

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 403 Session of 2013

INTRODUCED BY GROVE, GINGRICH, METCALFE, STEPHENS, EVANKOVICH, EMRICK, DUNBAR, HICKERNELL, MILLARD, BAKER, AUMENT, KAUFFMAN, STERN, MACKENZIE, MOUL, R. MILLER, MULLERY, F. KELLER, C. HARRIS, FLECK, MURT, TOEPEL, SWANGER, PETRI, BLOOM, ROCK, PEIFER, GABLER, GILLEN, GRELL AND FARRY, JANUARY 29, 2013

SENATOR GORDNER, LABOR AND INDUSTRY, IN SENATE, AS AMENDED, JANUARY 28, 2014

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 records of and reports by employers, for ineligibility of  
17 incarcerated employee, FOR RATE AND AMOUNT OF COMPENSATION, <--  
18 for certain agreements void and penalty, for false statements  
19 and representations to obtain or increase compensation, for  
20 false statements and representations to prevent or reduce  
21 compensation and other offenses and for violation of act and  
22 rules and regulations.

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

25 Section 1. Section 206 of the act of December 5, 1936 (2nd

1 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
2 Compensation Law, amended July 21, 1983 (P.L.68, No.30) and  
3 November 17, 1995 (P.L.615, No.64), is amended to read:

4 Section 206. Records of and Reports by Employers.--(a) Each  
5 employer (whether or not liable for the payment of contributions  
6 under this act) shall keep accurate employment records  
7 containing such information, as may be prescribed by the rules  
8 and regulations adopted by the department. Such records shall be  
9 open to inspection by the department and its agents at any  
10 reasonable time, and as often as may be deemed necessary, but  
11 employers need not retain such records more than four (4) years  
12 after contributions relating to such records have been paid. The  
13 department may require from such employers such reports as it  
14 deems necessary, which shall be sworn to, if required by the  
15 department.

16 (b) Information thus obtained shall not be made public or be  
17 open to public inspection, other than to the members of the  
18 board, the officers and employes of the department and other  
19 public employes in the performance of their public duties, but  
20 any employe or employer at a hearing on an appeal shall, upon  
21 request, be supplied with information from such records to the  
22 extent necessary for the proper presentation and consideration  
23 of the appeal.

24 (c) Any officer or employe of the department or the board,  
25 or any other public employe, who shall violate any of the  
26 provisions of this section shall, upon conviction thereof in a  
27 summary proceeding, be sentenced to pay a fine of not less than  
28 [twenty dollars (\$20)] one hundred dollars (\$100) nor more than  
29 [two hundred dollars (\$200)] three hundred dollars (\$300) and in  
30 default of the payment of such fine and cost of prosecution

1 shall be sentenced to imprisonment for not longer than thirty  
2 (30) days.

3 (d) Any employer who has been determined by the department  
4 to be subject to the reporting provisions of this act and has  
5 been so notified, and who neglects or refuses to file or to  
6 complete in such manner as the department may prescribe either  
7 the periodic report required by the department to establish the  
8 amount of such contributions or the periodic report required by  
9 the department showing the amount of wages paid to each employe,  
10 or both, on or before the date such reports are required to be  
11 filed, shall pay a penalty of [ten per centum (10%)] fifteen per  
12 centum (15%) of the total amount of contributions paid or  
13 payable by the employer or employe as the case may be for the  
14 period: Provided, That such penalty shall be not less than  
15 [twenty-five dollars (\$25)] one hundred twenty-five dollars  
16 (\$125) or more than [two hundred and fifty dollars (\$250)] four  
17 hundred fifty dollars (\$450). Such penalty shall apply to the  
18 reports for each period with respect to which such reports are  
19 required to be filed: Provided, That such penalty shall not  
20 apply to reports for any period with respect to which the last  
21 day for filing such reports is prior to a date on which the  
22 department has notified the employer that he has been determined  
23 an employer subject to the reporting provisions of this act,  
24 unless the reports for such prior periods are not filed within  
25 thirty (30) days after the employer has been so notified. The  
26 penalties provided by this section shall be in addition to all  
27 other penalties provided for in this act.

28 Section ~~4.1~~ 2. Section 402.6 of the act, amended December 9, <--  
29 2002 (P.L.1330, No.156), is amended to read:

30 Section 402.6. Ineligibility of Incarcerated Employe.--(a)

1 An employe shall not be eligible for payment of unemployment  
2 compensation benefits for any weeks of unemployment during which  
3 the employe is incarcerated after a conviction.

4 (b) The department shall utilize any reasonable means  
5 determined necessary by the secretary to identify and prevent  
6 the payment of benefits to incarcerated individuals who are  
7 disqualified under this section. At a minimum, the means shall <--  
8 include a cross check of county prison inmate records with  
9 records kept by the department of current benefit recipients. An  
10 expense incurred under this subsection is hereby declared to be  
11 an administrative expense to be paid from the Administrative  
12 Fund.

13 SECTION 3. SECTION 404(E) (1) AND (2) OF THE ACT, AMENDED <--  
14 JULY 12, 2012 (P.L.577, NO.60), ARE AMENDED TO READ:

15 SECTION 404. RATE AND AMOUNT OF COMPENSATION.--COMPENSATION  
16 SHALL BE PAID TO EACH ELIGIBLE EMPLOYE IN ACCORDANCE WITH THE  
17 FOLLOWING PROVISIONS OF THIS SECTION EXCEPT THAT COMPENSATION  
18 PAYABLE WITH RESPECT TO WEEKS ENDING IN BENEFIT YEARS WHICH  
19 BEGIN PRIOR TO THE FIRST DAY OF JANUARY 1989 SHALL BE PAID ON  
20 THE BASIS OF THE PROVISIONS OF THIS SECTION IN EFFECT AT THE  
21 BEGINNING OF SUCH BENEFIT YEARS.

22 \* \* \*

23 (E) (1) TABLE SPECIFIED FOR THE DETERMINATION OF  
24 RATE AND AMOUNT OF BENEFITS

25 PART A	26 PART B	27 PART C
28 HIGHEST	29 RATE OF	30 QUALIFYING
QUARTERLY	COMPENSATION	WAGES
WAGE		
\$1688-1712	\$70	\$3391
1713-1737	71	3440

1	1738-1762	72	3490
2	1763-1787	73	3539
3	1788-1812	74	3589
4	1813-1837	75	3638
5	1838-1862	76	3688
6	1863-1887	77	3737
7	1888-1912	78	3787
8	1913-1937	79	3836
9	1938-1962	80	3886
10	1963-1987	81	3935
11	1988-2012	82	3985
12	2013-2037	83	4034
13	2038-2062	84	4084
14	2063-2087	85	4133
15	2088-2112	86	4183
16	2113-2137	87	4232
17	2138-2162	88	4282
18	2163-2187	89	4331
19	2188-2212	90	4381
20	2213-2237	91	4430
21	2238-2262	92	4480
22	2263-2287	93	4529
23	2288-2312	94	4579
24	2313-2337	95	4628
25	2338-2362	96	4678
26	2363-2387	97	4727
27	2388-2412	98	4777
28	2413-2437	99	4826
29	2438-2462	100	4876
30	2463-2487	101	4925

1	2488-2512	102	4975
2	2513-2537	103	5024
3	2538-2562	104	5074
4	2563-2587	105	5123
5	2588-2612	106	5173
6	2613-2637	107	5222
7	2638-2662	108	5272
8	2663-2687	109	5321
9	2688-2712	110	5371
10	2713-2737	111	5420
11	2738-2762	112	5470
12	2763-2787	113	5519
13	2788-2812	114	5569
14	2813-2837	115	5618
15	2838-2862	116	5668
16	2863-2887	117	5717
17	2888-2912	118	5767
18	2913-2937	119	5816
19	2938-2962	120	5866
20	2963-2987	121	5915
21	2988-3012	122	5965
22	3013-3037	123	6014
23	3038-3062	124	6064
24	3063-3087	125	6113
25	3088-3112	126	6163
26	3113-3137	127	6212
27	3138-3162	128	6262
28	3163-3187	129	6311
29	3188-3212	130	6361
30	3213-3237	131	6410

1	3238-3262	132	6460
2	3263-3287	133	6509
3	3288-3312	134	6559
4	3313-3337	135	6608
5	3338-3362	136	6658
6	3363-3387	137	6707
7	3388-3412	138	6757
8	3413-3437	139	6806
9	3438-3462	140	6856
10	3463-3487	141	6905
11	3488-3512	142	6955
12	3513-3537	143	7004
13	3538-3562	144	7054
14	3563-3587	145	7103
15	3588-3612	146	7153
16	3613-3637	147	7202
17	3638-3662	148	7252
18	3663-3687	149	7301
19	3688-3712	150	7351
20	3713-3737	151	7400
21	3738-3762	152	7450
22	3763-3787	153	7500
23	3788-3812	154	7549
24	3813-3837	155	7599
25	3838-3862	156	7648
26	3863-3887	157	7698
27	3888-3912	158	7747
28	3913-3937	159	7797
29	3938-3962	160	7846
30	3963-3987	161	7896

1	3988-4012	162	7945
2	4013-4037	163	7995
3	4038-4062	164	8044
4	4063-4087	165	8094
5	4088-4112	166	8143
6	4113-4137	167	8193
7	4138-4162	168	8242
8	4163-4187	169	8292
9	4188-4212	170	8341
10	4213-4237	171	8391
11	4238-4262	172	8440
12	4263-4287	173	8490
13	4288-4312	174	8539
14	4313-4337	175	8589
15	4338-4362	176	8638
16	4363-4387	177	8688
17	4388-4412	178	8737
18	4413-4437	179	8787
19	4438-4462	180	8836
20	4463-4487	181	8886
21	4488-4512	182	8935
22	4513-4537	183	8985
23	4538-4562	184	9034
24	4563-4587	185	9084
25	4588-4612	186	9133
26	4613-4637	187	9183
27	4638-4662	188	9232
28	4663-4687	189	9282
29	4688-4712	190	9331
30	4713-4737	191	9381



1	4738-4762	192	9430
2	4763-4787	193	9480
3	4788-4812	194	9529
4	4813-4837	195	9579
5	4838-4862	196	9628
6	4863-4887	197	9678
7	4888-4912	198	9727
8	4913-4937	199	9777
9	4938-4962	200	9826
10	4963-4987	201	9876
11	4988-5012	202	9925
12	5013-5037	203	9975
13	5038-5062	204	10024
14	5063-5087	205	10074
15	5088-5112	206	10123
16	5113-5137	207	10173
17	5138-5162	208	10222
18	5163-5187	209	10272
19	5188-5212	210	10321
20	5213-5237	211	10371
21	5238-5262	212	10420
22	5263-5287	213	10470
23	5288-5312	214	10519
24	5313-5337	215	10569
25	5338-5362	216	10618
26	5363-5387	217	10668
27	5388-5412	218	10717
28	5413-5437	219	10767
29	5438-5462	220	10816
30	5463-5487	221	10866

1	5488-5512	222	10915
2	5513-5537	223	10965
3	5538-5562	224	11014
4	5563-5587	225	11064
5	5588-5612	226	11113
6	5613-5637	227	11163
7	5638-5662	228	11212
8	5663-5687	229	11262
9	5688-5712	230	11311
10	5713-5737	231	11361
11	5738-5762	232	11410
12	5763-5787	233	11460
13	5788-5812	234	11509
14	5813-5837	235	11559
15	5838-5862	236	11608
16	5863-5887	237	11658
17	5888-5912	238	11707
18	5913-5937	239	11757
19	5938-5962	240	11806
20	5963-5987	241	11856
21	5988-6012	242	11905
22	6013-6037	243	11955
23	6038-6062	244	12004
24	6063-6087	245	12054
25	6088-6112	246	12103
26	6113-6137	247	12153
27	6138-6162	248	12202
28	6163-6187	249	12252
29	6188-6212	250	12301
30	6213-6237	251	12351

1	6238-6262	252	12400
2	6263-6287	253	12450
3	6288-6312	254	12500
4	6313-6337	255	12549
5	6338-6362	256	12599
6	6363-6387	257	12648
7	6388-6412	258	12698
8	6413-6437	259	12747
9	6438-6462	260	12797
10	6463-6487	261	12846
11	6488-6512	262	12896
12	6513-6537	263	12945
13	6538-6562	264	12995
14	6563-6587	265	13044
15	6588-6612	266	13094
16	6613-6637	267	13143
17	6638-6662	268	13193
18	6663-6687	269	13242
19	6688-6712	270	13292
20	6713-6737	271	13341
21	6738-6762	272	13391
22	6763-6787	273	13440
23	6788-6812	274	13490
24	6813-6837	275	13539
25	6838-6862	276	13589
26	6863-6887	277	13638
27	6888-6912	278	13688
28	6913-6937	279	13737
29	6938-6962	280	13787
30	6963-6987	281	13836

1	6988-7012	282	13886
2	7013-7037	283	13935
3	7038-7062	284	13985
4	7063-7087	285	14034
5	7088-7112	286	14084
6	7113-7137	287	14133
7	7138-7162	288	14183
8	7163-7187	289	14232
9	7188-7212	290	14282
10	7213-7237	291	14331
11	7238-7262	292	14381
12	7263-7287	293	14430
13	7288-7312	294	14480
14	7313-7337	295	14529
15	7338-7362	296	14579
16	7363-7387	297	14628
17	7388-7412	298	14678
18	7413-7437	299	14727
19	7438-7462	300	14777
20	7463-7487	301	14826
21	7488-7512	302	14876
22	7513-7537	303	14925
23	7538-7562	304	14975
24	7563-7587	305	15024
25	7588-7612	306	15074
26	7613-7637	307	15123
27	7638-7662	308	15173
28	7663-7687	309	15222
29	7688-7712	310	15272
30	7713-7737	311	15321

1	7738-7762	312	15371
2	7763-7787	313	15420
3	7788-7812	314	15470
4	7813-7837	315	15519
5	7838-7862	316	15569
6	7863-7887	317	15618
7	7888-7912	318	15668
8	7913-7937	319	15717
9	7938-7962	320	15767
10	7963-7987	321	15816
11	7988-8012	322	15866
12	8013-8037	323	15915
13	8038-8062	324	15965
14	8063-8087	325	16014
15	8088-8112	326	16064
16	8113-8137	327	16113
17	8138-8162	328	16163
18	8163-8187	329	16212
19	8188-8212	330	16262
20	8213-8237	331	16311
21	8238-8262	332	16361
22	8263-8287	333	16410
23	8288-8312	334	16460
24	8313-8337	335	16509
25	8338-8362	336	16559
26	8363-8387	337	16608
27	8388-8412	338	16658
28	8413-8437	339	16707
29	8438-8462	340	16757
30	8463-8487	341	16806

1	8488-8512	342	16856
2	8513-8537	343	16905
3	8538-8562	344	16955
4	8563-8587	345	17004
5	8588-8612	346	17054
6	8613-8637	347	17103
7	8638-8662	348	17153
8	8663-8687	349	17202
9	8688-8712	350	17252
10	8713-8737	351	17301
11	8738-8762	352	17351
12	8763-8787	353	17400
13	8788-8812	354	17450
14	8813-8837	355	17500
15	8838-8862	356	17549
16	8863-8887	357	17599
17	8888-8912	358	17648
18	8913-8937	359	17698
19	8938-8962	360	17747
20	8963-8987	361	17797
21	8988-9012	362	17846
22	9013-9037	363	17896
23	9038-9062	364	17945
24	9063-9087	365	17995
25	9088-9112	366	18044
26	9113-9137	367	18094
27	9138-9162	368	18143
28	9163-9187	369	18193
29	9188-9212	370	18242
30	9213-9237	371	18292

1	9238-9262	372	18341
2	9263-9287	373	18391
3	9288-9312	374	18440
4	9313-9337	375	18490
5	9338-9362	376	18539
6	9363-9387	377	18589
7	9388-9412	378	18638
8	9413-9437	379	18688
9	9438-9462	380	18737
10	9463-9487	381	18787
11	9488-9512	382	18836
12	9513-9537	383	18886
13	9538-9562	384	18935
14	9563-9587	385	18985
15	9588-9612	386	19034
16	9613-9637	387	19084
17	9638-9662	388	19133
18	9663-9687	389	19183
19	9688-9712	390	19232
20	9713-9737	391	19282
21	9738-9762	392	19331
22	9763-9787	393	19381
23	9788-9812	394	19430
24	9813-9837	395	19480
25	9838-9862	396	19529
26	9863-9887	397	19579
27	9888-9912	398	19628
28	9913-9937	399	19678
29	9938-9962	400	19727
30	9963-9987	401	19777

1	9988-10012	402	19826
2	10013-10037	403	19876
3	10038-10062	404	19925
4	10063-10087	405	19975
5	10088-10112	406	20024
6	10113-10137	407	20074
7	10138-10162	408	20123
8	10163-10187	409	20173
9	10188-10212	410	20222
10	10213-10237	411	20272
11	10238-10262	412	20321
12	10263-10287	413	20371
13	10288-10312	414	20420
14	10313-10337	415	20470
15	10338-10362	416	20519
16	10363-10387	417	20569
17	10388-10412	418	20618
18	10413-10437	419	20668
19	10438-10462	420	20717
20	10463-10487	421	20767
21	10488-10512	422	20816
22	10513-10537	423	20866
23	10538-10562	424	20915
24	10563-10587	425	20965
25	10588-10612	426	21014
26	10613-10637	427	21064
27	10638-10662	428	21113
28	10663-10687	429	21163
29	10688-10712	430	21212
30	10713-10737	431	21262



1	10738-10762	432	21311
2	10763-10787	433	21361
3	10788-10812	434	21410
4	10813-10837	435	21460
5	10838-10862	436	21509
6	10863-10887	437	21559
7	10888-10912	438	21608
8	10913-10937	439	21658
9	10938-10962	440	21707
10	10963-10987	441	21757
11	10988-11012	442	21806
12	11013-11037	443	21856
13	11038-11062	444	21905
14	11063-11087	445	21955
15	11088-11112	446	22004
16	11113-11137	447	22054
17	11138-11162	448	22103
18	11163-11187	449	22153
19	11188-11212	450	22202
20	11213-11237	451	22252
21	11238-11262	452	22301
22	11263-11287	453	22351
23	11288-11312	454	22400
24	11313-11337	455	22450
25	11338-11362	456	22500
26	11363-11387	457	22549
27	11388-11412	458	22599
28	11413-11437	459	22648
29	11438-11462	460	22698
30	11463-11487	461	22747

1	11488-11512	462	22797
2	11513-11537	463	22846
3	11538-11562	464	22896
4	11563-11587	465	22945
5	11588-11612	466	22995
6	11613-11637	467	23044
7	11638-11662	468	23094
8	11663-11687	469	23143
9	11688-11712	470	23193
10	11713-11737	471	23242
11	11738-11762	472	23292
12	11763-11787	473	23341
13	11788-11812	474	23391
14	11813-11837	475	23440
15	11838-11862	476	23490
16	11863-11887	477	23539
17	11888-11912	478	23589
18	11913-11937	479	23638
19	11938-11962	480	23688
20	11963-11987	481	23737
21	11988-12012	482	23787
22	12013-12037	483	23836
23	12038-12062	484	23886
24	12063-12087	485	23935
25	12088-12112	486	23985
26	12113-12137	487	24034
27	12138-12162	488	24084
28	12163-12187	489	24133
29	12188-12212	490	24183
30	12213-12237	491	24232

1	12238-12262	492	24282
2	12263-12287	493	24331
3	12288-12312	494	24381
4	12313-12337	495	24430
5	12338-12362	496	24480
6	12363-12387	497	24529
7	12388-12412	498	24579
8	12413-12437	499	24628
9	12438-12462	500	24678
10	12463-12487	501	24727
11	12488-12512	502	24777
12	12513-12537	503	24826
13	12538-12562	504	24876
14	12563-12587	505	24925
15	12588-12612	506	24975
16	12613-12637	507	25024
17	12638-12662	508	25074
18	12663-12687	509	25123
19	12688-12712	510	25173
20	12713-12737	511	25222
21	12738-12762	512	25272
22	12763-12787	513	25321
23	12788-12812	514	25371
24	12813-12837	515	25420
25	12838-12862	516	25470
26	12863-12887	517	25519
27	12888-12912	518	25569
28	12913-12937	519	25618
29	12938-12962	520	25668
30	12963-12987	521	25717

1	12988-13012	522	25767
2	13013-13037	523	25816
3	13038-13062	524	25866
4	13063-13087	525	25915
5	13088-13112	526	25965
6	13113-13137	527	26014
7	13138-13162	528	26064
8	13163-13187	529	26113
9	13188-13212	530	26163
10	13213-13237	531	26212
11	13238-13262	532	26262
12	13263-13287	533	26311
13	13288-13312	534	26361
14	13313-13337	535	26410
15	13338-13362	536	26460
16	13363-13387	537	26509
17	13388-13412	538	26559
18	13413-13437	539	26608
19	13438-13462	540	26658
20	13463-13487	541	26707
21	13488-13512	542	26757
22	13513-13537	543	26806
23	13538-13562	544	26856
24	13563-13587	545	26905
25	13588-13612	546	26955
26	13613-13637	547	27004
27	13638-13662	548	27054
28	13663-13687	549	27103
29	13688-13712	550	27153
30	13713-13737	551	27202

1	13738-13762	552	27252
2	13763-13787	553	27301
3	13788-13812	554	27351
4	13813-13837	555	27400
5	13838-13862	556	27450
6	13863-13887	557	27500
7	13888-13912	558	27549
8	13913-13937	559	27599
9	13938-13962	560	27648
10	13963-13987	561	27698
11	13988-14012	562	27747
12	14013-14037	563	27797
13	14038-14062	564	27846
14	14063-14087	565	27896
15	14088-14112	566	27945
16	14113-14137	567	27995
17	14138-14162	568	28044
18	14163-14187	569	28094
19	14188-14212	570	28143
20	14213-14237	571	28193
21	14238-14262	572	28242
22	[14263 OR MORE	573	AMOUNT REQUIRED UNDER
23			SECTION 401 (A) (2) ]
24	<u>14263 OR MORE</u>	<u>573</u>	<u>28292*</u>

25 \*THE CLAIMANT SHALL BE INELIGIBLE FOR COMPENSATION UNLESS FORTY-  
26 NINE AND ONE-HALF PER CENTUM (49.5%) OF THIS AMOUNT WAS PAID IN  
27 A QUARTER OR QUARTERS OF THE BASE YEAR OTHER THAN THE HIGHEST  
28 QUARTER.

29 (2) (I) THE TABLE SPECIFIED FOR THE DETERMINATION OF RATE  
30 AND AMOUNT OF BENEFITS SHALL BE EXTENDED OR CONTRACTED ANNUALLY,

1 AUTOMATICALLY BY REGULATIONS PROMULGATED BY THE SECRETARY. THE  
2 TABLE SHALL BE EXTENDED OR CONTRACTED IN ACCORDANCE WITH THE  
3 FOLLOWING:

4 (A) THE TABLE SHALL BE EXTENDED OR CONTRACTED TO A POINT  
5 WHERE THE MAXIMUM WEEKLY BENEFIT RATE SHALL EQUAL SIXTY-SIX AND  
6 TWO-THIRDS PER CENTUM (66 2/3%) OF THE AVERAGE WEEKLY WAGE FOR  
7 THE THIRTY-SIX-MONTH PERIOD ENDING JUNE 30 PRECEDING EACH  
8 CALENDAR YEAR. IF THE MAXIMUM WEEKLY BENEFIT RATE IS NOT A  
9 MULTIPLE OF ONE DOLLAR (\$1), IT SHALL BE ROUNDED TO THE NEXT  
10 LOWER MULTIPLE OF ONE DOLLAR (\$1).

11 (B) WHEN IT IS NECESSARY TO EXTEND THE TABLE, IT SHALL BE  
12 DONE IN ACCORDANCE WITH THE FOLLOWING PROCEDURE:

13 (I) THE WORDS "OR MORE" SHALL BE DELETED FROM THE LAST LINE  
14 UNDER PART A, AND AN AMOUNT TWENTY-FOUR DOLLARS (\$24) GREATER  
15 THAN THE FIRST ENTRY IN THAT LINE SHALL BE SUBSTITUTED THEREFOR.  
16 [THE WORDS "AMOUNT REQUIRED UNDER SECTION 401 (A) (2)" SHALL BE  
17 DELETED FROM THE LAST LINE UNDER PART C.]

18 (II) PART A SHALL BE EXTENDED AS MUCH AS NECESSARY BY ADDING  
19 TWENTY-FIVE DOLLARS (\$25) TO EACH AMOUNT OF THE PRECEDING LINE.  
20 AT THE POINT WHERE THE ENTRY IN PART B EQUALS SIXTY-SIX AND TWO-  
21 THIRDS PER CENTUM (66 2/3%) OF THE AVERAGE WEEKLY WAGE, THE  
22 FIRST ENTRY IN PART A SHALL CONSIST OF AN AMOUNT TWENTY-FIVE  
23 DOLLARS (\$25) GREATER THAN THE SMALLER AMOUNT IN THE PRECEDING  
24 LINE, AND THE WORDS "OR MORE" SHALL BE ADDED.

25 (III) PART B SHALL BE EXTENDED IN INCREMENTS OF ONE DOLLAR  
26 (\$1) UNTIL THAT POINT IS REACHED WHERE THE AMOUNT IS EQUAL TO  
27 SIXTY-SIX AND TWO-THIRDS PER CENTUM (66 2/3%) OF THE AVERAGE  
28 WEEKLY WAGE.

29 (IV) PART C SHALL BE EXTENDED TO THE POINT WHERE, UNDER PART  
30 B, THE AMOUNT IS EQUAL TO SIXTY-SIX AND TWO-THIRDS PER CENTUM

1 (66 2/3%) OF THE AVERAGE WEEKLY WAGE.

2 (A) THE AMOUNT ON EACH LINE IN PART C [OTHER THAN THE LAST  
3 LINE] SHALL BE DERIVED FROM THE FIRST ENTRY ON THE SAME LINE IN  
4 PART A, IN ACCORDANCE WITH THE FOLLOWING FORMULA:

5 (FIRST ENTRY IN PART A PLUS TWENTY-FOUR DOLLARS (\$24)) X 100  
6 DIVIDED BY FIFTY AND ONE-HALF (50.5)

7 IF THE AMOUNT DETERMINED BY THIS FORMULA IS NOT AN EVEN  
8 MULTIPLE OF ONE DOLLAR (\$1), IT SHALL BE ROUNDED TO THE NEXT  
9 HIGHER MULTIPLE OF ONE DOLLAR (\$1).

10 [(B) THE LAST LINE IN PART C SHALL CONTAIN THE WORDS "AMOUNT  
11 REQUIRED UNDER SECTION 401(A)(2)."]

12 (C) WHEN IT IS NECESSARY TO CONTRACT THE TABLE, IT SHALL BE  
13 DONE BY DELETING ALL LINES FOLLOWING THAT IN WHICH THE AMOUNT IN  
14 PART B IS SIXTY-SIX AND TWO-THIRDS PER CENTUM (66 2/3%) OF THE  
15 AVERAGE WEEKLY WAGE, SUBSTITUTING THE WORDS "OR MORE" FOR THE  
16 HIGHER AMOUNT UNDER PART A ON THAT LINE [AND SUBSTITUTING THE  
17 WORDS "AMOUNT REQUIRED UNDER SECTION 401(A)(2)" FOR THE AMOUNT  
18 UNDER PART C ON THAT LINE].

19 (D) THE TABLE SPECIFIED FOR THE DETERMINATION OF RATE AND  
20 AMOUNT OF BENEFITS AS SO EXTENDED OR CONTRACTED SHALL BE  
21 EFFECTIVE ONLY FOR THOSE CLAIMANTS WHOSE BENEFIT YEARS BEGIN ON  
22 OR AFTER THE FIRST DAY OF JANUARY OF SUCH CALENDAR YEAR.

23 (II) FOR THE PURPOSE OF DETERMINING THE MAXIMUM WEEKLY  
24 BENEFIT RATE, THE PENNSYLVANIA AVERAGE WEEKLY WAGE IN COVERED  
25 EMPLOYMENT SHALL BE COMPUTED ON THE BASIS OF THE AVERAGE ANNUAL  
26 TOTAL WAGES REPORTED (IRRESPECTIVE OF THE LIMIT ON THE AMOUNT OF  
27 WAGES SUBJECT TO CONTRIBUTIONS) FOR THE THIRTY-SIX-MONTH PERIOD  
28 ENDING JUNE 30 (DETERMINED BY DIVIDING THE TOTAL WAGES REPORTED  
29 FOR THE THIRTY-SIX-MONTH PERIOD BY THREE) AND THIS AMOUNT SHALL  
30 BE DIVIDED BY THE AVERAGE MONTHLY NUMBER OF COVERED WORKERS

1 (DETERMINED BY DIVIDING THE TOTAL COVERED EMPLOYMENT REPORTED  
2 FOR THE SAME THIRTY-SIX-MONTH PERIOD BY THIRTY-SIX) TO DETERMINE  
3 THE AVERAGE ANNUAL WAGE. THE AVERAGE ANNUAL WAGE THUS OBTAINED  
4 SHALL BE DIVIDED BY FIFTY-TWO AND THE AVERAGE WEEKLY WAGE THUS  
5 DETERMINED ROUNDED TO THE NEAREST CENT.

6 (III) NOTWITHSTANDING SUBCLAUSE (I), IF THE MAXIMUM WEEKLY  
7 BENEFIT RATE DETERMINED UNDER SUBCLAUSE (I) IS GREATER THAN FIVE  
8 HUNDRED SEVENTY-THREE DOLLARS (\$573), THE MAXIMUM WEEKLY BENEFIT  
9 RATE SHALL BE SUBJECT TO THE FOLLOWING LIMITATIONS:

10 (A) FOR CALENDAR YEARS 2013 THROUGH 2019, THE MAXIMUM WEEKLY  
11 BENEFIT RATE SHALL BE FIVE HUNDRED SEVENTY-THREE DOLLARS (\$573).

12 (B) FOR EACH CALENDAR YEAR 2020 THROUGH 2023, THE MAXIMUM  
13 WEEKLY BENEFIT RATE MAY INCREASE FROM YEAR TO YEAR BY AN AMOUNT  
14 THAT IS NO MORE THAN EIGHT PER CENTUM (8%) OF THE MAXIMUM WEEKLY  
15 BENEFIT RATE FOR THE PRECEDING YEAR.

16 (C) IF THE MAXIMUM WEEKLY BENEFIT RATE DETERMINED UNDER THIS  
17 SUBCLAUSE IS NOT AN EVEN MULTIPLE OF ONE DOLLAR (\$1), IT SHALL  
18 BE ROUNDED TO THE NEXT LOWER MULTIPLE OF ONE DOLLAR (\$1).

19 \* \* \*

20 Section ~~2~~ 4. Section 701 of the act is amended to read: <--

21 Section 701. Certain Agreements Void; Penalty.--No agreement  
22 by an employe to waive, release, or commute his rights to  
23 compensation, or any other rights under this act, shall be  
24 valid. No agreement by an employe or by employes to pay all or  
25 any portion of an employer's contributions, required under this  
26 act from such employer, shall be valid. No employer shall,  
27 directly or indirectly, make or require or accept any deduction  
28 from the remuneration of individuals in his employ to finance  
29 contributions required from him under this act, or require or  
30 accept any waiver by an employe of any right hereunder. Any



1 employer or officer or agent of an employer who violates any  
2 provision of this section shall be guilty of a misdemeanor, and,  
3 upon conviction thereof, shall be sentenced for each offense to  
4 pay a fine of not less than [one hundred dollars] five hundred  
5 dollars nor more than [one thousand dollars] one thousand five  
6 hundred dollars, or be imprisoned for not more than six months,  
7 or both.

8 Section 3 5. Section 801 of the act, amended December 9, <--  
9 2002 (P.L.1336, No.158) AND OCTOBER 23, 2013 (P.L.637, NO.75), <--  
10 is amended to read:

11 Section 801. False Statements and Representations to Obtain  
12 or Increase Compensation.--(a) Whoever makes a false statement  
13 or representation knowing it to be false, or knowingly fails to  
14 disclose a material fact to obtain or increase any compensation  
15 or other payment under this act or under an employment security  
16 law of any other state or of the Federal Government or of a  
17 foreign government, either for himself or for any other person,  
18 shall upon conviction thereof in a summary proceeding, be  
19 sentenced to pay a fine of not less than [one] five hundred  
20 dollars nor more than one thousand five hundred dollars, or  
21 shall be sentenced to imprisonment for not longer than thirty  
22 days, or both, and each such false statement or representation  
23 or failure to disclose a material fact shall constitute a  
24 separate offense. In addition to any other sanction, an  
25 individual convicted under this subsection shall be ordered to  
26 make restitution of the compensation to which the individual was  
27 not entitled and of interest on that compensation in accordance  
28 with section 804(a).

29 (b) Whoever makes a false statement knowing it to be false,  
30 or knowingly fails to disclose a material fact to obtain or

1 increase any compensation or other payment under this act or  
2 under an employment security law of any other state or of the  
3 Federal Government or of a foreign government, may be  
4 disqualified in addition to such week or weeks of improper  
5 payments for a penalty period of [two] ten weeks and for not  
6 more than one additional week for each such week of improper  
7 payment: Provided, That no additional weeks of disqualification  
8 shall be imposed under this section if prosecution proceedings  
9 have been instituted against the claimant because of such  
10 misrepresentation or non-disclosure. The departmental  
11 determination imposing penalty weeks under the provisions of  
12 this subsection shall be subject to appeal in the manner  
13 provided in this act for appeals from determinations of  
14 compensation. The penalty weeks herein provided for shall be  
15 imposed against any weeks with respect to which the claimant  
16 would otherwise be eligible for compensation[, under the  
17 provisions of this act, which begin within the four year period  
18 following the end of the benefit year with respect to which the  
19 improper payment or payments occurred].

20 ~~(c) Whoever makes a false statement knowing it to be false, <--~~  
21 ~~or knowingly fails to disclose a material fact to obtain or~~  
22 ~~increase any compensation or other payment under this act or~~  
23 ~~under an employment security law of the Federal Government, and~~  
24 ~~as a result receives compensation to which he is not entitled,~~  
25 ~~shall be liable to pay to the Unemployment Compensation Fund a~~  
26 ~~sum equal to fifteen percentum (15%) of the amount of such~~  
27 ~~compensation. The sum shall be collectible in the manner~~  
28 ~~provided in section 308.1 or 309 for the collection of past due~~  
29 ~~contributions and by any other means available under Federal or~~  
30 ~~State law. No administrative or legal proceeding for the~~

~~1 collection of such sum shall be instituted after the expiration  
2 of twelve years following the end of the benefit year with  
3 respect to which such sum was paid.~~

4 (C) WHOEVER MAKES A FALSE STATEMENT KNOWING IT TO BE FALSE, <--  
5 OR KNOWINGLY FAILS TO DISCLOSE A MATERIAL FACT TO OBTAIN OR  
6 INCREASE COMPENSATION OR OTHER PAYMENT UNDER THIS ACT OR UNDER  
7 AN EMPLOYMENT SECURITY LAW OF THE FEDERAL GOVERNMENT AND AS A  
8 RESULT RECEIVES COMPENSATION TO WHICH HE IS NOT ENTITLED SHALL  
9 BE LIABLE TO PAY TO THE UNEMPLOYMENT COMPENSATION FUND A SUM  
10 EQUAL TO FIFTEEN PER CENTUM (15%) OF THE AMOUNT OF THE  
11 COMPENSATION. THE SUM SHALL BE COLLECTIBLE IN THE MANNER  
12 PROVIDED IN SECTION 308.1 OR 309 OF THIS ACT FOR THE COLLECTION  
13 OF PAST DUE CONTRIBUTIONS AND BY ANY OTHER MEANS AVAILABLE UNDER  
14 FEDERAL OR STATE LAW. NO ADMINISTRATIVE OR LEGAL PROCEEDING FOR  
15 THE COLLECTION OF THE SUM MAY BE INSTITUTED AFTER THE EXPIRATION  
16 OF TEN YEARS FOLLOWING THE END OF THE BENEFIT YEAR WITH RESPECT  
17 TO WHICH THE SUM WAS PAID.

18 (d) Subsection (b) shall be applied by substituting fifty-  
19 two weeks for ten weeks and the prohibition in subsection (b) on  
20 the imposition of penalty weeks if prosecution proceedings have  
21 been instituted shall not apply in any of the following  
22 circumstances:

23 (1) An incarcerated individual makes a false statement  
24 knowing it to be false, or knowingly fails to disclose a  
25 material fact to obtain or increase any compensation or other  
26 payment under this act, or under an employment security law of  
27 the Federal Government for which he is ineligible under section  
28 401(b) or 402.6.

29 (2) An incarcerated individual knowingly provides  
30 information or other means to another person whereby the other

1 person claims compensation in the name of the incarcerated  
2 individual for which the incarcerated individual is ineligible  
3 under section 401(d) or 402.6.

4 Section 4 6. Section 802(a) of the act, amended June 15, <--  
5 2005 (P.L.8, No.5), is amended to read:

6 Section 802. False Statements and Representations to Prevent  
7 or Reduce Compensation; Other Offenses.--(a) Any employer  
8 (whether or not liable for the payment of contributions under  
9 this act) or any officer or agent of such employer or any other  
10 person who does any of the following commits a summary offense  
11 and shall, upon conviction, be sentenced to pay a fine of not  
12 less than [one] five hundred dollars nor more than fifteen  
13 hundred dollars or to imprisonment for not longer than thirty  
14 days, or both:

15 (1) makes a false statement or representation knowing it to  
16 be false, or who knowingly fails to disclose a material fact to  
17 prevent or reduce the payment of compensation to any employe  
18 entitled thereto, or to avoid becoming or remaining subject  
19 hereto, or to avoid or reduce any contribution or other payment  
20 required from an employer under this act;

21 (2) wilfully fails or refuses to make any such contribution  
22 or other payment required hereunder;

23 (3) wilfully fails or refuses to produce or permit the  
24 inspection or copying of records as required hereunder;

25 (4) wilfully fails or refuses to furnish any report required  
26 by section 304 or 315 of this act or any other provision of this  
27 act or the rules or regulations of the department; or

28 (5) wilfully reports or attempts to report the wages of one  
29 or more employes to the department on an unemployment  
30 compensation account other than the account of the employer

1 under this act; or

2 (6) wilfully advises, solicits, encourages or commands an  
3 employer or an officer or agent of an employer or any other  
4 person to engage in an act or omission that is an offense under  
5 this section.

6 \* \* \*

7 Section ~~5~~ 7. Section 803 of the act, amended December 9, <--  
8 2002 (P.L.1336, No.158), is amended to read:

9 Section 803. Violation of Act and Rules and Regulations.--  
10 Any person who shall wilfully violate any provision of this act  
11 or any rule or regulation thereunder, the violation of which is  
12 made unlawful, or the observance of which is required under the  
13 terms of this act, and for which a penalty is neither prescribed  
14 herein nor provided by any other applicable statute, shall, upon  
15 conviction thereof in a summary proceeding, be sentenced to pay  
16 a fine of not less than [one] five hundred dollars nor more than  
17 one thousand five hundred dollars or to imprisonment for not  
18 longer than thirty days, or both. Each day such violation  
19 continues shall be deemed to be a separate offense.

20 Section ~~6~~ 8. This act shall apply as follows: <--

21 (1) The amendment of sections 206(c), 701, 801(a),  
22 802(a) and 803 of the act shall apply to offenses committed  
23 on or after the effective date of this section.

24 (2) The amendment of section 206(d) of the act shall  
25 apply to reports required on or after the effective date of  
26 this section.

27 (3) THE AMENDMENT OF SECTION 404(E) (1) AND (2) OF THE <--  
28 ACT SHALL APPLY TO BENEFIT YEARS BEGINNING ON OR AFTER THE  
29 EFFECTIVE DATE OF THIS SECTION.

30 ~~(3)~~ (4) The amendment or addition of section 801(b), ~~(c)~~ <--

1 and (d) (1) of the act shall apply to false statements and  
2 failures to disclose that occur on or after the effective  
3 date of this section.

4 ~~(4)~~ (5) The addition of section 801(d) (2) of the act <--  
5 shall apply to information or other means provided on or  
6 after the effective date of this section.

7 Section 7 9. This act shall take effect immediately. <--