

AMENDMENTS TO HOUSE BILL NO. 18

Sponsor: REPRESENTATIVE NEUMAN

Printer's No. 2014

1 Amend Bill, page 1, line 8, by inserting after "providing"
2 for liability and

3 Amend Bill, page 1, lines 17 through 20, by striking out all
4 of said lines and inserting

5 Section 1. Section 303 of the act of June 2, 1915 (P.L.736,
6 No.338), known as the Workers' Compensation Act, is amended to
7 read:

8 Section 303. (a) The liability of an employer under this
9 act shall be exclusive and in place of any and all other
10 liability to such employes, his legal representative, husband or
11 wife, parents, dependents, next of kin or anyone otherwise
12 entitled to damages in any action at law or otherwise on account
13 of any injury or death as defined in section 301 (c) (1) and (2)
14 or occupational disease as defined in section 108.

15 (b) In the event injury or death to an employe is caused by
16 a third party, then such employe, his legal representative,
17 husband or wife, parents, dependents, next of kin, and anyone
18 otherwise entitled to receive damages by reason thereof, may
19 bring their action at law against such third party, but the
20 employer, his insurance carrier, their servants and agents,
21 employes, representatives acting on their behalf or at their
22 request shall not be liable to a third party for damages,
23 contribution, or indemnity in any action at law, or otherwise,
24 unless:

25 (1) liability for such damages, contributions or indemnity
26 shall be expressly provided for in a written contract entered
27 into by the party alleged to be liable prior to the date of the
28 occurrence which gave rise to the action[.];

29 (2) the death of the employe is caused by a violent attack
30 committed by the third party and the employer knew or reasonably
31 should have known that the attack was likely to occur; or

32 (3) the injury to the employe is permanent.

33 Section 2. Section 306(f.1)(6)(ii) of the act is amended,
34 paragraph (3)(vi) is amended by adding a subclause and paragraph
35 (6) is amended by adding a subparagraph to read:

36 Amend Bill, page 7, line 16, by striking out "2" and

1 inserting

2 3

3 Amend Bill, page 8, line 18, by striking out "3" and

4 inserting

5 4

6 Amend Bill, page 8, line 22, by striking out "4" and

7 inserting

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