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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 168 Session of  
2019

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INTRODUCED BY HUGHES, SCHWANK, HAYWOOD, FONTANA, FARNESE,  
STREET, SANTARSIERO, LEACH, BREWSTER, COSTA AND TARTAGLIONE,  
APRIL 5, 2019

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REFERRED TO FINANCE, APRIL 5, 2019

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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," in manufacturing and investment tax credit,  
11 further providing for business firms and for tax credit  
12 certificates.

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

15 Section 1. Sections 1828-G(c) and 1829-G(b) (3) of the act of  
16 March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of  
17 1971, are amended to read:

18 Section 1828-G. Business firms.

19 \* \* \*

20 [(c) Limitation.--The department may not approve more than  
21 \$4,000,000 in credit-eligible capital contributions under this  
22 part.]

1 Section 1829-G. Tax credit certificates.

2 \* \* \*

3 (b) Review, recommendation and approval.--

4 \* \* \*

5 (3) In awarding tax credit certificates under this part,  
6 the department:

7 (i) [Beginning with] for fiscal year 2017-2018, may  
8 not award tax credit certificates that would result in  
9 the utilization of more than \$1,000,000 in tax credits in  
10 [any] fiscal year 2017-2018, except for tax credits  
11 carried forward;

12 [(ii) May not award more than \$4,000,000 in tax  
13 credit certificates, in the aggregate, under this part.]

14 (ii) for fiscal year 2018-2019, may not award tax  
15 credit certificates that would result in the utilization  
16 of more than \$1,000,000 in tax credits in fiscal year  
17 2018-2019, except for tax credits carried forward;

18 (iii) for fiscal year 2019-2020, may not award tax  
19 credit certificates that would result in the utilization  
20 of more than \$5,000,000 in tax credits in fiscal year  
21 2019-2020, except for tax credits carried forward;

22 (iv) for fiscal year 2020-2021, may not award tax  
23 credit certificates that would result in the utilization  
24 of more than \$10,000,000 in tax credits in fiscal year  
25 2020-2021, except for tax credits carried forward;

26 (v) for fiscal year 2021-2022 and for each fiscal  
27 year thereafter, may not award tax credit certificates  
28 that would result in the utilization of more than  
29 \$15,000,000 in tax credits in fiscal year 2021-2022,  
30 except for tax credits carried forward; and

1           (vi) for fiscal year 2022-2023 and for each fiscal  
2           year thereafter, may not award tax credit certificates  
3           that would result in the utilization of more than  
4           \$20,000,000 in tax credits in fiscal year 2022-2023 or  
5           any fiscal year thereafter, except for tax credits  
6           carried forward.

7           Section 2. This act shall take effect immediately.