

2021 Regular Session

SENATE BILL NO. 89

BY SENATOR REESE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

UNEMPLOYMENT COMP. Provides for the unemployment insurance procedure to be applied by the administrator for calendar year 2022. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 23:1474(J), relative to unemployment insurance; to provide for

3 taxes and benefits for calendar year 2022; to provide for certain terms, conditions,

4 procedures, and requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1474(J) is hereby amended and reenacted to read as follows:

7 §1474. Administrator; Revenue Estimating Conference; "wages"; weekly benefit

8 amounts

9 * * *

10 J.~~(1)~~ Notwithstanding any other provision of this Section or any other law to

11 the contrary, the administrator shall apply Procedure 2 from the table in Subsection

12 I of this Section for the calendar year beginning on January 1, 2021, for the

13 maximum dollar amount of "wages", maximum weekly benefit amount, with any

14 applicable discounts under R.S. 23:1592, and the formula for computation of

15 benefits.

16 (2) Notwithstanding any other provision of this Section or any other law

17 to the contrary, the administrator shall apply Procedure 2 from the table in

1 **Subsection I of this Section for the calendar year beginning on January 1, 2022,**
 2 **for the maximum dollar amount of "wages", maximum weekly benefit amount,**
 3 **with any applicable discounts under R.S. 23:1592, and the formula for**
 4 **computation of benefits.**

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article II, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Yoursheka George.

DIGEST

SB 89 Engrossed

2021 Regular Session

Reese

Present law provides for unemployment compensation as a joint federal-state program with administrative expenses financed by federal payroll taxes under the Federal Unemployment Tax Act (FUTA) and the cost of benefits financed by state payroll taxes under State Unemployment Tax Acts (SUTA). Present law provides that revenue collected through Louisiana's SUTA are deposited into an account for Louisiana within the Federal Unemployment Trust Fund. The account is referenced in present law as the state's unemployment trust fund and is dedicated to the payment of unemployment benefits for Louisiana's unemployed workers.

Present law provides a chart that establishes four different procedures based on trust fund balance ranges to determine:

- (1) The maximum dollar amount of wages (or "taxable wage base") paid to an employee in a calendar year upon which the Louisiana employer will be liable for SUTA taxes.
- (2) The maximum weekly benefit amount a qualified unemployed Louisiana worker may receive in unemployment benefits.
- (3) The formula for calculating unemployment benefits for a qualified unemployed worker based upon that worker's past wages.

Present law provides that as the unemployment trust fund balance increases, employers taxes decrease and unemployed worker benefits increase, and as the trust fund balance decreases, employer taxes increase and unemployed worker benefits decrease. Specifically, the present chart provides:

- (1) Procedure 1 (applicable when the unemployment trust fund balance range is less than \$750,000,000) provides that the taxable wage base shall be \$8,500 and the maximum weekly benefit amount shall be \$221.
- (2) Procedure 2 (applicable when the unemployment trust fund balance range is at least \$750,000,000 but less than \$1,150,000,000) provides that the taxable wage base shall be \$7,700 and the maximum weekly benefit amount shall be \$247.

- (3) Procedure 3 (applicable when the unemployment trust fund balance range is at least \$1,150,000,000 but less than \$1,400,000,000) provides that the taxable wage base shall be \$7,000 and the maximum weekly benefit amount shall be \$258.
- (4) Procedure 4 (applicable when the unemployment trust fund balance range is greater than \$1,400,000,000) provides that the taxable wage base shall be \$7,000 and the maximum weekly benefit amount shall be \$284.

Present law provides that the Procedure to be used for the following calendar year is to be based on the applicable fund balance range. Present law requires the Revenue Estimating Conference to meet every September to adopt its official projection of the state's unemployment trust fund balance for September first of the next calendar year and report such to the secretary of the La. Workforce Commission (Commission). Present law then requires the secretary, using the lower amount of the actual balance in the Louisiana Unemployment Trust Fund account on September first and the amount of the balance in Louisiana Unemployment Trust Fund projected by the Revenue Estimating Conference for the following September first and apply the Procedure associated with the appropriate balance range in the present law chart to set the taxable wage base, the minimum weekly benefit, and formula for calculating benefits for the next calendar year.

Present law requires the secretary of the commission to apply Procedure 2 for calendar year 2021.

Proposed law provides that notwithstanding any other provision of present law, the secretary of the commission shall apply Procedure 2 for calendar year 2022.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 23:1474(J))