

**As Reported by the House Finance and Appropriations  
Committee**

**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,  
Roberts, Kearney, Cates, Amstutz, Austria, Boccieri, Cafaro, Carey, Fedor,  
Gardner, Harris, Mason, Miller, R., Morano, Sawyer, Schaffer, Spada, Wilson  
Representatives Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler,  
Driehaus, Evans, Flowers, Garrison, Hagan, R., Hite, Hottinger, McGregor, R.,  
Schlichter, Stewart, D., Stewart, J., Strahorn, Ujvagi, Yates**

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**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:**

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

<b>Sec. 4141.312.</b> (A) <del>The</del> <u>Except as otherwise specified in this</u>	8
<u>section, the</u> 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