

1 HB278
2 204849-1
3 By Representative Garrett
4 RFD: Commerce and Small Business
5 First Read: 18-FEB-20

SYNOPSIS: This bill would confirm language relating to unemployment compensation benefit years beginning on or after July 2, 2006.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 25-4-72, as amended by Act 2019-204, 2019 Regular Session, Code of Alabama 1975, relating to unemployment compensation; to confirm language relating to benefit years beginning on or after July 2, 2006; and to add Sections 25-4-59 and 25-4-153 to the Code of Alabama 1975, to provide that procedures provided in Article 3 and Article 7 of Chapter 4, of Title 25 are exclusive.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 25-4-72, as amended by Act 2019-204, 2019 Regular Session, of the Code of Alabama 1975, is amended to read as follows:

"§25-4-72.

1 "(a) For weeks of unemployment during benefit years
2 which begin before the effective date of subsection (b), an
3 individual's weekly benefit amount shall be as prescribed by
4 this section as amended through July 6, 1997.

5 "(b) For weeks of unemployment during benefit years
6 beginning on or after July 2, 2006, an individual's weekly
7 benefit amount shall be an amount ~~based on an equal division~~
8 ~~of the current weeks compensated~~ equal to one twenty-sixth of
9 the average of the wages for insured work paid to the
10 individual during the two quarters of his or her base period
11 in which the total wages were the highest; except, that:

12 "(1) If the amount thus derived is not a multiple of
13 one dollar (\$1), fractional parts of one dollar (\$1) in excess
14 of fifty cents (\$.50) shall be rounded to the next higher
15 multiple of one dollar (\$1) and fractional parts of one dollar
16 (\$1) which are fifty cents (\$.50) or less shall be dropped to
17 the next lower multiple of one dollar (\$1).

18 "(2) If the amount derived before the application of
19 subdivision (1) is not in excess of forty-four dollars fifty
20 cents (\$44.50), there shall be no weekly benefit amount.

21 "(3) Effective with benefit years beginning on or
22 after July 6, 2008, if the amount thus derived is more than
23 two hundred fifty-four dollars fifty cents (\$254.50), the
24 weekly maximum benefit amount shall be two hundred fifty-five
25 dollars (\$255).

26 "(4) Effective with benefit years beginning on or
27 after July 5, 2009, if the amount thus derived is more than

1 two hundred sixty-four dollars fifty cents (\$264.50), the
2 weekly maximum benefit shall be two hundred sixty-five dollars
3 (\$265).

4 "(5) Effective with benefit years beginning on or
5 after January 1, 2020, if the amount thus derived is more than
6 two hundred seventy-four dollars fifty cents (\$274.50), the
7 weekly maximum benefit shall be two hundred seventy-five
8 dollars (\$275).

9 "(c) If, as a condition for approval of this section
10 for full tax credit against the tax imposed by the federal
11 Unemployment Tax Act, federal law should require a greater
12 maximum weekly benefit amount than that provided herein, then
13 the maximum weekly benefit amount shall be the minimum
14 required by any such federal law for such approval.

15 "(d) Nothing herein shall serve to deprive any
16 individual of any benefit for which he or she had qualified in
17 any benefit year beginning before the effective date of
18 subsection (b).

19 "(e) There is hereby appropriated out of funds made
20 available to this state under Section 903 of the Social
21 Security Act, as amended by Title II, Section 209, "Special
22 Reed Act Transfer in Fiscal Year 2002," of the "Temporary
23 Extended Unemployment Compensation Act of 2002," as contained
24 in the "Job Creation and Worker Assistance Act of 2002," an
25 amount not to exceed 15 percent of the funds, or so much
26 thereof to be used as may be necessary, under the direction of
27 the State of Alabama, Department of Labor, for the expenses

1 incurred for the administration of this state's unemployment
2 compensation law and public employment offices.
3 Notwithstanding the foregoing, the additional amount of up to
4 \$7,940,119 of "Reed Act" funds may be withdrawn from the
5 Unemployment Compensation Trust Fund and used for
6 administrative purposes from May 29, 2008, until September 30,
7 2009. Furthermore, whatever amount is withdrawn during this
8 time period, that amount shall not change the Employer Tax
9 Schedules pursuant to Section 25-4-54 for the calendar year
10 beginning January 1, 2010."

11 Section 2. Sections 25-4-59 and 25-4-153 are added
12 to the Code of Alabama 1975, to read as follows:

13 §25-4-59.

14 The procedures provided for in this article and
15 Article 7, commencing with Section 25-4-130, for the making of
16 determinations with respect to contribution rates and
17 payments, and for appealing from such determinations, shall be
18 exclusive.

19 §25-4-153.

20 The procedures provided for in this article and
21 Article 3, commencing with Section 25-4-50, for the making of
22 determinations with respect to contribution rates and
23 payments, and for appealing from such determinations, shall be
24 exclusive.

25 Section 3. This act shall become effective
26 immediately following its passage and approval by the
27 Governor, or its otherwise becoming law.

