
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 835 Session of
2021

INTRODUCED BY R. BROWN, SNYDER, SCHLEGEL CULVER, HILL-EVANS,
STRUZZI, ZABEL, SAYLOR, T. DAVIS, MALONEY, O'MARA, HENNESSEY,
MENTZER, ZIMMERMAN, PENNYCUICK, MADDEN, WHEELAND AND GILLEN,
MARCH 8, 2021

REFERRED TO COMMITTEE ON FINANCE, MARCH 8, 2021

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," providing for 100% homestead and
11 farmstead exclusion and establishing the 100% Homestead and
12 Farmstead Exclusion Account.

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

15 Section 1. The act of June 27, 2006 (1st Sp.Sess., P.L.1873,
16 No.1), known as the Taxpayer Relief Act, is amended by adding a
17 chapter to read:

18 CHAPTER 21

19 100% HOMESTEAD AND FARMSTEAD EXCLUSION

20 SUBCHAPTER A

21 GENERAL PROVISIONS

22 Section 2101. Definitions.

1 The following words and phrases when used in this chapter
2 shall have the meanings given to them in this section unless the
3 context clearly indicates otherwise:

4 "Account." The 100% Homestead and Farmstead Exclusion
5 Account established in section 2132.

6 "Assessor." As defined in 53 Pa.C.S. § 8582 (relating to
7 definitions).

8 "Board of school directors." The term includes the
9 following:

10 (1) A board of school directors of a school district of
11 the first class A, second class, third class or fourth class.

12 (2) A city council of a city of the first class.

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

14 "Earned income." As defined in section 501 of the Local Tax
15 Enabling Act.

16 "Farmstead." As defined in 53 Pa.C.S. § 8582.

17 "Farmstead property." As defined in 53 Pa.C.S. § 8582.

18 "Homestead." As defined in 53 Pa.C.S. § 8401 (relating to
19 definitions).

20 "Homestead property." As defined in 53 Pa.C.S. § 8401.

21 "Index." The term as defined in section 302.

22 "Local Tax Enabling Act." The act of December 31, 1965
23 (P.L.1257, No.511), known as The Local Tax Enabling Act.

24 "Personal income." Income enumerated in section 303 of the
25 Tax Reform Code, as determined by the department, subject to any
26 correction for fraud, evasion or error as finally determined by
27 the Commonwealth.

28 "School district." A school district of the first class,
29 first class A, second class, third class or fourth class.

30 "Secretary." The Secretary of Revenue of the Commonwealth.

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

3 SUBCHAPTER B

4 PUBLIC EDUCATION TAX

5 Section 2111. Scope of subchapter.

6 This subchapter imposes an additional tax on personal income
7 for the purpose of funding 100% homestead and farmstead
8 exclusions to provide property tax relief.

9 Section 2112. Additional tax imposed.

10 (a) Personal income tax.--For taxable years beginning after
11 December 31, 2021, an additional tax upon personal income shall
12 be imposed. The tax shall be calculated, collected and paid to
13 the Commonwealth in the same manner as provided under Article
14 III of the Tax Reform Code.

15 (b) Rate.--The tax imposed under subsection (a) shall be at
16 the rate of 1.9%.

17 (c) Deposit of tax proceeds.--The department shall deposit
18 taxes collected under this section into the account.

19 (d) Combination of tax forms.--The department shall
20 incorporate the taxpayer reporting requirement for the
21 implementation of this section into the forms utilized by the
22 department under Article III of the Tax Reform Code.

23 (e) Definitions.--The words and phrases used in this section
24 shall have the same meanings given to them in Article III of the
25 Tax Reform Code.

26 SUBCHAPTER C

27 ESTABLISHMENT AND PROCEDURE

28 Section 2121. Implementation.

29 A school district that chooses to provide a 100% homestead
30 and farmstead exclusion shall adopt a resolution implementing a

1 100% homestead and farmstead exclusion program no later than the
2 last day of the fiscal year immediately preceding the fiscal
3 year in which the 100% homestead and farmstead exclusion shall
4 take effect.

5 Section 2122. Application and procedure.

6 The 100% homestead and farmstead exclusion shall be
7 incorporated into the homestead and farmstead exclusion
8 application provided for under Chapter 3 and follow the same
9 procedure and approval requirements provided for under Chapter
10 3.

11 Section 2123. School district certification.

12 No later than July 20, 2022, and each July 20 thereafter, a
13 school district shall certify to the Department of Education the
14 dollar value of the real property taxes levied on homesteads and
15 farmsteads within the school district for the school year in
16 which the certification falls, which shall be calculated by
17 multiplying the sum of the assessed value of homesteads and
18 farmsteads in the school district by the millage rate for the
19 school year. The certification shall include the number of
20 approved homesteads and farmsteads, the assessed value of the
21 approved homesteads and farmsteads and the school district
22 millage rate.

23 Section 2124. Notification.

24 Following adoption of a 100% homestead and farmstead
25 exclusion, and no later than 60 days prior to the application
26 deadline provided for under Chapter 3, a board of school
27 directors shall notify by first class mail the owner of each
28 parcel of residential property within the district of the
29 existence of the school district's homestead and farmstead
30 exclusion program, the need to file an application to qualify

1 for the 100% homestead and farmstead exclusion and the
2 application deadline.

3 SUBCHAPTER D

4 100% HOMESTEAD AND FARMSTEAD EXCLUSION ACCOUNT

5 Section 2131. Definitions.

6 The following words and phrases when used in this subchapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Real property tax." The total dollar value of real property
10 taxes owed by homestead and farmstead properties in a school
11 district determined prior to the addition of any discount or
12 penalty.

13 Section 2132. 100% Homestead and Farmstead Exclusion Account.

14 (a) Establishment.--The 100% Homestead and Farmstead
15 Exclusion Account is established as a restricted account within
16 the General Fund.

17 (b) Use.--The Department of Education shall use the account
18 to make disbursements under section 2134.

19 (c) Continuing appropriation.--The money of the account is
20 continuously appropriated to the Department of Education as
21 provided for under this chapter and shall not lapse.

22 Section 2133. Sources and transfers.

23 (a) Deposit.--The following shall be deposited into the
24 account:

25 (1) Money collected by the department under section
26 2112.

27 (2) Appropriations.

28 (3) Accrued interest in the account.

29 (b) Transfer.--The Secretary of the Budget, in consultation
30 with the secretary, shall compute the amount of tax refund

1 payments that result from the imposition of the tax under
2 section 2112 and that are payable from the General Fund. The
3 Secretary of the Budget shall transfer that amount of funding
4 from the account to the General Fund no later than June 5 of
5 each year. The Secretary of the Budget shall provide 10 days'
6 prior notification of the amount to be transferred to the
7 chairperson and minority chairperson of the Appropriations
8 Committee of the Senate and the chairperson and minority
9 chairperson of the Appropriations Committee of the House of
10 Representatives.

11 Section 2134. Standard disbursements to school districts.

12 (a) General rule.--In fiscal year 2022-2023 and each fiscal
13 year thereafter, the Department of Education shall disburse to
14 each school district that implements a 100% homestead and
15 farmstead exclusion an amount equal to the amount of real
16 property taxes owed to the school district from homestead
17 properties less any amount disbursed to the school district
18 under section 503(e).

19 (b) Distributions.--Distributions under subsection (a) shall
20 be made during each school year as follows:

21 (1) Twenty-five percent of the amount to be distributed
22 shall be paid on the fourth Thursday in July.

23 (2) The balance of the amount to be distributed shall be
24 paid in nine equal installments on the fourth Thursday of
25 August, September, October, November, December, January,
26 February, March and April.

27 SUBCHAPTER E

28 MISCELLANEOUS PROVISIONS

29 Section 2141. Regulations.

30 (a) Department of Education.--Except as provided under

1 subsection (b), the Department of Education shall have
2 jurisdiction over and shall promulgate regulations necessary for
3 the proper administration of this chapter.

4 (b) Department of Revenue.--The department shall have
5 jurisdiction over and shall promulgate regulations as necessary
6 for the proper administration of Subchapter B.

7 Section 2. This act shall take effect immediately.