2021 Regular Session

HOUSE BILL NO. 610

BY REPRESENTATIVE LYONS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. UNEMPLOYMENT COMP: Provides relative to the maximum weekly benefit amount

1	AN ACT		
2	To amend and reenact R.S. 23:1474(C), (G)(3)(b) and (I) and 1592(B) and (F) and to repeal		
3	R.S. 23:1592(E), relative to unemployment compensation; to provide for the		
4	maximum weekly benefit amount; to change the determination for the maximum		
5	weekly benefit amount; and to provide for related matters.		
6	Be it enacted by the Legislature of Louisiana:		
7	Section 1. R.S. 23:1474(C), (G)(3)(b) and (I) and 1592(B) and (F) are hereby		
8	amended and reenacted to read as follows:		
9	§1474. Administrator; Revenue Estimating Conference; "wages"; weekly benefit		
10	amounts		
11	* * *		
12	C. Pursuant to the official projection of the unemployment trust fund balance		
13	adopted by the Revenue Estimating Conference, the administrator shall apply the		
14	maximum dollar amount of "wages", the maximum weekly benefit amount, with any		
15	applicable discounts under R.S. 23:1592, and the formula for computation of benefits		
16	as designated in the following procedures in accordance with the table in Subsection		
17	I of this Section in its entirety.		
18	* * *		
19	G.		
20	* * *		

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1		(3)			
2			* *	*	
3	(b) He shall thereupon apply, in compliance with this Section, the proper				
4	procedure from the table in Subsection I of this Section to such next calendar year				
5	beginning January first for maximum dollar amount of "wages", maximum weekly				
6	benefit amount, with any applicable discounts under R.S. 23:1592, and the formula				
7	for computation of benefits.				
8	* * *				
9	I. The following table shall be applied by the administrator subsequent to his				
10	deterr	nination of compara	ative balance and	applied trust fund ba	lance range, in
11	compliance with this Section:				
12	Procedure	Applied Trust Fund Balance Range	Maximum Dollar Amount of "wages" under R.S. 23:1474	Formula for Computation of Benefits	Maximum Weekly Benefit Amount
13	1	Less than seven hundred fifty million dollars	Eight thousand five hundred dollars	Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592(D) then multiply by 1.05 and then multiply such amount by 1.03	Two hundred twenty-one- dollars
14	2	Equal to or greater than seven hundred fifty million dollars but less than one billion one hundred fifty million dollars	Seven thousand seven hundred dollars	Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592(C) and without five percent discount under R.S. 23:1592(D), then multiply such amount by 1.05 and then multiply such amount by 1.15	Two hundred forty-seven dollars

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1	3	Equal to or greater than one billion one hundred fifty million dollars but less than one billion four hundred million dollars	Seven thousand dollars	Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592(C) and without five percent discount under R.S. 23:1592(D), then multiply such amount by 1.05 and then multiply such amount by 1.20	Two hundred fifty-eight dollars
2	4	Greater than one billion four hundred million dollars	Seven thousand dollars	Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592(C) and without five percent discount under R.S. 23:1592(D), then multiply such amount by 1.05 and then multiply such amount by 1.32	Two hundred eighty-four dollars
3		<u> </u>	* *	*	
4	§1592	2. Weekly benefit an	nount		
5			* *	*	
6	B.(1) The weekly benefit amount paid under this Section shall be $\frac{1}{100}$				
		B.(1) The weekl	y benefit amount	paid under this Sect	ion shall be in
7	accor		-	nt shall be more than size	
7 8		dance with R.S. 23:14	474, but in no ever	-	xty-six and two-
	thirds	dance with R.S. 23:14	474, but in no ever	nt shall be more than siz	xty-six and two- he administrator
8	thirds as of t	dance with R.S. 23:14 percent of this state: the immediately prec	474, but in no even s average weekly v eding March thirt	nt shall be more than size wage as computed by the	xty-six and two- he administrator Tthis Section the
8 9	thirds as of t averag	dance with R.S. 23:14 percent of this state: the immediately prec ge weekly wage com	474, but in no even s average weekly reding March thirt puted for any Mar	nt shall be more than si wage as computed by th y-first; for purposes of	xty-six and two- the administrator this Section the apply to benefit
8 9 10	thirds as of t averag years	dance with R.S. 23:14 percent of this state: the immediately prec ge weekly wage com	474, but in no even s average weekly v reding March thirt puted for any Mar v the September fin	nt shall be more than si wage as computed by th y-first; for purposes of ch thirty-first shall not	xty-six and two- the administrator this Section the apply to benefit
8 9 10 11	thirds as of t averag years	dance with R.S. 23:14 percent of this state: the immediately prec ge weekly wage comp which begin prior to -first. based on the fo	474, but in no even s average weekly v reding March thirt puted for any Mar the September fin ollowing:	nt shall be more than si wage as computed by th y-first; for purposes of ch thirty-first shall not	xty-six and two- he administrator this Section the apply to benefit ing such March
8 9 10 11 12	thirds as of t averag years thirty	dance with R.S. 23:14 percent of this state: the immediately prec ge weekly wage comp which begin prior to -first. based on the fo	474, but in no even s average weekly v reding March thirt puted for any Mar of the September fin ollowing: uary 1, 2022, the p	nt shall be more than sit wage as computed by th y-first; for purposes of ch thirty-first shall not rst immediately follow maximum weekly bene	xty-six and two- he administrator this Section the apply to benefit ing such March
8 9 10 11 12 13	thirds as of t averag years thirty	dance with R.S. 23:14 percent of this state the immediately prec ge weekly wage comp which begin prior to -first. based on the fo (a) Beginning Jam t less than two hundr	474, but in no even s average weekly v reding March thirt puted for any Mar the September fin ollowing: uary 1, 2022, the n red seventy-five do	nt shall be more than sit wage as computed by th y-first; for purposes of ch thirty-first shall not rst immediately follow maximum weekly bene	xty-six and two- he administrator This Section the apply to benefit ing such March

1	(c) Beginning January 1, 2024, the maximum weekly benefit amount shall
2	be not less than three hundred twenty-five dollars.
3	(d) Beginning January 1, 2025, the maximum weekly benefit amount shall
4	be based on the average weekly earnings in the second previous year.
5	(2) In no event shall the weekly benefit amount be less than forty percent and
6	no more than sixty-six and two-thirds percent of this state's average weekly wage as
7	computed by the administrator.
8	* * *
9	F. The weekly benefit amount pursuant to this Section to unemployed
10	individuals filing a new claim for benefits may shall only be modified in accordance
11	with the provisions in R.S. $23:1474$ Subsection B of this Section. In no event shall
12	the weekly amount paid pursuant to this Section be more than as designated in R.S.
13	23:1474 Subsection B of this Section nor less than ten dollars.
14	* * *
15	Section 2. R.S. 23:1592(E) is hereby repealed in its entirety.

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 610 Original	2021 Regular Session	Lyons

Abstract: Provides relative to the maximum weekly benefit amount for unemployment benefits.

<u>Present law</u> provides that after that Revenue Estimating Conference has adopted an official projection of the unemployment trust fund balance, the administrator shall apply the maximum dollar amount of "wages", the maximum weekly benefit amount, with any applicable discounts under <u>present law</u>, and the formula for computation of benefits as designated in the procedures pursuant to <u>present law</u>.

<u>Proposed law</u> provides that after that Revenue Estimating Conference has adopted an official projection of the unemployment trust fund balance, the administrator shall apply the maximum dollar amount of "wages", with any applicable discounts under <u>present law</u>, and the formula for computation of benefits as designated in the procedures pursuant to <u>present law</u>.

<u>Present law</u> provides that the administrator shall apply the proper procedure found in <u>present</u> <u>law</u> to the next calendar year beginning January 1st for maximum dollar amount of "wages", maximum weekly benefit amount, with any applicable discounts under <u>present law</u>, and the formula for computation of benefits.

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<u>Proposed law</u> provides that the administrator shall apply the proper procedure found in <u>present law</u> to the next calendar year beginning January 1st for maximum dollar amount of "wages", with any applicable discounts under <u>present law</u>, and the formula for computation of benefits.

<u>Present law</u> provides a table, containing different categories such as, the different procedures, applied trust fund balance range, maximum dollar amount of "wages", the formula for computation of benefits, and the maximum weekly benefit amount, that the administrator shall apply when making the determination for the comparative balance and applied trust fund balance range.

Proposed law deletes the maximum weekly benefit amount category.

<u>Present law</u> provides that the weekly benefit amount paid under <u>present law</u> shall be in accordance with <u>present law</u>, but in no event shall it be more than 66 2/3% of this state's average weekly wage as computed by the administrator as of the immediately preceding March 31st. <u>Present law</u> further provides that the average weekly wage computed for any March 31st shall not apply to benefit years which begin prior to Sept. 1st.

<u>Proposed law</u> provides that the weekly benefit amount shall be based on the following:

- (1) Beginning January 1, 2022, the maximum weekly benefit amount shall be not less than \$247.
- (2) Beginning January 1, 2023, the maximum weekly benefit amount shall be not less than \$300.
- (3) Beginning January 1, 2024, the maximum weekly benefit amount shall be not less than \$325.
- (4) Beginning January 1, 2025, the maximum weekly benefit amount shall be based on the average weekly earnings in the second previous year.

<u>Proposed law</u> provides that in no event shall the weekly benefit amount be less than 40% and no more than 66 2/3% of this state's average weekly wage as computed by the administrator.

<u>Present law</u> provides that the weekly benefit amount to unemployed individuals filing a new claim for benefits may be modified in accordance with the provisions in <u>present law</u>. <u>Present law</u> further provides that in no event shall the weekly amount be more than as designated in <u>present law</u> nor less than \$10.

<u>Proposed law</u> provides that the weekly benefit amount to unemployed individuals filing a new claim for benefits shall only be modified in accordance with the provisions in <u>proposed</u> <u>law</u>. <u>Proposed law</u> further provides that in no event shall the weekly amount be more than as designated in <u>proposed law</u> nor less than \$10.

Present law provides that in no event shall the weekly amount paid exceed \$284.

Proposed law repeals present law.

(Amends R.S. 23:1474(C), (G)(3)(b) and (I) and 1592(B) and (F); Repeals R.S. 23:1592(E))