

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1947 Session of  
2017

INTRODUCED BY ORTITAY, COX, CUTLER, DeLUCA, DIAMOND, GREINER,  
GROVE, KAUFFMAN, KEEFER, MILLARD, D. MILLER, RYAN, SAYLOR,  
STEPHENS, STURLA AND WARD, NOVEMBER 28, 2017

REFERRED TO COMMITTEE ON FINANCE, NOVEMBER 28, 2017

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 research and development tax credit, further  
11 providing for report to General Assembly; in entertainment  
12 production tax credit, further providing for reports to  
13 General Assembly; in resource enhancement and protection tax  
14 credit, further providing for report and public information;  
15 in resource manufacturing tax credit, further providing for  
16 reports to General Assembly; in historic preservation  
17 incentive tax credit, further providing for administration;  
18 in community-based services tax credit, further providing for  
19 guidelines; in coal refuse energy and reclamation tax credit,  
20 further providing for annual report to General Assembly; in  
21 waterfront development tax credit, further providing for tax  
22 credit; in organ and bone marrow donation credit, further  
23 providing for duties of department; in tax credit for new  
24 jobs, providing for annual report; in mobile  
25 telecommunications broadband investment tax credit, providing  
26 for annual report; in innovate in PA tax credit, further  
27 providing for report; in manufacturing and investment tax  
28 credit, providing for report and further providing for duties  
29 of department; in neighborhood assistance tax credit, further  
30 providing for tax credit; in Keystone Special Development  
31 Zone Program, providing for annual report; in mixed-use  
32 development tax credit, further providing for program  
33 administration; in keystone innovation zones, further

1 providing for annual report; and, in malt beverage tax,  
2 further providing for limited tax credits.

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

5 Section 1. Section 1711-B of the act of March 4, 1971  
6 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended  
7 to read:

8 Section 1711-B. Report to General Assembly.--The secretary  
9 shall submit an annual report to the General Assembly indicating  
10 the [effectiveness] usage of the credit provided by this article  
11 no later than March 15 following the year in which the credits  
12 were approved. The report shall include the [names of all  
13 taxpayers utilizing the credit as of the date of the report and  
14 the amount of credits approved and utilized by each taxpayer.]  
15 name of each taxpayer that was approved for a credit during the  
16 calendar year and the amount approved for each taxpayer, the  
17 amount of the credit used by each taxpayer during the calendar  
18 year, the amount of the credit which remains unused for each  
19 taxpayer as of the close of the calendar year, the amount of the  
20 credit sold or assigned by each taxpayer in the previous  
21 calendar year, the price that the credit was sold for and the  
22 name of the person to which the credit was sold or assigned. The  
23 name or other identifying information of an individual receiving  
24 a credit under section 1710-B may not be included in the report.  
25 Notwithstanding any law providing for the confidentiality of tax  
26 records, the information contained in the report shall be public  
27 information and shall be posted on the department's publicly  
28 accessible Internet website. The report may also include any  
29 recommendations for changes in the calculation or administration  
30 of the credit.

31 Section 2. Sections 1720-D(a) and 1761-D(a) of the act,

1 amended or added July 13, 2016 (P.L.526, No.84), are amended to  
2 read:

3 Section 1720-D. Report to General Assembly.

4 (a) General rule.--No later than June 1, 2008, and September  
5 1 of each year thereafter, the Secretary of Community and  
6 Economic Development shall submit a report to the General  
7 Assembly summarizing the [effectiveness] usage of the tax credit  
8 provided by this subarticle. The report shall include the [name  
9 of the film produced, the names of all taxpayers utilizing the  
10 credit as of the date of the report and the amount of credits  
11 approved for, utilized by or sold or assigned by each taxpayer.]  
12 the name of each taxpayer that was approved for a credit during  
13 the fiscal year and the amount approved for each taxpayer, the  
14 amount of the credit used by each taxpayer during the fiscal  
15 year, the amount of the credit which remains unused for each  
16 taxpayer as of the end of the fiscal year, the amount of the  
17 credit sold or assigned by each taxpayer in the previous fiscal  
18 year, the price for which the credit was sold and the name of  
19 the taxpayer to which the credit was sold or assigned. The name  
20 or other identifying information about an individual receiving a  
21 credit under section 1718-D may not be included in the report.  
22 The report may also include any recommendations for changes in  
23 the calculation or administration of the tax credit. The report  
24 shall be submitted to the chairman and minority chairman of the  
25 Appropriations and Finance Committees of the Senate and the  
26 chairman and minority chairman of the Appropriations and Finance  
27 Committees of the House of Representatives. In addition to the  
28 information set forth above, the report shall include the  
29 following information, which shall be separated by geographic  
30 location within this Commonwealth:

1 (1) The amount of credits claimed during the fiscal year  
2 by film.

3 (2) The total amount spent in this Commonwealth during  
4 the fiscal year by film.

5 (3) The total amount of tax revenues generated by this  
6 Commonwealth during the fiscal year by film.

7 (4) The total number of jobs created during the fiscal  
8 year by film, including the duration of the jobs.

9 \* \* \*

10 Section 1761-D. Report to General Assembly.

11 (a) General rule.--No later than June 1 of the second year  
12 that commences after the effective date of this section, and  
13 September 1 of each year thereafter, the Secretary of Community  
14 and Economic Development shall submit a report to the General  
15 Assembly summarizing the [effectiveness] usage of the tax  
16 credit. The report shall include the name of the video game  
17 produced, [the names of all taxpayers utilizing the tax credit  
18 as of the date of the report and the amount of tax credits  
19 approved for, utilized by or sold or assigned by each taxpayer.]  
20 the name of each taxpayer that was approved for a credit during  
21 the fiscal year and the amount approved for each taxpayer, the  
22 amount of the credit used by each taxpayer during the fiscal  
23 year, the amount of the credit which remains unused for each  
24 taxpayer as of the end of the fiscal year, the amount of the  
25 credit sold or assigned by each taxpayer in the previous fiscal  
26 year, the price for which the credit was sold and the name of  
27 the taxpayer to which the credit was sold or assigned. The name  
28 or other identifying information of an individual receiving a  
29 credit under section 1759-D may not be included in the  
30 report. The report may also include recommendations for changes

1 in the calculation or administration of the tax credit. The  
2 report shall be submitted to the chairperson and minority  
3 chairperson of the Appropriations Committee of the Senate and  
4 the chairperson and minority chairperson of the Finance  
5 Committee of the Senate and the chairperson and minority  
6 chairperson of the Appropriations Committee of the House of  
7 Representatives and the chairperson and minority chairperson of  
8 the Finance Committee of the House of Representatives. In  
9 addition to the information stated in this section, the report  
10 shall include the following information which shall be separated  
11 by geographic location within this Commonwealth:

12 (1) The amount of tax credits claimed by taxpayers  
13 during the fiscal year.

14 (2) The total amount spent on video game production in  
15 this Commonwealth during the fiscal year.

16 (3) The total amount of tax revenues collected from the  
17 production of video games in this Commonwealth during the  
18 fiscal year.

19 (4) The total number of jobs created by taxpayers during  
20 the fiscal year, including the duration of the jobs.

21 \* \* \*

22 Section 3. Section 1781-D of the act, added October 30, 2017  
23 (P.L. , No.43), is amended to read:

24 Section 1781-D. Report to General Assembly.

25 No later than June 1, 2018, and September 1 of each year  
26 thereafter, the Secretary of Community and Economic Development  
27 shall submit a report to the General Assembly summarizing the  
28 [effectiveness] usage of the tax credits provided by this  
29 subarticle. The report shall include the name of the tours which  
30 rehearsed in this Commonwealth, [the names of all recipients

1 awarded a tax credit as of the date of the report and the amount  
2 of tax credits approved for each recipient.] the name of each  
3 taxpayer that was approved for a credit during the fiscal year  
4 and the amount approved for each taxpayer, the amount of the  
5 credit used by each taxpayer during the fiscal year, the amount  
6 of the credit which remains unused for each taxpayer as of the  
7 end of the fiscal year, the amount of the credit sold or  
8 assigned by each taxpayer in the previous fiscal year, the price  
9 for which the credit was sold and the name of the taxpayer to  
10 which the credit was sold or assigned. The name or other  
11 identifying information of an individual receiving a credit  
12 under section 1779-D may not be included in the report. The  
13 report may also include recommendations for changes in the  
14 calculation or administration of the tax credits provided under  
15 this subarticle. The report shall be submitted to the  
16 chairperson and minority chairperson of the Appropriations  
17 Committee of the Senate, the chairperson and minority  
18 chairperson of the Finance Committee of the Senate, the  
19 chairperson and minority chairperson of the Appropriations  
20 Committee of the House of Representatives and the chairperson  
21 and minority chairperson of the Finance Committee of the House  
22 of Representatives. The report shall include the following  
23 information, which shall be separated by geographic location  
24 within this Commonwealth:

25 (1) The amount of tax credits claimed during the fiscal  
26 year by tour.

27 (2) The total amount spent in this Commonwealth during  
28 the fiscal year by tours and concert tour promotion companies  
29 for services and supplies.

30 (3) The total amount of tax revenues, both directly and

1 indirectly, generated for the Commonwealth during the fiscal  
2 year by the concert rehearsal and tour industry.

3 Section 4. Sections 1710-E, 1710-G(a), 1707-H and 1707-I of  
4 the act are amended to read:

5 Section 1710-E. Report and public information.

6 (a) General rule.--The commission, in consultation with the  
7 department, shall [annually report to the General Assembly on  
8 the Resource Enhancement and Protection Tax Credit Program as  
9 follows:] submit an annual report to the General Assembly no  
10 later than October 1, 2018, and October 1 of each year  
11 thereafter, indicating the usage of the credit provided by this  
12 article, including the following information:

13 (1) The number of projects and the dollar amount of tax  
14 credits granted under the program in the aggregate, by best  
15 management practice and per project.

16 (2) The types, locations and costs of projects.

17 (3) The estimated benefits of the projects, including  
18 pollution reduction.

19 (4) The name of each taxpayer that was approved for a  
20 credit during the fiscal year and the amount approved for  
21 each taxpayer.

22 (5) The amount of the credit used by each taxpayer  
23 during the fiscal year.

24 (6) The amount of the credit which remains unused for  
25 each taxpayer as of the end of the fiscal year.

26 (7) The amount of the credit sold or assigned by each  
27 taxpayer during the fiscal year.

28 (8) The price for which the credit was sold and the name  
29 of the taxpayer to which the credit was sold or assigned.

30 (b) Identity.--[The identity of each taxpayer utilizing a

1 resource enhancement and protection tax credit under this  
2 article and the amount of credits approved and utilized by each  
3 taxpayer shall be made available annually within a year of when  
4 the credits were granted and shall constitute a public record,  
5 notwithstanding any law providing for the confidentiality of tax  
6 records. This information regarding taxpayer use of resource  
7 enhancement and protection tax credits shall be made available  
8 in accordance with the laws applicable to public information and  
9 public records generally and need not be included in the annual  
10 report to the General Assembly.] Notwithstanding any law  
11 providing for the confidentiality of tax records, the  
12 information contained in the report shall be public information  
13 and the report shall be posted to the department's publicly  
14 accessible Internet website. The name or other identifying  
15 information of an individual receiving a credit under section  
16 1703-E(f) may not be included in the report.

17 Section 1710-G. Reports to General Assembly.

18 (a) Annual report.--By October 1, 2018, and October 1 of  
19 each year thereafter, the department shall submit a report on  
20 the tax credit provided by this article to the chairman and  
21 minority chairman of the Appropriations Committee of the Senate,  
22 the chairman and minority chairman of the Finance Committee of  
23 the Senate, the chairman and minority chairman of the  
24 Appropriations Committee of the House of Representatives and the  
25 chairman and minority chairman of the Finance Committee of the  
26 House of Representatives. The report must include [the names of  
27 the qualified taxpayers utilizing the tax credit as of the date  
28 of the report and the amount of tax credits approved for,  
29 utilized by or sold or assigned by a qualified taxpayer.] the  
30 name of each qualified taxpayer that was approved for a credit

1 during the fiscal year and the amount approved for each  
2 qualified taxpayer, the amount of the credit used by each  
3 qualified taxpayer during the fiscal year, the amount of the  
4 credit which remains unused for each taxpayer as of the close of  
5 the fiscal year, the amount of the credit sold or assigned by  
6 each qualified taxpayer in the previous fiscal year, the price  
7 for which the credit was sold and the name of the taxpayer to  
8 which the credit was sold or assigned. The name or other  
9 identifying information of an individual receiving a credit  
10 under section 1708-G may not be included in the report.

11 \* \* \*

12 Section 1707-H. Administration.

13 (a) Written guidelines.--The Department of Community and  
14 Economic Development, the commission and the department shall  
15 jointly develop written guidelines for the implementation of the  
16 provisions of this article.

17 (b) Annual report.--The Department of Community and Economic  
18 Development, the commission and the department shall jointly  
19 submit an annual report to the General Assembly indicating the  
20 usage of the credit provided by this article no later than  
21 October 1, 2018, and each October 1 thereafter. The report shall  
22 include the name of each qualified taxpayer that was approved  
23 for a credit during the fiscal year and the amount approved for  
24 each qualified taxpayer, the amount of the credit used by each  
25 taxpayer during the fiscal year, the amount of the credit which  
26 remains unused for each taxpayer as of the close of the fiscal  
27 year, the amount of the credit sold or assigned by each  
28 qualified taxpayer during the fiscal year, the price for which  
29 the credit was sold and the name of the taxpayer to which the  
30 credit was sold or assigned. The name or other identifying

1 information of an individual receiving a credit under section  
2 1706-H may not be included in the report. Notwithstanding any  
3 law providing for the confidentiality of tax records, the  
4 information contained in the report shall be public information  
5 and the report shall be posted on the Department of Community  
6 and Economic Development's publicly accessible Internet website.  
7 Section 1707-I. Guidelines and administration.

8 (a) Written guidelines.--The department, in conjunction with  
9 the Department of Revenue and the Department of [Public Welfare]  
10 Human Services, may establish guidelines as necessary to  
11 implement this article.

12 (b) Annual report.--The department, in conjunction with the  
13 Department of Revenue and the Department of Human Services,  
14 shall submit an annual report to the General Assembly indicating  
15 the usage of the credit provided by this article no later than  
16 October 1. The report shall include the name of each business  
17 firm that was approved for a credit during the fiscal year and  
18 the amount approved for each business firm, the amount of the  
19 credit used by each taxpayer during the fiscal year and the  
20 amount of the credit which remains unused for each taxpayer as  
21 of the close of the fiscal year. Notwithstanding any law  
22 providing for the confidentiality of tax records, the  
23 information contained in the report shall be public information  
24 and the report shall be posted on the department's publicly  
25 accessible Internet website.

26 Section 5. Sections 1713-J and 1706-K(b) of the act, added  
27 July 13, 2016 (P.L.526, No.84), are amended to read:

28 Section 1713-J. Annual report to General Assembly.

29 By October 1, 2017, and October 1 of each year thereafter,  
30 the department shall submit a report on the tax credit provided

1 by this article to the chairperson and minority chairperson of  
2 the Appropriations Committee of the Senate, the chairperson and  
3 minority chairperson of the Finance Committee of the Senate, the  
4 chairperson and minority chairperson of the Appropriations  
5 Committee of the House of Representatives and the chairperson  
6 and minority chairperson of the Finance Committee of the House  
7 of Representatives and shall post the report on the department's  
8 publicly accessible Internet website. The report must include:

9 (1) the [names of the qualified taxpayers utilizing the  
10 tax credit as of the date of the report and the amount of tax  
11 credits approved for, utilized by or sold or assigned by a  
12 qualified taxpayer] name of each qualified taxpayer that was  
13 approved for a credit during the fiscal year and the amount  
14 approved for each qualified taxpayer, the amount of the  
15 credit used by each taxpayer during the fiscal year, the  
16 amount of the credit which remains unused for each taxpayer  
17 as of the close of the fiscal year, the amount of the credit  
18 sold or assigned by each qualified taxpayer during the fiscal  
19 year, the price for which the credit was sold for and the  
20 name of the taxpayer to which the credit was sold or  
21 assigned. The name or other identifying information of an  
22 individual receiving a credit under section 1708-J may not be  
23 included in the report; and

24 (2) data concerning the benefits provided to the  
25 Commonwealth in terms of the quantity of coal refuse utilized  
26 by qualifying facilities and the volume of coal ash generated  
27 by qualifying facilities which is beneficially used to  
28 reclaim mine-affected lands.

29 Section 1706-K. Tax credit.

30 \* \* \*

1 (b) Rules and regulations.--

2 (1) The department may promulgate rules and regulations  
3 for the approval or disapproval of applications by business  
4 firms.

5 (2) The department shall provide a report listing all  
6 applications received and the disposition of the applications  
7 in each fiscal year to the General Assembly by October 1 of  
8 the following fiscal year. The department's report shall  
9 include [all taxpayers utilizing the tax credit and the  
10 amount of tax credits approved, sold or assigned.] the name  
11 of each taxpayer that was approved for a credit during the  
12 fiscal year and the amount approved for each taxpayer, the  
13 amount of the credit used by each taxpayer during the fiscal  
14 year, the amount of the credit which remains unused for each  
15 taxpayer as of the close of the fiscal year, the amount of  
16 the credit sold or assigned by each taxpayer during the  
17 fiscal year, the price for which the credit was sold and the  
18 name of the taxpayer to which the credit was sold or  
19 assigned. The name or other identifying information of an  
20 individual receiving a credit under section 1710-K may not be  
21 included in the report.

22 (3) Notwithstanding any law providing for the  
23 confidentiality of tax records, the information in the report  
24 shall be public information, and all report information shall  
25 be posted on the department's publicly accessible Internet  
26 website.

27 \* \* \*

28 Section 6. Section 1804(a) of the act is amended to read:  
29 Section 1804. Duties of department.

30 (a) Duties enumerated.--The department shall:

1 (1) In the manner provided by law, promulgate the  
2 regulations necessary to implement section 1803.

3 (2) Create and publish forms upon which taxpayers may  
4 apply for the tax credit authorized by this article.

5 (3) Within five months after the close of any calendar  
6 year during which tax credits granted pursuant to this  
7 article were used, furnish to the members of the General  
8 Assembly an annual report providing, as to each business firm  
9 which used tax credits during the preceding calendar year  
10 pursuant to this article, the employer's name, address,  
11 standard industrial classification code and the amount of tax  
12 credits granted[.], the amount of the tax credit used by each  
13 taxpayer during the calendar year and the amount of the  
14 credit which remains unused for each taxpayer as of the close  
15 of the calendar year.

16 (4) Post the report on the department's publicly  
17 accessible Internet website.

18 \* \* \*

19 Section 7. The act is amended by adding sections to read:

20 Section 1804.1-B. Annual report.

21 The department and the Department of Revenue shall jointly  
22 submit an annual report to the General Assembly indicating the  
23 usage of the credit provided by this article no later than  
24 October 1, 2018, and each October 1 thereafter. The report shall  
25 include the name of each taxpayer that was approved for a credit  
26 during the fiscal year and the amount approved for each  
27 taxpayer, the amount of the credit used by each taxpayer during  
28 the fiscal year, the amount of the credit which remains unused  
29 for each taxpayer as of the close of the fiscal year, the amount  
30 of the credit sold or assigned by each taxpayer, the price for

1 which the credit was sold and the name of the taxpayer to which  
2 the credit was sold or assigned. The name or other identifying  
3 information of an individual receiving a credit under section  
4 1804-B(c) as a shareholder may not be included in the  
5 report. Notwithstanding any law providing for the  
6 confidentiality of tax records, the information contained in the  
7 report shall be public information and shall be posted on the  
8 department's publicly accessible Internet website.

9 Section 1806-E. Annual report.

10 The department shall submit an annual report to the General  
11 Assembly indicating the usage of the credit provided by this  
12 article no later than October 1, 2018, and each October 1  
13 thereafter. The report shall include the name of each taxpayer  
14 that was approved for a credit during the fiscal year and the  
15 amount approved for each taxpayer, the amount of the credit used  
16 by each taxpayer during the fiscal year, the amount of the  
17 credit which remains unused for each taxpayer as of the close of  
18 the fiscal year, the amount of the credit sold or assigned by  
19 each taxpayer, the price for which the credit was sold and the  
20 name of the taxpayer to which the credit was sold or assigned.

21 The name or other identifying information of an individual  
22 receiving a credit under section 1803-E may not be included in  
23 the report. Notwithstanding any law providing for the  
24 confidentiality of tax records, the information contained in the  
25 report shall be public information and shall be posted on the  
26 department's publicly accessible Internet website.

27 Section 8. Section 1813-F(b) of the act is amended to read:  
28 Section 1813-F. Report.

29 \* \* \*

30 (b) Contents.--The report under subsection (a) shall include

1 the following:

2 (1) The name of the purchaser of premiums tax credits.

3 (2) The amount of premiums tax credits allocated to the  
4 purchaser.

5 (3) The amount of capital the purchaser contributed for  
6 the issuance of the tax credit certificate.

7 (4) The amount of any tax credits that have been  
8 transferred under section 1810-F(e).

9 (4.1) The amount of the credit transferred by each  
10 qualified taxpayer under section 1807-F(b), the price for  
11 which the credit was transferred and the name of the taxpayer  
12 to which the credit was transferred.

13 (4.2) The amount of the tax credit which remains unused  
14 for each qualified taxpayer.

15 (5) The amount of funds received by the recipients  
16 during the previous year.

17 (6) The cumulative amount of capital received by the  
18 department in connection with the sale of the tax credits.

19 (7) The amount of capital remaining uninvested at the  
20 end of the preceding calendar year.

21 (8) The names and locations of businesses receiving  
22 capital from the recipients, the reason for the investment  
23 and the amount of the investment.

24 (9) The total number of jobs created in this  
25 Commonwealth by the investment and the average wages paid for  
26 the jobs.

27 (10) The total number of jobs retained in this  
28 Commonwealth as a result of the investment and the average  
29 wages paid for the jobs.

30 Section 9. The act is amended by adding a section to read:

1 Section 1810-G. Report.

2 The department and the Department of Revenue shall jointly  
3 submit an annual report to the General Assembly indicating the  
4 usage of the credit provided by this article no later than  
5 October 1, 2018, and October 1 of each year thereafter. The  
6 report shall include the name of each taxpayer that was approved  
7 for a credit during the fiscal year and the amount approved for  
8 each taxpayer, the amount of the credit used by each taxpayer  
9 during the fiscal year, the amount of the tax credit which  
10 remains unused for each taxpayer as of the close of the fiscal  
11 year, the amount of the credit sold or assigned by each taxpayer  
12 during the fiscal year, the price for which the credit was sold  
13 and the name of the taxpayer to which the credit was sold or  
14 assigned. The name or other identifying information of an  
15 individual receiving a credit under section 1807-G may not be  
16 included in the report. Notwithstanding any law providing for  
17 the confidentiality of tax records, the information contained in  
18 the report shall be public information and shall be posted on  
19 the department's publicly accessible Internet website.

20 Section 10. Sections 1835-G(b) and 1904-A(b) of the act,  
21 amended or added July 13, 2016 (P.L.526, No.84), are amended to  
22 read:

23 Section 1835-G. Duties of department.

24 \* \* \*

25 (b) Reports by department.--The department shall provide a  
26 report listing all applications received for tax credit  
27 certificates and the disposition of the applications in each  
28 fiscal year to the General Assembly by October 1 of the  
29 following fiscal year. The department's report shall include all  
30 business firms approved for a tax credit certificate [and], the

1 amount of tax credit certificates approved for each business  
2 firm[.], the amount of the credit used by each taxpayer during  
3 the fiscal year, the amount of the tax credit which remains  
4 unused for each taxpayer as of the close of the fiscal year, the  
5 amount of the credit sold or assigned by each taxpayer, the  
6 price for which the credit was sold and the name of the taxpayer  
7 to which the credit was sold or assigned.

8 \* \* \*

9 Section 1904-A. Tax Credit.--\* \* \*

10 (b) The secretary is hereby authorized to promulgate rules  
11 and regulations for the approval or disapproval of such  
12 proposals by business firms or private companies. The secretary  
13 shall provide a report listing of all applications received and  
14 their disposition in each fiscal year to the General Assembly by  
15 October 1 of the following fiscal year. The secretary's report  
16 shall include [all taxpayers utilizing the credit and the amount  
17 of credits approved, sold or assigned.] the name of each  
18 taxpayer that was approved for a credit during the calendar year  
19 and the amount approved for each taxpayer, the amount of the  
20 credit used by each taxpayer during the calendar year, the  
21 amount of the credit which remains unused for each taxpayer as  
22 of the close of the calendar year, the amount of the credit sold  
23 or assigned by each taxpayer, the price for which the credit was  
24 sold and the name of the taxpayer to which the credit was sold  
25 or assigned. The name or other identifying information of an  
26 individual receiving a credit under section 1907-A may not be  
27 included in the report. Notwithstanding any law providing for  
28 the confidentiality of tax records, the information in the  
29 report shall be public information, and all report information  
30 shall be posted on the secretary's Internet website.

1 \* \* \*

2 Section 11. The act is amended by adding a section to read:  
3 Section 1905-C. Annual report.

4 The department shall submit an annual report to the General  
5 Assembly indicating the usage of the credit provided by this  
6 article no later than October 1. The report shall include the  
7 name of each Keystone Special Development Zone employer that was  
8 approved for a credit during the calendar year and the amount  
9 approved for each Keystone Special Development Zone employer,  
10 the amount of the credit used by each taxpayer during the  
11 calendar year, the amount of the credit which remains unused for  
12 each taxpayer as of the close of the calendar year, the amount  
13 of the credit sold or assigned by each taxpayer, the price for  
14 which the credit was sold and the name of the taxpayer to which  
15 the credit was sold or assigned. The name or other identifying  
16 information of an individual receiving a credit under section  
17 1903-C(g) may not be included in the report. Notwithstanding any  
18 law providing for the confidentiality of tax records, the  
19 information contained in the report shall be public information  
20 and shall be posted on the department's publicly accessible  
21 Internet website.

22 Section 12. Sections 1905-E(h), 1908-F and 2010(d) of the  
23 act, amended or added July 13, 2016 (P.L.526, No.84), are  
24 amended to read:

25 Section 1905-E. Program administration.

26 \* \* \*

27 (h) Report.--Within 90 days following the close of the first  
28 calendar year in which tax credits are made available, and by  
29 July 1 of every year thereafter, the agency, in consultation  
30 with the department, shall issue a report containing:

- 1 (1) A financial statement.
- 2 (2) An itemized list of the following:
- 3 (i) projects funded;
- 4 (ii) qualified taxpayers applying for tax credits;
- 5 [and]
- 6 (iii) [tax credits certificates issued.] the name of
- 7 each qualified taxpayer that was approved for a credit
- 8 during the calendar year and the amount approved for each
- 9 qualified taxpayer;
- 10 (iv) the amount of the credit used by each taxpayer
- 11 during the calendar year;
- 12 (v) the amount of the credit which remains unused
- 13 for each taxpayer as of the close of the calendar year;
- 14 and
- 15 (vi) the amount of the tax credit sold or assigned
- 16 by each taxpayer, the price for which the credit was sold
- 17 and the name of the taxpayer to which the credit was sold
- 18 or assigned, except that name or other identifying
- 19 information of an individual receiving a credit under
- 20 section 1911-E(g) may not be included in the report.
- 21 (3) A description of other expenditures in the preceding
- 22 calendar year.

23 \* \* \*

24 Section 1908-F. Annual report.

25 The department shall submit an annual report to the Secretary

26 of the Senate and the Chief Clerk of the House of

27 Representatives indicating the [effectiveness] usage of the

28 keystone innovation zone tax credit provided by this article by

29 December 31 of each year, beginning December 31, 2007.

30 Notwithstanding any law providing for the confidentiality of tax

1 records, the report shall include the names of all taxpayers  
2 awarded the credits, [all taxpayers utilizing the credits, the  
3 amount of credits approved and utilized by each taxpayer and the  
4 locations of the KIZ companies awarded the credits.], the amount  
5 approved for each taxpayer, the amount of the credit used by  
6 each taxpayer during the calendar year, the amount of the credit  
7 which remains unused for each taxpayer as of the close of the  
8 calendar year, the amount of the credit sold or assigned by each  
9 taxpayer, the price that the credit was sold for and the name of  
10 the taxpayer to which the credit was sold or assigned and the  
11 locations of the KIZ companies awarded the credits. The name or  
12 other identifying information of an individual receiving a  
13 credit under section 1906-F(e) may not be included in the  
14 report. The report shall be a public document and shall be  
15 posted on the department's publicly accessible Internet website.

16 Section 2010. Limited Tax Credits.--\* \* \*

17 (d) A taxpayer desiring to claim a tax credit or credits  
18 under this section shall, within one year of the date of the  
19 original purchase of the qualifying capital expenditures, in  
20 accordance with regulations promulgated by the secretary, report  
21 annually to the secretary the nature, amounts and dates of  
22 qualifying capital expenditures made by him and such other  
23 information as the secretary shall require. If satisfied as to  
24 the correctness of such a report, the secretary shall issue to  
25 the taxpayer a certificate establishing the amount of qualifying  
26 capital expenditures made by the taxpayer and included within  
27 said report. The taxpayer shall also provide to the secretary  
28 the number of employes, total production of malt or brewed  
29 beverages and the amount of capital expenditures made by the  
30 taxpayer at each location operated by the taxpayer or a parent

1 corporation, subsidiary, joint venture or affiliate. Also, the  
2 taxpayer shall notify the secretary of any contract for  
3 production held with another manufacturer. [The]

4 (d.1) Notwithstanding any law providing for the  
5 confidentiality of tax records, the secretary shall file a  
6 report annually with the Chief Clerk of the House of  
7 Representatives and with the Secretary of the Senate outlining  
8 the employment, production, expenditures and tax credits  
9 authorized under this section[.], including the name of each  
10 taxpayer that was approved for a credit during the calendar year  
11 and the amount approved for each taxpayer, the amount of the  
12 credit utilized by each taxpayer during the fiscal year, the  
13 amount of the credit which remains unused for each taxpayer as  
14 of the close of the fiscal year, the amount of the credit sold  
15 or assigned by each taxpayer, the price for which the credit was  
16 sold and the name of the taxpayer to which the credit was sold  
17 or assigned. The report required under this subsection shall be  
18 posted on the department's publicly accessible Internet website.

19 \* \* \*

20 Section 13. This act shall take effect in 60 days.