

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2622 Session of  
2020

INTRODUCED BY CEPHAS, GALLOWAY, DeLUCA, McCLINTON, KINSEY,  
KIRKLAND, BRIGGS, ROZZI, YOUNGBLOOD, HOHENSTEIN, KENYATTA,  
DONATUCCI, GAINEY, SANCHEZ, FRANKEL, WEBSTER, PASHINSKI,  
OTTEN AND GREEN, JUNE 23, 2020

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JUNE 23, 2020

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," in penalty provisions,  
16 providing for temporary recovery and recoupment of  
17 compensation.

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

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

23 Section 804.1. Temporary Recovery and Recoupment of  
24 Compensation.--(a) Notwithstanding the provisions of section

1 804, during the disaster emergency issued by the Governor on  
2 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and  
3 any renewal of the state of disaster emergency, any person who  
4 by reason of his fault has received any sum as compensation  
5 under this act to which he was not entitled, shall be liable to  
6 repay to the Unemployment Compensation Fund to the credit of the  
7 Compensation Account a sum equal to fifty per centum (50%) of  
8 the amount so received by him and interest at the rate  
9 determined by the Secretary of Revenue as provided by section  
10 806 of the act of April 9, 1929 (P.L.343, No.176), known as "The  
11 Fiscal Code," per month or fraction of a month from fifteen (15)  
12 days after the Notice of Overpayment was issued until paid. Such  
13 sum shall be collectible (1) in the manner provided in section  
14 308.1 or section 309 of this act, for the collection of past due  
15 contributions, or (2) by deduction from any future compensation  
16 payable to the claimant under this act: Provided, That interest  
17 assessed under this section cannot be recouped by deduction from  
18 any future compensation payable to the claimant under this act:  
19 Provided further, That no administrative or legal proceedings  
20 for the collection of such sum shall be instituted after the  
21 expiration of ten years following the end of the benefit year  
22 with respect to which such sum was paid.

23 (b) This section shall expire December 31, 2020.

24 Section 2. This act shall take effect immediately.