

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1604 Session of 2013

INTRODUCED BY MILNE, JULY 1, 2013

REFERRED TO COMMITTEE ON FINANCE, JULY 1, 2013

AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled,
 2 as amended, "An act relating to the finances of the State
 3 government; providing for the settlement, assessment,
 4 collection, and lien of taxes, bonus, and all other accounts
 5 due the Commonwealth, the collection and recovery of fees and
 6 other money or property due or belonging to the Commonwealth,
 7 or any agency thereof, including escheated property and the
 8 proceeds of its sale, the custody and disbursement or other
 9 disposition of funds and securities belonging to or in the
 10 possession of the Commonwealth, and the settlement of claims
 11 against the Commonwealth, the resettlement of accounts and
 12 appeals to the courts, refunds of moneys erroneously paid to
 13 the Commonwealth, auditing the accounts of the Commonwealth
 14 and all agencies thereof, of all public officers collecting
 15 moneys payable to the Commonwealth, or any agency thereof,
 16 and all receipts of appropriations from the Commonwealth,
 17 authorizing the Commonwealth to issue tax anticipation notes
 18 to defray current expenses, implementing the provisions of
 19 section 7(a) of Article VIII of the Constitution of
 20 Pennsylvania authorizing and restricting the incurring of
 21 certain debt and imposing penalties; affecting every
 22 department, board, commission, and officer of the State
 23 government, every political subdivision of the State, and
 24 certain officers of such subdivisions, every person,
 25 association, and corporation required to pay, assess, or
 26 collect taxes, or to make returns or reports under the laws
 27 imposing taxes for State purposes, or to pay license fees or
 28 other moneys to the Commonwealth, or any agency thereof,
 29 every State depository and every debtor or creditor of the
 30 Commonwealth," in preliminary provisions, further providing
 31 for method of payment.

32 The General Assembly of the Commonwealth of Pennsylvania
 33 hereby enacts as follows:

1 Section 1. Section 9 of the act of April 9, 1929 (P.L.343,
2 No.176), known as The Fiscal Code, amended July 2, 2012
3 (P.L.823, No.87), is amended to read:

4 Section 9. Method of Payment.--(a) Notwithstanding any
5 other provisions of this act or any other acts, the State
6 Treasurer and the Secretary of Revenue shall jointly prescribe
7 by regulation the method of payment of obligations due the
8 Commonwealth. Such regulations shall include:

9 (1) Requiring payment by electronic funds transfers (EFT)
10 which includes automated clearinghouse debit, automated
11 clearinghouse credit, wire transfer and any other means that may
12 be available to obtain funds due the Commonwealth in the most
13 expeditious manner. The payor shall select which method of
14 electronic funds transfer he wishes to utilize from among these
15 options.

16 (2) Setting the date on which a payment is deemed to have
17 been received when a method other than mail is required.

18 (3) Establishing procedures to be followed when a method
19 other than mail is required.

20 (4) Any other provisions necessary to ensure the prompt
21 deposit of funds legally due the Commonwealth.

22 (5) An option permitting payment by certified or cashier's
23 check delivered in person or by courier to the Department of
24 Revenue on or before the due date of the obligation, in lieu of
25 payment by electronic funds transfer.

26 (b) The regulations shall not require:

27 (1) Any payment to be posted to a Commonwealth account prior
28 to the due date, including grace periods, established by law or
29 regulations.

30 [(2) Changes to the method of payment for those payments

1 made by individuals under Article III of the act of March 4,
2 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971."]

3 (3) Changes to the method of payment when the payment is
4 less than [ten thousand dollars (\$10,000)] one thousand dollars
5 (\$1,000).

6 (4) Automated clearinghouse debit as the sole and exclusive
7 means of complying with this act and the regulations promulgated
8 pursuant to this act.

9 Section 2. This act shall take effect January 1, 2014.