

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 421 Session of 2013

INTRODUCED BY C. HARRIS, BENNINGHOFF, MILLARD, TALLMAN, CAUSER, LAWRENCE, MACKENZIE, AUMENT, F. KELLER, METCALFE, CUTLER, TOEPEL, BLOOM, SWANGER, SAYLOR, O'NEILL, GROVE, M. K. KELLER, FLECK, HICKERNELL, TRUITT, ROSS, EVERETT, CLYMER, DENLINGER, MATZIE, COX, GIBBONS, MOUL, MILLER, MILNE AND GRELL, JANUARY 30, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JANUARY 30, 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 providing for  
 16 ineligibility for compensation.

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

19 Section 1. Section 402 of the act of December 5, 1936 (2nd  
 20 Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment  
 21 Compensation Law, is amended by adding a subsection to read:

22 Section 402. Ineligibility for Compensation.--An employe  
 23 shall be ineligible for compensation for any week--

1 \* \* \*

2 (k) In which his unemployment is due to either of the  
3 following reasons:

4 (1) voluntarily leaving employment in order to maintain  
5 benefits under a retirement plan, annuity or other similar  
6 periodic payment plan after returning to work following  
7 retirement; or

8 (2) termination of employment in order to maintain benefits  
9 under a retirement plan, annuity or other similar periodic  
10 payment plan after returning to work following retirement.

11 Section 2. The provisions of this act shall apply to initial  
12 claims filed on or after the effective date of this section.

13 Section 3. This act shall take effect in 60 days.