

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 40

Special Session No. 1 of
2005

INTRODUCED BY QUIGLEY, YEWCIC, ROHRER, DENLINGER, LEH, WILT,
ALLEN, ARMSTRONG, BALDWIN, BASTIAN, BIRMELIN, BUNT,
CALTAGIRONE, CAPPELLI, CLYMER, CREIGHTON, DIVEN, FORCIER,
GILLESPIE, GOODMAN, HARRIS, HERSHEY, KAUFFMAN, MACKERETH,
MARSICO, McILHATTAN, R. MILLER, S. MILLER, MUSTIO, PICKETT,
PYLE, RAPP, ROBERTS, SATHER, SAYLOR, SCHRODER, SEMMEL, STEIL,
STERN AND T. STEVENSON, OCTOBER 24, 2005

AS REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 14, 2005

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," further providing for
10 property tax and rent rebate eligibility.

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

13 ~~Section 1. Section 4(a.1) of the act of March 11, 1971~~ <—
14 ~~(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 July 11, 1985 (P.L.207, No.53), is~~
17 ~~amended and the section is amended by adding a subsection to~~
18 ~~read:~~

19 ~~Section 4. Property Tax; Rent Rebate and Inflation Cost.~~

~~(a.1) (1) The amount of any claim for property tax rebate or rent rebate in lieu of property taxes for real property taxes or rent due and payable during calendar years 1981, 1982, 1983 and 1984 shall be determined in accordance with the following schedule:~~

Household Income		Percentage of Real Property Taxes or Rent Rebate in Lieu of Property Taxes Allowed as Rebate
\$	0 — \$4,999	100%
—5,000	—5,999	80
—6,000	—6,999	60
—7,000	—7,999	40
—8,000	—8,999	20
—9,000	—11,999	10

~~(2) The amount of any claim for property tax rebate or rent rebate in lieu of property taxes for real property taxes or rent due and payable during calendar year 1985 and thereafter, unless paragraph (3) applies, shall be determined in accordance with the following schedule:~~

Household Income		Percentage of Real Property Taxes or Rent Rebate in Lieu of Property Taxes Allowed as Rebate
\$	0 — \$4,999	100%
—5,000	—5,499	100
—5,500	—5,999	90
—6,000	—6,499	80
—6,500	—6,999	70
—7,000	—7,499	60
—7,500	—7,999	50
—8,000	—8,499	40

1	—8,500—8,999	—35
2	—9,000—9,999	—25
3	—10,000—11,999	—20
4	—12,000—12,999	—15
5	—13,000—15,000	—10

6 ~~(3) The amount of any claim for property tax rebate for real~~
7 ~~property taxes due and payable during calendar year 2006 and~~
8 ~~thereafter in which imposition of school real property tax is~~
9 ~~prohibited by law shall be zero.~~

10 * * *

11 ~~(f) (1) The amount of money expended by the department on~~
12 ~~the payment of real property tax rebates during calendar year~~
13 ~~2007 and, in each year thereafter, as annually adjusted by the~~
14 ~~department in accordance with this subsection, shall be expended~~
15 ~~to expand eligibility for the thirteen thousand fifteen thousand~~
16 ~~dollars (\$13,000 \$15,000) category of rent rebates in lieu of~~
17 ~~taxes. The department shall increase such eligibility by raising~~
18 ~~the maximum limit on household income from fifteen thousand~~
19 ~~dollars (\$15,000) per year to a maximum household income~~
20 ~~threshold which can be financed pursuant to this paragraph for~~
21 ~~the applicable calendar year.~~

22 ~~(2) No claimant shall be entitled to a rent rebate payment~~
23 ~~pursuant to this subsection for any calendar year to the extent~~
24 ~~that such payment would cause the total rent rebate in lieu of~~
25 ~~taxes received pursuant to this section in that calendar year to~~
26 ~~exceed the school real property tax portion of the rent rebate~~
27 ~~in lieu of taxes as calculated in this paragraph. The school~~
28 ~~real property tax portion of the rent rebate in lieu of taxes~~
29 ~~shall be determined by calculating the Statewide percentage of~~
30 ~~real estate tax revenues that were derived from the school real~~

1 ~~property tax in calendar year 2006.~~

2 ~~(3) For each calendar year following calendar year 2007, the~~
3 ~~department shall determine the amount of the State lottery funds~~
4 ~~to be expended for purposes of this subsection by increasing or~~
5 ~~reducing the amount determined for the preceding calendar year~~
6 ~~by a percentage which shall be determined by calculating the~~
7 ~~percentage increase or decrease in revenues derived from~~
8 ~~nonschool real property taxes throughout this Commonwealth from~~
9 ~~the preceding calendar year.~~

10 ~~(4) Nothing in this subsection shall be construed to reduce~~
11 ~~the amount of a rent rebate in lieu of taxes payment or~~
12 ~~inflation dividend for which an eligible claimant qualified~~
13 ~~pursuant to subsection (a.1)(2) or (a.2)(2).~~

14 ~~(5) This subsection shall only apply to eligible claimants~~
15 ~~residing in school districts where the rate of school real~~
16 ~~property taxes is required by act of the General Assembly to be~~
17 ~~reduced during the entire calendar year for which a claim is~~
18 ~~made pursuant to this subsection.~~

19 ~~Section 2. This act shall take effect immediately.~~

20 SECTION 1. SECTION 4(A.1) AND (B) OF THE ACT OF MARCH 11, <—
21 1971 (P.L.104, NO.3), KNOWN AS THE SENIOR CITIZENS REBATE AND
22 ASSISTANCE ACT, REENACTED AND AMENDED DECEMBER 21, 1979
23 (P.L.570, NO.131) AND AMENDED MARCH 10, 1982 (P.L.177, NO.56)
24 AND JULY 11, 1985 (P.L.207, NO.53), ARE AMENDED TO READ:

25 SECTION 4. PROPERTY TAX; RENT REBATE AND INFLATION COST.--

26 (A.1) (1) THE AMOUNT OF ANY CLAIM FOR PROPERTY TAX REBATE
27 OR RENT REBATE IN LIEU OF PROPERTY TAXES FOR REAL PROPERTY TAXES
28 OR RENT DUE AND PAYABLE DURING CALENDAR YEARS 1981, 1982, 1983
29 AND 1984 SHALL BE DETERMINED IN ACCORDANCE WITH THE FOLLOWING
30 SCHEDULE:

1	PERCENTAGE OF REAL PROPERTY TAXES OR	
2	RENT REBATE IN LIEU OF	
3	HOUSEHOLD INCOME	PROPERTY TAXES ALLOWED AS REBATE
4	\$ 0 - \$4,999	100%
5	5,000 - 5,999	80
6	6,000 - 6,999	60
7	7,000 - 7,999	40
8	8,000 - 8,999	20
9	9,000 - 11,999	10

10 (2) THE AMOUNT OF ANY CLAIM FOR PROPERTY TAX REBATE OR RENT
11 REBATE IN LIEU OF PROPERTY TAXES FOR REAL PROPERTY TAXES OR RENT
12 DUE AND PAYABLE DURING CALENDAR YEAR 1985 [AND THEREAFTER]
13 THROUGH CALENDAR YEAR 2008 SHALL BE DETERMINED IN ACCORDANCE
14 WITH THE FOLLOWING SCHEDULE:

15	PERCENTAGE OF REAL PROPERTY TAXES OR	
16	RENT REBATE IN LIEU OF	
17	HOUSEHOLD INCOME	PROPERTY TAXES ALLOWED AS REBATE
18	\$ 0 - \$4,999	100%
19	5,000 - 5,499	100
20	5,500 - 5,999	90
21	6,000 - 6,499	80
22	6,500 - 6,999	70
23	7,000 - 7,499	60
24	7,500 - 7,999	50
25	8,000 - 8,499	40
26	8,500 - 8,999	35
27	9,000 - 9,999	25
28	10,000 - 11,999	20
29	12,000 - 12,999	15
30	13,000 - 15,000	10

(3) THE AMOUNT OF ANY CLAIM FOR RENT REBATE IN LIEU OF
PROPERTY TAXES FOR RENT DUE AND PAYABLE DURING CALENDAR YEAR
2009 AND THEREAFTER SHALL BE DETERMINED IN ACCORDANCE WITH THE
FOLLOWING SCHEDULE:

<u>PERCENTAGE OF RENT REBATE IN LIEU OF</u> <u>PROPERTY TAXES ALLOWED AS REBATE</u>	
<u>HOUSEHOLD INCOME</u>	
<u>\$ 0 - \$10,000</u>	<u>100%</u>
<u>10,001 - 11,499</u>	<u>90</u>
<u>11,500 - 12,999</u>	<u>80</u>
<u>13,000 - 13,999</u>	<u>70</u>
<u>14,000 - 14,999</u>	<u>60</u>
<u>15,000 - 15,999</u>	<u>50</u>
<u>16,000 - 16,999</u>	<u>40</u>
<u>17,000 - 17,999</u>	<u>30</u>
<u>18,000 - 18,999</u>	<u>20</u>
<u>19,000 - 20,000</u>	<u>10</u>

* * *

(B) NO CLAIM SHALL BE ALLOWED IF THE AMOUNT OF PROPERTY TAX
OR RENT REBATE COMPUTED IN ACCORDANCE WITH THIS SECTION IS LESS
THAN TEN DOLLARS (\$10), AND THE MAXIMUM AMOUNT OF PROPERTY TAX
OR RENT REBATE PAYABLE SHALL NOT EXCEED FIVE HUNDRED DOLLARS
(\$500)[.] FOR CLAIMS FOR CALENDAR YEARS UP TO AND INCLUDING
CALENDAR YEAR 2008. FOR CALENDAR YEARS 2009 AND THEREAFTER THE
MAXIMUM AMOUNT OF RENT REBATE PAYABLE SHALL NOT EXCEED SEVEN
HUNDRED FIFTY DOLLARS (\$750). NO CLAIMANT SHALL BE ELIGIBLE FOR
A PROPERTY TAX REBATE FOR REAL PROPERTY TAXES DUE AND PAYABLE
DURING CALENDAR YEAR 2009 AND THEREAFTER.

* * *

SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.