

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 54

Session of
1997

INTRODUCED BY LLOYD, JAROLIN, MASLAND, OLASZ, SAYLOR, GODSHALL,
CLARK, COY, PISTELLA, READSHAW, FAIRCHILD, SHANER, VANCE,
VAN HORNE, STERN, ROHRER, McCALL, BOSCOLA, WAUGH, BROWN,
BATTISTO, MIHALICH, DALEY, FLICK, JOSEPHS, STEIL, TANGRETTI
AND CAPPABIANCA, JANUARY 28, 1997

REFERRED TO COMMITTEE ON FINANCE, JANUARY 28, 1997

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 excluded transactions.

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

13 Section 1. Section 1102-C.3(6) of the act of March 4, 1971
14 (P.L.6, No.2), known as the Tax Reform Code of 1971, added July
15 2, 1986 (P.L.318, No.77), is amended to read:

16 Section 1102-C.3. Excluded Transactions.--The tax imposed by
17 section 1102-C shall not be imposed upon:

18 * * *

19 (6) A transfer between husband and wife, between persons who
20 were previously husband and wife who have since been divorced,

1 provided the property or interest therein subject to such
2 transfer was acquired by the husband and wife or husband or wife
3 prior to the granting of the final decree in divorce, between
4 parent and child or the spouse of such child, between brother or
5 sister or spouse of a brother or sister and brother or sister or
6 the spouse of a brother or sister and between a grandparent and
7 grandchild or the spouse of such grandchild, except that a
8 subsequent transfer by the grantee within one year shall be
9 subject to tax as if the grantor were making such transfer. A
10 transfer which would be excluded from taxation under this clause
11 if the transferor were living shall be excluded from taxation if
12 it is from the estate of such transferor.

13 * * *

14 Section 2. This act shall take effect in 60 days.