

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1247 Session of
2019

INTRODUCED BY CALTAGIRONE, READSHAW, KINSEY, HILL-EVANS, BARRAR,
McNEILL, MURT, HELM, YOUNGBLOOD, STRUZZI, DeLUCA, WEBSTER AND
ROZZI, APRIL 16, 2019

REFERRED TO COMMITTEE ON FINANCE, APRIL 16, 2019

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," in senior citizens property tax
11 and rent rebate assistance, further providing for property
12 tax and rent rebate and for funds for payment of claims.

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

15 Section 1. Sections 1304(a), (b) and (c)(2) and 1308 of the
16 act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as
17 the Taxpayer Relief Act, are amended to read:

18 Section 1304. Property tax; and rent rebate.

19 (a) Schedule of rebates.--

20 (1) The amount of any claim for property tax rebate or
21 rent rebate in lieu of property taxes for real property taxes
22 or rent due and payable during calendar years 1985 through

1 2005 shall be determined in accordance with the following
2 schedule:

3 Percentage of Real Property Taxes or
4 Rent Rebate in Lieu of

5 Household Income Property Taxes Allowed as Rebate

6	\$ 0 - \$ 4,999	100%
7	5,000 - 5,499	100
8	5,500 - 5,999	90
9	6,000 - 6,499	80
10	6,500 - 6,999	70
11	7,000 - 7,499	60
12	7,500 - 7,999	50
13	8,000 - 8,499	40
14	8,500 - 8,999	35
15	9,000 - 9,999	25
16	10,000 - 11,999	20
17	12,000 - 12,999	15
18	13,000 - 15,000	10

19 (2) The following apply:

20 (i) The base amount of any claim for property tax
21 rebate for real property taxes due and payable during
22 calendar year 2006 and thereafter shall be determined in
23 accordance with the following schedule:

24 Amount of Real Property Taxes

25 Household Income Allowed as Rebate

26	\$ 0 - \$ 8,000	\$650
27	8,001 - 15,000	500
28	15,001 - 18,000	300
29	18,001 - 35,000	250

30 (ii) The supplemental amount for a claimant with a

1 household income equal to or less than \$30,000 and an
2 eligible claim for property tax rebate for real property
3 taxes due and payable during the calendar year preceding
4 the first year in which a payment under section 505(b) is
5 made and each year thereafter and whose real property
6 taxes exceed 15% of the claimant's household income shall
7 be equal to 50% of the base amount determined under
8 subparagraph (i). A claimant who is a resident of a city
9 of the first class, a city of the second class A or a
10 school district of the first class A shall be ineligible
11 for the supplemental amount under this subparagraph.

12 (2.1) During calendar year 2019 and thereafter, the
13 percentage of real property taxes allowed as rebate shall be
14 equal to 100% for a claimant who qualifies under guidelines
15 as established by the department for the property tax rebate
16 program.

17 (3) The amount of any claim for rent rebate in lieu of
18 property taxes for rent due and payable during calendar year
19 2006 and thereafter shall be determined in accordance with
20 the following:

21	Amount of Rent Rebate in
22	Lieu of Property Taxes
23	Household Income Allowed as Rebate
24	\$ 0 - \$ 8,000 \$650
25	8,001 - 15,000 500

26 (b) Limitations on claims.--

27 (1) No claim through calendar year 2005 shall be allowed
28 if the amount of property tax or rent rebate computed in
29 accordance with this section is less than \$10, and the
30 maximum amount of property tax or rent rebate payable shall

1 not exceed \$500.

2 (2) For calendar year 2006 and thereafter, the maximum
3 amount of property tax or rent rebate in lieu of property
4 taxes payable shall not exceed the lesser of:

5 (i) the amount of a claim under subsection (a) (2),
6 (2.1) or (3), as applicable;

7 (ii) the amount of real property taxes actually
8 paid; or

9 (iii) 20% of gross rent actually paid.

10 (3) No claim shall be allowed if the claimant is a
11 tenant of an owner of real property exempt from real property
12 taxes.

13 (c) Apportionment and public assistance.--

14 * * *

15 (2) A claimant who receives public assistance from the
16 Department of [Public Welfare] Human Services shall not be
17 eligible for rent rebate in lieu of property taxes during
18 those months within which the claimant receives public
19 assistance.

20 * * *

21 Section 1308. Funds for payment of claims.

22 (a) Payment.--Approved claims shall be paid from the State
23 Lottery Fund established by the act of August 26, 1971 (P.L.351,
24 No.91), known as the State Lottery Law.

25 (b) Transfers from Property Tax Relief Fund.--The Secretary
26 of the Budget shall transfer the following amounts from the
27 Property Tax Relief Fund to the State Lottery Fund:

28 (1) Notwithstanding any other provision of law, an
29 amount equal to \$100,000,000 of the total slot machine
30 license fees paid by successful applicants for a Category 1

1 slot machine license under 4 Pa.C.S. § 1209 (relating to slot
2 machine license fee). The transfer under this paragraph shall
3 occur upon deposit in the Property Tax Relief Fund of moneys
4 derived from the fee from the fourth successful applicant for
5 a Category 1 slot machine license.

6 (2) Notwithstanding any other provision of law, an
7 amount equal to \$100,000,000 of the total slot machine
8 license fees paid by successful applicants for a Category 2
9 slot machine license under 4 Pa.C.S. § 1209. The transfer
10 under this paragraph shall occur upon deposit in the Property
11 Tax Relief Fund of moneys derived from the fee from the third
12 successful applicant for a Category 2 slot machine license.

13 (3) For fiscal years 2007-2008 and 2008-2009, an amount
14 equal to the sum of approved claims to be paid in each of
15 those fiscal years under sections 704 and 1304(a)(2)(ii), if
16 any.

17 (4) For fiscal year 2009-2010 and each fiscal year
18 thereafter, all of the following:

19 (i) The difference between the sum of the amount of
20 approved claims to be paid in the next fiscal year under
21 section 1304(a)(2)(i) and (3) and the amount of approved
22 claims paid in fiscal year 2006-2007 under section
23 1304(a)(1).

24 (ii) The sum of the amount of approved claims to be
25 paid in the next fiscal year under sections 704 and
26 1304(a)(2)(ii), if any.

27 (5) Beginning in fiscal year 2009-2010 and until the
28 difference between the sum of subparagraphs (i) and (ii) and
29 \$200,000,000 is paid, an amount of not less than \$40,000,000
30 annually or the amount of the difference, whichever is less.

1 All transfers under this paragraph shall be completed no
2 later than four years after the transfer required by
3 paragraph (2).

4 (i) The difference between the sum of the amount of
5 approved claims to be paid in fiscal year 2007-2008 under
6 section 1304(a)(2)(i) and (3) and the amount of approved
7 claims paid in fiscal year 2006-2007 under section
8 1304(a)(1).

9 (ii) The difference between the sum of the amount of
10 approved claims to be paid in fiscal year 2008-2009 under
11 section 1304(a)(2)(i) and (3) and the amount of approved
12 claims paid in fiscal year 2006-2007 under section
13 1304(a)(1).

14 (6) Beginning in fiscal year 2018-2019 and each fiscal
15 year thereafter, if the balance of the State Lottery Fund is
16 insufficient to pay claims under section 1304(a)(2.1) the
17 lesser of:

18 (i) the difference between the sum of the amount of
19 approved claims to be paid in the next fiscal year under
20 section 1304(a)(2.1) and the amount available in the
21 State Lottery Fund to pay the claims; or

22 (ii) the balance of the Property Tax Relief Fund.

23 (c) Transfers from General Fund.--If the balance of the
24 Property Tax Relief Fund is transferred under subsection (b)(6)
25 (ii), the Secretary of the Budget shall transfer from the
26 General Fund to the State Lottery Fund the difference between
27 the sum of the amount of approved claims to be paid under
28 section 1304(a)(2.1) and the amount transferred from the
29 Property Tax Relief Fund under subsection (b)(6)(ii).

30 Section 2. This act shall take effect immediately.