



Senate Finance Committee

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BILL SUMMARY

Legislation: Senate Bill 1309, P.N. 1729
Sponsor: Senator Argall
Act Amended: Title 53, Consolidated County Assessment Law
Topic: Tax assessment appeals by taxing districts
Date: March 22, 2012

Summary:

Senate Bill 1309 prohibits a "taxing district" from appealing the assessment of property based on the sale of the property.

The legislation authorizes a taxpayer to change the assessed value of property back to its base year value in any case where a "taxing district" had at any time subsequent to the last countywide assessment, lodged a successful appeal changing the assessed value based on the sale of the property.

The legislation specifies the following as the only cases in which a "taxing district" may appeal an assessment:

1. The appeal is from an assessment established during a countywide reassessment and the appeal is filed not later than the first day of September of the taxable year following the year for which the newly established values from the countywide reassessment shall take effect;
2. The property or parcel has been divided and conveyed in smaller parcels;
3. Improvements have been made to real property;
4. Existing improvements have been removed from real property or have been destroyed;
5. A change has occurred in the productive use of the property or parcel by material alteration in the nature of the use or through alteration or additions which modify the use; and
6. The property or parcel has a preferential assessment or other tax discount or relief program authorized by law.

The legislation requires that a property's fair market value, assessed value and assessment changes be expressed in dollar amounts that reflect what the values would be in the base year.

Effective in 60 days.

Current Law:

Section 8802 of the Consolidated County Assessment Law defines “taxing district” as a county, city, borough, incorporated town, township, school district or county institution district.

Section 8843 prohibits the practice of spot reassessment while also providing that a change in assessment resulting from an appeal to the board by a taxpayer or taxing district shall not constitute a spot reassessment.

Section 8855 provides a “taxing district” with the right to appeal any assessment within its jurisdiction in the same manner as provided to a taxable person with respect to the assessment.

Background:

Similar versions of this legislation passed the Senate and House in 2008 (SB 1247, SB 1258 and HB 1438) and were vetoed by the Governor.