

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1126 Session of
1975

INTRODUCED BY WRIGHT, APRIL 28, 1975

REFERRED TO COMMITTEE ON FINANCE, APRIL 29, 1975

AN ACT

1 Amending the act of March 11, 1971 (P.L.104, No.3), entitled, as
2 amended, "An act providing property tax or rent assistance to
3 certain senior citizens, widows, widowers and permanently
4 disabled persons with limited incomes; establishing uniform
5 standards and qualifications for eligibility to receive
6 assistance; and imposing duties upon the Department of
7 Revenue," including certain single persons within the act.

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

10 Section 1. The title, section 2, clause (6) of section 3 and
11 subsection (d) of section 4, act of March 11, 1971 (P.L.104,
12 No.3), known as the "Senior Citizens Property Tax Assistance
13 Act," amended December 5, 1973 (P.L.380, No.136), are amended to
14 read:

AN ACT

15
16 Providing property tax or rent assistance to certain [senior
17 citizens, widows, widowers and permanently disabled] persons
18 with limited incomes; establishing uniform standards and
19 qualifications for eligibility to receive assistance; and
20 imposing duties upon the Department of Revenue.

21 Section 2. Declaration of Policy.--In recognition of the

1 severe economic plight of certain senior citizens, [widows,
2 widowers] certain single persons and permanently disabled
3 persons who are real property owners or renters with fixed and
4 limited incomes who are faced with rising living costs and
5 constantly increasing tax burdens upon their homesteads, the
6 General Assembly, pursuant to the mandates of the Constitutional
7 Convention of 1968, considers it to be a matter of sound public
8 policy to make special provisions for property tax assistance or
9 rent assistance in lieu of property taxes to that class of
10 senior citizens, [widows, widowers] single persons and
11 permanently disabled persons who are real property taxpayers or
12 renters who are without adequate means of support to enable them
13 to remain in peaceable possession of their homes and relieving
14 their economic burden.

15 Section 3. Definitions.--As used in this act:

16 * * *

17 (6) "Claimant" means a person who files a claim for property
18 tax assistance or rent assistance in lieu of property taxes and
19 was sixty-five years of age or over, or whose spouse (if a
20 member of the household) was sixty-five years of age or over,
21 during a calendar year in which real property taxes or rent were
22 due and payable or was a [widow or widower] single person and
23 was fifty years of age or over during a calendar year or part
24 thereof in which real property taxes or rent were due and
25 payable, or was a permanently disabled person during a calendar
26 year or part thereof in which real property taxes or rent were
27 due and payable. [For the purposes of this act the term "widow"
28 or "widower" shall mean the surviving wife or the surviving
29 husband, as the case may be, of a deceased individual and who
30 has not remarried except as provided in subsection (d) of

1 section 4 of this act.] For the purposes of this act the terms
2 "single person" shall mean a person who has never married or who
3 has married and has been divorced and has not remarried or who
4 has married and whose spouse has died except as provided in
5 subsection (d) of section 4 of this act. For the purposes of
6 this act the term "permanently disabled person" shall mean a
7 person who is unable to engage in any substantial gainful
8 activity by reason of any medically determinable physical or
9 mental impairment which can be expected to continue
10 indefinitely, except as provided in subsection [(c) and] (d) of
11 section 4 of this act.

12 * * *

13 Section 4. Property Tax or Rent Assistance.--* * *

14 (d) If a homestead is owned or rented and occupied for only
15 a portion of a year or is owned or rented in part by a person
16 who does not meet the qualifications for a claimant, exclusive
17 of any interest owned or leased by a claimant's spouse, or if
18 the claimant is a [widow or widower] single person who
19 [remarries] marries, or if the claimant is a permanently
20 disabled person who is no longer disabled, the department shall
21 apportion the real property taxes or rent in accordance with the
22 period or degree of ownership or leasehold or eligibility of the
23 claimant in determining the amount of assistance for which a
24 claimant is eligible. A claimant who is a renter shall not be
25 eligible for rent assistance in lieu of property taxes during
26 those months within which he receives public assistance from the
27 Department of Public Welfare.

28 Section 2. Section 5 of the act, amended June 24, 1974
29 (No.124), is amended to read:

30 Section 5. Filing of Claim.--A claim for property tax or

1 rent assistance shall be filed with the department on or before
2 the thirtieth day of June of the year next succeeding the end of
3 the calendar year in which real property taxes or rent were due
4 and payable: Provided, That [widowers, and renters] single
5 persons requesting assistance by virtue of this amendment, may
6 file their first claim for assistance with the department no
7 later than six months after the effective date of this
8 amendatory act. No reimbursement on a claim shall be made from
9 the State Lottery Fund earlier than the day following the last
10 day provided in this act on which that claim may be filed with
11 the department. Only one claimant from a homestead each year
12 shall be entitled to property tax or rent assistance. If two or
13 more persons are able to meet the qualifications for a claimant,
14 they may determine who the claimant shall be. If they are unable
15 to agree, the department shall determine to whom assistance is
16 to be paid.

17 Section 3. Section 6 of the act, amended December 5, 1973
18 (P.L.380, No.136), is amended to read:

19 Section 6. Proof of Claim.--Each claim shall include
20 reasonable proof of household income, the size and nature of the
21 property claimed as a homestead and the rent or tax receipt, or
22 other proof that the real property taxes on the homestead have
23 been paid, or rent in connection with the occupancy of a
24 homestead has been paid. If the claimant is a [widow, or
25 widower] single person, an affidavit of such status shall be
26 included. Proof that a claimant is eligible to receive
27 disability benefits under the Federal Social Security Act shall
28 constitute proof of disability under this act. No person who has
29 been found not to be disabled by the social security
30 administration shall be granted assistance under this act. A

1 claimant not covered under the Federal Social Security Act shall
2 be examined by a physician designated by the department and such
3 status determined using the same standards used by the social
4 security administration. It shall not be necessary that such
5 taxes or rent were paid by the claimant: Provided, That the rent
6 or taxes have been paid when the claim is filed. The first claim
7 filed shall include proof that the claimant or his spouse was
8 age sixty-five or over or fifty years or over in the case of a
9 [widow, or widower,] single person, during the calendar year in
10 which real property taxes or rent were due and payable.

11 Section 4. The provisions of this amendatory act shall take
12 effect immediately and shall apply to calendar years commencing
13 January 1, 1975 and thereafter.