
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 812 Session of
2021

INTRODUCED BY STURLA AND SANCHEZ, MARCH 8, 2021

REFERRED TO COMMITTEE ON EDUCATION, MARCH 8, 2021

AN ACT

1 Providing for the dedicated funding of higher education; and
2 establishing the Higher Education Fund.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Higher
7 Education Funding Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Department." The Department of Revenue of the Commonwealth.

13 "Fund." The Higher Education Fund established in section 5.

14 "State-related institution." The Pennsylvania State
15 University, the University of Pittsburgh, Lincoln University or
16 Temple University.

17 "Tax Reform Code." The act of March 4, 1971 (P.L.6, No.2),
18 known as the Tax Reform Code of 1971.

1 Section 3. Sales and use surtax.

2 A surtax of 1% shall be imposed on the purchase price of
3 property and services subject to taxation under Article II of
4 the Tax Reform Code. The surtax shall be in addition to the tax
5 imposed under Article II of the Tax Reform Code.

6 Section 4. Computation of sales and use tax and sales and use
7 surtax.

8 (a) Schedule establishment.--Within 30 days of the effective
9 date of this section, the department shall establish a schedule
10 for the computation of the State sales and use tax under Article
11 II of the Tax Reform Code and the sales and use surtax as
12 established under this act.

13 (b) Schedule publication.--Immediately after the
14 establishment of the schedule under subsection (a), the
15 department shall transmit to the Legislative Reference Bureau
16 for publication in the Pennsylvania Bulletin the schedule
17 providing for the computation of the sales and use tax and the
18 State sales and use surtax.

19 Section 5. Higher Education Fund.

20 (a) Fund established.--The Higher Education Fund is
21 established in the State Treasury. Interest income derived from
22 investment of the money in the fund shall be credited by the
23 Treasury Department to the fund.

24 (b) Revenues.--Revenues deposited in the fund may only be
25 used for the member institutions of the State System of Higher
26 Education, community colleges, State-related institutions,
27 Thaddeus Stevens College of Technology, programs established to
28 provide grants or loans to Pennsylvania residents attending
29 institutions of higher education in this Commonwealth and
30 agencies promoting higher education in this Commonwealth.

1 Section 6. Transfer to fund.

2 Within 30 days of the close of any calendar month, the
3 revenue generated in the previous month from the sales and use
4 surtax imposed under this act shall be transferred to the fund.

5 Section 7. Certification.

6 (a) Annual.--By April 15 of each fiscal year, the Secretary
7 of the Budget shall certify the total amount of revenue that is
8 reasonably projected to be deposited into the fund for the
9 period through June 30 of the current fiscal year.

10 (b) Excess.--If the actual revenue deposited into the fund
11 in any one fiscal year exceeds the amount certified under
12 subsection (a), any revenue in excess of projections may be used
13 in the current fiscal year or in the certification for the
14 subsequent fiscal year.

15 Section 8. Construction.

16 The provisions of Article II of the Tax Reform Code shall
17 apply to the imposition and implementation of the surtax.

18 Section 9. Effective date.

19 This act shall take effect immediately.