

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Urging the Pennsylvania General Assembly to oppose Senate Bill 4/House Bill 173 when either comes before them.

WHEREAS, PA Senate Bill 4 (SB 4) and House Bill 173 (HB 173) seek to amend the Pennsylvania Constitution to eliminate any Constitutional limitations that currently apply to designating public charities, and make the General Assembly the sole decision-making authority with regard to what is a purely public charity; and,

WHEREAS, SB 4/HB 173 would prove to be harmful and unfair to taxpayers in Allegheny County and across the state, and cripple our ongoing efforts to work cooperatively with large local nonprofit organizations by abrogating Constitutional standards that have been in place for decades, and replacing them with the changeable will of the General Assembly; and,

WHEREAS, these resolutions would further stack the deck against municipal leaders working to find common sense solutions between large non-profit institutions and the County we share; and,

WHEREAS, these bills would take away the impartiality of the courts in determining non-profit status, insofar as they would allow politicians to write the rules and establish definitions outside of a standardized process and pre-determined threshold, while simultaneously permitting access to the process of determining tax-exempt status by the very nonprofits that will be affected, in the form of lobbying activities; and,

WHEREAS, there have been no hearings and no legislative discussion of SB 4/HB 173's impact; the General Assembly's apparent haste creates grave potential to damage the fragile relationships Allegheny County and other municipal governments statewide have built with their respective nonprofit partners; and,

WHEREAS, legislative leaders should hold public hearings - before any committee, House or Senate vote on the amendment - to allow municipal and nonprofit leaders to engage in public discourse about the far-reaching impact of lowering the threshold for determining public charities; and,

WHEREAS, it is the judgment of Council that a higher level of scrutiny is needed to define which nonprofits deserve tax-exempt status, not a lesser one;

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY,

That Allegheny County Council hereby urges the Pennsylvania General Assembly to oppose Senate Bill 4/House Bill 173 when either comes before them; and,

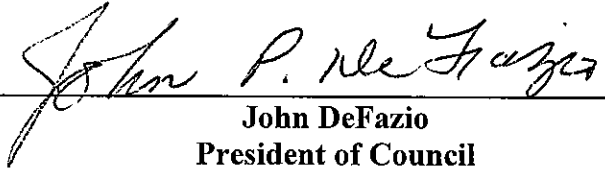
IT IS FURTHER MOVED,

That a copy of this motion be circulated to all members of the Pennsylvania House and Senate.

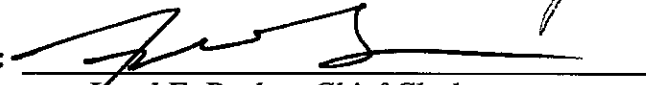
PRIMARY SPONSOR: COUNCIL MEMBER FINNERTY

CO-SPONSORS: COUNCIL MEMBERS MARTONI, MACEY, KRESS, DEFAZIO

In Council February 3rd, 201~~5~~ Read and Approved.



John DeFazio
President of Council

Attest: 

Jared E. Barker, Chief Clerk
Allegheny County Council