
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1553

Session of
1977

INTRODUCED BY VROON, BRUNNER, ZEARFOSS, E. H. SMITH, POLITE,
SIRIANNI, PITTS, DININNI, MANMILLER, MILLER AND E. Z. TAYLOR,
JULY 28, 1977

REFERRED TO COMMITTEE ON FINANCE, JULY 28, 1977

AN ACT

1 Amending the act of December 27, 1951 (P.L.1742, No.467),
2 entitled, as amended, "An act to provide revenue by imposing
3 a State tax relating to certain documents and transactions;
4 prescribing and regulating the method and manner of
5 evidencing the payment of such tax; conferring powers and
6 imposing duties upon certain persons, partnerships,
7 associations, and corporations, sheriffs, recorders of deeds,
8 and the Department of Revenue; saving certain State and local
9 taxes and authorizing amendments, extensions and supplements
10 to the ordinances and resolutions relating thereto; and
11 providing penalties," excluding from the tax certain
12 transfers to corporations.

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

15 Section 1. The definition of "Document" in section 2, act of
16 December 27, 1951 (P.L.1742, No.467), known as "The Realty
17 Transfer Tax Act," reenacted and amended February 9, 1961
18 (P.L.13, No.9) and amended August 7, 1963 (P.L.561, No.297),
19 August 8, 1963 (P.L.586, No.305) and August 27, 1963 (P.L.1285,
20 No.524), is amended to read:

21 Section 2. The following words when used in this act shall
22 have meanings ascribed to them in this section, except in those

1 instances where the context clearly indicates a different
2 meaning:

3 * * *

4 "Document." Any deed, instrument or writing whereby any
5 lands, tenements or hereditaments within this Commonwealth or
6 any interest therein shall be quitclaimed, granted, bargained,
7 sold, or otherwise conveyed to the grantee, purchaser, or any
8 other person, but does not include wills, mortgages, transfers
9 between corporations operating housing projects pursuant to the
10 Housing and Redevelopment Assistance Law and the shareholders
11 thereof, transfers between nonprofit industrial development
12 agencies and industrial corporations purchasing from them, any
13 transfers to nonprofit industrial development agencies, and
14 transfers between husband and wife, transfers between persons
15 who were previously husband and wife but who have since been
16 divorced provided such transfer is made within three months of
17 the date of the granting of the final decree in divorce and the
18 property or interest therein subject to such transfer was
19 acquired by the husband and wife or husband or wife prior to the
20 granting of the final decree in divorce, transfers between
21 parent and child or the spouse of such a child or between parent
22 and trustee for the benefit of a child or the spouse of such
23 child, by and between a principal and straw party for the
24 purpose of placing a mortgage or ground rent upon the premises,
25 correctional deeds without consideration, transfers to the
26 United States, the Commonwealth of Pennsylvania, or to any of
27 their instrumentalities, agencies or political subdivisions, by
28 gift, dedication or deed in lieu of condemnation, or deed of
29 confirmation in connection with condemnation proceedings, or
30 reconveyance by the condemning body of the property condemned to

1 the owner of record at the time of condemnation which
2 reconveyance may include property line adjustments provided said
3 reconveyance is made within one year from the date of
4 condemnation, leases, a conveyance to a trustee under a recorded
5 trust agreement for the express purpose of holding title in
6 trust as security for a debt contracted at the time of the
7 conveyance under which the trustee is not the lender and
8 requiring the trustee to make reconveyance to the grantor-
9 borrower upon the repayment of the debt, or a transfer by the
10 owner of previously occupied residential premises to a builder
11 of new residential premises when such previously occupied
12 residential premises is taken in trade by such builder as part
13 of the consideration from the purchaser of a new previously
14 unoccupied residential premises or any transfer from a purchase
15 money mortgagor to the vendor holding the purchase money
16 mortgage whether pursuant to a foreclosure or in lieu thereof,
17 or conveyances to municipalities, townships, school districts
18 and counties pursuant to acquisition by municipalities,
19 townships, school districts and counties of tax delinquent
20 properties at sheriff sale or tax claim bureau, or any transfer
21 between religious organizations or other bodies or persons
22 holding title to real estate for a religious organization if
23 such real estate is not being or has not been used by such
24 transferor for commercial purposes or a conveyance by a
25 transferor who, immediately after the conveyance, owns at least
26 80 percent of all of the stock issued by a corporation to which
27 the conveyance is made.

28 * * *

29 Section 2. This act shall take effect immediately.