

AMENDMENTS TO HOUSE BILL NO. 18

Sponsor: REPRESENTATIVE NEUMAN

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1 Amend Bill, page 1, line 7, by inserting after "penalties," "
2 in damages by action at law, further providing for payment to
3 Unemployment Compensation Fund;

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

6 Section 1. Section 204(a) of the act of June 2, 1915
7 (P.L.736, No.338), known as the Workers' Compensation Act, is
8 amended to read:

9 Section 204. (a) No agreement, composition, or release of
10 damages made before the date of any injury shall be valid or
11 shall bar a claim for damages resulting therefrom; and any such
12 agreement is declared to be against the public policy of this
13 Commonwealth. The receipt of benefits from any association,
14 society, or fund shall not bar the recovery of damages by action
15 at law, nor the recovery of compensation under article three
16 hereof; and any release executed in consideration of such
17 benefits shall be void: Provided, however, That if the employe
18 receives unemployment compensation benefits, such amount or
19 amounts so received shall be credited as against the amount of
20 the award made under the provisions of sections 108 and 306,
21 except for benefits payable under section 306(c) or 307, and the
22 employer shall pay the amount of the credit to the Unemployment
23 Compensation Fund. Fifty per centum of the benefits commonly
24 characterized as "old age" benefits under the Social Security
25 Act (49 Stat. 620, 42 U.S.C. § 301 et seq.) shall also be
26 credited against the amount of the payments made under sections
27 108 and 306, except for benefits payable under section 306(c):
28 Provided, however, That the Social Security offset shall not
29 apply if old age Social Security benefits were received prior to
30 the compensable injury. The severance benefits paid by the
31 employer directly liable for the payment of compensation and the
32 benefits from a pension plan to the extent funded by the
33 employer directly liable for the payment of compensation which
34 are received by an employe shall also be credited against the
35 amount of the award made under sections 108 and 306, except for
36 benefits payable under section 306(c). The employe shall provide
37 the insurer with proper authorization to secure the amount which

1 the employe is receiving under the Social Security Act.

2 * * *

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

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

8 3

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

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12 Amend Bill, page 8, line 22, by striking out "4" and
13 inserting

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