

2018 Regular Session

SENATE BILL NO. 191

BY SENATOR BISHOP

UNEMPLOYMENT COMP. Deletes obsolete provisions relating to the Office of Unemployment Insurance Administration. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 23:1595(A) and 1741, relative to unemployment insurance; to
3 delete obsolete provisions; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 23:1595(A) and 1741 are hereby amended and reenacted to read as
6 follows:

7 §1595. Duration of benefits

8 A. Any otherwise eligible individual shall be entitled during any benefit year
9 to a total amount of benefits equal to twenty-six times his weekly benefit amount as
10 determined pursuant to R.S. 23:1592 provided that such total amount of benefits, if
11 not a multiple of one dollar, shall be computed to the nearest multiple of one dollar.
12 No claimant shall receive a benefit check for any week beyond the number of weeks
13 computed on his initial claim unless that claimant is participating in a program
14 providing partial unemployment as set forth in R.S. 23:1472(19)(a), ~~or a Shared-~~
15 ~~Work Plan as set forth in R.S. 23:1750~~, or has been paid wages for part-time or full-
16 time work. Further, if a base period employer has provided severance pay, which
17 when prorated weekly is an amount which equals or exceeds the claimant's weekly

1 benefit amount, the claimant's benefit entitlement computed under this Subsection
 2 shall be reduced by one week for each week of severance pay, provided that no
 3 claimant's entitlement shall be reduced to less than one week.

4 * * *

5 §1741. Assessment

6 At the expiration of the delay periods as provided in R.S. 23:1629 through
 7 1634, or at the expiration of such additional time as may be necessary ~~for the~~
 8 ~~administrator~~ to consider any application for waiver of overpayment as provided in
 9 R.S. 23:1713(B), the administrator shall proceed to assess an overpayment that he
 10 determines to be due under this Chapter. This assessment shall be evidenced by a
 11 writing in any form suitable to the administrator which states the name of the
 12 claimant and the amount determined to be due. This writing shall be retained as a
 13 part of the administrator's official records.

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

DIGEST

SB 191 Original

2018 Regular Session

Bishop

Present law, relative to unemployment insurance, provides that a claimant shall receive a benefit check unless he is participating in a program providing partial unemployment, or a Shared Work Plan, or has been paid wages for part-time or full-time work. Proposed law deletes the Shared Work Plan as it was repealed in 2014 by the legislature.

Present law provides that an administrator may waive overpayment of unemployment benefits. Proposed law deletes the administrator's authority to waive overpayment as that provision was deleted in 2012 by the legislature.

Effective August 1, 2018.

(Amends R.S. 23:1595(A) and 1741)