

As Passed by the House

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Am. 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, Adams, Barrett, Batchelder, Beatty, Blessing, Book, Brady, Bubb, Celeste, Collier, Combs, DeBose, DeGeeter, Distel, Dodd, Domenick, Dyer, Fende, Fessler, Foley, Gerberry, Goyal, Hagan, J., Harwood, Healy, Heard, Huffman, Hughes, Koziura, Latta, Letson, Luckie, Lundy, McGregor, J., Mecklenborg, Oelslager, Okey, Otterman, Patton, Peterson, Raussen, Sayre, Schindel, Schneider, Setzer, Stebelton, Szollosi, Uecker, Wagner, White, Widener, Widowfield, Williams, B., Williams, S., Yuko, Zehringer

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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 and to	5
declare an emergency.	6

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

Section 1. That section 4141.312 of the Revised Code be 7
amended to read as follows: 8

Sec. 4141.312. (A) The Except as otherwise specified in this 9
section, the amount of benefits payable to a claimant for any week 10
with respect to which the claimant is receiving a governmental or 11
other pension, retirement or retired pay, annuity or any other 12
similar periodic payment which is based on the previous work of 13
the individual, shall be reduced by an amount equal to the amount 14
of the pension, retirement or retired pay, annuity or other 15
payment which is reasonably attributable to that week, except that 16
the requirements for this division shall apply to any pension, 17
retirement or retired pay, annuity, or other similar periodic 18
payment only if both of the following apply: 19

(1) The payment is under a plan maintained or contributed to 20
by a base period employer or chargeable employer. 21

(2) In the case of a payment under a plan not made under the 22
"Social Security Act," 42 U.S.C. 401 ~~et.~~ et seq., or the "Railroad 23
Retirement Act of 1974," 45 U.S.C. 231 ~~et.~~ et seq., or the 24
corresponding provisions of prior law, services performed for such 25
employer by the individual after the beginning of the base period, 26
or remuneration for such services, affect eligibility for, or 27
increase the amount of, such pension, retirement or retired pay, 28
annuity, or similar payment. 29

(B) The amount of any disability pension, allowance, or 30
payment paid to former members of the armed forces of the United 31
States which is based on the nature and extent of the disability 32
rather than a prior period of employment or service, shall not 33
reduce or be deducted from the weekly benefits payable. 34

(C) If a claimant has made a contribution to social security 35
pursuant to the "Social Security Act," 42 U.S.C. 401 et seq., and 36

that claimant is receiving a retirement payment pursuant to that 37
act, the claimant's weekly benefit shall not be reduced by the 38
amount of that retirement payment because the claimant contributed 39
to social security. 40

Section 2. That existing section 4141.312 of the Revised Code 41
is hereby repealed. 42

Section 3. This act is hereby declared to be an emergency 43
measure necessary for the immediate preservation of the public 44
peace, health, and safety. The reason for such necessity is to 45
provide immediate assistance to individuals who are deprived 46
currently of their full unemployment compensation benefits under 47
Ohio law. Therefore, this act shall go into immediate effect. 48