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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 228**      Session of  
2003

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INTRODUCED BY CALTAGIRONE, YOUNGBLOOD, THOMAS, CAPPELLI,  
SOLOBAY, DALEY, HORSEY AND LEWIS, FEBRUARY 11, 2003

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REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 11, 2003

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AN ACT

1 Imposing a tax upon residents and nonresidents; creating the  
2 School Property and Nuisance Tax Relief Fund; and imposing a  
3 limitation upon the collection of certain taxes by school  
4 districts.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the School  
9 Property and Nuisance Tax Relief Act.

10 Section 2. Imposition of tax.

11 (a) Residents.--Every resident individual, estate or trust  
12 shall be subject to and shall pay for the privilege of receiving  
13 each of the classes of income enumerated in section 303 of the  
14 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code  
15 of 1971, a tax upon each dollar of income received by that  
16 resident during that resident's taxable year at the rate of 2.8%  
17 for the second half of the taxable year commencing with or  
18 within calendar year 2003 and each taxable year thereafter.

1 (b) Nonresidents.--Every nonresident individual, estate or  
2 trust shall be subject to and shall pay for the privilege of  
3 receiving each of the classes of income enumerated in section  
4 303 of the Tax Reform Code of 1971, from sources within this  
5 Commonwealth, a tax upon each dollar of income received by that  
6 nonresident during that nonresident's taxable year at the rate  
7 of 2.8% for the second half of the taxable year commencing with  
8 or within calendar year 2003 and each taxable year thereafter.

9 Section 3. School Property and Nuisance Tax Relief Fund.

10 All amounts collected pursuant to section 2 shall be  
11 deposited into a restricted receipts fund within the General  
12 Fund which is hereby created and which shall be known as the  
13 School Property and Nuisance Tax Relief Fund. All amounts  
14 deposited in the School Property and Nuisance Tax Relief Fund  
15 shall be used only for the purpose of funding public  
16 kindergarten, elementary and secondary education in this  
17 Commonwealth.

18 Section 4. Annual appropriations from School Property and  
19 Nuisance Tax Relief Fund.

20 The legislature shall annually appropriate moneys from the  
21 School Property and Nuisance Tax Relief Fund to each of the  
22 individual school districts in this Commonwealth. The amounts  
23 appropriated shall be used by the school districts only for the  
24 purpose of funding public kindergarten, elementary and secondary  
25 education, and no amounts shall be appropriated to any person,  
26 organization or government entity other than a school district.

27 Section 5. Applicable law.

28 The imposition, assessment, collection and enforcement of the  
29 taxes imposed by section 2 shall be subject to and in accordance  
30 with the provisions of Article III of the act of March 4, 1971

1 (P.L.6, No.2), known as the Tax Reform Code of 1971.

2 Section 6. Limitation.

3 On and after December 31, 2003, no school district may assess  
4 or collect a tax from or upon any person, property or activity  
5 other than a tax upon wages, salaries, commissions and other  
6 earned income of an individual as presently may be authorized by  
7 law.

8 Section 7. Inconsistent repeals.

9 All acts and parts of acts are repealed insofar as they are  
10 inconsistent with this act.

11 Section 8. Effective date.

12 This act shall take effect immediately.