
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1767 Session of
2009

INTRODUCED BY SCHRODER, JUNE 24, 2009

REFERRED TO COMMITTEE ON COMMERCE, JUNE 24, 2009

AN ACT

1 Amending the act of October 6, 1998 (P.L.705, No.92), entitled,
2 as amended, "An act providing for the creation of keystone
3 opportunity zones and keystone opportunity expansion zones to
4 foster economic opportunities in this Commonwealth, to
5 facilitate economic development, stimulate industrial,
6 commercial and residential improvements and prevent physical
7 and infrastructure deterioration of geographic areas within
8 this Commonwealth; authorizing expenditures; providing tax
9 exemptions, tax deductions, tax abatements and tax credits;
10 creating additional obligations of the Commonwealth and local
11 governmental units; and prescribing powers and duties of
12 certain State and local departments, agencies and officials,"
13 further providing for expansion for new parcels and for
14 payments.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Sections 301.5(c) and 310 of the act of October
18 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity
19 Zone, Keystone Opportunity Expansion Zone and Keystone
20 Opportunity Improvement Zone Act, added July 10, 2008 (P.L.1014,
21 No.79), are amended to read:

22 Section 301.5. Expansion for new parcels.

23 * * *

24 (c) Applications for certain zones.--For a keystone

1 opportunity zone that expires December 31, 2008, but is seeking
2 an extension under section 301.3, the application shall include
3 the request for an expansion under subsection (a). The
4 application must be submitted by December 31, [2008] 2009, and
5 include all ordinances, resolutions or other required action
6 from all affected political subdivisions approving the addition
7 of the acreage. If the expiration of a keystone opportunity zone
8 is delayed under this subsection, a political subdivision or its
9 designee may apply for an extension under section 301.3 and an
10 expansion under this section. If an extension is granted under
11 section 301.3, the extension and the expansion shall be deemed
12 to be effective January 1, 2009.

13 * * *

14 Section 310. Payments.

15 The following shall apply to an agreement between a business
16 and a political subdivision entered into after the effective
17 date of this section in exchange for the approval of, or
18 otherwise relating to, the establishment of a keystone
19 opportunity zone, keystone opportunity expansion zone or
20 keystone opportunity improvement zone under this act, to include
21 an extension under section 301.2:

22 (1) Except as otherwise required or authorized by law, a
23 business may not provide payments to a political subdivision
24 in exchange for the approval of, or otherwise relating to,
25 the designation or extension of a keystone opportunity zone,
26 keystone opportunity expansion zone or keystone opportunity
27 improvement zone in excess of 110% of the amount of real
28 property taxes payable to the political subdivision for the
29 tax year immediately prior to the year in which the
30 designation or extension is granted. The limitation on

1 payments set forth under this paragraph is waivable by the
2 parties and may increase by the percentage increase in the
3 payments that would occur if the property was not exempt from
4 local real property taxes.

5 (2) Except as provided under paragraph (3), payments
6 made under paragraph (1) may be increased based on a taxpayer
7 assessment appeal or as necessary to correct any errors or
8 omissions in the county's assessment records. Payments may be
9 increased following a countywide reassessment based on
10 improvements to the property made prior to the approval of
11 the designation or expansion.

12 (3) Payments may not be increased for the duration of
13 the designation or expansion based on an increase in the
14 assessed value of property due to improvements to the
15 property made subsequent to designation.

16 (4) Any agreement to make payments under this section
17 shall be in writing and approved by a majority vote of the
18 governing body of the political subdivision at a meeting that
19 is subject to 65 Pa.C.S. Ch. 7 (relating to open meetings).
20 Section 2. This act shall take effect in 60 days.