

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 697 Session of 2017

INTRODUCED BY SAINATO, BARRAR, DONATUCCI, MURT, LONGIETTI, RAPP, BURNS, KORTZ, DRISCOLL, SCHWEYER, READSHAW AND GILLEN, MARCH 3, 2017

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 26, 2017

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, in taxation and finance, further providing  
3 for exemptions and special provisions.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That section ~~2~~ 2(C) of Article VIII be amended ~~by adding a~~ <--  
9 ~~subsection~~ to read:

10 § 2. Exemptions and special provisions.

11 \* \* \*

12 (C) (I) CITIZENS AND RESIDENTS OF THIS COMMONWEALTH, WHO <--  
13 SERVED IN ANY WAR OR ARMED CONFLICT IN WHICH THE UNITED STATES  
14 WAS ENGAGED AND WERE HONORABLY DISCHARGED OR RELEASED UNDER  
15 HONORABLE CIRCUMSTANCES FROM ACTIVE SERVICE, SHALL BE EXEMPT  
16 FROM THE PAYMENT OF ALL REAL PROPERTY TAXES UPON THE RESIDENCE

1 OCCUPIED BY THE SAID CITIZENS AND RESIDENTS OF THIS COMMONWEALTH  
2 IMPOSED BY THE COMMONWEALTH OF PENNSYLVANIA OR ANY OF ITS  
3 POLITICAL SUBDIVISIONS IF, AS A RESULT OF MILITARY SERVICE, THEY  
4 ARE BLIND, PARAPLEGIC OR DOUBLE OR QUADRUPLE AMPUTEES OR HAVE A  
5 SERVICE-CONNECTED DISABILITY DECLARED BY THE UNITED STATES  
6 VETERANS ADMINISTRATION OR ITS SUCCESSOR TO BE A TOTAL OR 100%  
7 PERMANENT DISABILITY, AND IF THE STATE VETERANS' COMMISSION  
8 DETERMINES THAT SUCH PERSONS ARE IN NEED OF THE TAX EXEMPTIONS  
9 GRANTED HEREIN. THIS EXEMPTION SHALL BE EXTENDED TO THE  
10 UNMARRIED SURVIVING SPOUSE UPON THE DEATH OF AN ELIGIBLE VETERAN  
11 PROVIDED THAT THE STATE VETERANS' COMMISSION DETERMINES THAT  
12 SUCH PERSON IS IN NEED OF THE EXEMPTION.

13 ~~(d)~~ (II) The surviving spouse of any member of the armed <--  
14 forces of the United States who was killed in action IN ANY WAR <--  
15 OR ARMED CONFLICT as determined by the United States Department  
16 of Defense, or who died as a result of injuries received while  
17 in active service IN ANY WAR OR ARMED CONFLICT, shall be exempt <--  
18 from the payment of all real property taxes on the surviving  
19 spouse's primary place of residence, without any restriction on  
20 the spouse's relocating to another primary place of residence  
21 and without any requirement that the spouse reside in this  
22 Commonwealth at the time of death of the member of the armed  
23 forces. The exemption shall cease if the surviving spouse  
24 remarries and shall not be claimed thereafter.

25 SECTION 2. THE ADDITION OF SECTION 2(C)(II) OF ARTICLE VIII <--  
26 OF THE CONSTITUTION OF PENNSYLVANIA SHALL APPLY TO THE SURVIVING  
27 SPOUSE OF ANY MEMBER OF THE ARMED FORCES OF THE UNITED STATES  
28 WHO, ON OR AFTER THE RATIFICATION OF THIS CONSTITUTIONAL  
29 AMENDMENT BY THE ELECTORS OF THIS COMMONWEALTH:

30 (1) WAS KILLED IN ACTION IN ANY WAR OR ARMED CONFLICT AS

1 DETERMINED BY THE UNITED STATES DEPARTMENT OF DEFENSE; OR  
2 (2) DIED AS A RESULT OF INJURIES RECEIVED WHILE IN  
3 ACTIVE SERVICE IN ANY WAR OR ARMED CONFLICT.

4 Section 2 3. (a) Upon the first passage by the General <--  
5 Assembly of this proposed constitutional amendment, the  
6 Secretary of the Commonwealth shall proceed immediately to  
7 comply with the advertising requirements of section 1 of Article  
8 XI of the Constitution of Pennsylvania and shall transmit the  
9 required advertisements to two newspapers in every county in  
10 which such newspapers are published in sufficient time after  
11 passage of this proposed constitutional amendment.

12 (b) Upon the second passage by the General Assembly of this  
13 proposed constitutional amendment, the Secretary of the  
14 Commonwealth shall proceed immediately to comply with the  
15 advertising requirements of section 1 of Article XI of the  
16 Constitution of Pennsylvania and shall transmit the required  
17 advertisements to two newspapers in every county in which such  
18 newspapers are published in sufficient time after passage of  
19 this proposed constitutional amendment. The Secretary of the  
20 Commonwealth shall submit this proposed constitutional amendment  
21 to the qualified electors of this Commonwealth at the first  
22 primary, general or municipal election which meets the  
23 requirements of and is in conformance with section 1 of Article  
24 XI of the Constitution of Pennsylvania and which occurs at least  
25 three months after the proposed constitutional amendment is  
26 passed by the General Assembly.