

As Introduced

127th General Assembly
Regular Session
2007-2008

S. B. No. 116

Senator Padgett

Cosponsors: Senators Coughlin, Niehaus, Stivers, Faber, Clancy, Jacobson,
Goodman, Smith, Miller, D., Schuler, Grendell, Mumper, Schuring, Buehrer

—

A B I L L

To amend section 4141.312 of the Revised Code to 1
specify conditions under which a claimant's 2
unemployment compensation benefits are not reduced 3
by the amount the claimant concurrently receives 4
in social security retirement benefits. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4141.312 of the Revised Code be 6
amended to read as follows: 7

Sec. 4141.312. (A) The Except as otherwise specified in this 8
section, the amount of benefits payable to a claimant for any week 9
with respect to which the claimant is receiving a governmental or 10
other pension, retirement or retired pay, annuity or any other 11
similar periodic payment which is based on the previous work of 12
the individual, shall be reduced by an amount equal to the amount 13
of the pension, retirement or retired pay, annuity or other 14
payment which is reasonably attributable to that week, except that 15
the requirements for this division shall apply to any pension, 16
retirement or retired pay, annuity, or other similar periodic 17
payment only if both of the following apply: 18

(1) The payment is under a plan maintained or contributed to 19
by a base period employer or chargeable employer. 20

(2) In the case of a payment under a plan not made under the 21
"Social Security Act," 42 U.S.C. 401 ~~et.~~ et seq., or the "Railroad 22
Retirement Act of 1974," 45 U.S.C. 231 ~~et.~~ et seq., or the 23
corresponding provisions of prior law, services performed for such 24
employer by the individual after the beginning of the base period, 25
or remuneration for such services, affect eligibility for, or 26
increase the amount of, such pension, retirement or retired pay, 27
annuity, or similar payment. 28

(B) The amount of any disability pension, allowance, or 29
payment paid to former members of the armed forces of the United 30
States which is based on the nature and extent of the disability 31
rather than a prior period of employment or service, shall not 32
reduce or be deducted from the weekly benefits payable. 33

(C) If a claimant has made a contribution to social security 34
pursuant to the "Social Security Act," 42 U.S.C. 401 et seq., and 35
that claimant is receiving a retirement payment pursuant to that 36
act, the claimant's weekly benefit shall not be reduced by the 37
amount of that retirement payment because the claimant contributed 38
to social security. 39

Section 2. That existing section 4141.312 of the Revised Code 40
is hereby repealed. 41