

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1247 Session of
2007

INTRODUCED BY SCHRODER, BENNINGHOFF, GEIST, HARHAI, HORNAMAN,
KILLION, KIRKLAND, MURT, READSHAW AND WALKO, MAY 18, 2007

REFERRED TO COMMITTEE ON FINANCE, MAY 18, 2007

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
2 as amended, "An act relating to the finances of the State
3 government; providing for the settlement, assessment,
4 collection, and lien of taxes, bonus, and all other accounts
5 due the Commonwealth, the collection and recovery of fees and
6 other money or property due or belonging to the Commonwealth,
7 or 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,
17 authorizing the Commonwealth to issue tax anticipation notes
18 to defray current expenses, implementing the provisions of
19 section 7(a) of Article VIII of the Constitution of
20 Pennsylvania authorizing and restricting the incurring of
21 certain debt and imposing penalties; affecting every
22 department, board, commission, and officer of the State
23 government, every political subdivision of the State, and
24 certain officers of such subdivisions, every person,
25 association, and corporation required to pay, assess, or
26 collect taxes, or to make returns or reports under the laws
27 imposing taxes for State purposes, or to pay license fees or
28 other moneys to the Commonwealth, or any agency thereof,
29 every State depository and every debtor or creditor of the
30 Commonwealth," providing for generator rebates; and
31 establishing the Generator Rebate Fund.

32 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Article XVII-A of the act of April 9, 1929
3 (P.L.343, No.176), known as The Fiscal Code, is amended by
4 adding a subarticle to read:

5 SUBARTICLE G

6 GENERATOR REBATE FUND

7 Section 1761-A. Scope.

8 This subarticle relates to generator rebates.

9 Section 1762-A. Definitions.

10 The following words and phrases when used in this subarticle
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Revenue of the Commonwealth.

14 "Electricity distribution company." As defined in 66 Pa.C.S.
15 § 2803 (relating to definitions).

16 "Fund." The Generator Rebate Fund established in section
17 1764-A.

18 "Generator." A machine by which mechanical energy is
19 converted into electrical energy and operated for the purpose of
20 providing emergency power to an individual's private residence,
21 which power is otherwise purchased from a utility.

22 "Individual." A natural person.

23 Section 1763-A. Rebate program.

24 (a) Establishment.--There is hereby established a rebate
25 program within the department for individuals residing in this
26 Commonwealth who purchase a generator.

27 (b) Application.--The department shall establish procedures
28 for the application for and awarding of rebates under this
29 subarticle. The department shall publish information relating to
30 the program annually in the Pennsylvania Bulletin and may also

1 publish the information on the department's Internet website.

2 (c) Eligibility.--

3 (1) A request for a rebate must be submitted to the
4 department no later than six months after the purchase date
5 of the generator, in a form and manner prescribed by the
6 department.

7 (2) The department shall provide an application form to
8 an individual upon request, and the department may make the
9 application form available on its Internet website or through
10 the place of purchase of the generator.

11 (3) No individual shall be eligible for more than \$500
12 in rebates.

13 (d) Requirements.--An applicant shall provide the following
14 when making a request for a rebate under this subarticle:

15 (1) A copy of the proof of purchase of the generator.

16 (2) A copy of a recent electric utility statement that
17 indicates, at a minimum, the electricity distribution company
18 that provides electricity for the individual.

19 Section 1764-A. Generator Rebate Fund.

20 The Generator Rebate Fund is established in the State
21 Treasury. Payment of rebates under this subarticle shall be made
22 from the fund.

23 Section 1765-A. Recoupment of revenue.

24 (a) Procedure.--

25 (1) On March 1, June 1, September 1 and December 1 of
26 each fiscal year, the department shall mail a report to
27 notify each electricity distribution company of the value of
28 the rebates that the department has issued to customers of
29 each electricity distribution company.

30 (2) By March 30, June 30, September 30 and December 30

1 of each fiscal year, an electricity distribution company
2 shall make a payment to the Commonwealth for reimbursement of
3 the full amount of rebates provided by the Commonwealth as
4 indicated in the most recent report mailed by the department
5 to an electricity distribution company.

6 (b) Penalty schedule.--The department may establish a
7 schedule to provide penalties for failure to make payment as
8 prescribed under this section.

9 (c) Deposit in fund.--The payments shall be deposited into
10 the fund.

11 (d) Limitation.--No electricity distribution company shall
12 be required to reimburse the Commonwealth in any fiscal year in
13 an amount that exceeds the electricity distribution company's
14 2006 tree trimming and removal budget.

15 Section 1766-A. Rules and regulations.

16 The department shall promulgate rules and regulations as
17 necessary to carry out the provisions of this subarticle.

18 Section 2. This act shall take effect immediately.