
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1961 Session of
2021

INTRODUCED BY A. DAVIS, ZABEL, KINSEY, GUZMAN, KRAJEWSKI,
SCHLOSSBERG, RABB, CEPHAS, DELLOSO, HOHENSTEIN, BURGOS,
KENYATTA, SANCHEZ, STURLA, KINKEAD, INNAMORATO, FIEDLER AND
SIMS, OCTOBER 7, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 7, 2021

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," providing for State
16 extension of Pandemic Unemployment Assistance Program; and
17 making an appropriation.

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 an article to read:

23 ARTICLE XVI-A

24 STATE EXTENSION OF PANDEMIC

1 UNEMPLOYMENT ASSISTANCE PROGRAM

2 Section 1601-A. Definitions.

3 The following words and phrases when used in this article
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "CARES Act." The Coronavirus Aid, Relief, and Economic
7 Security Act (Public Law 116-136, 134 Stat. 281).

8 "COVID-19." The coronavirus disease 2019, an infectious
9 disease caused by severe acute respiratory syndrome coronavirus
10 2 that was first identified during December 2019 in Wuhan,
11 China.

12 "Eligible claimant." A resident of this Commonwealth who
13 would have qualified for benefits under the Pandemic
14 Unemployment Assistance Program as administered by the
15 Commonwealth.

16 "Pandemic Unemployment Assistance Program." The program
17 initially provided for under section 2102 of the CARES Act and
18 extended under the American Rescue Plan Act of 2021 (Public Law
19 117-2, 135 Stat. 4).

20 "Program." The Pandemic Unemployment Assistance State
21 Program established in section 1602-A.

22 Section 1602-A. Pandemic Unemployment Assistance State Program.

23 (a) Legislative intent.--It is the intent of the General
24 Assembly to temporarily continue the Pandemic Unemployment
25 Assistance Program as a State program in order to continue
26 providing relief to Pennsylvanians experiencing unemployment due
27 to the COVID-19 pandemic.

28 (b) Eligibility.--An individual shall be considered eligible
29 for the program for any week:

30 (1) The individual is considered a covered individual as

1 defined in section 2102(a)(3) of the CARES Act (Public Law
2 116-136, 134 Stat. 281) and provided for in subsection (d).

3 (2) The individual is unemployed, partially unemployed
4 or unable to work due to COVID-19.

5 (3) The individual is not entitled to any other
6 unemployment compensation as that term is defined in section
7 85(b) of the Internal Revenue Code of 1986 (Public Law 99-
8 514, 26 U.S.C. § 85(b)) or waiting period credit.

9 (c) Duration of benefits.--

10 (1) The program shall be available to an eligible
11 claimant for any week between the week ending September 11,
12 2021, and the week ending January 1, 2022.

13 (2) An eligible claimant under this article shall not be
14 eligible for more than 17 weeks of payments under the
15 program.

16 (d) Federal requirements and policies continued as State
17 program.--The department shall administer the program using the
18 same requirements, guidelines and policies issued by the Federal
19 Government that controlled the Pandemic Unemployment Assistance
20 Program that were in effect at the expiration of the Pandemic
21 Unemployment Assistance Program on September 6, 2021.

22 (e) Employer charges.--

23 (1) Notwithstanding any other provision of this act,
24 benefits payable to eligible claimants under this article
25 shall be solely payable from appropriations under section
26 1603-A.

27 (2) Benefits paid under this article shall not be
28 charged against the reserve account of an employer.

29 (3) An employer's experience rating shall not be changed
30 as a result of eligible claimants receiving benefits under

1 this article.

2 (4) No employer shall be required to reimburse benefits
3 paid under this article.

4 Section 1603-A. Funding.

5 (a) Appropriation.--The sum of \$1,200,000,000 is
6 appropriated to the department from the COVID-19 Response
7 Restricted Account from funds received by the Commonwealth under
8 Title IX, Subtitle M, Section 9901 of the American Rescue Plan
9 Act of 2021 (Public Law 117-2, 135 Stat. 4) for the purpose of
10 paying benefits and administering the program.

11 (b) Lapsing.--The appropriation under subsection (a) shall
12 lapse on February 15, 2022.

13 Section 1604-A. Expiration of program.

14 The following provisions relating to expiration of the
15 program and termination of benefits shall apply to this article:

16 (1) The last week of benefits that may be claimed by
17 eligible claimants under this article shall be the week
18 ending January 1, 2022.

19 (2) Eligible claimants may claim weeks for which they
20 are entitled to receive benefits until January 31, 2022. No
21 benefits under this article shall be paid after that date.

22 (3) If the amount of the appropriation under section
23 1603-A is fully expended, the program shall terminate as of
24 the date of the final expenditure. The department shall
25 submit a notice to the Legislative Reference Bureau
26 indicating the date of final expenditure and termination of
27 the program in accordance with this paragraph.

28 Section 2. This act shall take effect immediately.