

2020 Second Extraordinary Session

SENATE BILL NO. 55

BY SENATORS CORTEZ AND REESE

UNEMPLOYMENT COMP. Provides for the unemployment insurance procedure to be applied by the administrator for calendar year 2021. (gov sig) (Items #8 and #30)

1 AN ACT

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

3 benefits for calendar year 2021; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 23:1474(J) is hereby enacted to read as follows:

6 §1474. Administrator; Revenue Estimating Conference; "wages"; weekly benefit

7 amounts

8 * * *

9 **J. Notwithstanding any other provision of this Section or any other law**

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

11 **Subsection I of this Section for the calendar year beginning on January 1, 2021,**

12 **for the maximum dollar amount of "wages", maximum weekly benefit amount,**

13 **with any applicable discounts under R.S. 23:1592, and the formula for**

14 **computation of benefits.**

15 Section 2. This Act shall become effective upon signature by the governor or, if not

16 signed by the governor, upon expiration of the time for bills to become law without signature

17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

The original instrument was prepared by Dawn Romero Watson. The following digest, which does not constitute a part of the legislative instrument, was prepared by Yoursheka George.

DIGEST

SB 55 Engrossed

2020 Second Extraordinary Session

Cortez

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). Provides that revenues 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 law 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. Requires that each September, the Revenue Estimating Conference meet to adopt its official projection of the state's unemployment trust fund balance for September 1st of the next calendar year and report such to the secretary of the Louisiana Workforce Commission. Present law then requires the secretary, using the

lower amount of the actual balance in Louisiana Unemployment Trust Fund account on September 1st and the amount of the balance in Louisiana Unemployment Trust Fund projected by the Revenue Estimating Conference for the following September 1st and apply the Procedure associated with the appropriate balance range in the present law chart to set the taxable wage base, the maximum weekly benefit and formula for calculating benefits for the next calendar year.

Proposed law provides that notwithstanding any other provision of present law, the secretary of the Louisiana Workforce Commission shall apply Procedure 2 for calendar year 2021.

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

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the engrossed bill

1. Removes provisions relative to the Incumbent Worker Training Program and the amount appropriated through the social charge account.