

1 HB700
2 107208-1
3 By Representatives Newton (D), Black, Knight and Grimes
4 RFD: Judiciary
5 First Read: 09-MAR-10

2
3
4
5
6
7
8 SYNOPSIS: This bill would limit the preclusive effect
9 of a finding of fact, conclusion of law, judgment,
10 or final order made under the unemployment
11 compensation statutes.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT

16
17 To add Section 25-4-98 to the Code of Alabama 1975,
18 relating to unemployment compensation, to limit the preclusive
19 effect of a finding of fact, conclusion of law, judgment, or
20 final order made under the unemployment compensation statutes.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. Section 25-4-98 is hereby added to the
23 Code of Alabama 1975, to read as follows:

24 §25-4-98.

25 (a) A finding of fact, conclusion of law, judgment,
26 or final order made under this chapter is not binding and may
27 not be used as evidence in an action or proceeding, other than

1 an action or proceeding brought under this chapter, even if
2 the action or proceeding is between the same or related
3 parties and involves the same facts.

4 (b) An action brought under this chapter may address
5 only an employee's entitlement to benefits under this chapter.
6 No other action, even one between the same parties, may be
7 joined with an action under this chapter, and an action under
8 this chapter may not be joined with any other action,
9 including one between the same parties.

10 Section 2. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.