
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2021 Session of
2015

INTRODUCED BY GIBBONS, REESE, RAPP, GROVE AND NEILSON,
MAY 18, 2016

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MAY 18, 2016

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," further providing for
16 definitions.

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

19 Section 1. Section 4(1)(4) of the act of December 5, 1936
20 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
21 Compensation Law, is amended by adding a subparagraph to read:

22 Section 4. Definitions.--The following words and phrases, as
23 used in this act, shall have the following meanings, unless the
24 context clearly requires otherwise.

25 * * *

1 (1) * * *

2 (4) The word "employment" shall not include--

3 * * *

4 (22) Services performed for a private for-profit person or
5 entity by an individual as a landman if all remuneration, paid
6 in cash or otherwise, for the performance of the services is
7 directly related to the completion by the individual of the
8 specific tasks contracted for rather than to the number of hours
9 worked by the individual, and the services are performed under a
10 written contract between the individual and the person for whom
11 the services are performed which provides that the individual is
12 an independent contractor and not an employe with respect to the
13 services provided under the contract. For purposes of this
14 subsection, the term "landman" means a land professional who has
15 been engaged primarily in:

16 (A) negotiating the acquisition or divestiture of oil and
17 gas or other mineral rights;

18 (B) negotiating business agreements that provide for the
19 exploration for or development of minerals;

20 (C) determining ownership of minerals through research of
21 public and private records;

22 (D) reviewing the status of title, curing title defects and
23 otherwise reducing title risk associated with ownership of
24 minerals;

25 (E) managing rights or obligations derived from ownership of
26 interests and minerals; or

27 (F) activities to secure the unitization or pooling of
28 interests in minerals.

29 * * *

30 Section 2. This act shall take effect in 60 days.