

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2230 Session of
1988

INTRODUCED BY RAYMOND, LANGTRY, HECKLER, DISTLER, REBER, BARLEY,
ARTY, CIVERA, VEON AND FLICK, MARCH 14, 1988

REFERRED TO COMMITTEE ON FINANCE, MARCH 14, 1988

AN ACT

1 Amending the act of July 7, 1947 (P.L.1368, No.542), entitled,
2 as amended, "An act amending, revising and consolidating the
3 laws relating to delinquent county, city, except of the first
4 and second class and second class A, borough, town, township,
5 school district, except of the first class and school
6 districts within cities of the second class A, and
7 institution district taxes, providing when, how and upon what
8 property, and to what extent liens shall be allowed for such
9 taxes, the return and entering of claims therefor; the
10 collection and adjudication of such claims, sales of real
11 property, including seated and unseated lands, subject to the
12 lien of such tax claims; the disposition of the proceeds
13 thereof, including State taxes and municipal claims recovered
14 and the redemption of property; providing for the discharge
15 and divestiture by certain tax sales of all estates in
16 property and of mortgages and liens on such property, and the
17 proceedings therefor; creating a Tax Claim Bureau in each
18 county, except counties of the first and second class, to act
19 as agent for taxing districts; defining its powers and
20 duties, including sales of property, the management of
21 property taken in sequestration, and the management, sale and
22 disposition of property heretofore sold to the county
23 commissioners, taxing districts and trustees at tax sales;
24 providing a method for the service of process and notices;
25 imposing duties on taxing districts and their officers and on
26 tax collectors, and certain expenses on counties and for
27 their reimbursement by taxing districts; and repealing
28 existing laws," further providing for the rate of interest on
29 delinquent taxes.

30 The General Assembly of the Commonwealth of Pennsylvania
31 hereby enacts as follows:

1 Section 1. Section 306 of the act of July 7, 1947 (P.L.1368,
2 No.542), known as the Real Estate Tax Sale Law, amended July 3,
3 1986 (P.L.351, No.81), is amended to read:

4 Section 306. Return of Property and Delinquent Taxes;
5 Interest; Settlements by Tax Collectors.--

6 (a) It shall be the duty of each receiver or collector of
7 any county, city, borough, town, township, school district or
8 institution district taxes to make a return to the bureau on or
9 before the last day of April of each year, but no earlier than
10 the first day of January of that year. The return shall be
11 typewritten on a form provided by or acceptable to the county
12 and shall include a list of all properties against which taxes
13 were levied, the whole or any part of which were due and payable
14 in the calendar year immediately preceding and which remain
15 unpaid, giving the description of each such property as it
16 appears in the tax duplicate, and the name and address of the
17 owner as it appears in the tax duplicate, together with the
18 amount of such unpaid taxes, penalties and interest due to but
19 not including the first day of the month following the return.
20 Such return shall be accompanied by a signed affidavit that the
21 return is correct and complete. Interest shall be charged on
22 taxes so returned from and after but not before the first day of
23 the month following the return. [Interest shall be charged at
24 the rate of nine per centum (9%) per annum.] For taxes paid
25 within ninety (90) days of the due date, the interest rate shall
26 be nine per centum (9%) per annum. For taxes paid in ninety (90)
27 days or more, but less than one hundred fifty (150) days after
28 the due date, the interest rate shall be ten per centum (10%).
29 For taxes paid one hundred fifty (150) days or more, but less
30 than two hundred ten (210) days after the due date, the interest

1 rate shall be eleven per centum (11%). For taxes paid two
2 hundred ten (210) days or more, but less than two hundred
3 seventy (270) days after the due date, the interest rate shall
4 be twelve per centum (12%). For taxes paid two hundred seventy
5 (270) days or more, but less than three hundred thirty (330)
6 days after the due date, the interest rate shall be thirteen per
7 centum (13%). For taxes paid three hundred thirty (330) days or
8 more, but less than three hundred sixty-five (365) days after
9 the due date, the interest rate shall be fourteen per centum
10 (14%). For taxes paid three hundred sixty-five (365) days or
11 more after the due date interest shall be charged at the rate of
12 fifteen per centum (15%) per annum.

13 (b) No taxes shall be returned by any tax collector where
14 the owner is paying his delinquent taxes under the provisions of
15 any act of Assembly abating penalties, interest and costs,
16 unless there has been a default in payment by the owner, in
17 which case or at any time when a yearly return is being made
18 after any such default, return shall be made of the balance due
19 as fixed by the act of Assembly abating penalties, interest and
20 costs, or either. The lien of all such taxes shall be continued
21 for the purpose of making a return thereof and collecting the
22 same under the provisions of this act.

23 (c) The county commissioners, by resolution, may establish
24 and fix a return date, other than the return date prescribed in
25 subsection (a), on or before which tax collectors must make the
26 return to the bureau required by this section. No return shall
27 be made or return date established before the first day of
28 January following the year when taxes first become due and
29 payable as specified on the tax notice, and no return date shall
30 be established which is later than the last day of April

1 immediately following the year in which the taxes became due.
2 The single return date established and fixed by said resolution
3 shall be uniform within the county for all taxes returnable
4 under the provisions of this act. Whenever the resolution
5 establishes and fixes a return date, interest shall be charged
6 on taxes so returned from and after the first day of the month
7 immediately following the month in which the return is required.
8 [Interest shall be charged at the rate of nine per centum (9%)
9 per annum.] For taxes paid within ninety (90) days of the due
10 date, the interest rate shall be nine per centum (9%) per annum.
11 For taxes paid in ninety (90) days or more, but less than one
12 hundred fifty (150) days after the due date, the interest rate
13 shall be ten per centum (10%). For taxes paid one hundred fifty
14 (150) days or more, but less than two hundred ten (210) days
15 after the due date, the interest rate shall be eleven per centum
16 (11%). For taxes paid two hundred ten (210) days or more, but
17 less than two hundred seventy (270) days after the due date, the
18 interest rate shall be twelve per centum (12%). For taxes paid
19 two hundred seventy (270) days or more, but less than three
20 hundred thirty (330) days after the due date, the interest rate
21 shall be thirteen per centum (13%). For taxes paid three hundred
22 thirty (330) days or more, but less than three hundred sixty-
23 five (365) days after the due date, the interest rate shall be
24 fourteen per centum (14%). For taxes paid three hundred sixty-
25 five (365) days or more after the due date interest shall be
26 charged at the rate of fifteen per centum (15%) per annum.

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