

Bill No. 5139-01

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Urging the Pennsylvania Senate and Governor of the Commonwealth of Pennsylvania to support Pennsylvania House Bill No. 1661, the "Property Tax Reassessment Moratorium Act," and encouraging the Senate to pass and the Governor to sign this legislation with all due speed.

WHEREAS, on June 10, 2009, Pennsylvania State Representative Frank Dermody introduced House Bill 1661, the "Property Tax Reassessment Moratorium Act,"; and

WHEREAS, House Bill 1661 garnered sweeping bipartisan support in the Pennsylvania House of Representatives, passing on August 5 by a vote of 196-1; and

WHEREAS, House Bill 1661 as currently written provides for a temporary moratorium on court-ordered reassessments in order to permit the General Assembly to conduct a comprehensive study of the Commonwealth's property tax reassessment system and address the current problems with the system through enactment of legislation; and

WHEREAS, this moratorium would still permit counties to perform reassessments on a voluntary basis, and would remain in effect until the study is completed or until June 30, 2011, whichever comes first; and

WHEREAS, the moratorium would give the General Assembly suitable time to study Pennsylvania's current property tax system and to enact legislation to address deficiencies enumerated by the state Supreme Court last April in its decision in Clifton v. Allegheny County; and

WHEREAS, the County Commissioners Association of Pennsylvania supports H.B. 1661, and it has confirmed that all of the counties currently involved in a court-ordered reassessment support the bill; and

WHEREAS, the Pennsylvania Senate began its consideration of House Bill 1661 on August 7, and the bill has been before the Senate Committee on Appropriations since August 26; and

WHEREAS, it is the judgment of Council that the provisions of House Bill 1661 represent a well-reasoned and considered approach to addressing the statewide legislative issue of property tax reassessments; and

WHEREAS, it is further the judgment of Council that to the property tax assessment issue inevitably will continue affect each and every county within the

Commonwealth on an ongoing basis unless a comprehensive solution that places all counties within Pennsylvania on equal terms can be found; and

WHEREAS, it is also the judgment of Council that a legislative solution would be far preferable to burdening the courts and taxpayers with the cost and potential inequities of additional litigation on an *ad hoc*, county-by-county basis with no prospect of a uniform, long-term resolution, and that the General Assembly should be given every opportunity to reach such a legislative solution;

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY, that the Pennsylvania Senate and Governor of the Commonwealth of Pennsylvania are hereby urged to support Pennsylvania House Bill No. 1661, the "Property Tax Reassessment Moratorium Act."

IT IS THEREFORE FURTHER MOVED, that the Council hereby encourages the Senate to pass and the Governor to sign this legislation with all due speed.

PRIMARY SPONSOR: COUNCIL PRESIDENT FITZGERALD

CO-SPONSORS: COUNCIL MEMBERS DROZD, GREEN, MACEY, ROBINSON, FINNEERTY, FUTULES, BURN, MARTONI, REA & ELLENBOGEN

In Council October 6th, 2009. Read and Approved.


Rich Fitzgerald
President of Council

Attest: 
Allegheny County Council