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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1045 Session of  
2023

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INTRODUCED BY GUZMAN, BURGOS, D. MILLER, HOHENSTEIN, SANCHEZ,  
GUENST, MADDEN, HANBIDGE, RABB, PARKER, PASHINSKI, KINKEAD,  
HILL-EVANS, CIRESI, CONKLIN, FIEDLER, KRAJEWSKI, FREEMAN,  
N. NELSON, KHAN, BULLOCK, YOUNG AND GREEN, APRIL 28, 2023

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 28, 2023

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AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937  
2 P.L.2897, No.1), entitled "An act establishing a system of  
3 unemployment compensation to be administered by the  
4 Department of Labor and Industry and its existing and newly  
5 created agencies with personnel (with certain exceptions)  
6 selected on a civil service basis; requiring employers to  
7 keep records and make reports, and certain employers to pay  
8 contributions based on payrolls to provide moneys for the  
9 payment of compensation to certain unemployed persons;  
10 providing procedure and administrative details for the  
11 determination, payment and collection of such contributions  
12 and the payment of such compensation; providing for  
13 cooperation with the Federal Government and its agencies;  
14 creating certain special funds in the custody of the State  
15 Treasurer; and prescribing penalties," in preliminary  
16 provisions, further providing for definitions.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. Section 4(1)(4)(1) introductory paragraph of the  
20 act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1),  
21 known as the Unemployment Compensation Law, is amended and  
22 subsection (1)(3) is amended by adding a subparagraph to read:

23 Section 4. Definitions.--The following words and phrases, as  
24 used in this act, shall have the following meanings, unless the

1 context clearly requires otherwise.

2 \* \* \*

3 (1) \* \* \*

4 (3) "Employment" shall also include--

5 \* \* \*

6 (I) Notwithstanding any other provisions of this act,  
7 service performed after December 31, 2023, by an individual in  
8 agricultural labor, as defined in paragraph (4)(1). For purposes  
9 of this subparagraph (I), the employer of an agricultural  
10 laborer shall be deemed to be the owner, operator or leaseholder  
11 of the land on which the services are performed if compensation  
12 for employment was paid by or on behalf of the owner, operator  
13 or leaseholder of the land. If the owner, operator or  
14 leaseholder permits a farm labor contractor to pay wages to an  
15 agricultural laborer on the owner's, operator's or leaseholder's  
16 behalf, the owner, operator or leaseholder shall be the employer  
17 under this subsection for all purposes.

18 (4) The word "employment" shall not include--

19 (1) Agricultural labor which shall include all services  
20 performed except those services defined in 4(1)(3)(G) or (I)--

21 \* \* \*

22 Section 2. This act shall take effect in 60 days.