



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 1683 Printer's No. 2507

Prime Sponsor: Warner
Committee: Veterans Affairs and Emergency Preparedness

SYNOPSIS:

House Bill 1683 would amend Title 35 (Health & Safety) by authorizing counties, municipalities and school districts to establish Income/Property Tax credits to Volunteer Fire Fighters and EMS Providers.

SUMMARY:

Amends Title 35 (Health & Safety) by adding a new Section 79-A (Incentives for Volunteers of Fire Companies and Emergency Medical Services Agencies).

Section 7903-A would define: Active Volunteer, Commissioner, County, Earned Income Tax, Emergency Medical Service Agency, Governing Body, Local Tax Enabling Act, Municipality, School District, Tax Credit, Volunteer, Volunteer Fire Company, & Volunteer Service Credit Program.

Section 7911-A (Program Authorization) would authorize municipalities to enact via ordinance and school districts via resolution a tax credit against an active volunteer's earned income. If the total earned income tax liability is less than the amount established, the tax credit would be equal to the remaining tax liability. Governing bodies would be required to give a 30 day public notice prior to enactment or adoption and hold a public hearing. The governing body would be required to provide notice to the State Fire Commissioner.

Section 7912-A (Claim) would allow an individual who is subject to an earned income tax and is certified to claim a tax credit. A husband or wife would be allowed to claim any tax credit provided for under this act when filing a joint return. The tax return form shall provide a mechanism for separating the liability of an individual for any earned income tax imposed by the school district of residence from the liability of an individual for any earned income tax imposed by the municipality.

Section 7912-A (Real Property Tax Credit) would authorize counties and school districts to enact via resolution a tax credit against an active volunteer's real property tax. The tax credit would be limited to no more than 20 percent of the volunteer's tax liability.

Section 7913-A (Limitations) would allow the tax credits could be used against the volunteer's earned income tax or property tax liability for the current taxable year and each year thereafter. The tax credit shall be in effect until the governing body repeals it.

Section 7921-A (Volunteer Service Credit Program) would require the State Fire Commissioner to establish through regulation a volunteer service credit program within 90 days of the effective date of this section. The volunteer service credit program shall consider the following: the number of emergency calls to which a volunteer responds; the level of training and participation in formal training and drills for a volunteer; the total amount of time expended by a volunteer on administrative and other support services; the involvement in other events or projects that aid the volunteer fire company or an EMS agency. The State Fire Commissioner shall also adopt guidelines, forms and applications necessary to implement this section.

Section 7922-A (Service Record) would require a chief of a volunteer fire company or the supervisor or chief of an EMS agency - or their designees - to establish and maintain a service log that documents the activities of each volunteer that qualifies for a credit toward active service. Service logs would be subject to periodic review the State Fire Commissioner, the Auditor General, and the governing body of the county, municipality, and school district.

Section 7923-A (Certification) would require the volunteer to sign and submit an application to the chief of the volunteer fire company or the supervisor or chief of the EMS agency where the volunteer serves. The chief/supervisor would have to sign the application attesting to the individual's status and then forward the application to the governing body for review and processing.

Section 7924-A (Rejection & Appeal) would require a governing body that establishes a tax credit under this chapter to adopt, by ordinance, a process for rejecting a claim by an active volunteer who does not satisfy all of the criteria established under this chapter for each type of tax credit provided. An active volunteer shall have the right to appeal a claim that has been rejected by a governing body. The governing body shall establish, by ordinance, the procedure by which a rejected claim can be appealed.

Section 7931-A (Penalties for False Reporting) would make it a misdemeanor of the first degree punishable by a fine of \$2,500 for any person who knowingly makes or conspires to make a false service record report or provides or conspires to provide false information that is used to compile a service record.

Effective Date: 60 Days

BILL HISTORY:

HB 1683 was unanimously passed by the House.

Prepared by: N. Silcox 9/26/2016