

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2623 Session of  
2006

INTRODUCED BY GEORGE, THOMAS, ALLEN, BEBKO-JONES, BELARDI,  
BELFANTI, BEYER, BLACKWELL, CALTAGIRONE, CAWLEY, COHEN,  
CURRY, DeWEESE, DONATUCCI, FABRIZIO, FREEMAN, GOODMAN,  
GRUCELA, HERSHEY, JAMES, JOSEPHS, LaGROTTA, LEACH, MARKOSEK,  
McGEEHAN, MUNDY, MYERS, PALLONE, PETRARCA, PISTELLA, ROSS,  
SHANER, SIPTROTH, SOLOBAY, STABACK, SURRA, TANGRETTI, WALKO,  
WHEATLEY, YOUNGBLOOD AND YUDICHAK, APRIL 24, 2006

REFERRED TO COMMITTEE ON FINANCE, APRIL 24, 2006

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 a weatherization tax credit.

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

13 Section 1. The act of March 4, 1971 (P.L.6, No.2), known as  
14 the Tax Reform Code of 1971, is amended by adding an article to  
15 read:

ARTICLE XVII-D

WEATHERIZATION TAX CREDIT

18 Section 1701-D. Short title.

19 This article shall be known and may be cited as the

1 Weatherization Tax Credit Act.

2 Section 1702-D. Definitions.

3 The following words and phrases when used in this article  
4 shall have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Department." The Department of Revenue of the Commonwealth.

7 "Public utility." Any business whose rates are regulated by  
8 the Pennsylvania Public Utility Commission and subject to taxes  
9 imposed by Article IV, VI, VII, VII-A, VIII, VIII-A, IX, X or  
10 XV.

11 "Qualified donation." A donation to a nonprofit entity  
12 incorporated or registered in this Commonwealth to help provide  
13 weatherization assistance to families who fall within the  
14 Federal guidelines for Low Income Home Energy Assistance Program  
15 (LIHEAP) assistance as established in the Low-Income Home Energy  
16 Assistance Act of 1981 (Public Law 97-35, 42 U.S.C. § 8621 et  
17 seq.). Contributions that are required pursuant to a  
18 Pennsylvania Public Utility Commission order or other settlement  
19 agreement shall not be considered qualified donations.

20 "Secretary." The Secretary of Revenue of the Commonwealth.  
21 Section 1703-D. Weatherization assistance tax credit.

22 Any public utility shall be eligible under Articles III, IV  
23 and VI for a weatherization assistance tax credit equal to 50%  
24 of any qualified donations greater than those made by the  
25 qualified public utility in the previous fiscal year. The total  
26 amount of all weatherization assistance tax credits allowed  
27 under this act shall not exceed \$5,000,000 in any one fiscal  
28 year.

29 Section 1704-D. Regulations.

30 The secretary shall promulgate regulations necessary for the

1 implementation and administration of this article.

2 Section 1705-D. Report to General Assembly.

3 The secretary shall submit an annual report to the General  
4 Assembly indicating the effectiveness of the credit provided by  
5 this article no later than March 15 following the year in which  
6 the credits were approved. The report shall include the names of  
7 all taxpayers utilizing the credit as of the date of the report  
8 and the amount of credits approved and utilized by each  
9 taxpayer.

10 Section 1706-D. Transparency.

11 Notwithstanding any law providing for the confidentiality of  
12 tax records, the information contained in the report shall be  
13 public information.

14 Section 1707-D. Termination.

15 The department shall not approve a weatherization tax credit  
16 under this article for taxable years ending after December 31,  
17 2014.

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