

AMENDMENTS TO HOUSE BILL NO. 18

Sponsor: REPRESENTATIVE KRUEGER-BRANEKY

Printer's No. 2014

1 Amend Bill, page 1, line 9, by striking out "; and," and
2 inserting

3 and providing for cost-of-living adjustments;

4 Amend Bill, page 1, line 10, by inserting after "review"
5 ; and, in insurance fraud, further providing for penalties

6 Amend Bill, page 7, line 16, by striking out all of said line
7 and inserting

8 Section 1.1. The act is amended by adding a section to read:

9 Section 308.2. Notwithstanding any other provision of this
10 act, the amount of compensation payable to an employe, other
11 than medical costs, and to a survivor of an employe shall be
12 increased each year by the same percentage as the increase in
13 the cost of living for the previously completed calendar year,
14 as published by the United States Department of Labor. The
15 increase in the amount of compensation payable shall take effect
16 thirty days after publication of the percentage increase by the
17 United States Department of Labor.

18 Section 2. Sections 420 and 1111 of the act are amended to
19 read:

20 Amend Bill, page 8, by inserting between lines 17 and 18

21 Section 1111. (a) A person found by a court of competent
22 jurisdiction, pursuant to a claim initiated by a prosecuting
23 authority, to have violated any provision of section 1102 shall
24 be subject to civil penalties of not more than [five thousand
25 dollars (\$5,000)] ten thousand five hundred dollars (\$10,500)
26 for the first violation, [ten thousand dollars (\$10,000)] twenty
27 thousand five hundred dollars (\$20,500) for the second violation
28 and [fifteen thousand dollars (\$15,000)] thirty thousand five
29 hundred dollars (\$30,500) for each subsequent violation. The
30 penalty shall be paid to the prosecuting authority to be used to
31 defray the operating expenses of investigating and prosecuting
32 violations of this article. The court may also award court costs
33 and reasonable attorney fees to the prosecuting authority.

1 (b) If a prosecuting authority has probable cause to believe
2 that a person has violated this section, nothing in this clause
3 shall be construed to prohibit the prosecuting authority and the
4 person from entering into a written agreement in which that
5 person does not admit or deny the charges but consents to
6 payment of the civil penalty. A consent agreement may not be
7 used in a subsequent civil or criminal proceeding, but
8 notification thereof shall be made to the licensing authority if
9 the person is licensed by a licensing authority of the
10 Commonwealth so that the licensing authority may take
11 appropriate administrative action.

12 (c) All fines and penalties imposed following a conviction
13 for a violation of this article shall be collected in the manner
14 provided by law and shall be paid in the following manner:

15 (1) If the prosecutor is a district attorney, the fines
16 and penalties shall be paid into the operating fund of the
17 county in which the district attorney is elected.

18 (2) If the prosecutor is the Attorney General, the fines
19 and penalties shall be paid into the State Treasury and
20 appropriated to the Office of Attorney General.

21 Section 2.1. This act shall apply as follows:

22 (1) The addition of section 308.2 of the act shall apply
23 to compensation payable on or after January 1, 2018.

24 (2) The amendment of section 1111 of the act shall apply
25 to violations committed on or after the effective date of
26 this section.