

No. 1977-105

AN ACT

HB 333

Amending the act of June 21, 1939 (P.L.626, No.294), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating the valuation or assessment of real estate subject to sewer connection ban orders.

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

Section 1. The fourth paragraph of section 13, act of June 21, 1939 (P.L.626, No.294), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," amended July 29, 1970 (P.L.645, No.218), is amended to read:

Section 13. * * *

No land assessed as acreage or unimproved property, which is subsequently laid out in residential lots and the plan of such lots is recorded, shall be assessed in excess of the total assessment of the land as acreage or unimproved property for a period of three years after the recording of such plan, or until such time as the lots are actually sold or improved with permanent construction of any new building occupied for residential purposes, whichever period is the shorter. Each such lot as sold shall be subject to reassessment beginning with the date of such sale, and new construction begun thereon shall be subject to reassessment as provided above. *When a department or agency of the Commonwealth or a municipality has ordered a sewer connection ban because of a lack of adequate sewage treatment facilities, the real estate affected by the order shall be reassessed for the duration of the order or for two years, whichever is the shorter period of time. The reassessment shall be based on the value of the best use of the land during the period of the reassessment.* New single and multiple dwellings constructed for residential purposes and improvements to existing unoccupied dwellings or improvements to existing structures for purposes of conversion to dwellings, shall not be valued or assessed for purposes of real property taxes until (1) occupied, (2) conveyed to a bona fide purchaser, or (3) one year from the first day of the month in which falls the sixtieth day after which the building permit was

issued or, if no building permit or other notification of improvement was required, then from the date construction commenced. The assessment of any multiple dwelling because of occupancy shall be upon such proportion which the value of the occupied portion bears to the value of the entire multiple dwelling. As used in this paragraph, the word "dwellings" means buildings or portions thereof intended for permanent use as homes or residences ***and the phrase "affected by the order" shall be defined as the application for a building permit and the denial to the applicant of permission to proceed with the building or construction because of a sewer ban order.***

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Section 2. This act shall apply to sewer connection bans in effect on and after the effective date of this act. The two-year period of reassessment shall begin on the effective date of this act for sewer connection bans imposed on or before the effective date of this act.

Section 3. This act shall take effect immediately.

APPROVED—The 22nd day of December, A. D. 1977.

MILTON J. SHAPP