

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 225 Session of 2023

INTRODUCED BY DUSH, PENNYCUICK, BAKER, HUTCHINSON, BARTOLOTTA AND LAUGHLIN, JUNE 6, 2023

SENATOR BROWN, LOCAL GOVERNMENT, AS AMENDED, JUNE 21, 2023

AN ACT

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

1 Commonwealth," in general budget implementation, further
2 providing for Federal and Commonwealth use of forest land.

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

5 Section 1. Section 1798.1-E(b) and (f) of the act of April
6 9, 1929 (P.L.343, No.176), known as The Fiscal Code, are amended
7 and the section is amended by adding a subsection to read:

8 Section 1798.1-E. Federal and Commonwealth use of forest land.

9 * * *

10 (b) Charge.--

11 (1) For land owned by the Department of Conservation and
12 Natural Resources, subject to subsection (c), real property
13 under subsection (a) shall be subject to an annual charge of:

14 (i) ~~[\$2]~~ \$2.85 per acre for the benefit of each
15 county where the real property is located;

16 (ii) ~~[\$2]~~ \$2.85 per acre for the benefit of the
17 schools in each school district where the real property
18 is located; and

19 (iii) ~~[\$2]~~ \$2.85 per acre for the benefit of the
20 township where the real property is located.

21 (2) For land owned by the Pennsylvania Game Commission
22 or the Pennsylvania Fish and Boat Commission:

23 (i) ~~[\$1.20]~~ \$1.70 per acre for the benefit of each
24 county where the real property is located;

25 (ii) ~~[\$1.20]~~ \$1.70 per acre for the benefit of the
26 schools in each school district where the real property
27 is located; and

28 (iii) ~~[\$1.20]~~ \$1.70 per acre for the benefit of the
29 township where the real property is located.

30 (3) Subject to subsection (f), the charge under
31 paragraph (1) shall be payable by the Commonwealth before

1 September 2.

2 * * *

3 (f) Source of payment.--For real property owned by the
4 Department of Conservation and Natural Resources, the
5 Pennsylvania Game Commission or the Pennsylvania Fish and Boat
6 Commission, of the charge per acre under subsection (b):

7 (1) [\$2.40] Two-thirds of the dollar amount, rounded to
8 the nearest cent, shall be paid from money available under 4
9 Pa.C.S. § 1403 (relating to establishment of State Gaming
10 Fund and net slot machine revenue distribution); and

11 (2) the remainder shall be paid by the Commonwealth
12 agency which owns the property.

13 (g) Adjustments based on Consumer Price Index.--Adjustments
14 to the base amounts in subsection (b) shall be made as follows:

15 (1) The Department of Labor and Industry shall determine
16 the percentage change in the Consumer Price Index for All
17 Urban Consumers: All Items (CPI-U) for the United States City
18 Average as published by the United States Department of
19 Labor, Bureau of Labor Statistics, for the twelve-month
20 period ending April 30, 2023 2024, and for each successive <--
21 12-month period thereafter.

22 (2) If the Department of Labor and Industry determines
23 that there is no positive percentage change, no adjustment to
24 the base amounts shall occur for the relevant time period.

25 (3) The following apply:

26 (i) If the Department of Labor and Industry
27 determines that there is a positive percentage change in
28 the first year that the determination is made under
29 paragraph (1), the positive percentage change shall be
30 multiplied by each base amount, and the products shall be

1 added to the base amounts, respectively, and the sums
2 shall be preliminary adjusted amounts.

3 (ii) The preliminary adjusted amounts shall be
4 rounded to the nearest cent to determine the final
5 adjusted base amounts.

6 (4) In each successive year in which there is a positive
7 percentage change in the CPI-U for the United States City
8 Average, the positive percentage change shall be multiplied
9 by the most recent preliminary adjusted amounts, and the
10 products shall be added to the preliminary adjusted amount of
11 the prior year to calculate the preliminary adjusted amounts
12 for the current year. The sums thereof shall be rounded to
13 the nearest cent to determine the new final adjusted base
14 amounts.

15 (5) The determinations and adjustments required under
16 this section shall be made in the period between May 1 and
17 June 15, 2023 2024, and annually between May 1 and June 15 of <--
18 each year thereafter.

19 (6) The final adjusted base amounts and new final
20 adjusted base amounts obtained under paragraphs (3) and (4)
21 shall become effective for the fiscal year following the
22 fiscal year in which the determination required under
23 paragraph (1) is made.

24 (7) The Department of Labor and Industry shall transmit
25 notice to the Legislative Reference Bureau for publication in
26 the next available issue of the Pennsylvania Bulletin prior
27 to July 1 of each year of the annual percentage change
28 determined under paragraph (1) and the unadjusted or final
29 adjusted base amounts determined under paragraphs (3) and
30 (4), respectively, for the fiscal year beginning the first

1 day of July after publication of the notice.

2 (8) The annual increase in the preliminary adjusted base
3 amounts obtained under paragraphs (3) and (4) shall not
4 exceed 5%.

5 Section 2. This act shall take effect in 60 days.