

**T. 72 P.S., Ch. 1, Art. XVI-B, Refs & Annos**

T. 72 P.S., Ch. 1, Art. XVI-B, Refs & Annos

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code  
Article XVI-B. Borrowing for Capital Facilities

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

1996 Legislation

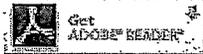
Section 301 of Act 1996, June 27, P.L. 403, No. 58, 71 P.S. § 1709.301, provides that the following function of the Department of Community Affairs is transferred to the Department of Community and Economic Development: housing, community assistance and other functions under Article XVI-B of the act of April 9, 1929 (P.L. 343, No. 176), known as The Fiscal Code.

T. 72 P.S., Ch. 1, Art. XVI-B, Refs & Annos, PA ST T. 72 P.S., Ch. 1, Art. XVI-B, Refs & Annos

Current through 2011 Acts 1 to 75

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## Document Retrieval Result



**72 P.S. § 1601-B**  
§ 1601-B. Scope of article  
Effective: October 09, 2009

72 P.S. § 1601-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
⇒ **§ 1601-B. Scope of article**

This article relates to neighborhood improvement zones.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1601-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, imd. effective.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Prior Laws:

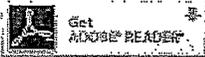
A prior § 1601-B, providing the short title of the Capital Facilities Debt Enabling Act, was derived from 1968, July 20, P.L. 550, No. 217, § 1 (72 P.S. § 3920.1); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1601-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1601-B); and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.101.

72 P.S. § 1601-B, PA ST 72 P.S. § 1601-B

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**72 P.S. § 1602-B**  
§ 1602-B. Definitions  
Effective: June 30, 2011

72 P.S. § 1602-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
➔ **§ 1602-B. Definitions**

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

**"Bonds."** Includes notes, instruments, refunding notes and bonds and other evidences of indebtedness or obligations.

**"Capital Facilities Debt Enabling Act."** The act of February 9, 1999 (P.L. 1, No. 1), [\[FN1\]](#) known as the Capital Facilities Debt Enabling Act.

**"City."** A city of the third class with, on the effective date of this section, a population of at least 106,000 and not more than 107,000, based on the 2000 Federal decennial census.

**"Contracting authority."** An authority created under 53 Pa.C.S. Ch. 56 (relating to municipal authorities) for the purpose of designating a neighborhood improvement zone and constructing a facility or other authority created under the laws of this Commonwealth which is eligible to apply for and receive redevelopment assistance capital grants under Chapter 3 of the act of February 9, 1999 (P.L. 1, No. 1), [\[FN2\]](#) known as the Capital Facilities Debt Enabling Act.

**"Department."** The Department of Revenue of the Commonwealth.

**"Facility."** A stadium, arena or other structure owned or leased by a professional sports organization at which professional athletic events are conducted in the presence of individuals who pay admission to view the event constructed or operated by the contracting authority.

**"Facility complex."** A development or complex of residential, commercial, exhibition, hospitality, conference, retail and community uses which includes a stadium arena or other place owned, leased or utilized by a professional sports organization at which a professional athletic event or other events are conducted in the presence of individuals who pay admission to view the event.

**"Fund."** The Neighborhood Improvement Zone Fund established under section 1604-B.

**"Neighborhood improvement zone."** A neighborhood improvement zone designated by the contracting authority for the purposes of neighborhood improvement and development within a city.

**"Professional sports organization."** A sole proprietorship, corporation, limited liability company, partnership or association that meets all of the following:

- (1) Owns a professional sports franchise.
- (2) Conducts professional athletic events of the sports franchise at a facility.

**"Qualified business."** An entity authorized to conduct business in this Commonwealth which is located or partially located within a neighborhood improvement zone and is engaged in the active conduct of a trade or business for the taxable year. An agent, broker or representative of a business shall not be considered to be in the active conduct of trade or business for the business.

#### CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1602-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, eff. imd. effective. Amended 2011, June 30, P.L. 159, No. 26, § 1.1, imd. effective.

[FN1] 72 P.S. § 3919.101 et seq.

[FN2] 72 P.S. § 3919.301 et seq.

#### HISTORICAL AND STATUTORY NOTES

##### 2011 Electronic Update

##### Prior Laws:

A prior § 1602-B, providing definitions for the Capital Facilities Debt Enabling Act, was derived from 1968, July 20, P.L. 550, No. 217, § 2 (72 P.S. § 3920.2); 1969, March 26, P.L. 5, § 1; 1969, July 24, P.L. 74, § 2; 1969, July 24, P.L. 183, §§ 2, 3; 1976, July 9, P.L. 967, No. 190, § 1; 1929, April 9, P.L. 343, art. XVI-B, § 1602-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1602-B); 1986, July 10, P.L. 1261, No. 115, § 1; 1987, July 13, P.L. 338, No. 63, § 1; 1993, June 28, P.L. 183, No. 39, § 1; and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.302.

##### Act 2011-26 legislation

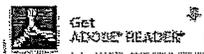
Act 2011-26, § 1.1, in the definition of "contracting authority", deleted ", and which is under a contract with the Office of the Budget to receive those grants" following "Capital Facilities Debt Enabling Act"; and added definitions of "bonds" and "department".

72 P.S. § 1602-B, PA ST 72 P.S. § 1602-B

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**72 P.S. § 1603-B**  
§ 1603-B. Facility  
Effective: October 09, 2009

72 P.S. § 1603-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
➔ **§ 1603-B. Facility**

The contracting authority may designate a neighborhood improvement zone of not greater than 130 acres in which a facility or facility complex may be constructed and may borrow funds for the purpose of improvement and development within the neighborhood improvement zone and construction of a facility or facility complex within the zone.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1603-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, imd. effective.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Prior Laws:

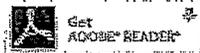
A prior § 1603-B, relating to procedures for capital budget bill and debt authorizing legislation, was derived from 1968, July 20, P.L. 550, No. 217, § 3 (72 P.S. § 3920.3); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1603-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1602-B); and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.303.

72 P.S. § 1603-B, PA ST 72 P.S. § 1603-B

Current through 2011 Acts 1 to 75

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**72 P.S. § 1604-B**  
§ 1604-B. Neighborhood Improvement Zone Fund  
Effective: June 30, 2011

72 P.S. § 1604-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
⇒§ 1604-B. Neighborhood Improvement Zone Fund

**(a) Special fund.**--There is established a special fund known as the Neighborhood Improvement Zone Fund. Interest income derived from investment of the money in the fund shall be credited by the Treasury Department to the fund.

**(a.1) Certification.**--

- (1) Within 30 days of the end of each calendar year, each qualified business shall file a report with the department which complies with all of the following:
  - (i) States each State tax, calculated in accordance with subsection (b), which was paid by the qualified business in the prior calendar year.
  - (ii) Lists each State tax refund which complies with all of the following:
    - (A) The refund is for a tax:
      - (I) set forth in subsection (b); and
      - (II) certified as paid under subsection (b).
    - (B) The refund was received in the prior calendar year by the qualified business.
  - (iii) Is in a form and manner required by the department.
- (2) In addition to any penalties imposed under the act of March 4, 1971 (P.L. 6, No. 2), [FN1] known as the Tax Reform Code of 1971, for failure to timely pay State taxes, failure to file a timely and complete report under paragraph (1) shall result in the imposition of a penalty of 10% of all State taxes, calculated in accordance with subsection (b), which were payable by the qualified business in the prior calendar year.
- (3) Any penalty imposed under this subsection shall be imposed, assessed and collected by the department under the provisions for imposing, assessing and collecting penalties under Article II of the Tax Reform Code of 1971. [FN2] When the penalty is received, the money shall be transferred from the General Fund to the fund.
- (4) Within 30 days of the end of each calendar year, each qualified business shall file a report with the local taxing authority reporting all local taxes, calculated in accordance with subsection (b), which were paid by the qualified business in the prior calendar year. The report from each qualified business shall also list any local tax refunds of taxes set forth in subsection (b) received in the prior calendar year by the qualified business and any refunds related to the local taxes as calculated in accordance with subsection (b). The report shall be in a form and manner required by the department.

**(b) Calculation.**--Within 60 days of the end of each calendar year, the department shall certify the amounts of State taxes paid, less any State tax refunds received, by the qualified businesses filing reports under subsection (a.1)(1) to the Office of the Budget. Beginning in 2012 and in each calendar year thereafter, by November 1, the department shall calculate, in accordance with this subsection, amounts of State taxes actually received by the Commonwealth from each qualified business that filed a report under subsection (a.1)(1) in the prior calendar year, and the department shall certify the amounts received to the office. An entity collecting a local tax within the neighborhood improvement zone shall, within 30 days of the end of each calendar year, submit all of the local taxes that are to be calculated under this subsection and which were paid in the prior calendar year, less any certified local tax refunds received by a qualified business in the prior calendar year, to the State Treasurer to be deposited in the fund under subsection (d). This

subsection shall not apply to any taxes subject to a valid pledge or security interest entered into in order to secure debt service on bonds if the pledge or security interest was entered into prior to May 1, 2011, and is still in effect. The following shall be the amounts calculated and certified:

- (1) An amount equal to all corporate net income tax, capital stock and franchise tax, personal income tax, business privilege tax, business privilege licensing fees and earned income tax related to the ownership and operation of a professional sports organization conducting professional athletic events at the facility or facility complex.
- (2) An amount equal to all of the following:
  - (i) All personal income tax, earned income tax and local services tax withheld from its employees by a professional sports organization conducting professional athletic events at the facility or facility complex.
  - (ii) All personal income tax, earned income tax and local services tax withheld from the employees of any provider of events at or services to, or any operator of an enterprise in, the facility or facility complex.
  - (iii) All personal income tax, earned income tax and local services tax to which the Commonwealth would be entitled from performers or other participants, including visiting teams, at an event or activity at the facility or facility complex.
- (3) An amount equal to all sales and use tax related to the operation of the professional sports organization and the facility and enterprises developed as part of the facility complex. This paragraph shall include sales and use tax paid by any provider of events or activities at or services to the facility or facility complex, including sales and use tax paid by vendors and concessionaires and contractors at the facility or facility complex.
- (4) An amount equal to all tax paid to the Commonwealth related to the sale of any liquor, wine or malt or brewed beverage in the facility or facility complex.
- (5) The amount paid by the professional sports organization or by any provider of events or activities at or services to the facility or facility complex of any new tax enacted by the Commonwealth following the effective date of this section.
- (6) An amount equal to all personal income tax, earned income tax and local services tax withheld from personnel by the professional sports organization or by a contractor or other entity involved in the construction of the facility or facility complex.
- (7) An amount equal to all sales and use tax paid on materials and other construction costs, whether withheld or paid by the professional sports organization or other entity, directly related to the construction of the facility or facility complex.
- (8) An amount equal to all of the following:
  - (i) All corporate net income tax, capital stock and franchise tax, personal income tax, business privilege tax, business privilege licensing fees and earned income tax related to the ownership and operation of any qualified business within the neighborhood improvement zone.
  - (ii) All personal income tax, earned income tax and local services tax withheld from its employees by a qualified business within the neighborhood improvement zone.
  - (iii) All personal income tax, earned income tax and local services tax withheld from the employees of a qualified business that provides events, activities or services in the neighborhood improvement zone.
  - (iv) All personal income tax, earned income tax and local services tax to which the Commonwealth would be entitled from performers or other participants at an event or activity in the neighborhood improvement zone.
  - (v) All sales and use tax related to the operation of a qualified business within the neighborhood improvement zone. This subparagraph shall include sales and use tax paid by a qualified business that provides events, activities or services in the neighborhood improvement zone.
  - (vi) All tax paid by a qualified business to the Commonwealth related to the sale of any liquor, wine or malt or brewed beverage within the neighborhood improvement zone.
  - (vii) The amount paid a qualified business within the neighborhood improvement zone of any new tax enacted by the Commonwealth following the effective date of this section.
  - (viii) All personal income tax, earned income tax and local services tax withheld from personnel by a qualified business involved in the improvement, development or construction of the neighborhood improvement zone.
  - (ix) All sales and use tax paid on materials and other construction costs, whether withheld or paid by the professional sports organization or other qualified business, directly related to the improvement, development or construction of the neighborhood improvement zone.
  - (x) An amount equal to any amusement tax paid by a qualified business operating in the neighborhood improvement zone. No political subdivision or other entity authorized to collect amusement taxes may impose or increase the rate of any tax on admissions to places of entertainment, exhibition, amusement or upon athletic events in the neighborhood improvement zone which are not in effect on the date the neighborhood improvement zone is designated by the contracting authority.
- (9) Except for a tax levied against real property and notwithstanding any other law, an amount equal to any tax imposed by the Commonwealth or any of its political subdivisions on a qualified business engaged

in an activity within the neighborhood improvement zone or directly or indirectly on any sale or purchase of goods or services, where the point of sale or purchase is within the neighborhood improvement zone.

**(c) State tax liability apportionment.**--For the purpose of making the calculations under subsection (b), the State tax liability of a qualified business shall be apportioned to the neighborhood improvement zone by multiplying the Pennsylvania State tax liability by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor and the denominator of which is three, in accordance with the following:

(1) The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in the neighborhood improvement zone during the tax period and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used in this Commonwealth during the tax period but shall not include the security interest of any corporation as seller or lessor in personal property sold or leased under a conditional sale, bailment lease, chattel mortgage or other contract providing for the retention of a lien or title as security for the sales price of the property.

(2) The following apply:

(i) The payroll factor is a fraction, the numerator of which is the total amount paid in the neighborhood improvement zone during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid in this Commonwealth during the tax period.

(ii) Compensation is paid in the neighborhood improvement zone if:

(A) the person's service is performed entirely within the neighborhood improvement zone;

(B) the person's service is performed both within and without the neighborhood improvement zone, but the service performed without the neighborhood improvement zone is incidental to the person's service within the neighborhood improvement zone; or

(C) some of the service is performed in the neighborhood improvement zone and the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in the neighborhood improvement zone, or the base of operations or the place from which the service is directed or controlled is not in any location in which some part of the service is performed, but the person's residence is in the neighborhood improvement zone.

(3) The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in the neighborhood improvement zone during the tax period and the denominator of which is the total sales of the taxpayer in this Commonwealth during the tax period.

(i) Sales of tangible personal property are in the neighborhood improvement zone if the property is delivered or shipped to a purchaser that takes possession within the neighborhood improvement zone regardless of the F.O.B. point or other conditions of the sale.

(ii) Sales other than sales of tangible personal property are in the neighborhood improvement zone if:

(A) the income-producing activity is performed in the neighborhood improvement zone; or

(B) the income-producing activity is performed both within and without the neighborhood improvement zone and a greater proportion of the income-producing activity is performed in the neighborhood improvement zone than in any other location, based on costs of performance.

**(d) Transfers.**--

(1) Within ten days of receiving certification under subsection (b), the Secretary of the Budget shall direct the State Treasurer to, notwithstanding any other law, transfer the amounts certified under subsection (b) from the General Fund to the fund. Beginning in 2013 and in each year thereafter, the amounts certified by the secretary to the State Treasurer and the amounts transferred by the State Treasurer to the fund shall be determined as follows:

(i) Add amounts certified by the department under subsection (b) for the prior calendar year.

(ii) Subtract from the sum under subparagraph (i) any State tax refunds paid as certified by the department under subsection (b).

(iii) Add to the difference under subparagraph (ii) any amounts certified under subsection (b) with respect to the second prior calendar year.

(iv) Subtract from the sum under subparagraph (iii) any amounts certified under subsection (b) which are less than the amounts previously certified under subsection (b) with respect to the second prior calendar year.

(2) The State Treasurer shall provide an annual transfer to the contracting authority until the bonds issued to finance and refinance the improvement and development of the neighborhood improvement zone and the construction of the facility or facility complex are retired. Each annual transfer to the contracting authority shall be equal to the balance of the fund on the date of the transfer under paragraph (1).

**(e) Restriction on use of funds.**--Funds transferred under subsection (d):

(1) May only be utilized for payment of debt service on bonds issued for the improvement and development of all or any part of the neighborhood improvement zone and the purpose of constructing a facility or facility complex, for payment of debt service on bonds issued to refund those bonds and to replenish amounts required in any debt service reserve funds established to pay debt service on bonds. The term of a bond to be refunded shall not exceed the maximum term permitted for the original bond issued for the improvement or development of the neighborhood improvement zone and the construction of a facility or facility complex.

(2) May not be utilized for purposes of renovating or repairing a facility or facility complex, except for capital maintenance and improvement projects.

**(f) Ticket surcharge.**--The entity operating the facility may collect a capital repair and improvement ticket surcharge, the proceeds of which shall be deposited into the fund. The funds shall be maintained and utilized as follows:

(1) The money deposited under this subsection may not be encumbered for any reason and shall be transferred to the entity for capital repair and improvement projects upon request from the entity.

(2) Upon the expiration of the neighborhood improvement zone under section 1606-B, any and all portions of the fund attributable to the ticket surcharge shall be immediately transferred to the contracting authority to be held in escrow where they shall be unencumbered and maintained by the contracting authority in the same manner as the fund. Upon the transfer, any ticket surcharge collected by the operating entity shall thereafter be deposited in the account maintained by the contracting authority and dispersed for a capital repair and improvement project upon request by the operating entity.

**(g) Excess money.**--Within 30 days of the end of each calendar year, any money remaining in the fund at the end of the prior calendar year after the required payments under subsection (d)(2) were made in the prior calendar year shall be refunded in the following manner:

(1) Money shall first be returned to the General Fund to the extent that the excess money is part of the transfer under subsection (d)(1).

(2) Money shall next be paid to the contracting authority to the extent that the amounts paid under subsection (d)(2) consisted of local taxes. The contracting authority shall return the money to the appropriate entities collecting local tax who submitted the local taxes to the State Treasurer under subsection (b).

#### CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1604-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, imd. effective. Amended 2011, June 30, P.L. 159, No. 26, § 1.2, imd. effective.

[FN1] 72 P.S. § 7101 et seq.

[FN2] 72 P.S. § 7201 et seq.

#### HISTORICAL AND STATUTORY NOTES

##### 2011 Electronic Update

##### Act 2011-26 legislation

Act 2011- 26, § 1.2, added subsec. (a.1); rewrote the subsec. (b) introductory paragraph, which prior thereto read:

"(b) Calculation.--Within 60 days of the end of each quarter, the Department of Revenue shall calculate the amounts under this subsection for improvement and development in the neighborhood improvement zone, the facility complex and the facility. The contracting authority shall provide good faith estimates of quarterly amounts to be calculated in a form and manner required by the Department of Revenue. The Department of Revenue shall estimate the quarterly amounts, subject to an annual reconciliation, and shall certify the amounts to the Office of the Budget within 90 days of the end of a fiscal quarter. An entity collecting a local tax within the neighborhood improvement zone shall, within 30 days of the end of a fiscal quarter, submit all of the local taxes collected that are to be calculated under this subsection to the State Treasurer for transfer to the fund under subsection (d). The following shall be the amounts calculated:"

; in subsec. (b)(9), inserted "and notwithstanding any other law" and "or directly or indirectly on any sale or purchase of goods or services, where the point of sale or purchase is within the neighborhood improvement zone"; in the subsec. (c) introductory paragraph, substituted "State tax liability apportionment" for "Income apportionment", "state tax liability of a qualified business" for "taxable income of a corporation that is a qualified business" and "Pennsylvania state tax liability" for "Pennsylvania taxable income"; rewrote subsec. (d), which prior thereto read:

"(d) Transfers.--

"(1) Within ten days of receiving notification under subsection (b), the Secretary of the Budget shall direct the State Treasurer to, notwithstanding any other law, transfer the amounts calculated under subsection (b) from the General Fund to the fund.

"(2) The State Treasurer shall provide quarterly payments to the contracting authority until the bonds issued to finance the improvement and development of the neighborhood improvement zone and the construction of the contracted facility or facility complex are retired. The payment in each quarter shall be equal to the balance of the fund on the last day of the prior calendar quarter."

; rewrote subsec. (e)(1), which prior thereto read:

"(1) May only be utilized for payment of debt service on bonds issued for the improvement and development of all or any part of the neighborhood improvement zone and the purpose of constructing a facility or facility complex."

; and added subsec. (g).

Prior Laws:

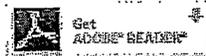
A prior § 1604-B, relating to certificates of the Auditor General, was derived from 1968, July 20, P.L. 550, No. 217, § 4 (72 P.S. § 3920.4); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1604-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1604-B); and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.304.

72 P.S. § 1604-B, PA ST 72 P.S. § 1604-B

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**72 P.S. § 1605-B**  
§ 1605-B. Keystone Opportunity Zone  
Effective: June 30, 2011

72 P.S. § 1605-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
⇒§ 1605-B. Keystone Opportunity Zone

Before September 1, 2011, the city shall apply to the Department of Community and Economic Development to decertify and remove the designation of all or part of the Keystone Opportunity Zone on behalf of all political subdivisions. The provisions of section 309 of the act of October 6, 1998 (P.L. 705, No. 92), [FN1] known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act shall be deemed satisfied as to all political subdivisions. The Department of Community and Economic Development shall act on the application within 30 days.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1605-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, imd. effective. Amended 2011, June 30, P.L. 159, No. 26, § 1.3, imd. effective.

[FN1] 73 P.S. § 820.309.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Act 2011-26 legislation

Act 2011-26, § 1.3, rewrote the section, which prior thereto read:

"Within 30 days of the effective date of this section, the city shall apply to the department to decertify and remove the designation of all or part of the Keystone Opportunity Zone in accordance with section 309 of the act of October 6, 1998 (P.L. 705, No. 92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act. The department shall act on the application within 30 days."

Prior Laws:

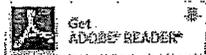
A prior § 1605-B, relating to constitutional limitations, authorizations and issuing officials, was derived from 1968, July 20, P.L. 550, No. 217, § 5 (72 P.S. § 3920.5); 1929, April 9, P.L. 343, art. XVI-B, § 1605-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1601-B); and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.305.

72 P.S. § 1605-B, PA ST 72 P.S. § 1605-B

Current through 2011 Acts 1 to 75

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**72 P.S. § 1606-B**  
§ 1606-B. Duration  
Effective: June 30, 2011

72 P.S. § 1606-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
➔ **§ 1606-B. Duration**

The neighborhood improvement zone shall be in effect for a period equal to one year following retirement of all bonds issued to finance or refinance the improvement and development of the neighborhood improvement zone or the construction of the facility or the facility complex. The maximum term of the bond, including the refunding of the bond, shall not exceed 30 years.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1606-B, added 2009, Oct. 9, P.L. 537, No. 50, § 3, imd. effective. Amended 2011, June 30, P.L. 159, No. 26, § 1.3, imd. effective.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Act 2011-26 legislation

Act 2011-26, § 1.3, rewrote the section, which prior thereto read:

"The neighborhood improvement zone shall be in effect for a period equal to the length of time of the bonds that are initially issued."

Prior Laws:

A prior § 1606-B, relating to temporary financing authorizing, was derived from 1968, July 20, P.L. 550, No. 217, § 6 (72 P.S. § 3920.6); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1606-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1606-B); and repealed by 1999, Feb. 9, P.L. 1, No. 1, § 5101, imd. effective. See now, 72 P.S. § 3919.306.

72 P.S. § 1606-B, PA ST 72 P.S. § 1606-B

Current through 2011 Acts 1 to 75

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**72 P.S. § 1607-B**  
§ 1607-B. Commonwealth pledges  
Effective: June 30, 2011

72 P.S. § 1607-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
➔ **§ 1607-B. Commonwealth pledges**

If and to the extent that the contracting authority pledges amounts required to be transferred to the fund under section 1604-B for the payment of bonds issued by the contracting authority, until all bonds secured by the pledge of the contracting authority, together with the interest on the bonds, are fully paid or provided for, the Commonwealth pledges to and agrees with any person, firm, corporation or government agency, whether in this Commonwealth or elsewhere, and to and with any Federal agency subscribing to or acquiring the bonds issued by the contracting authority that the Commonwealth itself will not, nor will it authorize any government entity to, abolish or reduce the size of the neighborhood improvement zone; to amend or repeal section 1604- B(a.1), (b) or (d); to limit or alter the rights vested in the contracting authority in a manner inconsistent with the obligations of the contracting authority with respect to the bonds issued by the contracting authority; or to otherwise impair revenues to be paid under this article to the contracting authority necessary to pay debt service on bonds. Nothing in this section shall limit the authority of the Commonwealth or any government entity to change the rate, tax bases or any subject of any specific tax or repealing or enacting any tax.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1607-B, added 2011, June 30, P.L. 159, No. 26, § 1.4, imd. effective.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Prior Laws:

A prior § 1607-B, relating to issuance of general obligation bonds, maturity and interest, was derived from 1968, July 20, P.L. 550, No. 217, § 7 (72 P.S. § 3920.7); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1607-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1607- B). See now, 72 P.S. § 3919.101 et seq.

72 P.S. § 1607-B, PA ST 72 P.S. § 1607-B

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**72 P.S. § 1608-B**  
§ 1608-B. Confidentiality  
Effective: June 30, 2011

72 P.S. § 1608-B

Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness  
Title 72 P.S. Taxation and Fiscal Affairs  
Chapter 1. The Fiscal Code (Refs & Annos)  
Article XVI-B. Borrowing for Capital Facilities (Refs & Annos)  
⇒ **§ 1608-B. Confidentiality**

Notwithstanding any law providing for the confidentiality of tax records, the contracting authority and the local taxing authorities shall have access to any reports and certifications filed under this article, and the contracting authority shall have access to any State or local tax information filed by a qualified business in the Neighborhood Improvement Zone solely for the purpose of documenting the certifications required by this article. Any other use of the tax information shall be prohibited as provided under law.

CREDIT(S)

1929, April 9, P.L. 343, No. 176, art. XVI-B, § 1608-B, added 2011, June 30, P.L. 159, No. 26, § 1.4, imd. effective.

HISTORICAL AND STATUTORY NOTES

2011 Electronic Update

Prior Laws:

A prior § 1608-B, making certain notes and bonds direct obligations of the Commonwealth, exempting them from taxation and providing for means of payment, was derived from 1968, July 20, P.L. 550, No. 217, § 8 (72 P.S. § 3920.8); 1969, July 24, P.L. 183, § 3; 1929, April 9, P.L. 343, art. XVI-B, § 1608-B, added 1984, June 21, P.L. 407, No. 83, § 2 (72 P.S. § 1608-B). See now, 72 P.S. § 3919.101 et seq.

72 P.S. § 1608-B, PA ST 72 P.S. § 1608-B

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