



PENNSYLVANIA ASSOCIATION OF NON-PROFIT HOMES FOR THE AGING

Kevin W. Jones, Board Chair • Ronald L. Barth, President/CEO

*faxed*

March 23, 1999

Thomas Hamilton  
Assistant Administrator  
Church of God Home, Inc.  
801 North Hanover Street  
Carlisle, PA 17013-1598

Dear Mr. Hamilton:

Since coming to PANPHA in 1985, we have been concerned about the application of the purely public charity standard to PANPHA's members. Over the years we were involved in several avenues to clarify this standard. In 1997 the efforts of a broad nonprofit coalition were successful in seeing the passage of Act 55. This legislation provides the statutory clarification needed for the five HUP criteria of a purely public charity that was articulated by our Supreme Court. Act 55 was the culmination of almost ten years of legislative activity. It was comforting to know that the legislation had the support of several municipal taxing organizations because of the inclusion of opportunities for payment in lieu of taxes.

At this time I am unaware of any legislative initiatives being discussed to amend Act 55 of 1997. It should be noted however, that the Department of Revenue is required to develop regulations for this legislation. The department has also been making changes to its sales and use tax exemption forms to reflect the language of the statute. Additionally, there may be issues raised in different forums regarding the implementation of the unfair competition with small business section.

I hope this letter addresses your concerns regarding discussions for changes to Act 55 pursuant to the purely public charities definition. Please let me know if I can be any further assistance.

Sincerely,

Christine F. Klejbuk  
Vice President, Public Policy

cc: Hubert Gilroy, Esq.