

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 144

PRINTER'S NO. 2165

AMOUNT

No Fiscal Impact

FUND

General

DATE INTRODUCED

February 9, 2011

PRIME SPONSOR

Representative Pickett

HISTORY OF BILL

Referred to AGRICULTURE AND RURAL AFFAIRS, Feb. 9, 2011

Reported as amended, Feb. 15, 2011

First consideration, Feb. 15, 2011

Laid on the table, Feb. 15, 2011

Removed from table, Feb. 16, 2011

Second consideration, Feb. 28, 2011

Re-committed to APPROPRIATIONS, Feb. 28, 2011

Re-reported as committed, March 1, 2011

Third consideration and final passage, March 1, 2011 (197-1)

(Remarks see House Journal Page 295), March 1, 2011

Vote on final passage reconsidered, March 2, 2011 (198-0)

Final passage, March 7, 2011 (193-0)

In the Senate

Referred to AGRICULTURE AND RURAL AFFAIRS, March 11, 2011

Reported as committed, May 24, 2011

First consideration, May 24, 2011

Re-referred to APPROPRIATIONS, June 7, 2011

Re-reported as amended, June 21, 2011

DESCRIPTION AND PURPOSE OF BILL

House Bill 144 amends the Pennsylvania Farmland and Forest Land Assessment Act to clarify when roll-back taxes are due when oil or gas drilling occurs on the land enrolled in Clean and Green.

6/21/2011

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The legislation specifies roll-back taxes and fair market value assessments shall be imposed when a well production report is first due to the Department Environmental Protection (DEP). It requires DEP to provide a copy of the well production report to the county assessor within ten days of its submission and provides for roll-back taxes to be due upon receipt of a well production report by the county assessor.

In addition, the legislation provides that tax calculated based on the adjusted fair market value shall be due and payable in the tax year immediately following the year in which the well production report is provided to the county assessor.

The legislation is scheduled to take effect immediately.

Current law (Act 88 of 2010) provides for roll-back taxes to be applied when a well site restoration report is "approved" by DEP. However, a well site restoration report is not approved by DEP. Therefore, no mechanism currently exists for the collection of roll-back taxes and imposition of fair market value assessment.

FISCAL IMPACT:

The enactment of House Bill 144 will have no adverse fiscal impact on Commonwealth funds.