

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 422

Session of
1979

INTRODUCED BY FREIND, CESSAR, WILT, BROWN, J. L. WRIGHT, JR.,
FISCHER, ZITTERMAN, DiCARLO, B. D. CLARK, LETTERMAN,
MANMILLER, BURNS, CIMINI, WEIDNER, ARTY, MICOZZIE, GANNON,
REED, L. E. SMITH, ZORD, MRKONIC, HASAY, KERNICK, GAMBLE,
GEESEY, D. R. WRIGHT, SPITZ, LASHINGER, HONAMAN, ZELLER,
PUNT, YAHNER, KNEPPER, GRABOWSKI, TRELLO, GOODMAN, BOWSER,
ITKIN, E. R. LYNCH, MUSTO, COCHRAN, VROON, PETRARCA, WENGER,
SCHMITT, SPENCER, SERAFINI, SCHWEDER, COLE, D. S. HAYES,
KLINGAMAN, ZWIKL AND YOHN, MARCH 2, 1979

REFERRED TO COMMITTEE ON FINANCE, MARCH 5, 1979

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," relating to sale or use tax exemption for
11 volunteer fire companies.

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

14 Section 1. Clause (10) of section 204, act of March 4, 1971
15 (P.L.6, No.2), known as the "Tax Reform Code of 1971," is
16 amended and the section is amended by adding a clause to read:

17 Section 204. Exclusions from Tax.--The tax imposed by
18 section 202 shall not be imposed upon

19 * * *

1 (10) The sale at retail to or use by (i) any charitable
2 organization, [volunteer firemen's organization] or nonprofit
3 educational institution, or (ii) a religious organization for
4 religious purposes of tangible personal property or services:
5 Provided, however, That the exclusion of this clause shall not
6 apply with respect to any tangible personal property or services
7 used in any unrelated trade or business carried on by such
8 organization or institution or with respect to any materials,
9 supplies and equipment used in the construction, reconstruction,
10 remodeling, repairs and maintenance of any real estate, except
11 materials and supplies when purchased by such organizations or
12 institutions for routine maintenance and repairs.

13 * * *

14 (38) The sale at retail to or use by volunteer firemen's
15 organizations of tangible property or services. However, the
16 exclusion of this clause shall not apply with respect to any
17 tangible property or services used in any manner or for any
18 purpose which is not directly related to the primary purposes of
19 such organizations. This exemption shall specifically include,
20 but not be limited to, purchases for the construction, repair,
21 and maintenance, and the purchase of materials or services
22 associated therewith, made for the purpose of housing fire
23 fighting and rescue equipment.

24 Section 2. This act shall take effect in 60 days.