

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 513 Session of
2003

INTRODUCED BY PHILLIPS, HERSHEY, STABACK, FEESE, ALLEN, BARD,
BELFANTI, BUNT, CALTAGIRONE, CAPPELLI, CLYMER, COY, CRAHALLA,
CREIGHTON, FICHTER, FREEMAN, GABIG, GEIST, GODSHALL, GRUCELA,
HARHART, HASAY, HENNESSEY, HERMAN, HORSEY, LAUGHLIN,
McILHATTAN, S. MILLER, PETRARCA, ROBERTS, ROHRER, SAINATO,
SEMMELE, SHANER, B. SMITH, SOLOBAY, E. Z. TAYLOR, THOMAS,
WATSON, WILT, HARPER, MYERS AND MCGILL, FEBRUARY 26, 2003

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, FEBRUARY 26, 2003

AN ACT

1 Amending the act of May 22, 1933 (P.L.853, No.155), entitled "An
2 act relating to taxation; designating the subjects, property
3 and persons subject to and exempt from taxation for all local
4 purposes; providing for and regulating the assessment and
5 valuation of persons, property and subjects of taxation for
6 county purposes, and for the use of those municipal and
7 quasi-municipal corporations which levy their taxes on county
8 assessments and valuations; amending, revising and
9 consolidating the law relating thereto; and repealing
10 existing laws," further providing for exemptions from
11 taxation.

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

14 Section 1. Section 204(a) of the act of May 22, 1933
15 (P.L.853, No.155), known as The General County Assessment Law,
16 is amended by adding a paragraph to read:

17 Section 204. Exemptions from Taxation.--(a) The following
18 property shall be exempt from all county, city, borough, town,
19 township, road, poor and school tax, to wit:

20 * * *

1 (14) (i) All farm buildings and structures, situated on the
2 land of a family farm which is actively devoted to agricultural
3 use, including, for purposes of this paragraph, the following:

4 (A) all silos used predominantly by the owner or operator of
5 the farm on which the silo is located for processing or storage
6 of animal feed used in the course of commercial agricultural
7 production;

8 (B) all in-ground or above-ground buildings, structures and
9 containments or portions thereof used predominantly by the owner
10 or operator of the farm on which the building, structure,
11 containment or portion thereof is located for processing and
12 storage of animal waste or for composting in the course of
13 commercial agricultural production;

14 (C) all in-ground or above-ground buildings and structures
15 used predominantly by the owner or operator of the farm on which
16 the building or structure is located to produce or store any
17 farm product produced in the course of commercial agricultural
18 production;

19 (D) all buildings and structures used predominantly by the
20 owner or operator of the farm on which the building or structure
21 is located to house or confine animals raised or maintained in
22 the course of commercial agricultural production; and

23 (E) all buildings and structures, or portions of buildings
24 or structures, used predominantly by the owner or operator of
25 the farm on which the building or structure is located to store
26 machinery or equipment used in the course of commercial
27 agricultural production.

28 (ii) The following words and phrases when used in this
29 paragraph shall have the meanings given them in this
30 subparagraph unless the context clearly indicates otherwise:

1 "Family farm" shall mean real property of a farm owned by an
2 individual, by members of an immediate family, by a family farm
3 corporation or by a family farm partnership used for the
4 production, for commercial purposes, of agricultural products.

5 "Family farm corporation" shall mean a corporation of which
6 at least seventy-five per centum (75%) of its assets are devoted
7 to the business of agriculture and at least seventy-five per
8 centum (75%) of each class of stock of the corporation is
9 continuously owned by members of the immediate family.

10 "Family farm partnership" shall mean a general partnership
11 entered into for the purpose of farming, having no more than
12 three unrelated members and having at least one member residing
13 on or actively operating or managing the farm.

14 "Immediate family member" shall mean a spouse, child,
15 stepchild, parent, stepparent, grandparent, brother,
16 stepbrother, sister, stepsister or like relative-in-law of an
17 owner of real property.

18 * * *

19 Section 2. This act shall apply in determining the value of
20 real estate for taxes to be levied for tax years beginning on or
21 after January 1, 2003.

22 Section 3. This act shall take effect immediately.