

59 by ~~dividing all social costs as defined in Subsection 35A-4-307(1) applicable to the preceding~~  
 60 ~~four fiscal years by the total taxable wages of all employers subject to contributions for the~~  
 61 ~~same period, calculated to four decimal places, disregarding any remaining fraction.]~~

62 ~~[(c) Beginning January 1, 2009]~~

63 (ii) if the employer is a new employer, the basic contribution rate shall be determined  
 64 as described in Subsection (5).

65 (2) (a) Subject to Subsection (2)(b), the division shall [calculate] determine the social  
 66 contribution rate by dividing all social costs as defined in Subsection 35A-4-307(1) applicable  
 67 to the preceding four fiscal years by the total taxable wages of all employers subject to  
 68 contributions for the same period, calculated to four decimal places, disregarding any  
 69 remaining fraction, and [rounded] rounding the result to three decimal places[~~, disregarding any~~  
 70 further fraction;] as follows:

71 (i) if the fourth decimal place is ~~\$~~→ [:.0004] four ←~~\$~~ or less, [or rounding up to the next  
 71a higher

72 number;] the third decimal place does not change; or

73 (ii) if the fourth decimal place is ~~\$~~→ [:.0005] five ←~~\$~~ or more, rounding the third decimal  
 73a place up.

74 (b) For calendar year 2012 only, if the calculation of the social contribution rate under  
 75 Subsection (2)(a) is greater than .004, the social contribution rate for calendar year 2012 is  
 76 .004.

77 (3) (a) [Beginning January 1, 2000, the] The division shall [by administrative decision]  
 78 set the reserve factor at a rate that [shall sustain] sustains an adequate reserve.

79 (b) For the purpose of setting the reserve factor:

80 [~~(i) (A) the adequate reserve is defined as between 17 and 19 months of benefits at the~~  
 81 ~~average of the five highest benefit cost rates in the last 25 years;]~~

82 [~~(B) beginning January 1, 2009;]~~ (i) the adequate reserve is defined as between 18 and  
 83 24 months of benefits at the average of the five highest benefit cost rates in the last 25 years;

84 (ii) the division shall set the reserve factor [shall be] at 1.0000 if the actual reserve fund  
 85 balance as of June 30 preceding the computation date is determined to be an adequate reserve;

86 (iii) the division shall set the reserve factor [will be set] between 0.5000 and 1.0000 if  
 87 the actual reserve fund balance as of June 30 preceding the computation date is greater than the  
 88 adequate reserve;

89 (iv) the division shall set the reserve factor [will be set] between 1.0000 and 1.5000 if