

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1316 Session of
2023

INTRODUCED BY INNAMORATO, KHAN, TWARDZIK, MAJOR, KUTZ, MADDEN,
SIEGEL, HILL-EVANS, KINSEY, BENHAM, GUENST, CERRATO, DELLOSO,
KRAJEWSKI, SANCHEZ, T. DAVIS, SMITH-WADE-EL, GERGELY,
A. BROWN, STEELE AND PARKER, JUNE 5, 2023

AS REPORTED FROM COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 13, 2023

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 realty transfer tax, further providing for
11 transfer of tax.

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

14 Section 1. Section ~~1102-C.6~~ 1102-C.6(B) of the act of March <--
15 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971,
16 amended November 3, 2022 (P.L.1695, No.108), is amended to read:

17 ~~Section 1102-C.6. Transfer of Tax. [(a) Subject to <--~~
18 ~~subsection (b), beginning July 31, 2019, and each July 31-~~
19 ~~thereafter, the State Treasurer shall transfer from the General-~~
20 ~~Fund to the Housing Affordability and Rehabilitation Enhancement-~~
21 ~~Fund under Article IV D of the act of December 3, 1959-~~

1 ~~(P.L.1688, No.621), known as the "Housing Finance Agency Law,"~~
2 ~~an amount equal to forty per cent of the difference between:~~

3 ~~(1) the total amount of the tax imposed under section 1102 C~~
4 ~~and collected by the Commonwealth for the prior fiscal year; and~~

5 ~~(2) the total dollar amount of such tax estimated for the~~
6 ~~fiscal year beginning July 1, 2014, and as contained in the~~
7 ~~final estimate signed by the Governor for that fiscal year as~~
8 ~~required by section 618 of the act of April 9, 1929 (P.L.177,~~
9 ~~No.175), known as "The Administrative Code of 1929."~~

10 ~~(b) The amount transferred under subsection (a) may not~~
11 ~~exceed the following:~~

12 ~~(1) For each fiscal year beginning after June 30, 2019, and~~
13 ~~ending prior to July 1, 2023, forty million dollars~~
14 ~~(\$40,000,000).~~

15 ~~(2) For the fiscal year beginning July 1, 2023, and each~~
16 ~~fiscal year thereafter, sixty million dollars (\$60,000,000).]~~

17 ~~(a.1) Beginning July 31, 2023, and each July 31 thereafter,~~
18 ~~the State Treasurer shall transfer from the General Fund to the~~
19 ~~Housing Affordability and Rehabilitation Enhancement Fund under~~
20 ~~Article IV D of the act of December 3, 1959 (P.L.1688, No.621),~~
21 ~~known as the "Housing Finance Agency Law," the total amount of~~
22 ~~the tax imposed under section 1102 C and collected by the~~
23 ~~Commonwealth for the prior fiscal year.~~

24 ~~(c) Nothing in this section shall be construed to reduce or~~
25 ~~prohibit increased funding for the Housing Affordability and~~
26 ~~Rehabilitation Enhancement Fund or the Keystone Recreation, Park~~
27 ~~and Conservation Fund as provided in the "Housing Finance Agency~~
28 ~~Law" or other law.~~

29 ~~Section 2. This act shall take effect in 60 days.~~

30 SECTION 1102-C.6. TRANSFER OF TAX.--* * *

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1 (B) THE AMOUNT TRANSFERRED UNDER SUBSECTION (A) MAY NOT
2 EXCEED THE FOLLOWING:

3 (1) FOR EACH FISCAL YEAR BEGINNING AFTER JUNE 30, 2019, AND
4 ENDING PRIOR TO JULY 1, 2023, FORTY MILLION DOLLARS
5 (\$40,000,000).

6 [(2) FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND EACH
7 FISCAL YEAR THEREAFTER, SIXTY MILLION DOLLARS (\$60,000,000).]

8 (3) FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, EIGHTY
9 MILLION DOLLARS (\$80,000,000).

10 (4) FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, NINETY
11 MILLION DOLLARS (\$90,000,000).

12 (5) FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND EACH
13 FISCAL YEAR THEREAFTER, ONE HUNDRED MILLION DOLLARS
14 (\$100,000,000).

15 * * *

16 SECTION 2. NOTHING IN THIS ACT SHALL BE CONSTRUED TO
17 INCREASE THE RATE OF TAX IMPOSED UNDER SECTION 1102-C OF THE
18 ACT.

19 SECTION 3. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.