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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 849 Session of  
2013

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INTRODUCED BY BAKER, ERICKSON, SCHWANK, RAFFERTY, WAUGH, FOLMER,  
ALLOWAY, BREWSTER, BRUBAKER AND SOLOBAY, APRIL 12, 2013

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REFERRED TO LABOR AND INDUSTRY, APRIL 12, 2013

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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  
24 context clearly requires otherwise.

25 \* \* \*

1 (1) \* \* \*

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

3 \* \* \*

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

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

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

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

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

29 (C) For purposes of this subparagraph, the term "camp" shall  
30 mean a children's overnight camp or a summer day camp of any

1 variety.

2 \* \* \*

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