
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1395 Session of
2017

INTRODUCED BY DEASY, READSHAW, WHEATLEY, SIMS, BOBACK,
RAVENSTAHL, DeLUCA, CALTAGIRONE, MATZIE, NEILSON, DRISCOLL,
D. COSTA, BULLOCK, MULLERY, FITZGERALD, McNEILL, V. BROWN,
SAMUELSON, WATSON, SCHWEYER, GOODMAN, THOMAS, PASHINSKI,
MADDEN AND GILLEN, MAY 18, 2017

REFERRED TO COMMITTEE ON FINANCE, MAY 18, 2017

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 definitions
12 and prohibiting certain use of rent rebates.

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

15 Section 1. The definition of "rent rebate in lieu of
16 property taxes" in section 1303 of the act of June 27, 2006 (1st
17 Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, is
18 amended to read:

19 Section 1303. Definitions.

20 The following words and phrases when used in this chapter
21 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 * * *

3 "Rent rebate in lieu of property [taxes."] taxes" or "rent
4 rebate." Twenty percent of the gross amount actually paid in
5 cash or its equivalent in any calendar year to a landlord in
6 connection with the occupancy of a homestead by a claimant,
7 irrespective of whether such amount constitutes payment solely
8 for the right of occupancy or otherwise.

9 * * *

10 Section 2. The act is amended by adding a section to read:
11 Section 1314. Unlawful use of rent rebates.

12 (a) General rule.--It shall be unlawful for a landlord and
13 tenant to enter into a lease or agreement to assign or pay a
14 portion of a rent rebate to which the tenant may be entitled to
15 the landlord or to the landlord's assignee or representative.

16 (b) Penalties.--A landlord who violates this section shall:

17 (1) Fully reimburse the tenant of the portion of a
18 payment that was assigned or otherwise used as payment by the
19 tenant to the landlord in violation of this section.

20 (2) Pay to the department a penalty equal to 25% of the
21 total amount of the payment to which the tenant was entitled.
22 The penalty shall bear interest at the rate of 1.5% per month
23 from the date the payment was assigned or otherwise used as
24 payment by the tenant until the penalty is paid in full to
25 the department.

26 (c) Enforcement.--The Attorney General shall enforce the
27 provisions of this section.

28 (d) Definitions.--The following words and phrases when used
29 in this section shall have the meanings given to them in this
30 subsection unless the context clearly indicates otherwise:

1 "Landlord." An owner of real property who leases property to
2 a tenant under a lease agreement.

3 "Tenant." A person who has a possessory interest in real
4 property under a lease or by law.

5 Section 3. This act shall take effect in 60 days.