

No. 337

AN ACT

HB 2627

Amending the act of June 2, 1915 (P.L.736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," bringing certain occupational diseases under the act and providing for the payment of compensation.

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

Section 1. Clause (k) of section 108, and subsection (d) of section 301, act of June 2, 1915 (P.L.736), known as "The Pennsylvania Workmen's Compensation Act," reenacted and amended June 21, 1939 (P.L.520), and amended or added October 17, 1972 (Act No. 223), are amended and said section 108 is also amended by adding a clause to read:

Section 108. The term "occupational disease," as used in this act, shall mean only the following diseases.

* * *

(k) Silicosis in any occupation [other than in and around a coal mine,] involving direct contact with, handling of, or exposure to the dust of silicon dioxide.

* * *

(q) *Coal worker's pneumoconiosis, anthraco-silicosis and silicosis (also known as miner's asthma or black lung) in any occupation involving direct contact with, handling of, or exposure to the dust of anthracite or bituminous coal.*

Section 301. * * *

(d) Compensation for silicosis, *anthraco-silicosis, coal worker's pneumoconiosis* or asbestosis, shall be paid only when it is shown that the employe has had an aggregate employment of at least two years in the Commonwealth of Pennsylvania, during a period of ten years next preceding the date of disability, in an occupation having a silica, *coal* or asbestos hazard.

* * *

Section 2. The act is amended by adding a section to read:

Section 305.1. Any compensation payable under this act for silicosis, anthraco-silicosis or coal-worker's pneumoconiosis as defined in section 108 (q) for disability occurring on or after July 1, 1973 or for death resulting therefrom shall be paid as follows: if the disability begins between July 1, 1973 and June 30, 1974, inclusive, the employer shall pay twenty-five per centum and the Commonwealth seventy-five per centum; if the disability begins between July 1, 1974, and June 30, 1975, inclusive, the employer shall pay fifty per centum and the

Commonwealth fifty per centum; if the disability begins between July 1, 1975 and June 30, 1976, inclusive, the employer shall pay seventy-five per centum and the Commonwealth twenty-five per centum; and if the disability begins on or after July 1, 1976, all compensation shall be payable by the employer. The procedures for payment of compensation in such cases shall be as prescribed in the rules and regulations of the department.

Section 3. This act shall take effect immediately and shall be subject to the exposure date of June 30, 1973 as set forth in clause (2) of subsection (c) of section 301 of the act to which this is an amendment.

APPROVED—The 6th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 337.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "T" at the end.

Secretary of the Commonwealth.