AN ACT

Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An act relating to tax reform and State taxation by codifying and enumerating certain subjects of taxation and imposing taxes thereon; providing procedures for the payment, collection, administration and enforcement thereof; providing for tax credits in certain cases; conferring powers and imposing duties upon the Department of Revenue, certain employers, fiduciaries, individuals, persons, corporations and other entities; prescribing crimes, offenses and penalties," in personal income tax, providing for COVID-19 emergency finance and tax provision; and in corporate net income tax, further providing for reports and payment of tax and for extension of time to file reports.

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

Section 1. The act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a section to read:

Section 330.2. COVID-19 Emergency Finance and Tax Provision.--(a) The General Assembly finds and declares that there are circumstances under which it is impossible to effectively comply with law relating to State finance or State
tax and during such circumstances, it is necessary for Commonwealth agencies to exercise temporary powers and duties provided under this section.

(b) (1) This subsection provides temporary authority to the department to deal with State taxation during the state of disaster emergency announced by the Governor's March 6, 2020, proclamation of disaster emergency, and any renewal of the state of disaster emergency.

(2) The department shall disregard the period after April 14, 2021, and before May 17, 2021, in the calculation of interest, a penalty or an addition to tax for failure to meet an extended deadline under section 330.

(3) This subsection shall expire May 31, 2021.

(c) (1) This subsection provides temporary authority to the Department of Community and Economic Development to deal with local taxation during the state of disaster emergency announced by the Governor's March 6, 2020, proclamation of disaster emergency, and any renewal of the state of disaster emergency.

(2) During the state of disaster emergency under paragraph (1), the Department of Community and Economic Development shall coordinate with the governing bodies and local agencies of political subdivisions to do all of the following:

(i) Extend filing and payment deadlines for local taxes under Chapter 5 of the act of December 31, 1965, known as the Local Tax Enabling Act, and related statutory provisions, ordinances and resolutions so that the deadlines coincide with the filing deadline for a tax return and payment of section 330.

(ii) Disregard the period after April 14, 2021, and before May 17, 2021, in the calculation of interest, a penalty or an addition to tax for failure to meet an extended deadline under
(3) This subsection shall expire May 31, 2021.


(2) THIS SUBSECTION SHALL NOT EXPIRE.

Section 2. Sections 403(a)(1) and (e) and 405 of the act are amended to read:

Section 403. Reports and Payment of Tax.--(a) (1) It shall be the duty of every corporation, liable to pay tax under this article, to transmit to the department, upon a form prescribed by the department, an annual report under oath or affirmation of its president, vice-president, treasurer, assistant treasurer or other authorized officers of net income taxable under the provisions of this article:

(i) on or before April 15, 1972, and every April 15 of each year thereafter through April 15, 2016; [and]

(ii) for taxable years beginning after December 31, 2015, on or before thirty days after the return to the Federal Government is due, or would be due were it to be required of such corporation, subject in all other respects to the provisions of this article[.]; and

(iii) for taxable years beginning after December 31, 2020, on or before the fifteenth day of the month following the due
date of the return to the Federal Government, or would be due
were it to be required of such corporation, subject in all other
respects to the provisions of this article.

* * *

(e) If any corporation closes its fiscal year not upon
December 31, but upon some other date, and reports to the
Federal Government as of such other date, or would so report
were it to make a return to the Federal Government, such
corporation shall certify such fact to the department, and shall
make the annual report, herein required, [within thirty days
after the return to the Federal Government is due] on or before
the fifteenth day of the month following the due date of the
return to the Federal Government, or would be due were it to be
required of such corporation, subject in all other respects to
the provisions of this article.

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Section 405. Extension of Time to File Reports.—The
department may, upon application made to it, in such form as it
shall prescribe, on or prior to the last day for filing any
annual report, and upon proper cause shown, grant to the
corporation, required to file such report, an extension of not
more than sixty days within which such report may be filed. If
the Federal income tax authorities grant an extension of time
for filing the reports with the Federal Government, the
department shall automatically grant an extension of time for
filing the annual report under this article [of thirty days
after] until the fifteenth day of the month following the
termination of the Federal extension, but the amount of tax due
shall, in such cases, nevertheless, be subject to interest from
the due dates and at the rates fixed by this article.
Section 3. The THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE amendment or addition of sections 403(a)(1)(iii) and (e) and 405 of the act shall apply to taxable years beginning after December 31, 2020.

(2) THE ADDITION OF SECTION 330.2(D) OF THE ACT SHALL APPLY TO TAXABLE YEARS BEGINNING AFTER THE EFFECTIVE DATE OF THIS SECTION.

Section 4. This act shall take effect immediately.