

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1020** Session of  
1989

INTRODUCED BY ITKIN, E. Z. TAYLOR, COHEN, VEON, DORR, NAHILL,  
ROBINSON, BATTISTO, JOHNSON, OLASZ, MERRY, TRELLO, ALLEN,  
MICHLOVIC, NOYE, BILLOW, GEIST, ADOLPH, RICHARDSON, LANGTRY,  
THOMAS, G. SNYDER, FARGO AND JAMES, APRIL 5, 1989

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 29, 1989

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 penalties for failure to file certain reports.

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

19 Section 1. Section 206(d) of the act of December 5, 1936  
20 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
21 Compensation Law, amended July 21, 1983 (P.L.68, No.30), is  
22 amended to read:

23 Section 206. Records of and Reports by Employers.--\* \* \*

1 (d) Any employer who has been determined by the department  
2 to be subject to the reporting provisions of this act and has  
3 been so notified, and who neglects or refuses to file or to  
4 complete in such manner as the department may prescribe either  
5 the periodic report required by the department to establish the  
6 amount of such contributions or the periodic report required by  
7 the department showing the amount of wages paid to each employe,  
8 or both, on or before the date such reports are required to be  
9 ~~filed, shall pay a penalty of one [hundred] per centum [(100%)]~~ <—  
10 ~~(1%)~~ FILED, SHALL PAY A PENALTY OF [ONE HUNDRED PER CENTUM <—  
11 (100%)] TEN PER CENTUM (10%) of the total amount of <—  
12 contributions paid or payable by the employer or employe as the  
13 case may be for the period ~~with each day of neglect or refusal~~ <—  
14 ~~being considered a separate violation~~: Provided, That such  
15 penalty shall be not less than [one dollar (\$1)] TEN DOLLARS <—  
16 (\$10) or, in the aggregate, more than one hundred dollars  
17 (\$100). Such penalty shall apply to the reports for each period  
18 with respect to which such reports are required to be filed:  
19 Provided, That such penalty shall not apply to reports for any  
20 period with respect to which the last day for filing such  
21 reports is prior to a date on which the department has notified  
22 the employer that he has been determined an employer subject to  
23 the reporting provisions of this act, unless the reports for  
24 such prior periods are not filed within thirty (30) days after  
25 the employer has been so notified. The penalties provided by  
26 this section shall be in addition to all other penalties  
27 provided for in this act.

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