

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 583 Session of
1995

INTRODUCED BY WALKO, GAMBLE, FARMER, TRELLO, DeLUCA, OLASZ,
LAUGHLIN, PISTELLA AND GIGLIOTTI, FEBRUARY 6, 1995

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 6, 1995

AN ACT

1 Amending the act of June 21, 1939 (P.L.626, No.294), entitled
2 "An act providing for and regulating the assessment and
3 valuation of all subjects of taxation in counties of the
4 second class; creating and prescribing the powers and duties
5 of a Board of Property Assessment, Appeals and Review;
6 imposing duties on certain county and city officers;
7 abolishing the board for the assessment and revision of taxes
8 in such counties; and prescribing penalties," providing for
9 reduction of tax rates in certain cases; and further
10 providing for repeals.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The act of June 21, 1939 (P.L.626, No.294),
14 referred to as the Second Class County Assessment Law, is
15 amended by adding a section to read:

16 Section 9.1. (a) Except as provided in this section, after
17 a county makes a county-wide revision of assessment of real
18 property at values based upon an established predetermined ratio
19 as required by law or after a county changes its established
20 predetermined ratio, each political subdivision which levies
21 taxes on real property shall, if necessary, reduce the rate of

1 taxation on real property to a rate sufficient to generate a
2 weighted annual revenue from the weighted tax duplicate.

3 (b) The governing body of a political subdivision may levy
4 taxes on real property at a rate of taxation which exceeds the
5 rate authorized by subsection (a) if it adopts a resolution at
6 least fourteen (14) days prior to enactment of the tax levy
7 stating its intent to levy taxes on real property at a rate of
8 taxation which exceeds a rate sufficient to generate a weighted
9 annual revenue from the weighted tax duplicate. This resolution
10 must be advertised in a newspaper of general circulation at
11 least ten (10) days before the enactment of the tax levy.

12 (c) The provisions of this section shall apply to all
13 political subdivisions, notwithstanding any other provision of
14 law, and shall be read in pari materia with other provisions of
15 law addressing the subject matter of this section.

16 (d) The following words and phrases when used in this
17 section shall have, unless the context clearly indicates
18 otherwise, the meanings given to them in this subsection:

19 "Current fiscal year tax duplicate" shall mean the tax
20 duplicate following a county-wide revision of assessment of real
21 property at values based upon an established predetermined ratio
22 as required by law or upon a change in the predetermined ratio
23 of a county.

24 "Tax duplicate" shall mean:

25 (1) the aggregate market valuation of taxable real property
26 within a political subdivision multiplied by the established
27 predetermined ratio of a county; or

28 (2) in the case of a change in the predetermined ratio, the
29 aggregate market valuation of taxable real property within a
30 political subdivision multiplied by the predetermined ratio of a

1 county for the applicable year.

2 "Weighted annual revenue" shall mean one hundred four percent
3 (104%) of the aggregate tax revenue generated by the application
4 of the real property tax rate of the previous fiscal year to the
5 tax duplicate of the previous fiscal year.

6 "Weighted tax duplicate" shall mean the total current fiscal
7 year tax duplicate less any increase in the current fiscal year
8 tax duplicate over the tax duplicate of the previous fiscal year
9 which is attributable to newly constructed buildings or
10 structures or new improvements to existing buildings or
11 structures.

12 Section 2. Section 20 of the act is amended to read:

13 Section 20. (a) Except where inconsistent therewith or as
14 otherwise provided in this section, this act does not repeal any
15 of the provisions of the act, approved the twenty-second day of
16 May, one thousand nine hundred and thirty-three (Pamphlet Laws,
17 eight hundred fifty-three), entitled "An act relating to
18 taxation; designating the subjects, property and persons subject
19 to and exempt from taxation for all local purposes; providing
20 for and regulating the assessment and valuation of persons,
21 property and subjects of taxation for county purposes, and for
22 the use of those municipal and quasi-municipal corporations
23 which levy their taxes on county assessments and valuations;
24 amending, revising and consolidating the law relating thereto;
25 and repealing existing laws," or its amendments.

26 (b) As much as reads "And provided further, That any
27 charitable organization providing residential housing services
28 in which the charitable nonprofit organization receives
29 subsidies for at least ninety-five percent (95%) of the
30 residential housing units from a low-income Federal housing

1 program shall remain a 'purely public charity' and tax exempt
2 provided that any surplus from such assistance or subsidy is
3 monitored by the appropriate governmental agency and used solely
4 to advance common charitable purposes within the charitable
5 organization" in section 204(a)(3) of the act of May 22, 1933
6 (P.L.853, No.155), known as "The General County Assessment Law,"
7 is repealed insofar as it applies to counties of the second
8 class.

9 Section 3. All acts and parts of acts are repealed insofar
10 as they are inconsistent with this act.

11 Section 4. This act shall take effect in 60 days.