

HCS HB 1075 -- UNEMPLOYMENT COMPENSATION (Fisher, 125)

COMMITTEE OF ORIGIN: Special Committee on Workforce Development and Workplace Safety

This substitute changes the laws regarding unemployment compensation. In its main provisions, the substitute:

(1) Removes the \$450 million cap on the total amount of outstanding obligations the Board of Unemployment Fund Financing within the Office of Administration may incur when providing funds for the payment of unemployment benefits or maintaining an adequate fund balance in the Unemployment Compensation Fund;

(2) Specifies that a claimant for unemployment compensation will be ineligible to receive benefits or waiting week credit if he or she has an outstanding penalty that was assessed based upon a previous overpayment of benefits;

(3) Specifies that a claimant for unemployment compensation benefits will be deemed to have been discharged from employment for misconduct and will be disqualified for waiting week credit and benefits if he or she provided false information on his or her employment application regarding felony convictions or training, licensure, certification, or educational job qualifications;

(4) Changes the requirement that employers with 250 or more employees must file their quarterly wage report electronically by magnetic media or the Internet to require employers with 50 or more employees to file in an electronic manner prescribed by the Division of Employment Security within the Department of Labor and Industrial Relations;

(5) Requires certain employers who submit federal 1099 miscellaneous forms to the Department of Revenue to also submit the forms to the Department of Labor and Industrial Relations;

(6) Authorizes additional options that the Division of Employment Security within the Department of Labor and Industrial Relations may take to collect unpaid contributions, interest, or penalties from an employer imposed under the Unemployment Compensation Law. The division may serve the employer a notice of assessment for these amounts by certified or registered mail and may file a certificate of lien for their payment with the recorder of deeds in the county in which the employer owns property or has a place of business;

(7) Changes certain provisions regarding the state's eligibility to receive federal extended unemployment benefit money to provide

unemployed individuals benefits beyond the current unemployment benefit period and the amount of the extended unemployment benefits an eligible individual can receive. Beginning February 1, 2009, and ending December 12, 2009, the state is eligible to receive federal extended unemployment benefit money when:

(a) The state unemployment rate for the most recent three-month period is 6.5% or more; and

(b) The unemployment rate of 6.5% or greater is at least 110% of the average of the unemployment rates of the corresponding three-month period in each of the preceding two years; and

(8) Specifies that an individual will be eligible to receive extended unemployment benefits if he or she has exhausted all state benefits the individual is eligible to receive. The total amount of extended benefits an eligible unemployed individual may receive is the lessor of:

(a) 80% of the total unemployment benefits which were payable in the applicable benefit year; or

(b) 20 times the weekly benefit amount which was payable for a week of total unemployment in the applicable benefit year.

The substitute contains an emergency clause.

FISCAL NOTE: No impact on General Revenue Fund in FY 2010, FY 2011, and FY 2012. Estimated Income on Other State Funds of Up to \$166,390 in FY 2010, FY 2011, and FY 2012.