

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 130 Session of 2017

INTRODUCED BY ORTITAY, BAKER, BLOOM, DOWLING, GABLER, GILLEN, A. HARRIS, PHILLIPS-HILL, IRVIN, KAUFFMAN, KLUNK, LAWRENCE, MACKENZIE, MCGINNIS, METCALFE, MILLARD, B. MILLER, MULLERY, PICKETT, PYLE, RADER, RAPP, READSHAW, REESE, ROAE, RYAN, SIMMONS, STAATS, WARD, ZIMMERMAN, ROTHMAN AND SOLOMON, JANUARY 23, 2017

REFERRED TO COMMITTEE ON FINANCE, JANUARY 23, 2017

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," in corporate net income tax, further providing
 11 for imposition of tax.

12 The General Assembly of the Commonwealth of Pennsylvania
 13 hereby enacts as follows:

14 Section 1. Section 402 of the act of March 4, 1971 (P.L.6,
 15 No.2), known as the Tax Reform Code of 1971, is amended to read:

16 Section 402. Imposition of Tax.--(a) A corporation shall be
 17 subject to and shall pay an excise tax for exercising, whether
 18 in its own name or through any person, association, business
 19 trust, corporation, joint venture, limited liability company,
 20 limited partnership, partnership or other entity, any of the

1 following privileges:

2 (1) Doing business in this Commonwealth.

3 (2) Carrying on activities in this Commonwealth, including
4 solicitation which is not protected activity under the act of
5 September 14, 1959 (Public Law 86-272, 15 U.S.C. § 381 et seq.).

6 (3) Having capital or property employed or used in this
7 Commonwealth.

8 (4) Owning property in this Commonwealth.

9 (b) The annual rate of tax on corporate net income imposed
10 by subsection (a) for taxable years beginning for the calendar
11 year or fiscal year on or after the dates set forth shall be as
12 follows:

13 Taxable Year	Tax Rate
14 January 1, 15 1995, and 16 each taxable 17 year 18 [thereafter] 19 <u>through</u> 20 <u>December 31,</u> 21 <u>2016</u>	9.99%
22 <u>January 1,</u> 23 <u>2017, and</u> 24 <u>each taxable</u> 25 <u>year through</u> 26 <u>December 31,</u> 27 <u>2017</u>	<u>8.99%</u>
28 <u>January 1,</u> 29 <u>2018, and</u> 30 <u>each taxable</u>	

