

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1292 Session of
2011

INTRODUCED BY BLAKE, FONTANA, M. WHITE, COSTA, BREWSTER,
WASHINGTON AND STACK, OCTOBER 24, 2011

REFERRED TO LABOR AND INDUSTRY, OCTOBER 24, 2011

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)(17) of the act of December 5,
20 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the
21 Unemployment Compensation Law, is amended 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 (17) Service performed by an individual for an employer as
5 an insurance agent or real estate salesman or as an insurance
6 solicitor or as a real estate broker or as a licensed public
7 adjuster or public adjuster solicitor or as a solicitor of
8 applications for, or salesman of, shares of or certificates
9 issued by an investment company, or as an agent of an investment
10 company, if all such service performed by such individual for
11 such employer is performed for remuneration solely by way of
12 commission, or services performed by an individual as an
13 unsalaried correspondent for a newspaper, who receives no
14 compensation, or compensation only for copy accepted for
15 publication.

16 * * *

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