

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 858 Session of 2013

INTRODUCED BY MAJOR, PEIFER, O'NEILL, V. BROWN, CAUSER, METCALFE, READSHAW, KAUFFMAN, HESS, BAKER, TOEPEL, MARSHALL, SWANGER, PICKETT, EVERETT, JAMES, KNOWLES, BOBACK, MOUL, TALLMAN, C. HARRIS, TRUITT, M. K. KELLER, GINGRICH, STEVENSON, ROSS, MILNE, GILLEN, GROVE, GABLER, MURT, DENLINGER, WATSON AND CLYMER, MARCH 11, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 11, 2013

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 defining
 16 "employment."

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

1 context clearly requires otherwise.

2 * * *

3 (1) * * *

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

5 * * *

6 (21) Services performed by a full-time student in the employ
7 of an organized camp if:

8 (i) such camp did not operate for more than seven (7) months
9 in the calendar year and did not operate for more than seven (7)
10 months in the preceding calendar year; or had average gross
11 receipts for any six (6) months in the preceding calendar year
12 which were not more than thirty-three and one-third percent (33
13 1/3%) of its average gross receipts for the other six (6) months
14 in the preceding calendar year; and

15 (ii) such full-time student performs services in the employ
16 of such camp for less than thirteen (13) calendar weeks in any
17 such year.

18 (A) For purposes of this subparagraph, an individual shall
19 be treated as a full-time student for any period during which
20 the individual is enrolled as a full-time student at an
21 educational institution; or which is between academic years or
22 terms if the individual was enrolled as a full-time student at
23 an educational institution for the immediately preceding
24 academic year or term and there is a reasonable assurance that
25 the individual will be so enrolled for the immediately
26 succeeding academic year or term.

27 (B) For purposes of this subparagraph, the term "educational
28 institution" shall mean any educational institution of
29 secondary, higher educational, professional or vocational
30 educational training.

1 (C) For purposes of this subparagraph, the term "camp" shall
2 mean a children's overnight camp or a summer day camp of any
3 variety.

4 * * *

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