

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 345

Session of
1975

INTRODUCED BY DeMEDIO, MANDERINO, PETRARCA, LAUDADIO, STOUT,
BRUNNER, YAHNER, M. E. MILLER, FISCHER, R. W. WILT, HASKELL,
HALVERSON AND KLINGAMAN, FEBRUARY 10, 1975

REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 10, 1975

AN ACT

1 Amending the act of March 11, 1971 (P.L.104, No.3), entitled, as
2 amended, "An act providing property tax or rent assistance to
3 certain senior citizens, widows, widowers and permanently
4 disabled persons with limited incomes; establishing uniform
5 standards and qualifications for eligibility to receive
6 assistance; and imposing duties upon the Department of
7 Revenue," providing assistance for furnishing sewage service
8 to a homestead.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 3, act of March 11, 1971 (P.L.104, No.3),
12 known as the "Senior Citizens Property Tax Assistance Act," is
13 amended by adding a clause to read:

14 Section 3. Definitions.--As used in this act:

15 * * *

16 (8) "Homestead assessments" means assessments, rentals and
17 charges for the furnishing of sewage service to a homestead.

18 Section 2. Section 4 of the act amended December 5, 1973
19 (No.136), is amended to read:

20 Section 4. Property Tax or Rent Assistance; Homestead

1 Assessments.--(a) The amount of any claim for property tax
2 assistance for real property taxes due and payable during the
3 calendar years 1971 and 1972, or rent assistance in lieu of
4 property taxes for rent due and payable during the calendar year
5 1972 shall be determined in accordance with the following
6 schedule:

Percentage of Real Property Taxes or Rent Assistance in Lieu of Property Taxes <u>or Homestead Assessment</u>	
Household Income	Allowed as Assistance
\$ 0 - \$ 999	100%
1,000 - 1,499	90
1,500 - 1,999	80
2,000 - 2,499	70
2,500 - 2,999	60
3,000 - 3,499	50
3,500 - 3,999	40
4,000 - 4,999	30
5,000 - 5,999	20
6,000 - 7,499	10

21 (a.1) The amount of any claim for property tax assistance or
22 rent assistance in lieu of property taxes for real property
23 taxes or rent due and payable during the calendar year 1973 and
24 thereafter or homestead assessment assistance shall be
25 determined in accordance with the following schedule:

<u>Percentage of Real Property Taxes or Rent Assistance in Lieu of Property Taxes or Homestead Assessment</u>	
<u>Household Income</u>	<u>Allowed as Assistance</u>
\$ 0 - \$ 2,999	100%

1	3,000 -	3,499	90
2	3,500 -	3,999	80
3	4,000 -	4,499	70
4	4,500 -	4,999	60
5	5,000 -	5,499	50
6	5,500 -	5,999	40
7	6,000 -	6,499	30
8	6,500 -	6,999	20
9	7,000 -	7,499	10

10 (b) No claim shall be allowed if the amount of property tax
11 or rent assistance or homestead assessments computed in
12 accordance with this section is each less than ten dollars
13 (\$10), and the maximum amount of assistance payable shall not
14 exceed two hundred dollars (\$200) for each category of
15 assistance.

16 (c) No claim for property tax or rent assistance shall be
17 allowed if the claimant is a tenant of an owner of real property
18 exempt from real property taxes.

19 (d) If a homestead is owned or rented and occupied for only
20 a portion of a year or is owned or rented in part by a person
21 who does not meet the qualifications for a claimant, exclusive
22 of any interest owned or leased by a claimant's spouse, or if
23 the claimant is a widow or widower who remarries, or if the
24 claimant is a permanently disabled person who is no longer
25 disabled, the department shall apportion the real property taxes
26 or rent or homestead assessments in accordance with the period
27 or degree of ownership or leasehold or eligibility of the
28 claimant in determining the amount of assistance for which a
29 claimant is eligible. A claimant who is a renter shall not be
30 eligible for rent assistance in lieu of property taxes during

1 those months within which he receives public assistance from the
2 Department of Public Welfare.

3 Section 3. Section 5 of the act, amended June 24, 1974
4 (No.124), is amended to read:

5 Section 5. Filing of Claim.--A claim for property tax or
6 rent assistance or homestead assessments assistance shall be
7 filed with the department on or before the thirtieth day of June
8 of the year next succeeding the end of the calendar year in
9 which real property taxes or rent or homestead assessments were
10 due and payable: Provided, That widowers and renters requesting
11 assistance by virtue of this amendment, may file their first
12 claim for assistance with the department no later than six
13 months after the effective date of this act. No reimbursement on
14 a claim shall be made from the State Lottery Fund earlier than
15 the day following the last day provided in this act on which
16 that claim may be filed with the department. Only one claimant
17 from a homestead each year shall be entitled to property tax or
18 rent assistance or homestead assessments assistance. If two or
19 more persons are able to meet the qualifications for a claimant,
20 they may determine who the claimant shall be. If they are unable
21 to agree, the department shall determine to whom assistance is
22 to be paid.

23 Section 4. Sections 6 and 8 of the act, amended December 5,
24 1973 (No.136), are amended to read:

25 Section 6. Proof of Claim.--Each claim shall include
26 reasonable proof of household income, the size and nature of the
27 property claimed as a homestead and the rent or tax or homestead
28 assessment receipt, or other proof that the real property taxes
29 on the homestead have been paid, or rent or homestead assessment
30 in connection with the occupancy of a homestead has been paid.

1 If the claimant is a widow, or widower, an affidavit of such
2 status shall be included. Proof that a claimant is eligible to
3 receive disability benefits under the Federal Social Security
4 Act shall constitute proof of disability under this act. No
5 person who has been found not to be disabled by the social
6 security administration shall be granted assistance under this
7 act. A claimant not covered under the Federal Social Security
8 Act shall be examined by a physician designated by the
9 department and such status determined using the same standards
10 used by the social security administration. It shall not be
11 necessary that such taxes or rent or homestead assessments were
12 paid by the claimant: Provided, That the rent or taxes or
13 homestead assessments have been paid when the claim is filed.
14 The first claim filed shall include proof that the claimant or
15 his spouse was age sixty-five or over or fifty years or over in
16 the case of a widow, or widower, during the calendar year in
17 which real property taxes or rent or homestead assessments were
18 due and payable.

19 Section 8. Funds for Payment of Administrative Expenses and
20 Claims.--Expenses, salaries and other costs incurred in the
21 administration of this act and approved claims shall be paid
22 from the State Lottery Fund established by the act of August 26,
23 1971 (P.L.351, No.91), known as the "State Lottery Law." In the
24 event that the total amount of administrative expenses and
25 claims exceeds the amount in such fund, in any one year, then
26 the percentages allowed as tax or rent or homestead assessments
27 assistance shall be reduced in the proportion that the amount of
28 such fund bears to the total amount of claims in such year.

29 Section 5. This act shall take effect immediately and shall
30 apply to calendar years beginning January 1, 1976 and

1 thereafter.