

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2487 Session of  
2006

INTRODUCED BY GEORGE, GRUCELA, PHILLIPS, DALEY, DeWEESE, BARRAR, BELFANTI, BEYER, BUNT, CALTAGIRONE, CLYMER, CRAHALLA, CURRY, FABRIZIO, FAIRCHILD, FORCIER, FREEMAN, GINGRICH, HANNA, HARRIS, HENNESSEY, HERSHEY, JAMES, JOSEPHS, LaGROTTA, LEACH, LEDERER, LESCOVITZ, MARKOSEK, McGEEHAN, McILHATTAN, MELIO, MYERS, PETRARCA, READSHAW, REICHLEY, RUBLEY, SHANER, SIPTROTH, STABACK, SURRA AND YUDICHAK, MARCH 6, 2006

REFERRED TO COMMITTEE ON FINANCE, MARCH 6, 2006

AN ACT

1 Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An  
2 act relating to tax reform and State taxation by codifying  
3 and enumerating certain subjects of taxation and imposing  
4 taxes thereon; providing procedures for the payment,  
5 collection, administration and enforcement thereof; providing  
6 for tax credits in certain cases; conferring powers and  
7 imposing duties upon the Department of Revenue, certain  
8 employers, fiduciaries, individuals, persons, corporations  
9 and other entities; prescribing crimes, offenses and  
10 penalties," creating a sales tax exemption for biomass  
11 products used for home heating purposes and agricultural  
12 products sold by the original producer for the production of  
13 fuel.

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

16 Section 1. Section 201 of the act of March 4, 1971 (P.L.6,  
17 No.2), known as the Tax Reform Code of 1971, is amended by  
18 adding a clause to read:

19 Section 201. Definitions.--The following words, terms and  
20 phrases when used in this Article II shall have the meaning  
21 ascribed to them in this section, except where the context

1 clearly indicates a different meaning:

2 \* \* \*

3 (eee) "Biomass." Organic, nonfossil plant-derived material.

4 Section 2. Section 204(5) of the act, amended June 30, 1995  
5 (P.L.139, No.21), is amended and the section is amended by  
6 adding a subclause to read:

7 Section 204. Exclusions from Tax.--The tax imposed by  
8 section 202 shall not be imposed upon any of the following:

9 \* \* \*

10 (5) The sale at retail or use of steam, natural and  
11 manufactured and bottled gas, fuel oil, raw biomass, electricity  
12 or intrastate subscriber line charges, basic local telephone  
13 service or telegraph service when purchased directly by the user  
14 thereof solely for his own residential use and charges for  
15 telephone calls paid for by inserting money into a telephone  
16 accepting direct deposits of money to operate.

17 \* \* \*

18 (65) Any agricultural product or byproduct sold by the  
19 original producer, or by a cooperative organization or business  
20 agent representing such producer for the purposes of an original  
21 sale, for the production of fuel for home heating, combustion  
22 engines or lubricants for machinery and engines.

23 Section 3. This act shall take effect in 60 days.