

2020 Regular Session

HOUSE BILL NO. 620

BY REPRESENTATIVE BEAULLIEU

UNEMPLOYMENT COMP: Provides relative to unemployment insurance

1 AN ACT

2 To amend and reenact R.S. 23:1592(A) and 1595, relative to unemployment compensation;  
3 to provide for weekly benefit amounts; to provide for the duration of benefits; to  
4 change the number of weeks for which a claimant is eligible to receive benefits; to  
5 provide for the unemployment rate; to provide for definitions; to provide an effective  
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1592(A) and 1595 are hereby amended and reenacted to read as  
9 follows:

10 §1592. Weekly benefit amount

11 A. Whenever a claimant's base period wages for insured work is not less than  
12 one thousand two hundred dollars, his weekly benefit amount shall be ~~one twenty-~~  
13 ~~fifth of the average~~ based on an equal division of the current weeks compensated of  
14 his total wages for insured work paid to the claimant during the four quarters of his  
15 base period. This amount, if not a multiple of one dollar, shall be computed to the  
16 next lowest multiple of one dollar.

17 \* \* \*

18 §1595. Duration of benefits

19 A.(1) Any otherwise eligible individual shall be entitled during a calendar  
20 year ~~during any benefit year~~ to a total amount of benefits equal to ~~twenty-six~~ twelve

1 times his weekly benefit amount as determined pursuant to R.S. 23:1592 when  
2 ~~provided that such total amount of benefits, if not a multiple of one dollar, shall be~~  
3 ~~computed to the nearest multiple of one dollar~~ the state's average unemployment rate  
4 is at or below five and one half percent.

5 (2) In addition to the twelve weeks, an additional week shall be added for  
6 each half percent increment in the state's average unemployment rate above five and  
7 one half percent.

8 (3) If the state's average unemployment rate exceeds nine percent, an  
9 individual can receive up to a maximum of twenty weeks.

10 B.(1) No claimant shall receive a benefit check for any week beyond the  
11 number of weeks computed on his initial claim unless that claimant is participating  
12 in a program providing partial unemployment as set forth in R.S. 23:1472(19)(a) or  
13 has been paid wages for part-time or full-time work.

14 (2) Further, if If a base period employer has provided severance pay, which  
15 when prorated weekly is an amount which equals or exceeds the claimant's weekly  
16 benefit amount, the claimant's benefit entitlement computed pursuant to the  
17 provisions of this Subsection shall be reduced by one week for each week of  
18 severance pay, provided that no claimant's entitlement shall be reduced to less than  
19 one week.

20 C.(1) For the purposes of this Section, "wages" shall be counted as "wages  
21 for insured work" for the benefit purposes with respect to any benefit year only if the  
22 benefit year begins subsequent to the date on which the employing unit by whom the  
23 wages were paid became an employer within the meaning of this Chapter.

24 (2) For the purposes of this Section, "state average employment rate" means  
25 the average of the three months for the most recent third calendar year quarter of the  
26 seasonally adjusted unemployment rates as published by the Louisiana Workforce  
27 Commission, who shall be responsible for collecting and publishing unemployment  
28 rate data.

1           D. The Louisiana Workforce Commission shall promulgate all rules and  
2           regulations as are necessary for the purposes of carrying out the provisions of this  
3           Section.

4           Section 2.(A) This Act shall be known and may be cited as the "Unemployment  
5 Insurance Sustainability Act of 2020".

6           (B) The purpose of this Act is to ensure the sustainability of the unemployment  
7 insurance program and promote workforce participation.

8           Section 3. This Act shall become effective on January 1, 2021.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 620 Original

2020 Regular Session

Beaulieu

**Abstract:** Provides relative to unemployment insurance.

Present law provides that whenever a claimant's base period wages for insured work is not less than \$1,200, his weekly benefit amount shall be one twenty-fifth of the average of his total wages for insured work paid during the four quarters of his base period. Further, this amount, if not a multiple of one dollar, shall be computed to the next lowest multiple of one dollar.

Proposed law provides that whenever a claimant's base period wages for insured work is not less than \$1,200, his weekly benefits amount shall be based on an equal division of the current weeks compensated of his total wages for insured work paid during the four quarters of his base period. Proposed law retains present law.

Present law provides that an eligible individual shall be entitled to a total amount of benefits equal to 26 times his weekly benefit amount. Further if the amount is not a multiple of one dollar then the amount shall be computed to the nearest multiple of one dollar.

Proposed law provides that during a calendar year, an eligible individual shall be entitled to a total amount of benefits equal to twelve times his weekly benefit amount, when the state's average unemployment rate is at or below five and one half percent. Proposed law further provides that in addition to the 12 weeks, an additional week shall be added for each half percent increment in the state's average unemployment rate above five and one half percent. Proposed law further provides, if the state's average unemployment rate exceeds nine percent, an individual can only receive up to a maximum of 20 weeks.

Present law provides that no claimant shall receive a benefit check for any week beyond the number of weeks computed on his initial claim unless he is participating in a program providing partial unemployment or has been paid wages for part-time or full-time work.

Present law further provides that when a based period employer has been provided severance pay, which when prorated weekly equals or exceeds the claimant's weekly benefit amount, the claimant's benefit entitlement computed shall be reduced by one week for each week of severance pay.

Proposed law retains present law.

Proposed law defines "state average employment rate" as meaning the average of the three months for the most recent third calendar year quarter of the seasonally adjusted unemployment rates as published by the Louisiana Workforce Commission responsible for collecting and publishing unemployment rate data. Proposed law further provides that Workforce Commission shall promulgate all rules and regulations as are necessary to carry out this Act.

Proposed law provides that this Act shall be known and may be cited as the "Unemployment Insurance Sustainability Act of 2020".

Proposed law provides that the purpose of this Act is to ensure the sustainability of the unemployment insurance program and promote workforce participation.

Effective January 1, 2021.

(Amends R.S. 23:1592(A) and 1595)