

H.B. 43

UNEMPLOYMENT COMPENSATION AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 28, 2010 9:03 AM

Representative **Steven R. Mascaro** proposes the following amendments:

1. *Page 1, Lines 15 through 19:*

15 This bill modifies provisions in the Employment Security Act regarding the
16 computation of individual weekly benefits for those whose benefit year begins after
17 ~~{July 3, 2010,}~~ the termination of Pub. L. No. 111-5, Sec. 2002 as amended and the offset of Social
Security benefits against the weekly benefit
18 amount of unemployment compensation an individual is eligible to receive under the
19 Act.

2. *Page 1, Lines 21 through 26:*

21 This bill:
22 ▶ provides that Social Security benefits may not be offset against unemployment
23 compensation weekly benefits under the Employment Security Act with respect to
24 an individual whose benefit year begins after ~~{July 3, 2010}~~ the termination of Pub. L. 111-5 Sec. 2002
as amended ;
25 ▶ provides for the computation of weekly unemployment benefits for those whose
26 benefit year begins after ~~{July 3, 2010}~~ the termination of Pub. L. 111-5 Sec. 2002 as amended ;
and

3. *Page 2, Lines 49 through 52:*

49 (ii) With respect to an individual whose benefit year begins after ~~{July 3, 2010,}~~ the termination
of any payable week under Pub. L. No. 111-5, Sec. 2002 as amended, an
50 individual's weekly benefit amount is an amount equal to 1/26th minus ~~{\$3}~~ \$5 , disregarding any
51 fraction of \$1, of the individual's total wages for insured work paid during that quarter of the
52 base period in which the total wages were highest.

4. *Page 3, Lines 61 through 63:*

61 (ii) With respect to an individual whose benefit year begins after ~~{July 3, 2010}~~ the termination
of any payable week under Pub. L. No. 111-5, Sec. 2002 as amended , the
62 weekly benefit amount may not exceed 62.5% of the insured average fiscal year weekly wage
63 during the preceding fiscal year minus ~~{\$3}~~ \$5 , disregarding any fraction of \$1.

5. Page 3, Lines 71 through 79:

71 (ii) With respect to an individual whose benefit year begins after July 1, 2004, and ends
72 on or before ~~{July 1, 2011}~~ the termination of any payable week under Pub. L. No. 111-5, Sec.
2002 as amended, the "weekly benefit amount" of that individual, who is receiving
73 or who is eligible to receive Social Security benefits based upon the individual's previous
74 employment, is the "weekly benefit amount" which is computed under this section less 50% of
75 the individual's Social Security benefits that are attributable to the week, but not below zero.

76 (iii) With respect to an individual whose benefit year begins after ~~{July 3, 2010}~~ the termination
of any payable week under Pub. L. No. 111-5, Sec. 2002 as amended, this
77 Subsection (2)(c) and Subsection (2)(d) do not apply to Social Security benefits an individual is
78 receiving or is eligible to receive as they are not considered retirement benefits for purposes of
79 those subsections.

6. Page 5, Line 123:

123 the remuneration was earned. =

(8)(a) The director of the division or the director's designee shall make an annual report to the Workforce Employment Advisory Council and to the Legislature's Workforce Services and Community and Economic Development Interim Committee no later than November 30 of 2011, and 2012, concerning the impact of individuals applying for unemployment compensation and the unemployment trust fund as a result of the amendments made to Subsection 35A-4-401(2) during the Legislature's 2010 General Session.

(b) The report shall include a recommendation for a potential adjustment in the weekly benefit amounts established in Subsections 35A-4-401(2)(a)(ii) and 35A-4-401(2)(b)(ii), taking into account the unemployment benefit costs associated with the amendments made to Subsection 35A-4-401(2) during the Legislature's 2010 General Session.