

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2553** Session of  
2002

INTRODUCED BY SCRIMENTI, BELFANTI, GEORGE, GRUCELA, PISTELLA,  
DALEY, LAUGHLIN, FREEMAN, J. WILLIAMS, THOMAS, SOLOBAY,  
MELIO, JAMES, BEBKO-JONES, TANGRETTI, WASHINGTON, TRELLO,  
SHANER, CRUZ AND HORSEY, APRIL 11, 2002

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 11, 2002

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as  
2 reenacted and amended, "An act defining the liability of an  
3 employer to pay damages for injuries received by an employe  
4 in the course of employment; establishing an elective  
5 schedule of compensation; providing procedure for the  
6 determination of liability and compensation thereunder; and  
7 prescribing penalties," further defining "injury," "personal  
8 injury" and "injury arising in the course of his employment."

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

11 Section 1. Section 301(c)(2) of the act of June 2, 1915  
12 (P.L.736, No.338), known as the Workers' Compensation Act,  
13 reenacted and amended June 21, 1939 (P.L.520, No.281) and  
14 amended December 5, 1974 (P.L.782, No.263), is amended to read:

15 Section 301. \* \* \*

16 (c) \* \* \*

17 (2) The terms "injury," "personal injury," and "injury  
18 arising in the course of his employment," as used in this act,  
19 shall include, unless the context clearly requires otherwise,  
20 occupational disease as defined in section 108 of this act:

1 Provided, That whenever occupational disease is the basis for  
2 compensation, for disability or death under this act, it shall  
3 apply only to disability or death resulting from such disease  
4 and, except for occupational diseases under section 108,  
5 subsection (1), occurring within three hundred weeks after the  
6 last date of employment in an occupation or industry to which he  
7 was exposed to hazards of such disease: And provided further,  
8 That if the employe's compensable disability has occurred within  
9 such period, his subsequent death as a result of the disease  
10 shall likewise be compensable. The provisions of this paragraph  
11 (2) shall apply only with respect to the disability or death of  
12 an employe which results in whole or in part from the employe's  
13 exposure to the hazard of occupational disease after June 30,  
14 1973 in employment covered by The Pennsylvania Workmen's  
15 Compensation Act. The employer liable for compensation provided  
16 by section 305.1 or section 108, subsections (k), (l), (m), (o),  
17 (p) or (q), shall be the employer in whose employment the  
18 employe was last exposed for a period of not less than one year  
19 to the hazard of the occupational disease claimed. In the event  
20 the employe did not work in an exposure at least one year for  
21 any employer during the three hundred week period prior to  
22 disability or death, except for occupational diseases under  
23 section 108, subsection (1), the employer liable for the  
24 compensation shall be that employer giving the longest period of  
25 employment in which the employe was exposed to the hazards of  
26 the disease claimed.

27 \* \* \*

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