

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2489** Session of  
1982

INTRODUCED BY DOMBROWSKI, PISTELLA, WILSON AND CAPPABIANCA,  
MAY 4, 1982

REFERRED TO COMMITTEE ON FINANCE, MAY 4, 1982

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled  
2 "An act relating to the finances of the State government;  
3 providing for the settlement, assessment, collection, and  
4 lien of taxes, bonus, and all other accounts due the  
5 Commonwealth, the collection and recovery of fees and other  
6 money or property due or belonging to the Commonwealth, or  
7 any agency thereof, including escheated property and the  
8 proceeds of its sale, the custody and disbursement or other  
9 disposition of funds and securities belonging to or in the  
10 possession of the Commonwealth, and the settlement of claims  
11 against the Commonwealth, the resettlement of accounts and  
12 appeals to the courts, refunds of moneys erroneously paid to  
13 the Commonwealth, auditing the accounts of the Commonwealth  
14 and all agencies thereof, of all public officers collecting  
15 moneys payable to the Commonwealth, or any agency thereof,  
16 and all receipts of appropriations from the Commonwealth and  
17 imposing penalties; affecting every department, board,  
18 commission, and officer of the State government, every  
19 political subdivision of the State, and certain officers of  
20 such subdivisions, every person, association, and corporation  
21 required to pay, assess, or collect taxes, or to make returns  
22 or reports under the laws imposing taxes for State purposes,  
23 or to pay license fees or other moneys to the Commonwealth,  
24 or any agency thereof, every State depository and every  
25 debtor or creditor of the Commonwealth," further providing  
26 for notice and interest payments to certain taxpayers.

27 The General Assembly of the Commonwealth of Pennsylvania  
28 hereby enacts as follows:

29 Section 1. Section 806, act of April 9, 1929 (P.L.343,

1 No.176), known as "The Fiscal Code," amended April 8, 1982  
2 (No.78), is amended to read:

3 Section 806. Interest on Taxes Due the Commonwealth.--All  
4 taxes due the Commonwealth, as provided by law, shall bear  
5 interest at the rate established by law upon the date they  
6 become due and payable until paid. From and after the effective  
7 date hereof, all such taxes which become due and payable shall  
8 bear interest at the rate established by the Secretary of the  
9 Treasury of the United States under the provisions of section  
10 6621 of the Internal Revenue Code as amended by section 711 of  
11 the Economic Recovery Tax Act of 1981 per annum from the date  
12 they are due and payable until paid: Provided, That no penalties  
13 shall bear any interest whatsoever. The payment of interest, as  
14 aforesaid, shall not relieve any person, association, or  
15 corporation, from any of the penalties, commissions or  
16 additional tax prescribed by law for neglect or refusal to  
17 furnish timely returns or reports to the Department of Revenue,  
18 or to pay any claim due to the Commonwealth from such person,  
19 association, or corporation. The Secretary of Revenue shall,  
20 from time to time, publish the rate of interest and the  
21 commencement date thereof in the Pennsylvania Bulletin. In the  
22 case of any tentative tax or installment payment, interest shall  
23 run on any unpaid amount from the last day the payment is due to  
24 the date paid.

25 Whenever the tax liability of a taxpayer is so affected by  
26 any payment or credit, settlement or resettlement, assessment or  
27 reassessment or determination or redetermination as to change  
28 the interest liability of such taxpayer, such interest liability  
29 shall be recomputed and adjusted by the Department of Revenue  
30 and the Department of the Auditor General so as to correspond to

1 the tax liability as changed, without the necessity for the  
2 filing of any petition or request by the taxpayer or by said  
3 departments and the taxpayer shall be notified of such change  
4 within sixty (60) days. In the event that the department does  
5 not recompute the interest and notify the taxpayer within the  
6 prescribed time limit, no interest shall be charged from the  
7 date the taxpayer should have been notified of the recomputed  
8 interest due until a date thirty (30) days after the date on  
9 which the taxpayer is actually notified.

10 Section 2. This act shall take effect immediately.