

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1145 Session of
2014

INTRODUCED BY SMITH, KITCHEN, TEPLITZ, WASHINGTON, FONTANA,
FERLO, BLAKE, YUDICHAK, STACK, RAFFERTY, SCHWANK, ERICKSON,
BREWSTER, PILEGGI, GREENLEAF, HUTCHINSON, SOLOBAY, HUGHES,
COSTA, MENSCH, WHITE, BOSCOLA, KASUNIC AND BROWNE,
APRIL 3, 2014

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
APRIL 3, 2014

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for definitions and
3 for duty of commission.

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

6 Section 1. Sections 8901 and 8904(1) and (2) of Title 51 of
7 the Pennsylvania Consolidated Statutes are amended to read:

8 § 8901. Definitions.

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

12 "Annual income." All income received by an applicant and the
13 applicant's spouse while residing in the residence during the
14 calendar year prior to the year for which the exemption is
15 claimed.

16 "Blind." Visual acuity of three-sixtieths or ten two-

1 hundredths, or less normal vision.

2 "Commission." The State Veterans' Commission established
3 under section 1702 (relating to State Veterans' Commission).

4 "Income." As follows:

5 (1) All income from whatever source derived, including
6 any of the following:

7 (i) Salaries, wages, bonuses, commissions, income
8 from self-employment, alimony, support money, cash public
9 assistance and relief.

10 (ii) The gross amount of any pensions or annuities,
11 including 50% of railroad retirement benefits.

12 (iii) Fifty percent of all benefits received under
13 the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et
14 seq.), except Medicare benefits.

15 (iv) All benefits received under State unemployment
16 insurance laws and veterans' disability payments.

17 (v) All interest received from the Federal or a
18 state government or an instrumentality or political
19 subdivision of the Federal or a state government.

20 (vi) Realized capital gains and rentals.

21 (vii) Workers' compensation.

22 (viii) The gross amount of loss of time insurance
23 benefits, life insurance benefits and proceeds, except
24 for the first \$5,000 of the total of death benefit
25 payments.

26 (ix) Gifts of cash or property, other than transfers
27 by gift between members of a household, in excess of a
28 total value of \$300.

29 (2) The term does not include surplus food or other
30 relief in kind supplied by a governmental agency, property

1 tax or rent rebate or inflation dividend.

2 "Paraplegic." The bilateral paralysis of the upper or lower
3 extremities of the body.

4 § 8904. Duty of commission.

5 The commission shall:

6 (1) Fix uniform and equitable standards for determining
7 the need for exemption from the payment of real estate taxes
8 granted by this act. In fixing such uniform and equitable
9 standards, [the commission shall apply a rebuttable
10 presumption that] an applicant with annual income of \$75,000
11 or less [has a need for] shall be deemed to be in need of the
12 exemption. Beginning on January 1, 2009, and every two years
13 thereafter, the commission shall [adjust] increase the annual
14 income level qualifying for the [rebuttable presumption of
15 need] exemption for need by an amount equal to the [change]
16 average of any increase in the Consumer Price Index in the
17 preceding two years. The commission shall publish the
18 adjusted annual income level qualifying for the [rebuttable
19 presumption of] exemption for need as a notice in the
20 Pennsylvania Bulletin.

21 (2) [After] For applicants with an annual income that
22 exceeds \$75,000, after submission of proof of need by the
23 applicant for the exemption from payment of real estate
24 taxes, determine the need of the applicant.

25 * * *

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