

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1358 Session of
2017

INTRODUCED BY M. K. KELLER, READSHAW, SAYLOR, NEILSON, GREINER,
JAMES AND MILLARD, MAY 9, 2017

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
MAY 9, 2017

AN ACT

Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
as amended, "An act relating to the finances of the State
government; providing for the settlement, assessment,
collection, and lien of taxes, bonus, and all other accounts
due the Commonwealth, the collection and recovery of fees and
other money or property due or belonging to the Commonwealth,
or any agency thereof, including escheated property and the
proceeds of its sale, the custody and disbursement or other
disposition of funds and securities belonging to or in the
possession of the Commonwealth, and the settlement of claims
against the Commonwealth, the resettlement of accounts and
appeals to the courts, refunds of moneys erroneously paid to
the Commonwealth, auditing the accounts of the Commonwealth
and all agencies thereof, of all public officers collecting
moneys payable to the Commonwealth, or any agency thereof,
and all receipts of appropriations from the Commonwealth,
authorizing the Commonwealth to issue tax anticipation notes
to defray current expenses, implementing the provisions of
section 7(a) of Article VIII of the Constitution of
Pennsylvania authorizing and restricting the incurring of
certain debt and imposing penalties; affecting every
department, board, commission, and officer of the State
government, every political subdivision of the State, and
certain officers of such subdivisions, every person,
association, and corporation required to pay, assess, or
collect taxes, or to make returns or reports under the laws
imposing taxes for State purposes, or to pay license fees or
other moneys to the Commonwealth, or any agency thereof,
every State depository and every debtor or creditor of the
Commonwealth," providing for fraternal and agricultural
organizations.

The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
3 as The Fiscal Code, is amended by adding an article to read:

4 ARTICLE XVI-L

5 FRATERNAL AND AGRICULTURAL ORGANIZATIONS

6 Section 1601-L. Scope of article.

7 This article applies to certain fraternal and agricultural
8 organizations.

9 Section 1602-L. Nature of organizations.

10 Notwithstanding a provision to the contrary in the act of
11 November 26, 1997 (P.L.508, No.55), known as the Institutions of
12 Purely Public Charity Act, the following shall be deemed an
13 institution of purely public charity under the Institutions of
14 Purely Public Charity Act:

15 (1) Fraternal beneficiary societies, orders or
16 associations operating under the lodge system and providing
17 for the payment of life, sick, accident or other benefits to
18 the members of the society, order or association or their
19 dependents and domestic fraternal societies, orders or
20 associations operating under the lodge system, the net
21 earnings of which are devoted exclusively to religious,
22 charitable, scientific, literary, educational and fraternal
23 purposes, in each case if the following apply:

24 (i) the organization has been operating in this
25 Commonwealth for not less than 100 years;

26 (ii) the organization qualifies for an exemption
27 from taxation under section 501(c)(8) or (10) of the
28 Internal Revenue Code of 1986 (Public Law 99-514, 26
29 U.S.C. § 501(c)(8) and (10)); and

30 (iii) the organization has not been issued a license

1 under the act of April 12, 1951 (P.L.90, No.21), known as
2 the Liquor Code.

3 (2) Title holding organizations that qualify for an
4 exemption from taxation under section 501(c)(2) of the
5 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
6 501(c)(2)) that are wholly owned or controlled by one or more
7 fraternal organizations described in paragraph (1).

8 (3) An agricultural organization if the following apply:

9 (i) the organization has been operating in this
10 Commonwealth for not less than 100 years;

11 (ii) the organization qualifies for exemption from
12 taxation under section 501(c)(5) of the Internal Revenue
13 Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(5));
14 and

15 (iii) the organization has not been issued a license
16 under the Liquor Code.

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