



SENATE OF PENNSYLVANIA BILL SUMMARY

Amendment 10119 to House Bill 1683

SYNOPSIS:

Gives municipalities the option to enact a tax credit against an active volunteer's earned income.

SUMMARY:

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

Definitions: Active Volunteer, Commissioner, Earned Income Tax, Governing Body, Individual, Local Tax Enabling Act, Municipality, Nonprofit Emergency Medical Services Agency, Tax Credit, Volunteer, Volunteer Fire Company, & Volunteer Service Credit Program.

Authorizes municipalities to enact - via ordinance - a tax credit against an active volunteer's earned income. Requires the municipality to notify the State Fire Commissioner. The ordinance must set forth the amount of the tax credit, and at least 30 days prior to adoption of the ordinance the governing body must give the public notice of its intent and conduct at least one public hearing on the issue.

Tax Return - A husband or wife may 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.

Volunteer Service Credit - The governing body of a municipality may establish a volunteer service credit program and in turn shall determine the annual requirements for the certification of a volunteer in active service at a volunteer fire company or nonprofit emergency medical services agency. Activities shall include: number of emergency calls to which a volunteer responds; level of training; time spent on administrative duties, fundraising, or equipment maintenance; or involvement in other official events. The municipality shall establish guidelines. The chief of a volunteer fire company or the supervisor or chief of a nonprofit EMS agency or their designee shall establish and maintain a service log that document the activities of each volunteer. Service logs shall be available for review by the governing body, Fire Commissioner, and Auditor General.

Rejection & Appeal - A governing body that establishes a tax credit under this chapter shall 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.

Penalty - Any person who knowingly makes or conspires to make a false service record report under this chapter commits a misdemeanor of the first degree punishable by a fine of \$2,500. Any person who knowingly provides or conspires to provide false information that is used to compile a service record report under this chapter commits a misdemeanor of the first degree punishable by a fine of \$2,500.

Effective Date: 60 Days

Prepared by: Silcox 9/26/2016