
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2076 Session of
2007

INTRODUCED BY BAKER, CLYMER, PICKETT, STERN, BENNINGHOFF,
BRENNAN, CAPPELLI, CIVERA, EVERETT, FAIRCHILD, GINGRICH,
HENNESSEY, HESS, KAUFFMAN, M. KELLER, KORTZ, MARSHALL,
MCIHATTAN, METCALFE, MILLARD, R. MILLER, MOUL, MOYER, PYLE,
RAPP, REICHLEY, SAYLOR, R. STEVENSON, SWANGER, VULAKOVICH AND
HORNAMAN, DECEMBER 4, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 4, 2007

AN ACT

1 Providing for transfers of riparian interests of the
2 Commonwealth to casino properties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Riparian
7 Property Tax Relief Act.

8 Section 2. Public policy purposes and declarations.

9 The General Assembly recognizes the following public policy
10 purposes and declares that the following objectives of the
11 Commonwealth are to be served by this section:

12 (1) The provisions of 4 Pa.C.S. § 1102 (relating to
13 legislative intent) stated that the authorization of limited
14 gaming is intended to provide a significant source of new
15 revenue to the Commonwealth to support property tax relief and
16 wage tax reduction.

1 (2) The provisions of 4 Pa.C.S. § 1409 (relating to property
2 tax relief fund) established the Property Tax Relief Fund to be
3 used for local property and wage tax relief as specified by law.

4 (3) The provisions of 4 Pa.C.S. Part II (relating to gaming)
5 authorized the licensing of locations for slot machine gaming in
6 this Commonwealth.

7 (4) Slot machine licensees have expressed interest in
8 constructing licensed gaming facilities on land which is subject
9 to the riparian interest of the Commonwealth.

10 (5) This riparian interest belongs to the citizens of this
11 Commonwealth and is a valuable asset which should not be
12 surrendered lightly or without due consideration.

13 (6) In particular cases, the proceeds from a license or
14 transfer of these riparian interests may be substantial and may
15 increase over time.

16 (7) Any proceeds from the license or transfer of this
17 riparian interest for the purpose of constructing a licensed
18 gaming facility should be deposited in the Property Tax Relief
19 Fund to be used to provide tax relief for all of this
20 Commonwealth's citizens.

21 Section 3. Definitions.

22 The following words and phrases when used in this act shall
23 have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 "Casino property." A licensed facility as defined in 4
26 Pa.C.S. § 1103 (relating to definitions) or any property
27 adjacent to a licensed facility.

28 "Riparian transfer." Any sale, conveyance, lease, license,
29 gift, grant or transfer of the riparian interest of the
30 Commonwealth or land which is subject to the riparian interest

1 of the Commonwealth. The term shall also include an easement,
2 right-of-way or any other access or use.

3 Section 4. Deposit of proceeds from riparian transfers.

4 Notwithstanding any provision of law to the contrary, any
5 proceeds from a riparian transfer to a casino property shall be
6 deposited in the Property Tax Relief Fund established in 4
7 Pa.C.S. § 1409 (relating to Property Tax Relief Fund).

8 Section 5. Effective date.

9 This act shall take effect immediately.