

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1030 Session of
1981

INTRODUCED BY FREIND AND HOEFFEL, MARCH 25, 1981

SENATOR HOWARD, FINANCE, IN SENATE, AS AMENDED, FEBRUARY 3, 1982

AN ACT

1 Amending the act of May 23, 1945 (P.L.893, No.360), entitled "An
2 act to provide revenue for State purposes by imposing an
3 excise tax on the net income of co-operative agricultural
4 associations having capital stock, in lieu of all other
5 taxes, except tax on real estate; providing for the
6 assessment, collection, settlement and resettlement of tax,
7 and reviews and appeal therefrom; conferring powers and
8 imposing duties on certain persons, co-operative agricultural
9 associations having capital stock, State and county officers,
10 boards and departments; and providing penalties," further
11 providing for the imposition of the tax.

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

14 Section 1. Section 3, act of May 23, 1945 (P.L.893, No.360),
15 known as the "Co-operative Agricultural Association Corporate
16 Net Income Tax Act," amended July 1, 1978 (P.L.591, No.112), is
17 amended to read:

18 Section 3. Imposition of Tax.--Every association shall be
19 subject to, and shall pay for, the privilege of doing business
20 in this Commonwealth, or having capital or property employed or
21 used in the Commonwealth, by, or in the name of itself, or any

1 other person, partnership or association, a State excise tax at
2 the rate of four per centum (4%) per annum upon each dollar of
3 the net income, which tax shall be collected in lieu of any
4 other excise tax except liquid fuel taxes, fuel use taxes [and],
5 sales and use taxes on registered motor vehicles and
6 unemployment compensation taxes ~~FUND CONTRIBUTIONS~~ but including <—
7 corporate net income tax or property tax. Nothing contained
8 herein shall be construed to impose an excise tax upon any
9 subject of taxation when such subject of taxation is
10 specifically exempted under the statute levying the excise tax.
11 The property shall be free from any county tax excepting tax on
12 real estate.

13 Section 2. This act shall take effect immediately AND SHALL <—
14 BE RETROACTIVE TO JANUARY 1, 1977.