

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 82

Session of
1991

INTRODUCED BY LAUGHLIN, VEON, STEELMAN, E. Z. TAYLOR, LaGROTTA,
FOX, RITTER, PISTELLA, OLASZ, GIGLIOTTI, CIVERA, HARPER,
DALEY, ROBINSON, TRELLO, PESCI, STISH, COLAIZZO, JOHNSON,
TELEK AND MICHLOVIC, JANUARY 29, 1991

REFERRED TO COMMITTEE ON AGING AND YOUTH, JANUARY 29, 1991

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 rebate and
3 inflation dividends to certain senior citizens, widows,
4 widowers and permanently disabled persons with limited
5 incomes; establishing uniform standards and qualifications
6 for eligibility to receive rebates and dividends; providing
7 for transportation assistance grants and grants to area
8 agencies on aging for services to older persons; and imposing
9 duties upon the Department of Revenue," extending the act to
10 include certain divorced persons.

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

13 Section 1. The title and section 2 of the act of March 11,
14 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and
15 Assistance Act, reenacted and amended December 21, 1979
16 (P.L.570, No.131) and amended March 10, 1982 (P.L.177, No.56),
17 are amended to read:

AN ACT

18
19 Providing property tax or rent rebate and inflation dividends to
20 certain senior citizens, widows, widowers, divorced persons
21 and permanently disabled persons with limited incomes;

1 establishing uniform standards and qualifications for
2 eligibility to receive rebates and dividends; providing for
3 transportation assistance grants and grants to area agencies
4 on aging for services to older persons; and imposing duties
5 upon the Department of Revenue.

6 Section 2. Declaration of Policy.--In recognition of the
7 severe economic plight of certain senior citizens, widows,
8 widowers, divorced persons and permanently disabled persons who
9 are real property owners or renters with fixed and limited
10 incomes who are faced with rising living costs and constantly
11 increasing tax and inflation cost burdens which threaten their
12 homesteads and self-sufficiency, the General Assembly, pursuant
13 to the mandates of the Constitutional Convention of 1968,
14 considers it to be a matter of sound public policy to make
15 special provisions for property tax rebates or rent rebates in
16 lieu of property taxes and inflation dividends to that class of
17 senior citizens, widows, widowers and permanently disabled
18 persons who are real property taxpayers or renters who are
19 without adequate means of support to enable them to remain in
20 peaceable possession of their homes and relieving their economic
21 burden and to provide transportation assistance grants and to
22 provide grants to area agencies on aging for services to older
23 persons.

24 Section 2. Section 3(7) of the act, amended March 10, 1982
25 (P.L.177, No.56), is amended and the section is amended by
26 adding definitions to read:

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

28 * * *

29 (7) "Claimant" means a person who files a claim for property
30 tax rebate or rent rebate in lieu of property taxes and

1 inflation dividend and:

2 (i) was sixty-five years of age or over, or whose spouse (if
3 a member of the household) was sixty-five years of age or over,
4 during a calendar year in which real property taxes, rent and
5 inflation costs were due and payable [or];

6 (ii) was a widow or widower and was fifty years of age or
7 over during a calendar year or part thereof in which real
8 property taxes, rent and inflation costs were due and payable[,
9 or];

10 (iii) was a divorced person and was sixty years of age or
11 over during a calendar year or part thereof in which real
12 property taxes, rent and inflation costs were due and payable;
13 or

14 (iv) was a permanently disabled person eighteen years of age
15 or over during a calendar year or part thereof in which real
16 property taxes, rent and inflation costs were due and payable.

17 [For the purposes of this act the term "widow" or "widower"
18 shall mean the surviving wife or the surviving husband, as the
19 case may be, of a deceased individual and who has not remarried
20 except as provided in subsection (c) and (d) of section 4 of
21 this act. For the purposes of this act the term "permanently
22 disabled person" shall mean a person who is unable to engage in
23 any substantial gainful activity by reason of any medically
24 determinable physical or mental impairment which can be expected
25 to continue indefinitely, except as provided in subsection (c)
26 and (d) of section 4 of this act.]

27 * * *

28 (10) "Widow" or "widower" means the surviving unremarried
29 wife or the surviving unremarried husband, as the case may be,
30 of a deceased individual, except as provided in subsections (c)

1 and (d) of section 4.

2 (11) "Divorced person" means a formerly married person whose
3 marriage was terminated by court order, who has not remarried
4 and whose sole source of income is from the former spouse under
5 an agreement or court order relating to the divorce, except as
6 provided in subsections (c) and (d) of section 4.

7 (12) "Permanently disabled persons" means a person who is
8 unable to engage in any substantial gainful activity by reason
9 of a medically determinable physical or mental impairment which
10 can be expected to continue indefinitely, except as provided in
11 subsections (c) and (d) of section 4.

12 Section 3. Section 4(d) of the act, amended March 10, 1982
13 (P.L.177, No.56), is amended to read:

14 Section 4. Property Tax; Rent Rebate and Inflation Cost.--

15 * * *

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

30 * * *

1 Section 4. This act shall take effect in 60 days.