

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 714

Session of
1983

INTRODUCED BY ROCKS, FUMO, LLOYD, WILLIAMS, HANKINS AND LYNCH,
MAY 3, 1983

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 19, 1984

AN ACT

1 ~~Amending the act of June 28, 1895 (P.L.408, No.289), entitled,~~ <—
2 ~~as amended, "An act to the twenty fourth section of an act,~~
3 ~~entitled 'A supplement to provide revenue by taxation,~~
4 ~~approved the seventh day of June, one thousand eight hundred~~
5 ~~and seventy nine,' approved the first day of June, one~~
6 ~~thousand eight hundred and eighty nine, amending the twenty-~~
7 ~~fourth section, by providing for the payment by the State~~
8 ~~Treasurer of the two per centum tax on premiums paid by~~
9 ~~foreign fire insurance companies to the treasurers of the~~
10 ~~several cities, towns, townships and boroughs, within this~~
11 ~~Commonwealth," requiring treasurers to make payments within~~
12 ~~60 days of receipt of the State moneys for relief or pension~~
13 ~~associations.~~

14 AMENDING THE ACT OF NOVEMBER 4, 1983 (P.L.217, NO.63), ENTITLED <—
15 "AN ACT ESTABLISHING A PROGRAM OF LIMITED PHARMACEUTICAL
16 ASSISTANCE FOR THE ELDERLY; GRANTING POWERS TO AND IMPOSING
17 DUTIES ON THE DEPARTMENT OF AGING; ESTABLISHING A PAYMENT
18 SYSTEM; MAKING PROVISIONS FOR FUNDING; PROVIDING FOR REPORTS;
19 AND FIXING PENALTIES FOR VIOLATIONS OF THE PHARMACEUTICAL
20 ASSISTANCE PROGRAM," FURTHER PROVIDING FOR MAXIMUM ANNUAL
21 INCOME.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 ~~Section 1. Section 2(a) of the act of June 28, 1895~~ <—
25 ~~(P.L.408, No.289), referred to as the Foreign Fire Insurance~~
26 ~~Premium Tax Allocation Law, amended March 13, 1974 (P.L.196,~~

1 No.38), ~~is amended to read:~~

2 ~~Section 2. (a) On and after the first day of January, one~~
3 ~~thousand nine hundred and nineteen, and annually thereafter,~~
4 ~~there shall be paid by the State Treasurer to the treasurers of~~
5 ~~the several cities, towns, townships, and boroughs within the~~
6 ~~Commonwealth, the entire net amount received from the two per~~
7 ~~centum tax paid upon premiums by foreign fire insurance~~
8 ~~companies. The amount to be paid to each of the treasurers of~~
9 ~~the several cities, towns, townships, and boroughs shall be~~
10 ~~based upon the return of said two per centum tax upon premiums~~
11 ~~received from foreign fire insurance companies doing business~~
12 ~~within the said cities, towns, townships, and boroughs, and~~
13 ~~shall be proportionate to the premiums received by such~~
14 ~~companies on account of insurance written upon property located~~
15 ~~in such city, borough, town or township, as shown by the report~~
16 ~~made to the Department of Revenue. Each city, borough, town or~~
17 ~~township, receiving any payment from the State Treasurer~~
18 ~~hereunder, shall forthwith pay the amount received within sixty~~
19 ~~days of receipt to the relief fund association of, or the~~
20 ~~pension fund covering the employes of the fire department, or of~~
21 ~~such fire company, or fire companies, paid or volunteer, now~~
22 ~~existing, or hereafter organized, in such city, borough, town,~~
23 ~~or township, as is or are engaged in the service of such city,~~
24 ~~borough, town or township, and duly recognized as such by the~~
25 ~~council or commissioners or supervisors, as the case may be, of~~
26 ~~such city, borough, town, or township. In any borough, town or~~
27 ~~township in which there is no fire department or fire company or~~
28 ~~companies, the amount received by the treasurer of the borough,~~
29 ~~town or township from said tax shall be forthwith paid within~~
30 ~~sixty days of receipt to the relief fund association, or pension~~

1 ~~fund of the fire department or fire company or companies of any~~
2 ~~near or adjacent city, borough, town, or township, the fire~~
3 ~~department or fire company or companies of which afford fire~~
4 ~~protection to the inhabitants of such borough, town, or~~
5 ~~township. Before payment of said tax to the treasurer of any~~
6 ~~such borough, town, or township, the mayor, in boroughs, and the~~
7 ~~secretary of the board of supervisors, in towns, or townships,~~
8 ~~shall first certify to the Auditor General that the fire~~
9 ~~department or fire company or companies of such near or adjacent~~
10 ~~city, borough, town, or township afford fire protection to the~~
11 ~~inhabitants of such borough, town, or township: Provided, That~~
12 ~~if the fire department consists of paid and volunteer firemen~~
13 ~~and the paid firemen shall be covered by a pension fund, then~~
14 ~~the two per centum tax aforesaid shall be divided equally~~
15 ~~between the relief fund association of the volunteer firemen and~~
16 ~~the pension fund for the paid firemen. Warrants for the above~~
17 ~~purposes shall be drawn by the Auditor General, payable to the~~
18 ~~treasurers of the several cities, towns, townships, and~~
19 ~~boroughs, in accordance with this act, whenever there are~~
20 ~~sufficient funds in the State Treasury to pay the same. All such~~
21 ~~fire insurance companies shall instruct their agents to place~~
22 ~~conspicuously upon the said policies and in the applications for~~
23 ~~said policies, if any, the exact name of the city, borough, town~~
24 ~~or township wherein the insured property is located in addition~~
25 ~~to the mailing address for said insured property.~~

26 * * *

27 Section 2. ~~This act shall take effect immediately.~~

28 SECTION 1. THE DEFINITION OF "MAXIMUM ANNUAL INCOME" IN
29 SECTION 3 OF THE ACT OF NOVEMBER 4, 1983 (P.L.217, NO.63), KNOWN
30 AS THE PHARMACEUTICAL ASSISTANCE CONTRACT FOR THE ELDERLY ACT,

<—

1 IS AMENDED TO READ:

2 SECTION 3. DEFINITIONS.

3 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL
4 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
5 CONTEXT CLEARLY INDICATES OTHERWISE:

6 * * *

7 "MAXIMUM ANNUAL INCOME." ANNUAL INCOME AS DETERMINED BY THE
8 DEPARTMENT. SUCH AMOUNT SHALL NOT EXCEED [\$9,000] \$12,000 IN THE
9 CASE OF SINGLE PERSONS NOR [\$12,000] \$15,000 IN THE CASE OF THE
10 COMBINED ANNUAL INCOME OF MARRIED PERSONS.

11 * * *

12 SECTION 2. THIS ACT SHALL TAKE EFFECT APRIL 1, 1985.