
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 766 Session of
2021

INTRODUCED BY GREINER, ROTHMAN, RYAN, MILLARD, GROVE, MENTZER,
DUNBAR, WARREN, ZIMMERMAN, JAMES, WHEELAND AND GILLEN,
MARCH 3, 2021

REFERRED TO COMMITTEE ON FINANCE, MARCH 3, 2021

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 corporate net income tax, further providing
11 for reports and payment of tax and for extension of time to
12 file reports.

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

15 Section 1. Sections 403(a)(1) and (e) and 405 of the act of
16 March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of
17 1971, are amended to read:

18 Section 403. Reports and Payment of Tax.--(a) (1) It shall
19 be the duty of every corporation, liable to pay tax under this
20 article, to transmit to the department, upon a form prescribed
21 by the department, an annual report under oath or affirmation of
22 its president, vice-president, treasurer, assistant treasurer or

1 other authorized officers of net income taxable under the
2 provisions of this article:

3 (i) on or before April 15, 1972, and every April 15 of each
4 year thereafter through April 15, 2016; [and]

5 (ii) for taxable years beginning after December 31, 2015, on
6 or before thirty days after the return to the Federal Government
7 is due, or would be due were it to be required of such
8 corporation, subject in all other respects to the provisions of
9 this article[.]; and

10 (iii) for taxable years beginning after December 31, 2020,
11 on or before the fifteenth day of the month following the due
12 date of the return to the Federal Government, or would be due
13 were it to be required of such corporation, subject in all other
14 respects to the provisions of this article.

15 * * *

16 (e) If any corporation closes its fiscal year not upon
17 December 31, but upon some other date, and reports to the
18 Federal Government as of such other date, or would so report
19 were it to make a return to the Federal Government, such
20 corporation shall certify such fact to the department, and shall
21 make the annual report, herein required, [within thirty days
22 after the return to the Federal Government is due] on or before
23 the fifteenth day of the month following the due date of the
24 return to the Federal Government, or would be due were it to be
25 required of such corporation, subject in all other respects to
26 the provisions of this article.

27 * * *

28 Section 405. Extension of Time to File Reports.--The
29 department may, upon application made to it, in such form as it
30 shall prescribe, on or prior to the last day for filing any

1 annual report, and upon proper cause shown, grant to the
2 corporation, required to file such report, an extension of not
3 more than sixty days within which such report may be filed. If
4 the Federal income tax authorities grant an extension of time
5 for filing the reports with the Federal Government, the
6 department shall automatically grant an extension of time for
7 filing the annual report under this article [~~of thirty days~~
8 ~~after~~] until the fifteenth day of the month following the
9 termination of the Federal extension, but the amount of tax due
10 shall, in such cases, nevertheless, be subject to interest from
11 the due dates and at the rates fixed by this article.

12 Section 2. The amendment or addition of sections 403(a)(1)
13 (iii) and (e) and 405 of the act shall apply to taxable years
14 beginning after December 31, 2020.

15 Section 3. This act shall take effect immediately.