MESSRS. PICCOLA, POLITE, HASAY, MANMILLER, POTT, SERAFINI, KLINGAMAN, B. D. CLARK, TRELLO, KOWALYSHYN, REED, NOYE, MRS. DURHAM, MR. WASS, MRS. ARTY, MESSRS. McVERRY, PHILLIPS, STEWART, GRUPPO, W. D. HUTCHINSON, E. R. LYNCH, GAMBLE, DeWEESE, SHUPNIK, SCHMITT, DUFFY, E. G. JOHNSON, McINTYRE, FISCHER, NAHILL, MADIGAN, ITKIN AND ZELLER, SEPTEMBER 17, 1980

AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES,
AS AMENDED, SEPTEMBER 30, 1980

AN ACT

1 Amending the act of June 28, 1895 (P.L.408, No.289), entitled,
2 as amended, "A supplement to the twenty-fourth section of an
3 act, entitled 'An act to provide revenue by taxation,
4 approved the seventh day of June, one thousand eight hundred
5 and seventy-nine,' approved the first day of June, one
6 thousand eight hundred and eighty-nine, amending the twenty-
7 fourth section, by providing for the payment by the State
8 Treasurer of the two per centum tax on premiums paid by
9 foreign fire insurance companies to the treasurers of the
10 several cities, towns, townships and boroughs, within this
11 Commonwealth," providing for the imposition of penalties and
12 interest on account of failing to report, inaccurately
13 reporting or late reporting of tax.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 2, act of June 28, 1895 (P.L.408,
17 No.289), entitled, as amended, "A supplement to the twenty-
18 fourth section of an act, entitled 'An act to provide revenue by
19 taxation, approved the seventh day of June, one thousand eight
20 hundred and seventy-nine,' approved the first day of June, one

1 thousand eight hundred and eighty-nine, amending the twenty-
2 fourth section, by providing for the payment by the State
3 Treasurer of the two per centum tax on premiums paid by foreign
4 fire insurance companies to the treasurers of the several
5 cities, towns, townships and boroughs, within this
6 Commonwealth," is amended by adding subsections to read:

7 Section 2. * * *

8 (c) ~~Every~~ IN ADDITION TO ANY OTHER INTEREST OR PENALTIES <—
9 WHICH MAY BE PROVIDED BY LAW, EVERY foreign fire insurance
10 company which is required to pay the ~~two per centum~~ tax on <—
11 premiums pursuant to ~~this act~~ THE ACT OF MARCH 4, 1971 (P.L.6, <—
12 NO.2), KNOWN AS THE "TAX REFORM CODE OF 1971," shall be assessed
13 interest at the rate of eight per centum per annum and a penalty
14 at the rate of five per centum per annum in the following
15 instances:

16 (1) On any tax due the Commonwealth and not paid.

17 (2) On any amount of tax paid to the wrong municipality
18 because of the filing of an inaccurate return.

19 (d) Interest shall be assessed commencing as of the date the
20 tax was due and shall end upon payment of the tax due or the
21 filing of an amended return accurately stating the
22 municipalities in which the foreign fire insurance policies
23 insure property.

24 (e) Penalties shall be assessed commencing one year after
25 the date the tax was due and shall end upon payment of the tax
26 due or the filing of an amended return accurately stating the
27 municipalities in which the foreign fire insurance policies
28 insure property.

29 (f) If any municipality has been deprived of any tax due
30 under this act for any period of time as a result of any act of

1 a foreign fire insurance company which shall require that
2 company to pay interest or a penalty or both, then one-half of
3 any interest or penalty or both which is collected by the
4 Commonwealth shall be paid to the municipality.

5 (g) It shall be the responsibility of the Department of
6 Revenue to strictly enforce all of the provisions of this act
7 and it shall be the duty of the Insurance Department to
8 cooperate with the Department of Revenue in the enforcement of
9 this act.

10 Section 2. This act shall take effect immediately.