

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1089 Session of  
1997

INTRODUCED BY HANNA, CLARK, YOUNGBLOOD, DALEY, LEH, STEELMAN,  
ITKIN, PESCI, VAN HORNE, CURRY, GEIST AND BOSCOLA,  
APRIL 2, 1997

REFERRED TO COMMITTEE ON FINANCE, APRIL 2, 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," providing for exclusions for nonprofit  
11 construction projects.

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

14 Section 1. Section 204(10) of the act of March 4, 1971  
15 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended  
16 to read:

17 Section 204. Exclusions from Tax.--The tax imposed by  
18 section 202 shall not be imposed upon

19 \* \* \*

20 (10) The sale at retail to or use by (i) any charitable  
21 organization, volunteer firemen's organization or nonprofit  
22 educational institution, or (ii) a religious organization for

1 religious purposes of tangible personal property or services,  
2 including any materials, supplies and equipment used in or  
3 becoming a permanent part of the construction, reconstruction,  
4 remodeling, repairs and maintenance of any real estate  
5 construction project: Provided, however, That the exclusion of  
6 this clause shall not apply with respect to any tangible  
7 personal property or services used in any unrelated trade or  
8 business carried on by such organization or institution [or with  
9 respect to any materials, supplies and equipment used in the  
10 construction, reconstruction, remodeling, repairs and  
11 maintenance of any real estate], except materials and supplies  
12 when purchased by such organizations or institutions for routine  
13 maintenance and repairs.

14 \* \* \*

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