

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 22

Session of
1987

INTRODUCED BY TRELLO, TIGUE, MORRIS, PETRONE, PISTELLA, RYBAK,
CALTAGIRONE, WOGAN, SHOWERS, ITKIN, OLASZ, PRESTON,
VAN HORNE, GEIST, HALUSKA, KENNEY, GODSHALL, STABACK, BURD,
LASHINGER, MICHLOVIC, BLAUM AND McVERRY, JANUARY 28, 1987

REFERRED TO COMMITTEE ON FINANCE, JANUARY 28, 1987

AN ACT

1 Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An
2 act relating to tax reform and State taxation by codifying
3 and enumerating certain subjects of taxation and imposing
4 taxes thereon; providing procedures for the payment,
5 collection, administration and enforcement thereof; providing
6 for tax credits in certain cases; conferring powers and
7 imposing duties upon the Department of Revenue, certain
8 employers, fiduciaries, individuals, persons, corporations
9 and other entities; prescribing crimes, offenses and
10 penalties," further providing for additional information on
11 personal income tax return forms; and further providing for
12 the filing of public utility realty tax reports by local
13 authorities.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 335 of the act of March 4, 1971 (P.L.6,
17 No.2), known as the Tax Reform Code of 1971, is amended by
18 adding a subsection to read:

19 Section 335. Requirements Concerning Returns, Notices,
20 Records and Statements.--* * *

21 (e) The Department of Revenue shall require every taxpayer
22 who files a return for the tax imposed under this article to

1 state, in a specific location on the personal income tax return,
2 by name and code, the municipality of residence of the taxpayer.
3 The subsection shall apply to tax returns filed for calendar
4 year 1987 and each year thereafter.

5 Section 2. Sections 1106-A and 1107-A of the act, added July
6 4, 1979 (P.L.60, No.27), are amended to read:

7 Section 1106-A. Reports by Local Taxing Authorities.--(a)
8 On or before the first day of April of 1971 and of each year
9 thereafter, each [local taxing authority] county shall submit to
10 the department a report that lists, by local taxing authority:

11 (1) The name and address of each public utility owning
12 utility realty within [its] the jurisdiction of each local
13 taxing authority in the county, and the assessed value of such
14 utility realty.

15 (2) [Its] The real estate tax rate of each local taxing
16 authority in the county for its current fiscal year.

17 (3) The realty tax equivalent, which is the assessed value
18 of clause (1) multiplied by the tax rate of clause (2).

19 (4) [Its] The total tax receipts of each local taxing
20 authority in the county for its last completed fiscal year.

21 (5) Any adjustment to the assessed values, tax rates, realty
22 tax equivalents or total tax receipts previously reported
23 pursuant to clauses (1) to (4).

24 (b) If a [local taxing authority] county shall fail to file
25 the report required by subsection (a) by the date therein
26 prescribed, or within any extension granted by the department,
27 it shall forfeit its right to share in the next-ensuing
28 distribution made pursuant to section 1107-A.

29 (c) In order to prepare an accurate and complete report, a
30 county shall obtain from each local taxing authority in that

1 county the real estate tax rate of the local taxing authority
2 for the current fiscal year, the total tax receipts of the local
3 taxing authority for its last completed fiscal year and any
4 other relevant information deemed to be necessary.

5 (d) It shall be the duty of each local taxing authority in
6 the county to submit to the county by a date specified by the
7 county the information the county is required by subsection (c)
8 to obtain for preparation of its report, and any local taxing
9 authority which fails to do so shall forfeit its right to share
10 in the next ensuing distribution made pursuant to section 1107-
11 A.

12 Section 1107-A. Distribution to Local Taxing Authorities.--

13 (a) From the reports received by it in each year pursuant to
14 section 1106-A, the department shall determine:

15 (1) The total tax receipts shown in all such reports.

16 (2) The total realty tax equivalent shown in all such
17 reports.

18 (b) On or before the first day of October of 1971 and of
19 each year thereafter, the department shall distribute to each
20 [reporting] reported local taxing authority its share of the
21 total realty tax equivalent determined pursuant to subsection
22 (a)(2), which share shall be the ratio which the total tax
23 receipts of each local taxing authority reported by that county
24 in which the local taxing authority is located bear to the total
25 tax receipts determined pursuant to subsection (a)(1), minus the
26 county administrative reimbursement which shall be calculated as
27 provided in subsection (c).

28 (c) For administering the provisions of this section, each
29 county shall receive the greater of one-fourth of one percent of
30 the amount distributed in that county, or two thousand dollars

1 (\$2,000), which amount shall be subtracted on a pro rata basis
2 from the amount distributed to each local taxing authority in
3 that county.

4 [(c)] (d) For the purpose of making such payment, the
5 department shall make requisition therefor in the manner
6 prescribed by "The Fiscal Code."

7 Section 3. This act shall take effect January 1, 1988.