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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 406 Session of  
2023

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INTRODUCED BY GALLOWAY, CIRESI, HILL-EVANS, SCHLOSSBERG,  
ISAACSON, JAMES, MADDEN, SANCHEZ, DELLOSO, SHUSTERMAN AND  
GILLEN, MARCH 14, 2023

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REFERRED TO COMMITTEE ON FINANCE, MARCH 14, 2023

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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 personal income tax, further providing for  
11 classes of income.

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

14 Section 1. Section 303 of the act of March 4, 1971 (P.L.6,  
15 No.2), known as the Tax Reform Code of 1971, is amended by  
16 adding a subsection to read:

17 Section 303. Classes of Income.--\* \* \*

18 (a.11) The following shall apply:

19 (1) When calculating taxable income on the annual personal  
20 income tax return, a taxpayer may deduct an amount not to exceed  
21 ten thousand dollars (\$10,000) if, while living, the taxpayer or  
22 the taxpayer's dependent donates one or more of his or her human

1 organs to another human being for human organ transplantation  
2 and incurs any of the following unreimbursed expenses which are  
3 related to the organ donation:

4 (i) Travel expenses.

5 (ii) Lodging expenses.

6 (iii) Lost wages.

7 (iv) Medical expenses.

8 (2) Subject to the restriction under paragraph (1), the  
9 taxpayer may only deduct an amount equal to the unreimbursed  
10 expenses incurred by the taxpayer under paragraph (1). The  
11 deduction may not result in taxable income being less than zero.

12 (3) A deduction under this subsection may only be claimed in  
13 the taxable year in which the human organ transplantation  
14 occurred. A taxpayer may claim the deduction under this  
15 subsection only one time during the taxpayer's lifetime.

16 (4) As used in this subsection, the term "human organ" means  
17 all or part of a liver, pancreas, kidney, intestine, lung or  
18 bone marrow.

19 \* \* \*

20 Section 2. The addition of section 303(a.11) of the act  
21 shall apply to tax years beginning after December 31, 2023.

22 Section 3. This act shall take effect immediately.