

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2072 Session of  
1991

INTRODUCED BY BUTKOVITZ, TRELLO, DeLUCA, TANGRETTI, LaGROTTA,  
VAN HORNE, KOSINSKI, COWELL, McHALE, THOMAS, STUBAN, JOSEPHS,  
COLAIZZO, STABACK, RITTER, PESCI, COLAFELLA, HALUSKA,  
MIHALICH, ARNOLD, SCRIMENTI, ROEBUCK, F. TAYLOR, CARONE,  
LUCYK, GIGLIOTTI, CALTAGIRONE, PISTELLA, FREEMAN, GAMBLE,  
KASUNIC, TIGUE, CAPPABIANCA, ACOSTA, DERMODY, OLASZ, GRUITZA,  
MUNDY, ITKIN, MELIO, KAISER, MARKOSEK, WAMBACH, McCALL,  
MAYERNIK, McGEEHAN, MRKONIC, KRUSZEWSKI, CAWLEY,  
D. R. WRIGHT, LESCOVITZ, PETRARCA, LEVDANSKY, TRICH, KREBS,  
HAYDEN, STISH, FEE AND GEORGE, OCTOBER 21, 1991

REFERRED TO COMMITTEE ON FINANCE, OCTOBER 21, 1991

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," further defining "poverty income."

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

13 Section 1. Section 301(o.2) of the act of March 4, 1971  
14 (P.L.6, No.2), known as the Tax Reform Code of 1971, amended  
15 August 4, 1991, (P.L.97, No.22), is amended to read:

16 Section 301. Definitions.--The following words, terms and  
17 phrases when used in this article shall have the meaning  
18 ascribed to them in this section except where the context

1 clearly indicates a different meaning. Any reference in this  
2 article to the Internal Revenue Code shall include the Internal  
3 Revenue Code of 1954, as amended to the date on which this  
4 article is effective:

5 \* \* \*

6 (o.2) "Poverty income" means for the purpose of determining  
7 eligibility for special tax provisions all [taxable and  
8 nontaxable income from whatever source derived, including, but  
9 not limited to, salaries, wages, bonuses, commissions, income  
10 from self-employment, alimony, support money, cash public  
11 assistance and relief, the gross amount of any pensions or  
12 annuities including railroad retirement benefits, all benefits  
13 received under the Federal Social Security Act (Public Law 74-  
14 271, 42 U.S.C. § 301 et seq.), except Medicare benefits, all  
15 benefits received under State unemployment insurance laws and  
16 veterans' disability payments, all interest received from the  
17 Federal or any State government, or any instrumentality or  
18 political subdivision thereof, realized capital gains, rentals,  
19 workmen's compensation and the gross amount of loss of time  
20 insurance benefits, life insurance benefits and proceeds, except  
21 the first five thousand dollars (\$5,000) of the total of death  
22 benefit payments, and gifts of cash or property, other than  
23 transfers by gift between members of a household, in excess of a  
24 total value of three hundred dollars (\$300), but shall not  
25 include surplus food or other relief in kind supplied by a  
26 governmental agency or property tax or rent rebate or inflation  
27 dividend.] moneys or property (including interest, gains or  
28 income derived from obligations which are statutorily free from  
29 State or local taxation under any other act of the General  
30 Assembly of the Commonwealth of Pennsylvania or under the laws

1 of the United States) received of whatever nature and from  
2 whatever source derived but not including (i) periodic payments  
3 for sickness and disability other than regular wages received  
4 during a period of sickness or disability; or (ii) disability,  
5 retirement or other payments arising under workmen's  
6 compensation acts, occupational disease acts and similar  
7 legislation by any government; or (iii) payments commonly  
8 recognized as old age or retirement benefits paid to persons  
9 retired from service after reaching a specific age or after a  
10 stated period of employment; or (iv) payments commonly known as  
11 public assistance, or unemployment compensation payments by any  
12 governmental agency; or (v) payments to reimburse actual  
13 expenses; or (vi) payments made by employers or labor unions for  
14 programs covering hospitalization, sickness, disability or  
15 death, supplemental unemployment benefits, strike benefits,  
16 social security and retirement; or (vii) any compensation  
17 received by United States servicemen serving in a combat zone.

18 \* \* \*

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