

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 189 Session of 2021

INTRODUCED BY CIRESI, HILL-EVANS, FREEMAN AND NEILSON,
JANUARY 21, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 21, 2021

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled
2 "An act relating to the finances of the State government;
3 providing for cancer control, prevention and research, for
4 ambulatory surgical center data collection, for the Joint
5 Underwriting Association, for entertainment business
6 financial management firms, for private dam financial
7 assurance and for reinstatement of item vetoes; providing for
8 the settlement, assessment, collection, and lien of taxes,
9 bonus, and all other accounts due the Commonwealth, the
10 collection and recovery of fees and other money or property
11 due or belonging to the Commonwealth, or any agency thereof,
12 including escheated property and the proceeds of its sale,
13 the custody and disbursement or other disposition of funds
14 and securities belonging to or in the possession of the
15 Commonwealth, and the settlement of claims against the
16 Commonwealth, the resettlement of accounts and appeals to the
17 courts, refunds of moneys erroneously paid to the
18 Commonwealth, auditing the accounts of the Commonwealth and
19 all agencies thereof, of all public officers collecting
20 moneys payable to the Commonwealth, or any agency thereof,
21 and all receipts of appropriations from the Commonwealth,
22 authorizing the Commonwealth to issue tax anticipation notes
23 to defray current expenses, implementing the provisions of
24 section 7(a) of Article VIII of the Constitution of
25 Pennsylvania authorizing and restricting the incurring of
26 certain debt and imposing penalties; affecting every
27 department, board, commission, and officer of the State
28 government, every political subdivision of the State, and
29 certain officers of such subdivisions, every person,
30 association, and corporation required to pay, assess, or
31 collect taxes, or to make returns or reports under the laws
32 imposing taxes for State purposes, or to pay license fees or
33 other moneys to the Commonwealth, or any agency thereof,
34 every State depository and every debtor or creditor of the

1 Commonwealth," in general budget implementation, providing
2 for Commonwealth use of land for State correctional
3 institutions.

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

6 Section 1. The act of April 9, 1929 (P.L.343, No.176), known
7 as The Fiscal Code, is amended by adding a section to read:

8 Section 1798.4-E. Commonwealth use of land for State
9 correctional institutions.

10 (a) Scope.--This section applies to the following:

11 (1) Real property acquired for State correctional
12 institutions by the Commonwealth.

13 (2) Tax-exempt real property acquired by the
14 Commonwealth for the purpose of State correctional
15 institutions.

16 (3) Real property:

17 (i) which is acquired for the purpose of State
18 correctional institutions; and

19 (ii) upon which there is an imposed tax payable by
20 the Commonwealth.

21 (b) Charge.--

22 (1) For land owned by the Department of Corrections or
23 the Department of General Services on behalf of the
24 Commonwealth for State correctional institutions, real
25 property under subsection (a) shall be subject to an annual
26 charge of:

27 (i) \$4 per acre for the benefit of each county where
28 the real property is located;

29 (ii) \$12 per acre for the benefit of the schools in
30 each school district where the real property is located;

31 and

1 (iii) \$4 per acre for the benefit of the city,
2 township or borough where the real property is located.

3 (2) The charge under paragraph (1) shall be payable by
4 the Commonwealth before September 2.

5 (c) Certification.--Upon application of the governing body
6 or fiscal officer of the political subdivision, the Secretary of
7 Corrections shall certify to the respective political
8 subdivisions where real property under subsection (a) is located
9 and to the State Treasurer:

10 (1) the number of acres owned by the Commonwealth in the
11 political subdivision; and

12 (2) the charge against the real property.

13 (d) Payment.--The State Treasurer shall pay to political
14 subdivisions under subsection (c) the amount due under
15 subsection (b) upon:

16 (1) requisition of the Secretary of Corrections; and

17 (2) application by the appropriate governing body or
18 fiscal officer.

19 Section 2. This act shall take effect in 60 days.