

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 653 Session of 2023

INTRODUCED BY FREEMAN, JAMES, D. WILLIAMS, MADDEN, SANCHEZ, HILL-EVANS, ZIMMERMAN, DELLOSO, WARREN, NEILSON, CIRESI, GREEN, WAXMAN, WEBSTER AND SAMUELSON, MARCH 21, 2023

AS REPORTED FROM COMMITTEE ON FINANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 27, 2024

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," providing for tax credits for rehabilitation and~~
11 ~~reconstruction of certain factory and mill buildings and for~~
12 ~~a business tax credit.~~

13 AMENDING THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), ENTITLED "AN <--
14 ACT RELATING TO TAX REFORM AND STATE TAXATION BY CODIFYING
15 AND ENUMERATING CERTAIN SUBJECTS OF TAXATION AND IMPOSING
16 TAXES THEREON; PROVIDING PROCEDURES FOR THE PAYMENT,
17 COLLECTION, ADMINISTRATION AND ENFORCEMENT THEREOF; PROVIDING
18 FOR TAX CREDITS IN CERTAIN CASES; CONFERRING POWERS AND
19 IMPOSING DUTIES UPON THE DEPARTMENT OF REVENUE, CERTAIN
20 EMPLOYERS, FIDUCIARIES, INDIVIDUALS, PERSONS, CORPORATIONS
21 AND OTHER ENTITIES; PRESCRIBING CRIMES, OFFENSES AND
22 PENALTIES," IN TAX CREDIT AND TAX BENEFIT ADMINISTRATION,
23 FURTHER PROVIDING FOR DEFINITIONS; AND PROVIDING FOR TAX
24 CREDITS FOR REHABILITATION AND RECONSTRUCTION OF CERTAIN
25 FACTORY AND MILL BUILDINGS AND FOR A BUSINESS TAX CREDIT.

26 The General Assembly of the Commonwealth of Pennsylvania
27 hereby enacts as follows:

28 ~~Section 1. The act of March 4, 1971 (P.L.6, No.2), known as~~ <--

1 the Tax Reform Code of 1971, is amended by adding an article to  
2 read:

3 ARTICLE XVII M

4 FACTORY OR MILL BUILDING

5 ECONOMIC REVITALIZATION

6 Section 1701 M. Definitions.

7 The following words and phrases when used in this article  
8 shall have the meanings given to them in this section unless the  
9 context clearly indicates otherwise:

10 "Certifiable building." A factory or mill complex or a  
11 building the use of which conforms to the comprehensive plan and  
12 local land use management ordinances of the municipality in  
13 which the factory or mill complex or building is located and  
14 that:

15 (1) was constructed prior to January 1, 1973;

16 (2) has at least one floor, excluding a basement;

17 (3) has been, is or will be used primarily for  
18 manufacturing, processing, wholesale trade and other  
19 commercial purposes;

20 (4) is proposed for substantial rehabilitation;

21 (5) has been at a minimum 75% vacant for a minimum of 24  
22 months at the time of submission by the municipality;

23 (6) is designated by the municipality for consideration  
24 as a certifiable building as provided in this article; and

25 (7) meets any other requirement established by the  
26 department.

27 "Certified building." A building with respect to which the  
28 department has issued a written notice of final designation as a  
29 certified building in accordance with section 1703 M.

30 "Certified building owner." An individual, partnership,

~~1 corporation, limited liability company or other entity which is  
2 the owner of record of a certified building and may include one  
3 or more successors in title to the owner of the building at the  
4 time the building received written notice of final designation  
5 as a certified building in accordance with section 1703 M. The  
6 term includes the owner of a leasehold interest with a minimum  
7 term of 30 years, with respect to which a memorandum of lease  
8 has been recorded in the office of the recorder of deeds of the  
9 county.~~

~~10 "Department." The Department of Community and Economic  
11 Development of the Commonwealth.~~

~~12 "Eligible business." Any business, corporation, sole  
13 proprietorship, partnership, limited partnership or limited  
14 liability company or other entity that:~~

~~15 (1) is located in a certified building after the  
16 building has undergone substantial rehabilitation;~~

~~17 (2) is engaged principally in manufacturing, processing,  
18 wholesale trade or other commercial business activities;~~

~~19 (3) has total Pennsylvania salaries and wages that  
20 exceed the total Pennsylvania salaries and wages paid to its  
21 employees in the prior calendar year;~~

~~22 (4) has received certification from the department in  
23 accordance with rules and regulations of the department; and~~

~~24 (5) as part of its annual certification:~~

~~25 (i) obtains certificates of good standing from the  
26 Department of Revenue, the Corporation Bureau of the  
27 Department of State and the appropriate municipal  
28 authority;~~

~~29 (ii) provides the department an affidavit stating  
30 under oath that the entity seeking certification as an~~

~~eligible business has not within the preceding 12 months from the date of application for certification changed its legal status or location solely for the purpose of gaining favorable treatment under this article; and (iii) meets any other requirement as may be set forth by the department.~~

~~"Factory or mill complex." One or more factory or mill buildings, located on the same or contiguous parcels of land, each of which, at one time, had the same owner or owners.~~

~~"Qualified employee." A full time employee of an eligible business whose business activity originates and terminates from within the eligible business and certified building on a daily basis, who is employed by the eligible business at the end of the calendar year and who is a resident of this Commonwealth.~~

~~"Qualified tax liability." Tax liability imposed on a taxpayer under Article III, IV, VI, VII, VIII, IX, XI or XV, excluding any tax withheld by an employer under Article III.~~

~~"Rehabilitation and reconstruction costs." As follows:~~

~~(1) Only those amounts incurred and paid by the certified building owner, after issuance of the notice of final designation of the building, solely and exclusively for the rehabilitation of the certified building and which are incurred and paid by the certified building owner to acquire tangible personal property and structural components of the certified building which:~~

~~(i) are depreciated under 26 U.S.C. § 167 (relating to depreciation);~~

~~(ii) have a useful life of three years or more as evidenced by the tax depreciation method taken and shown on the Federal tax return of the certified building~~

1 ~~owner; and~~

2 ~~(iii) are acquired by purchase as defined in 26-~~  
3 ~~U.S.C. § 179(d) (relating to election to expense certain~~  
4 ~~depreciable business assets).~~

5 ~~(2) The term does not include amounts incurred or paid-~~  
6 ~~with respect to tangible personal property and structural~~  
7 ~~components of the certified building which the certified~~  
8 ~~building owner leases from any other person or corporation.-~~  
9 ~~For purposes of this paragraph, any contract or agreement to~~  
10 ~~lease or rent or for a license to use the property shall be~~  
11 ~~considered a lease unless the contract or agreement is~~  
12 ~~treated for Federal income tax purposes of the certified~~  
13 ~~building owner as an installment purchase rather than a~~  
14 ~~lease.~~

15 ~~"Salaries and wages." Salaries, wages, tips and other~~  
16 ~~compensation as defined in 26 U.S.C. § 61 (relating to gross~~  
17 ~~income defined).~~

18 ~~"Substantial rehabilitation." Rehabilitation and~~  
19 ~~reconstruction costs of a certified building in a dollar amount~~  
20 ~~that equals or exceeds 20% of the appraised market value of the~~  
21 ~~certified building prior to rehabilitation or reconstruction, as~~  
22 ~~the prior market value is determined by a Commonwealth licensed~~  
23 ~~and certified appraiser who is independent of the certified~~  
24 ~~building owner or owners and their affiliated corporations and~~  
25 ~~any tenants of the certified building and their affiliated~~  
26 ~~corporations.~~

27 ~~Section 1702 M. Building certification process.~~

28 ~~(a) Initial consideration. A municipality shall submit to~~  
29 ~~the department a list of industrial factory or mill structures~~  
30 ~~located within the municipality for consideration by the~~

1 ~~department as to whether any of these structures qualify as~~  
2 ~~certifiable buildings. The department shall notify the~~  
3 ~~municipality as to which structures qualify as certifiable~~  
4 ~~buildings.~~

5 ~~(b) Designation. Eighteen months following the effective~~  
6 ~~date of this section, any building designated by the department~~  
7 ~~as a certifiable building may be submitted by the municipality~~  
8 ~~to the department for preliminary designation as a certified~~  
9 ~~building if the municipality has given notice to the department:~~

10 ~~(1) that within six months of the designation, the~~  
11 ~~municipality agrees to adopt an ordinance to:~~

12 ~~(i) expedite the building permit review and approval~~  
13 ~~process required in the municipality for the~~  
14 ~~rehabilitation of certified buildings;~~

15 ~~(ii) provide design standards in the municipality~~  
16 ~~which encourage historic preservation of certified~~  
17 ~~buildings and that conform to rehabilitation design~~  
18 ~~standards developed and recommended by the Pennsylvania~~  
19 ~~Historical and Museum Commission and the United States~~  
20 ~~Secretary of the Interior's Standards for the Treatment~~  
21 ~~of Historic Properties; and~~

22 ~~(iii) require the review and approval by the~~  
23 ~~Pennsylvania Historical and Museum Commission be obtained~~  
24 ~~for the rehabilitation of any certified building in the~~  
25 ~~municipality;~~

26 ~~(2) that within six months of the designation, the~~  
27 ~~municipality agrees to establish a program for eligible~~  
28 ~~businesses which coordinates the economic development~~  
29 ~~activities of State and local business assistance programs~~  
30 ~~and agencies; and~~

~~(3) that the building has been determined eligible for listing on the National Register of Historic Places or is already listed on the National Register of Historic Places.~~

~~(c) Treatment as separate building. A portion of a building may be treated as a separate building for purposes of this article if:~~

~~(1) it consists of a clearly identifiable part of a certifiable building, including, without limitation, one or more wings, stories or other separable portions of a certifiable building;~~

~~(2) it is held by a single owner, whether in fee or as a condominium, cooperative or leasehold interest; and~~

~~(3) at least one eligible business reasonably could be operated within the confines of the portion of the building.~~

~~Section 1703 M. Notice of final designation of certified building.~~

~~Upon notice to the department that the municipality has satisfied the requirements of section 1702 M(b) (1) and (2), the department shall provide to the municipality and to the certified building owner a written notice of final designation, which notice shall include a statement that an independent appraisal is required in order to document substantial rehabilitation.~~

~~Section 1704 M. Certified building rehabilitation.~~

~~(a) General rule. A certified building shall be treated as having been substantially rehabilitated only if the reconstruction and rehabilitation expenditures incurred during the 32 month period selected by the certified building owner and ending with or within the taxable year in which the rehabilitated certified building is first placed in service by~~

1 ~~the certified building owner meet the definition of "substantial~~  
2 ~~rehabilitation." For purposes of determining whether the~~  
3 ~~certified building has been substantially rehabilitated, the~~  
4 ~~market value of the certified building shall be determined at~~  
5 ~~the beginning of the first day of the 32-month period.~~

6 ~~(b) Special rule for phased rehabilitation. In the case of~~  
7 ~~any rehabilitation which may reasonably be expected to be~~  
8 ~~completed in phases set forth in architectural, engineering and~~  
9 ~~relevant historic preservation plans, documentation and~~  
10 ~~specifications completed before the rehabilitation begins,~~  
11 ~~subsection (a) shall be applied by substituting a 60-month~~  
12 ~~period for the 32-month period.~~

13 ~~Section 1705-M. Tax credit.~~

14 ~~(a) General rule. A certified building owner may be allowed~~  
15 ~~a tax credit against the qualified tax liability of the owner.~~

16 ~~(b) Eligible costs. The taxpayer may claim a tax credit for~~  
17 ~~the rehabilitation and reconstruction costs of a certified~~  
18 ~~building which has been substantially rehabilitated. Once~~  
19 ~~substantial rehabilitation is established by the taxpayer, the~~  
20 ~~taxpayer may claim a tax credit for all rehabilitation and~~  
21 ~~reconstruction costs incurred with respect to the certified~~  
22 ~~building within five years from the date of final designation of~~  
23 ~~the certified building under section 1703-M.~~

24 ~~(c) Amount. The tax credit shall be 25% of the~~  
25 ~~rehabilitation and reconstruction costs of the certified~~  
26 ~~building. The tax credit shall be allowable in the year the~~  
27 ~~substantially rehabilitated certified building is first placed~~  
28 ~~into service, which is the year in which, under the taxpayer's~~  
29 ~~depreciation practice, the period for depreciation with respect~~  
30 ~~to the property begins or the year in which the property is~~



1 ~~placed in a condition or state of readiness and availability for~~  
2 ~~its specifically assigned function, whichever is earlier.~~

3 ~~(d) Limitations. Amounts of unused tax credit may be~~  
4 ~~carried over and offset against the taxpayer's qualified tax~~  
5 ~~liability for a period not to exceed the following seven taxable~~  
6 ~~years. A taxpayer is not entitled to carry back, obtain a refund~~  
7 ~~for, sell or assign an unused tax credit.~~

8 ~~Section 1706 M. Business tax credit.~~

9 ~~A taxpayer who owns and operates an eligible business within~~  
10 ~~a certified building that has been substantially rehabilitated~~  
11 ~~is allowed a tax credit against the qualified tax liability of~~  
12 ~~the taxpayer as follows:~~

13 ~~(1) A tax credit equal to 100% of the total amount of~~  
14 ~~Pennsylvania salaries and wages as are paid to qualified~~  
15 ~~employees in excess of Pennsylvania salaries and wages paid~~  
16 ~~to the same employees in the prior calendar year. The maximum~~  
17 ~~tax credit allowable per taxable year under the provisions of~~  
18 ~~this paragraph is \$7,000 per qualified employee.~~

19 ~~(2) A tax credit provided in paragraph (1) shall not~~  
20 ~~offset any tax liability in years other than the year in~~  
21 ~~which the taxpayer qualifies for the tax credit. A taxpayer~~  
22 ~~is not entitled to carry back, obtain a refund of, sell or~~  
23 ~~assign an unused tax credit.~~

24 ~~(3) In the case of multiple business owners, the tax~~  
25 ~~credit provided in paragraph (1) is apportioned according to~~  
26 ~~the ownership interests of the eligible business.~~

27 ~~Section 1707 M. Interest income.~~

28 ~~(a) Loans to eligible businesses. A taxpayer is allowed a~~  
29 ~~tax credit of 15% of the qualified tax liability of the taxpayer~~  
30 ~~for interest earned and paid on loans made to eligible~~

1 ~~businesses, solely and exclusively for expenditures within the~~  
2 ~~certified building.~~

3 ~~(b) Loans for substantial rehabilitation. The taxpayer is~~  
4 ~~further allowed a tax credit of 100% of the qualified tax~~  
5 ~~liability of the taxpayer for interest earned on loans made~~  
6 ~~solely and exclusively for the purpose of substantial~~  
7 ~~rehabilitation.~~

8 ~~(c) Limitation. A tax credit under this section shall not~~  
9 ~~offset any tax liability in taxable years other than the year in~~  
10 ~~which the taxpayer qualifies for the tax credit. A taxpayer is~~  
11 ~~not entitled to carry back, obtain a refund of, sell or assign~~  
12 ~~an unused tax credit.~~

13 ~~(d) Amount. The taxpayer is allowed a maximum tax credit of~~  
14 ~~\$12,000 per taxable year under subsection (a). The taxpayer is~~  
15 ~~allowed a maximum tax credit of \$25,000 per taxable year under~~  
16 ~~subsection (b).~~

17 ~~Section 1708 M. Revocation of certification.~~

18 ~~The department may revoke the certification of any building~~  
19 ~~certified under section 1703 M, and may revoke the eligibility~~  
20 ~~of any business defined as an eligible business, for~~  
21 ~~noncompliance with the provisions of this article.~~

22 ~~Section 1709 M. Limitation.~~

23 ~~The total aggregate amount of tax credits approved under this~~  
24 ~~article shall not exceed \$13,000,000 in a fiscal year.~~

25 ~~Section 1710 M. Penalties.~~

26 ~~(a) Failure to maintain operations. A certified building~~  
27 ~~owner that receives a tax credit and fails to substantially~~  
28 ~~maintain existing operations in the certified building for which~~  
29 ~~the tax credit is claimed for a period of five years from the~~  
30 ~~date the tax credit is first allowable shall be required to~~

1 ~~refund to the Commonwealth the total amount of credit or credits~~  
2 ~~granted.~~

3 ~~(b) Waiver. The department may waive the penalty outlined~~  
4 ~~in subsection (a) if it is determined that a certified building~~  
5 ~~owner's operations were not maintained because of circumstances~~  
6 ~~beyond the owner's control, which circumstances include natural~~  
7 ~~disasters, unforeseen industry trends or a loss of a major~~  
8 ~~supplier or market.~~

9 ~~Section 1711 M. Regulations.~~

10 ~~The department shall promulgate regulations as may be~~  
11 ~~necessary to administer this article.~~

12 ~~Section 1712 M. Report to General Assembly.~~

13 ~~(a) Report. No later than June 1, 2024, and September 1 of~~  
14 ~~each year thereafter, the Secretary of Community and Economic~~  
15 ~~Development shall submit a report to the General Assembly~~  
16 ~~summarizing the effectiveness of the tax credits provided by~~  
17 ~~this article. The report shall include the names of all~~  
18 ~~taxpayers utilizing any tax credit under this article as of the~~  
19 ~~date of the report and the amount of credit approved for and~~  
20 ~~utilized by each taxpayer. The report may also include any~~  
21 ~~recommendations for changes in the calculation or administration~~  
22 ~~of the tax credits. The report shall be submitted to the~~  
23 ~~chairperson and minority chairperson of the Appropriations~~  
24 ~~Committee of the Senate, the chairperson and minority~~  
25 ~~chairperson of the Appropriations Committee of the House of~~  
26 ~~Representatives, the chairperson and minority chairperson of the~~  
27 ~~Finance Committee of the Senate and the chairperson and minority~~  
28 ~~chairperson of the Finance Committee of the House of~~  
29 ~~Representatives.~~

30 ~~(b) Public information. Notwithstanding any law providing~~

1 ~~for the confidentiality of tax records, the information in the~~  
2 ~~report shall be public information, and all report information~~  
3 ~~shall be posted on the department's publicly accessible Internet~~  
4 ~~website.~~

5 ~~Section 2. The addition of Article XVII M of the act applies~~  
6 ~~to tax years beginning after December 31, 2023.~~

7 ~~Section 3. This act shall take effect immediately.~~

8 SECTION 1. THE DEFINITION OF "TAX CREDIT" IN SECTION 1701- <--  
9 A.1 OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX  
10 REFORM CODE OF 1971, IS AMENDED TO READ:

11 SECTION 1701-A.1. DEFINITIONS.

12 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
13 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
14 CONTEXT CLEARLY INDICATES OTHERWISE:

15 \* \* \*

16 "TAX CREDIT." A TAX CREDIT AUTHORIZED UNDER ANY OF THE  
17 FOLLOWING:

- 18 (1) ARTICLE XVII-B.
- 19 (2) ARTICLE XVII-D.
- 20 (3) ARTICLE XVII-E.
- 21 (4) ARTICLE XVII-G.
- 22 (5) ARTICLE XVII-H.
- 23 (6) ARTICLE XVII-I.
- 24 (7) ARTICLE XVII-J.
- 25 (8) ARTICLE XVII-K.
- 26 (8.1) ARTICLE XVII-L.
- 27 (8.2) ARTICLE XVII-M.
- 28 (9) ARTICLE XVIII.
- 29 (10) ARTICLE XVIII-B.
- 30 (11) ARTICLE XVIII-D.

- 1 (12) ARTICLE XVIII-E.  
2 (13) ARTICLE XVIII-F.  
3 (14) ARTICLE XVIII-G.  
4 (14.1) ARTICLE XVIII-H.  
5 (15) ARTICLE XIX-A.  
6 (15.1) ARTICLE XIX-C.  
7 (16) ARTICLE XIX-E.  
8 (16.1) ARTICLE XIX-F.  
9 (17) SECTION 2010.  
10 (19) ARTICLE XX-B OF THE ACT OF MARCH 10, 1949 (P.L.30,  
11 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.  
12 (20) THE ACT OF DECEMBER 1, 2004 (P.L.1750, NO.226),  
13 KNOWN AS THE FIRST CLASS CITIES ECONOMIC DEVELOPMENT DISTRICT  
14 ACT.  
15 (21) 12 PA.C.S. CH. 34 (RELATING TO INFRASTRUCTURE AND  
16 FACILITIES IMPROVEMENT PROGRAM).  
17 (22) ANY OTHER PROGRAM ESTABLISHED BY A LAW OF THIS  
18 COMMONWEALTH IN WHICH A PERSON APPLIES FOR AND RECEIVES A  
19 CREDIT AGAINST A TAX. THIS PARAGRAPH SHALL NOT APPLY TO A  
20 CREDIT AGAINST A TAX LIABILITY AS A RESULT OF AN OVERPAYMENT.

21 \* \* \*

22 SECTION 2. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

23 ARTICLE XVII-M

24 FACTORY OR MILL BUILDING

25 ECONOMIC REVITALIZATION

26 SECTION 1701-M. DEFINITIONS.

27 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
28 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
29 CONTEXT CLEARLY INDICATES OTHERWISE:

30 "BUILDING." A FACTORY OR MILL COMPLEX OR A BUILDING THE USE

1 OF WHICH CONFORMS TO THE COMPREHENSIVE PLAN AND LOCAL LAND USE  
2 MANAGEMENT ORDINANCES OF THE MUNICIPALITY IN WHICH THE FACTORY  
3 OR MILL COMPLEX OR BUILDING IS LOCATED AND THAT:

4 (1) WAS CONSTRUCTED PRIOR TO JANUARY 1, 1973;

5 (2) HAS AT LEAST ONE FLOOR, EXCLUDING A BASEMENT;

6 (3) HAS BEEN, IS OR WILL BE USED PRIMARILY FOR  
7 MANUFACTURING, PROCESSING, WHOLESALE TRADE AND OTHER  
8 COMMERCIAL PURPOSES AND MAY BE ADAPTIVELY REUSED FOR  
9 RESIDENTIAL, COMMERCIAL, CULTURAL, INSTITUTIONAL OR  
10 INDUSTRIAL USES OR ANY COMBINATION THEREOF;

11 (4) IS PROPOSED FOR SUBSTANTIAL REHABILITATION;

12 (5) HAS BEEN AT A MINIMUM 75% VACANT FOR A MINIMUM OF 24  
13 MONTHS AT THE TIME OF SUBMISSION BY THE MUNICIPALITY;

14 (6) IS DESIGNATED BY THE MUNICIPALITY FOR CONSIDERATION  
15 AS A PROGRAM-ELIGIBLE BUILDING AS PROVIDED IN THIS ARTICLE;

16 AND

17 (7) MEETS ANY OTHER REQUIREMENT ESTABLISHED BY THE  
18 DEPARTMENT.

19 "BUILDING OWNER." AN INDIVIDUAL, PARTNERSHIP, CORPORATION,  
20 LIMITED LIABILITY COMPANY OR OTHER ENTITY WHICH IS THE OWNER OF  
21 RECORD OF A PROGRAM-ELIGIBLE BUILDING AND MAY INCLUDE ONE OR  
22 MORE SUCCESSORS IN TITLE TO THE OWNER OF THE BUILDING AT THE  
23 TIME THE BUILDING RECEIVED WRITTEN NOTICE OF FINAL DESIGNATION  
24 AS A PROGRAM-ELIGIBLE BUILDING IN ACCORDANCE WITH SECTION 1703-  
25 M. THE TERM INCLUDES THE OWNER OF A LEASEHOLD INTEREST WITH A  
26 MINIMUM TERM OF 30 YEARS, WITH RESPECT TO WHICH A MEMORANDUM OF  
27 LEASE HAS BEEN RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS  
28 OF THE COUNTY.

29 "DEPARTMENT." THE DEPARTMENT OF COMMUNITY AND ECONOMIC  
30 DEVELOPMENT OF THE COMMONWEALTH.

1 "ELIGIBLE BUSINESS." ANY BUSINESS, CORPORATION, SOLE  
2 PROPRIETORSHIP, PARTNERSHIP, LIMITED PARTNERSHIP OR LIMITED  
3 LIABILITY COMPANY OR OTHER ENTITY THAT:

4 (1) IS LOCATED IN A PROGRAM-ELIGIBLE BUILDING AFTER THE  
5 BUILDING HAS UNDERGONE SUBSTANTIAL REHABILITATION;

6 (2) IS ENGAGED PRINCIPALLY IN MANUFACTURING, PROCESSING,  
7 WHOLESALE TRADE OR OTHER COMMERCIAL BUSINESS ACTIVITIES;

8 (3) HAS TOTAL PENNSYLVANIA SALARIES AND WAGES THAT  
9 EXCEED THE TOTAL PENNSYLVANIA SALARIES AND WAGES PAID TO ITS  
10 EMPLOYEES IN THE PRIOR CALENDAR YEAR;

11 (4) HAS RECEIVED CERTIFICATION FROM THE DEPARTMENT IN  
12 ACCORDANCE WITH GUIDELINES OF THE DEPARTMENT; AND

13 (5) AS PART OF ITS ANNUAL CERTIFICATION:

14 (I) OBTAINS CERTIFICATES OF GOOD STANDING FROM THE  
15 DEPARTMENT OF REVENUE, THE CORPORATION BUREAU OF THE  
16 DEPARTMENT OF STATE AND THE APPROPRIATE MUNICIPAL  
17 AUTHORITY;

18 (II) PROVIDES THE DEPARTMENT AN AFFIDAVIT STATING  
19 UNDER OATH THAT THE ENTITY SEEKING CERTIFICATION AS AN  
20 ELIGIBLE BUSINESS HAS NOT WITHIN THE PRECEDING 12 MONTHS  
21 FROM THE DATE OF APPLICATION FOR CERTIFICATION CHANGED  
22 ITS LEGAL STATUS OR LOCATION SOLELY FOR THE PURPOSE OF  
23 GAINING FAVORABLE TREATMENT UNDER THIS ARTICLE; AND

24 (III) MEETS ANY OTHER REQUIREMENT AS MAY BE SET  
25 FORTH BY THE DEPARTMENT.

26 "FACTORY OR MILL COMPLEX." ONE OR MORE FACTORY OR MILL  
27 BUILDINGS, LOCATED ON THE SAME OR CONTIGUOUS PARCELS OF LAND,  
28 EACH OF WHICH, AT ONE TIME, HAD THE SAME OWNER OR OWNERS.

29 "PROGRAM-ELIGIBLE BUILDING." A BUILDING WITH RESPECT TO  
30 WHICH THE DEPARTMENT HAS ISSUED A WRITTEN NOTICE OF FINAL

1 DESIGNATION AS A PROGRAM-ELIGIBLE BUILDING IN ACCORDANCE WITH  
2 SECTION 1703-M.

3 "QUALIFIED EMPLOYEE." A FULL-TIME EMPLOYEE OF AN ELIGIBLE  
4 BUSINESS WHOSE BUSINESS ACTIVITY ORIGINATES AND TERMINATES FROM  
5 WITHIN THE ELIGIBLE BUSINESS AND PROGRAM-ELIGIBLE BUILDING ON A  
6 DAILY BASIS, WHO IS EMPLOYED BY THE ELIGIBLE BUSINESS AT THE END  
7 OF THE CALENDAR YEAR AND WHO IS A RESIDENT OF THIS COMMONWEALTH.

8 "QUALIFIED TAX LIABILITY." TAX LIABILITY IMPOSED ON A  
9 TAXPAYER UNDER ARTICLE III, IV, VI, VII, VIII, IX, XI OR XV,  
10 EXCLUDING ANY TAX WITHHELD BY AN EMPLOYER UNDER ARTICLE III.

11 "REHABILITATION AND RECONSTRUCTION COSTS." AS FOLLOWS:

12 (1) ONLY THOSE AMOUNTS INCURRED AND PAID BY THE  
13 BUILDING OWNER, AFTER ISSUANCE OF THE NOTICE OF FINAL  
14 DESIGNATION OF THE BUILDING, SOLELY AND EXCLUSIVELY FOR THE  
15 REHABILITATION OF THE PROGRAM-ELIGIBLE BUILDING AND WHICH ARE  
16 INCURRED AND PAID BY THE BUILDING OWNER TO ACQUIRE TANGIBLE  
17 PERSONAL PROPERTY AND STRUCTURAL COMPONENTS OF THE PROGRAM-  
18 ELIGIBLE BUILDING WHICH:

19 (I) ARE DEPRECIATED UNDER 26 U.S.C. § 167 (RELATING  
20 TO DEPRECIATION);

21 (II) HAVE A USEFUL LIFE OF THREE YEARS OR MORE AS  
22 EVIDENCED BY THE TAX DEPRECIATION METHOD TAKEN AND SHOWN  
23 ON THE FEDERAL TAX RETURN OF THE BUILDING OWNER; AND

24 (III) ARE ACQUIRED BY PURCHASE AS DEFINED IN 26  
25 U.S.C. § 179(D) (RELATING TO ELECTION TO EXPENSE CERTAIN  
26 DEPRECIABLE BUSINESS ASSETS).

27 (2) THE TERM DOES NOT INCLUDE AMOUNTS INCURRED OR PAID  
28 WITH RESPECT TO TANGIBLE PERSONAL PROPERTY AND STRUCTURAL  
29 COMPONENTS OF THE PROGRAM-ELIGIBLE BUILDING WHICH THE  
30 BUILDING OWNER LEASES FROM ANY OTHER PERSON OR CORPORATION.



1 FOR PURPOSES OF THIS PARAGRAPH, ANY CONTRACT OR AGREEMENT TO  
2 LEASE OR RENT OR FOR A LICENSE TO USE THE PROPERTY SHALL BE  
3 CONSIDERED A LEASE UNLESS THE CONTRACT OR AGREEMENT IS  
4 TREATED FOR FEDERAL INCOME TAX PURPOSES OF THE BUILDING OWNER  
5 AS AN INSTALLMENT PURCHASE RATHER THAN A LEASE.

6 "SALARIES AND WAGES." SALARIES, WAGES, TIPS AND OTHER  
7 COMPENSATION AS DEFINED IN 26 U.S.C. § 61 (RELATING TO GROSS  
8 INCOME DEFINED).

9 "SUBSTANTIAL REHABILITATION." REHABILITATION AND  
10 RECONSTRUCTION COSTS OF A PROGRAM-ELIGIBLE BUILDING IN A DOLLAR  
11 AMOUNT THAT EQUALS OR EXCEEDS 20% OF THE APPRAISED MARKET VALUE  
12 OF THE PROGRAM-ELIGIBLE BUILDING PRIOR TO REHABILITATION OR  
13 RECONSTRUCTION, AS THE PRIOR MARKET VALUE IS DETERMINED BY A  
14 COMMONWEALTH LICENSED AND CERTIFIED APPRAISER WHO IS INDEPENDENT  
15 OF THE BUILDING OWNER OR OWNERS AND THEIR AFFILIATED  
16 CORPORATIONS AND ANY TENANTS OF THE PROGRAM-ELIGIBLE BUILDING  
17 AND THEIR AFFILIATED CORPORATIONS.

18 "TAXPAYER." A PERSON THAT IS SUBJECT TO TAX UNDER ARTICLE  
19 III, IV, VII, VIII, IX OR XV. THE TERM INCLUDES A PASS-THROUGH  
20 ENTITY.

21 SECTION 1702-M. BUILDING DESIGNATION PROCESS.

22 (A) INITIAL CONSIDERATION.--A MUNICIPALITY SHALL SUBMIT TO  
23 THE DEPARTMENT A LIST OF INDUSTRIAL FACTORY OR MILL STRUCTURES  
24 LOCATED WITHIN THE MUNICIPALITY FOR CONSIDERATION BY THE  
25 DEPARTMENT AS TO WHETHER ANY OF THESE STRUCTURES QUALIFY AS  
26 PROGRAM-ELIGIBLE BUILDINGS. THE DEPARTMENT SHALL NOTIFY THE  
27 MUNICIPALITY AS TO WHICH STRUCTURES QUALIFY AS PROGRAM-ELIGIBLE  
28 BUILDINGS.

29 (B) DESIGNATION.--EIGHTEEN MONTHS FOLLOWING THE EFFECTIVE  
30 DATE OF THIS SUBSECTION, ANY BUILDING DESIGNATED BY THE

1 DEPARTMENT AS A PROGRAM-ELIGIBLE BUILDING MAY BE SUBMITTED BY  
2 THE MUNICIPALITY TO THE DEPARTMENT FOR PRELIMINARY DESIGNATION  
3 AS A PROGRAM-ELIGIBLE BUILDING IF THE MUNICIPALITY HAS GIVEN  
4 NOTICE TO THE DEPARTMENT THAT WITHIN SIX MONTHS OF THE  
5 DESIGNATION, THE MUNICIPALITY AGREES TO:

6 (1) EXPEDITE THE BUILDING PERMIT REVIEW PROCESS REQUIRED  
7 IN THE MUNICIPALITY FOR THE REHABILITATION OF PROGRAM-  
8 ELIGIBLE BUILDINGS;

9 (2) PROVIDE DESIGN STANDARDS IN THE MUNICIPALITY WHICH  
10 ENCOURAGE HISTORIC PRESERVATION OF PROGRAM-ELIGIBLE BUILDINGS  
11 AND THAT CONFORM TO REHABILITATION DESIGN STANDARDS DEVELOPED  
12 AND RECOMMENDED BY THE PENNSYLVANIA HISTORICAL AND MUSEUM  
13 COMMISSION AND THE UNITED STATES SECRETARY OF THE INTERIOR'S  
14 STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES; AND

15 (3) REQUIRE THE REVIEW AND APPROVAL BY THE PENNSYLVANIA  
16 HISTORICAL AND MUSEUM COMMISSION BE OBTAINED FOR THE  
17 REHABILITATION OF ANY PROGRAM-ELIGIBLE BUILDING IN THE  
18 MUNICIPALITY.

19 (C) TREATMENT AS SEPARATE BUILDING.--A PORTION OF A BUILDING  
20 MAY BE TREATED AS A SEPARATE BUILDING FOR PURPOSES OF THIS  
21 ARTICLE IF:

22 (1) IT CONSISTS OF A CLEARLY IDENTIFIABLE PART OF A  
23 BUILDING, INCLUDING, WITHOUT LIMITATION, ONE OR MORE WINGS,  
24 STORIES OR OTHER SEPARABLE PORTIONS OF A BUILDING;

25 (2) IT IS HELD BY A SINGLE OWNER, WHETHER IN FEE OR AS A  
26 CONDOMINIUM, COOPERATIVE OR LEASEHOLD INTEREST; AND

27 (3) AT LEAST ONE ELIGIBLE BUSINESS REASONABLY COULD BE  
28 OPERATED WITHIN THE CONFINES OF THE PORTION OF THE BUILDING.

29 SECTION 1703-M. NOTICE OF FINAL DESIGNATION OF PROGRAM-ELIGIBLE  
30 BUILDING.

1 UPON NOTICE TO THE DEPARTMENT THAT THE MUNICIPALITY HAS  
2 SATISFIED THE REQUIREMENTS OF SECTION 1702-M(B), THE DEPARTMENT  
3 SHALL PROVIDE TO THE MUNICIPALITY AND TO THE BUILDING OWNER A  
4 WRITTEN NOTICE OF FINAL DESIGNATION AS A PROGRAM-ELIGIBLE  
5 BUILDING, WHICH NOTICE OF FINAL DESIGNATION SHALL INCLUDE A  
6 STATEMENT THAT AN INDEPENDENT APPRAISAL IS REQUIRED IN ORDER TO  
7 DOCUMENT SUBSTANTIAL REHABILITATION.

8 SECTION 1704-M. PROGRAM-ELIGIBLE BUILDING REHABILITATION.

9 (A) GENERAL RULE.--A PROGRAM-ELIGIBLE BUILDING SHALL BE  
10 TREATED AS HAVING BEEN SUBSTANTIALLY REHABILITATED ONLY IF THE  
11 RECONSTRUCTION AND REHABILITATION EXPENDITURES INCURRED DURING  
12 THE 32-MONTH PERIOD SELECTED BY THE BUILDING OWNER AND ENDING  
13 WITH OR WITHIN THE TAXABLE YEAR IN WHICH THE REHABILITATED  
14 PROGRAM-ELIGIBLE BUILDING IS FIRST PLACED IN SERVICE BY THE  
15 BUILDING OWNER MEET THE DEFINITION OF "SUBSTANTIAL  
16 REHABILITATION." FOR PURPOSES OF DETERMINING WHETHER THE  
17 PROGRAM-ELIGIBLE BUILDING HAS BEEN SUBSTANTIALLY REHABILITATED,  
18 THE MARKET VALUE OF THE PROGRAM-ELIGIBLE BUILDING SHALL BE  
19 DETERMINED AT THE BEGINNING OF THE FIRST DAY OF THE 32-MONTH  
20 PERIOD.

21 (B) SPECIAL RULE FOR PHASED REHABILITATION.--IN THE CASE OF  
22 ANY REHABILITATION WHICH MAY REASONABLY BE EXPECTED TO BE  
23 COMPLETED IN PHASES SET FORTH IN ARCHITECTURAL, ENGINEERING AND  
24 RELEVANT HISTORIC PRESERVATION PLANS, DOCUMENTATION AND  
25 SPECIFICATIONS COMPLETED BEFORE THE REHABILITATION BEGINS,  
26 SUBSECTION (A) SHALL BE APPLIED BY SUBSTITUTING A 60-MONTH  
27 PERIOD FOR THE 32-MONTH PERIOD.

28 SECTION 1705-M. TAX CREDIT FOR SUBSTANTIAL REHABILITATION.

29 (A) GENERAL RULE.--A TAXPAYER THAT IS A BUILDING OWNER MAY  
30 BE ALLOWED A TAX CREDIT AGAINST THE TAXPAYER'S QUALIFIED TAX

1 LIABILITY.

2 (B) ELIGIBLE COSTS.--THE TAXPAYER MAY CLAIM A TAX CREDIT FOR  
3 THE REHABILITATION AND RECONSTRUCTION COSTS OF A PROGRAM-  
4 ELIGIBLE BUILDING WHICH HAS BEEN SUBSTANTIALLY REHABILITATED.  
5 ONCE SUBSTANTIAL REHABILITATION IS ESTABLISHED BY THE TAXPAYER,  
6 THE TAXPAYER MAY CLAIM A TAX CREDIT FOR ALL REHABILITATION AND  
7 RECONSTRUCTION COSTS INCURRED WITH RESPECT TO THE PROGRAM-  
8 ELIGIBLE BUILDING WITHIN FIVE YEARS FROM THE DATE OF FINAL  
9 DESIGNATION OF THE PROGRAM-ELIGIBLE BUILDING UNDER SECTION 1703-  
10 M.

11 (C) AMOUNT.--A TAXPAYER MAY RECEIVE A TAX CREDIT OF UP TO  
12 25% OF THE REHABILITATION AND RECONSTRUCTION COSTS OF THE  
13 PROGRAM-ELIGIBLE BUILDING. THE TAX CREDIT SHALL BE ALLOWABLE IN  
14 THE YEAR THE SUBSTANTIALLY REHABILITATED PROGRAM-ELIGIBLE  
15 BUILDING IS FIRST PLACED INTO SERVICE, WHICH IS THE YEAR IN  
16 WHICH, UNDER THE TAXPAYER'S DEPRECIATION PRACTICE, THE PERIOD  
17 FOR DEPRECIATION WITH RESPECT TO THE PROPERTY BEGINS OR THE YEAR  
18 IN WHICH THE PROPERTY IS PLACED IN A CONDITION OR STATE OF  
19 READINESS AND AVAILABILITY FOR ITS SPECIFICALLY ASSIGNED  
20 FUNCTION, WHICHEVER IS EARLIER.

21 (D) LIMITATIONS.--AMOUNTS OF UNUSED TAX CREDIT MAY BE  
22 CARRIED OVER AND OFFSET AGAINST THE TAXPAYER'S QUALIFIED TAX  
23 LIABILITY FOR A PERIOD NOT TO EXCEED THE FOLLOWING SEVEN TAXABLE  
24 YEARS. A TAXPAYER IS NOT ENTITLED TO CARRY BACK, OBTAIN A REFUND  
25 FOR, SELL OR ASSIGN AN UNUSED TAX CREDIT.

26 SECTION 1706-M. BUSINESS TAX CREDIT.

27 A TAXPAYER THAT OWNS AND OPERATES AN ELIGIBLE BUSINESS WITHIN  
28 A PROGRAM-ELIGIBLE BUILDING THAT HAS BEEN SUBSTANTIALLY  
29 REHABILITATED IS ALLOWED A TAX CREDIT AGAINST THE QUALIFIED TAX  
30 LIABILITY OF THE TAXPAYER AS FOLLOWS:

1           (1) A TAX CREDIT EQUAL TO THE TOTAL AMOUNT OF  
2 PENNSYLVANIA SALARIES AND WAGES AS ARE PAID TO QUALIFIED  
3 EMPLOYEES IN EXCESS OF PENNSYLVANIA SALARIES AND WAGES PAID  
4 TO THE SAME EMPLOYEES IN THE PRIOR CALENDAR YEAR. THE MAXIMUM  
5 TAX CREDIT ALLOWABLE PER TAXABLE YEAR UNDER THE PROVISIONS OF  
6 THIS PARAGRAPH IS \$2,500 PER QUALIFIED EMPLOYEE.

7           (2) A TAXPAYER THAT OWNS AND OPERATES AN ELIGIBLE  
8 BUSINESS WITHIN A PROGRAM-ELIGIBLE BUILDING MAY CLAIM THE TAX  
9 CREDIT FOR UP TO THREE TAXABLE YEARS. A TAXPAYER IS NOT  
10 ENTITLED TO CARRY BACK, OBTAIN A REFUND OF, SELL OR ASSIGN AN  
11 UNUSED TAX CREDIT.

12           (3) IN THE CASE OF MULTIPLE BUSINESS OWNERS, THE TAX  
13 CREDIT PROVIDED IN PARAGRAPH (1) IS APPORTIONED ACCORDING TO  
14 THE OWNERSHIP INTERESTS OF THE ELIGIBLE BUSINESS.

15 SECTION 1707-M. TAX CREDIT FOR INTEREST.

16           (A) LOANS FOR SUBSTANTIAL REHABILITATION.--A TAXPAYER THAT  
17 IS A BUILDING OWNER IS ALLOWED A TAX CREDIT OF UP TO THE FULL  
18 AMOUNT OF THE QUALIFIED TAX LIABILITY OF THE TAXPAYER FOR  
19 INTEREST PAID ON LOANS MADE SOLELY AND EXCLUSIVELY FOR THE  
20 PURPOSE OF SUBSTANTIAL REHABILITATION OF A PROGRAM-ELIGIBLE  
21 BUILDING.

22           (B) LIMITATION.--A TAX CREDIT UNDER THIS SECTION SHALL NOT  
23 OFFSET ANY TAX LIABILITY IN TAXABLE YEARS OTHER THAN THE YEAR IN  
24 WHICH THE TAXPAYER QUALIFIES FOR THE TAX CREDIT. A TAXPAYER IS  
25 NOT ENTITLED TO CARRY BACK, OBTAIN A REFUND OF, SELL OR ASSIGN  
26 AN UNUSED TAX CREDIT.

27           (C) AMOUNT.--THE TAXPAYER IS ALLOWED A MAXIMUM TAX CREDIT OF  
28 \$25,000 PER TAXABLE YEAR UNDER THIS SUBSECTION (A).

29 SECTION 1708-M. REVOCATION OF ELIGIBILITY.

30           THE DEPARTMENT MAY REVOKE THE DESIGNATION OF ANY BUILDING AS

1 A PROGRAM-ELIGIBLE BUILDING UNDER SECTION 1703-M, AND MAY REVOKE  
2 THE STATUS OF TAXPAYER AS AN ELIGIBLE BUSINESS, FOR  
3 NONCOMPLIANCE WITH THE PROVISIONS OF THIS ARTICLE.

4 SECTION 1709-M. LIMITATION.

5 THE TOTAL AGGREGATE AMOUNT OF TAX CREDITS APPROVED UNDER THIS  
6 ARTICLE SHALL NOT EXCEED \$13,000,000 IN A FISCAL YEAR.

7 SECTION 1710-M. PENALTIES.

8 (A) FAILURE TO MAINTAIN OPERATIONS.--A BUILDING OWNER THAT  
9 RECEIVES A TAX CREDIT AND FAILS TO SUBSTANTIALLY MAINTAIN  
10 EXISTING OPERATIONS IN THE PROGRAM-ELIGIBLE BUILDING FOR WHICH  
11 THE TAX CREDIT IS CLAIMED FOR A PERIOD OF FIVE YEARS FROM THE  
12 DATE THE TAX CREDIT IS FIRST ALLOWABLE SHALL BE REQUIRED TO  
13 REFUND TO THE COMMONWEALTH THE TOTAL AMOUNT OF CREDIT OR CREDITS  
14 GRANTED.

15 (B) WAIVER.--THE DEPARTMENT MAY WAIVE THE PENALTY OUTLINED  
16 IN SUBSECTION (A) IF IT IS DETERMINED THAT THE FAILURE TO  
17 SUBSTANTIALLY MAINTAIN EXISTING OPERATIONS IN THE PROGRAM-  
18 ELIGIBLE BUILDING OCCURRED BECAUSE OF CIRCUMSTANCES BEYOND THE  
19 BUILDING OWNER'S CONTROL, WHICH CIRCUMSTANCES INCLUDE NATURAL  
20 DISASTERS, UNFORESEEN INDUSTRY TRENDS OR A LOSS OF A MAJOR  
21 SUPPLIER OR MARKET.

22 SECTION 1711-M. PROGRAM ADMINISTRATION.

23 (A) GUIDELINES.--THE DEPARTMENT SHALL ESTABLISH GUIDELINES  
24 AS MAY BE NECESSARY TO ADMINISTER THIS ARTICLE, WHICH SHALL BE  
25 POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.  
26 THE GUIDELINES SHALL INCLUDE PARAMETERS FOR WHAT CONSTITUTES  
27 SUBSTANTIALLY MAINTAINING EXISTING OPERATIONS OF A PROGRAM-  
28 ELIGIBLE BUILDING.

29 (B) FEE.--THE DEPARTMENT SHALL BE ENTITLED TO AN  
30 ADMINISTRATIVE FEE OF 3% OF THE TOTAL AGGREGATE AMOUNT OF TAX

1 CREDITS AVAILABLE FOR ALLOCATION UNDER SECTION 1709-M. THE  
2 ADMINISTRATIVE FEE SHALL BE FROM FUNDS TO BE APPROPRIATED FOR  
3 SUCH PURPOSE.

4 SECTION 1712-M. REPORT TO GENERAL ASSEMBLY.

5 (A) REPORT.--NO LATER THAN JUNE 30, 2025, AND SEPTEMBER 1 OF  
6 EACH YEAR THEREAFTER, THE SECRETARY OF COMMUNITY AND ECONOMIC  
7 DEVELOPMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY  
8 SUMMARIZING THE EFFECTIVENESS OF THE TAX CREDITS PROVIDED BY  
9 THIS ARTICLE. THE REPORT SHALL INCLUDE THE NAMES OF ALL  
10 TAXPAYERS UTILIZING ANY TAX CREDIT UNDER THIS ARTICLE AS OF THE  
11 DATE OF THE REPORT AND THE AMOUNT OF CREDIT APPROVED FOR AND  
12 UTILIZED BY EACH TAXPAYER. THE REPORT MAY ALSO INCLUDE ANY  
13 RECOMMENDATIONS FOR CHANGES IN THE CALCULATION OR ADMINISTRATION  
14 OF THE TAX CREDITS. THE REPORT SHALL BE SUBMITTED TO THE  
15 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
16 COMMITTEE OF THE SENATE, THE CHAIRPERSON AND MINORITY  
17 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
18 REPRESENTATIVES, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
19 FINANCE COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY  
20 CHAIRPERSON OF THE FINANCE COMMITTEE OF THE HOUSE OF  
21 REPRESENTATIVES.

22 (B) PUBLIC INFORMATION.--NOTWITHSTANDING ANY LAW PROVIDING  
23 FOR THE CONFIDENTIALITY OF TAX RECORDS, THE INFORMATION IN THE  
24 REPORT SHALL BE PUBLIC INFORMATION, AND ALL REPORT INFORMATION  
25 SHALL BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET  
26 WEBSITE.

27 SECTION 3. THE ADDITION OF ARTICLE XVII-M OF THE ACT APPLIES  
28 TO TAX YEARS BEGINNING AFTER DECEMBER 31, 2024.

29 SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.