

**JUSTIN SIMMONS, MEMBER  
131ST LEGISLATIVE DISTRICT**

PO Box 202131  
Harrisburg, PA 17120-2131  
Phone: (717) 783-1673  
Fax: (717) 705-7012

3606 Route 378 South, Suite A  
Bethlehem, PA 18015  
Phone: (610) 861-5201  
Fax: (610) 861-2069

www.RepSimmons.com



## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

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Pennsylvania Animal Protection  
Property Tax  
Steel  
2nd Amendment

**DATE:** March 12, 2012

**TO:** All House Members

**FROM:** Representative Justin Simmons  
131<sup>st</sup> Legislative District

A handwritten signature in black ink, appearing to be 'JS' or similar initials.

**RE:** Co sponsorship Memo - **Ballot Referendum Exceptions**

As you all know, the issue of property tax reform has been debated and considered on multiple occasions by the General Assembly over the course of recent years. As a result of these debates, legislation has been enacted which provides property tax relief to homeowners across Pennsylvania while also establishing safeguards relating to the property tax rates school districts can impose.

Specifically, Sp. Session Act 1 of 2006 requires the Department of Education to publish an annual index which indicates how much each school district is permitted to increase their property taxes by for the impending school year. If a school district wishes to exceed their assigned index rate, there are currently two available courses of action they may pursue. The first method involves receiving voter approval via a ballot referendum. The second, and more prevalent method, requires a school district to petition the Department of Education for what is known as a ballot referendum exception. Originally, Act 1 provided for ten different exceptions, however many of these exceptions were eliminated in 2011 as a result of the enactment of Act 25.

Currently, school districts may only apply for ballot referendum exceptions relating to costs in the areas of special education, pension obligations and grandfathered debt. I believe the existence of these remaining ballot referendum exceptions will still lead to school districts circumventing the voters during the property taxation process in order to increase rates beyond the established index.

In order to provide voters with a greater voice in the property taxation process I will be introducing legislation with the intent of eliminating the remaining three ballot referendum exceptions. The elimination of these three ballot referendum exceptions would eliminate any ability school districts would have to increase taxes beyond the established index without voter approval. Additionally, this legislation would also require school districts to live more within their means when making budgetary decisions.

Please join me in my efforts to protect taxpayers and limit property tax increases. If you wish to co sponsor this important piece of legislation, please contact my secretary Lori McCauslin by e-mailing: [lmccausl@pahousegop.com](mailto:lmccausl@pahousegop.com) or calling: 717-783-1673.