

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 406 Session of 2015

INTRODUCED BY COX, BAKER, BENNINGHOFF, BOBACK, BRADFORD, V. BROWN, BROWNEE, COHEN, D. COSTA, DAVIDSON, DEAN, DeLUCA, FREEMAN, GABLER, GILLEN, GINGRICH, GOODMAN, HAHN, HARHART, A. HARRIS, HEFFLEY, PHILLIPS-HILL, KAUFFMAN, KORTZ, LONGIETTI, MALONEY, MATZIE, MCGINNIS, MILLARD, D. MILLER, MILNE, MULLERY, MURT, O'BRIEN, D. PARKER, PASHINSKI, RAVENSTAHL, READSHAW, SAINATO, SAMUELSON, SCHLOSSBERG, SCHWEYER AND YOUNGBLOOD, JUNE 10, 2015

REFERRED TO COMMITTEE ON FINANCE, JUNE 10, 2015

AN ACT

1 Amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873,  
 2 No.1), entitled "An act providing for taxation by school  
 3 districts, for the State funds formula, for tax relief in  
 4 first class cities, for school district choice and voter  
 5 participation, for other school district options and for a  
 6 task force on school cost reduction; making an appropriation;  
 7 prohibiting prior authorized taxation; providing for  
 8 installment payment of taxes; restricting the power of  
 9 certain school districts to levy, assess and collect taxes;  
 10 and making related repeals," in senior citizens property tax  
 11 and rent rebate assistance, further providing for definitions  
 12 and for filing of claim.

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

15 Section 1. The definition of "income" in section 1303 of the  
 16 act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as  
 17 the Taxpayer Relief Act, amended October 22, 2014 (P.L.2555,  
 18 No.156), is amended to read:

19 Section 1303. Definitions.

20 The following words and phrases when used in this chapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 \* \* \*

4 "Income." All income from whatever source derived,  
5 including, but not limited to:

6 (1) Salaries, wages, bonuses, commissions, income from  
7 self-employment, alimony, support money, cash public  
8 assistance and relief.

9 (2) The gross amount of any pensions or annuities,  
10 including railroad retirement benefits for calendar years  
11 prior to 1999 and 50% of railroad retirement benefits for  
12 calendar years 1999 and thereafter.

13 (3) (i) All benefits received under the Social Security  
14 Act (49 Stat. 620, 42 U.S.C. § 301 et seq.), except Medicare  
15 benefits, for calendar years prior to 1999, and 50% of all  
16 benefits received under the Social Security Act, except  
17 Medicare benefits, for calendar years 1999 and thereafter.

18 (ii) Notwithstanding any other provision of this act  
19 to the contrary, persons who, as of December 31, 2012,  
20 are eligible for the property tax or rent rebate shall  
21 remain eligible if the household income limit is exceeded  
22 due solely to a Social Security cost-of-living  
23 adjustment.

24 (iii) Eligibility in the property tax and rent  
25 rebate program pursuant to subparagraph (ii) shall expire  
26 on December 31, 2016.

27 (4) All benefits received under State unemployment  
28 insurance laws and veterans' disability payments.

29 (5) All interest received from the Federal or any state  
30 government or any instrumentality or political subdivision

1       thereof.

2           (6) Realized capital gains and rentals.

3           (7) Workers' compensation.

4           (8) The gross amount of loss of time insurance benefits,  
5       life insurance benefits and proceeds, except the first  
6       [\$5,000] \$10,000 of the total of death benefit payments.

7           (9) Gifts of cash or property, other than transfers by  
8       gift between members of a household, in excess of a total  
9       value of \$300.

10   The term does not include surplus food or other relief in kind  
11   supplied by a governmental agency, property tax or rent rebate  
12   or inflation dividend.

13       \* \* \*

14       Section 2. Section 1305(a) and (b) of the act are amended  
15   and the section is amended by adding a subsection to read:  
16   Section 1305. Filing of claim.

17       (a) General rule.--[Except as otherwise provided in  
18   subsection (b), a] A claim for property tax or rent rebate shall  
19   be filed with the department on or before the [30th day of June]  
20   31st day of December of the year next succeeding the end of the  
21   calendar year in which real property taxes or rent was due and  
22   payable.

23       (b) Exception.--[A claim filed after the June 30 deadline  
24   until December 31 of such calendar year shall be accepted by the  
25   secretary as long as funds are available to pay the benefits to  
26   the late filing claimant.] A claim shall be accepted by the  
27   secretary as long as funds are available to pay the benefits to  
28   the claimant.

29       \* \* \*

30       (e) Eligibility of estate.--In the case where an individual

1 has died prior to applying for the property tax or rent rebate,  
2 the application may be submitted by an executor or administrator  
3 if the individual would have been eligible for a property tax or  
4 rent rebate on the date of the individual's death.

5 Section 3. This act shall take effect in 60 days.