

## **Amendments to State Unemployment Insurance Laws**

U.S. DEPARTMENT OF LABOR  
Employment and Training Administration  
Washington, D.C. 20210

### REPORT ON STATE LEGISLATION

REPORT NO. 1  
October 03, 2000

### Amendments to State Unemployment Insurance Laws

**ALASKA**      SB 222      ENACTED May 11, 2000  
                  CH 51      EFFECTIVE July 1, 2000 except as noted

#### Administration

Changes references to the Standard Industrial Classification to the North American Industry Classification System.

Updates the prohibition against denying benefits because an individual is attending State approved training to reference the Workforce Investment Act .

#### Benefits

Limits the disqualification for misconduct connected with work to the insured worker's last work.

Effective October 7, 2001:

Changes Abenefit year@ from the one-year period beginning with the first day a claim is filed to a 52-week period beginning the Sunday preceding the day a claim is filed.

Provides that the benefit year is a 53-week period if the filing for a determination would result in overlapping any quarter of the base period of a previously filed request for determination.

Provides that a transition period during which claims established prior to October 7, 2001, shall be completed as originally established. If an insured worker=s benefit year ends on any day other than a Sunday, the benefit year will be extended until 11:59pm the following Saturday.

**COLORADO**      HB 1056      ENACTED May 24, 2000  
                  (CH 195)      EFFECTIVE July 1, 2000

#### Financing

Credits to the Unemployment Revenue fund: (1) penalties collected from employers for

late report filings; (2) claimant penalties collected and all investigative costs awarded in connection with overpayments established due to an individual's false representation or willful failure to disclose a material fact (repaid benefits will be deposited into the unemployment trust fund); and (3) money remaining in the federal advance interest repayment fund after interest charges and administrative costs have been paid

**INDIANA**

HB 1043  
(P.L. 30)

ENACTED March 15, 2000  
EFFECTIVE JULY 1, 2000

Benefits

Increases over a 3-year period the maximum level of quarterly wage credits for purposes of computing benefits as follows:

After July 1, 2000 and prior to July 1, 2001: \$6700

After July 1, 2001 and prior to July 1, 2002: \$7300

After July 1, 2002 and prior to July 1, 2003: \$7900

Financing

Added a new rate schedule (E) that decreases the contribution rate for certain employers; rates for positive balance employers range from 0.15 to 2.4 percent and for negative balance employers from 3.6 to 5.4 for calendar year 2001. Employer rates will be set according to schedule D for calendar year 2002.

**MINNESOTA**

SB 3554  
(CH 343)

ENACTED April 6, 2000  
EFFECTIVE April 7, 2000

Administration

Changes the program name from "reemployment compensation" to the "unemployment compensation program" and, where applicable, changes the term "benefit" to "unemployment benefit."

Financing

Changes the time period from 3 to 2 years for which a nonprofit organization is bound when it elects to change from taxable to reimbursable status.

Changes the conditions under which nonprofit organizations can change from taxable to reimbursable status, so that an employer can switch if it paid an amount of taxes that exceeded the benefits to its employees by 25 percent over the past 5 years. Previously, an employer either had to have no benefit charges or had to pay down its experience rating to zero.

Permits the commissioner of economic security to apply the compromise authority (i.e., to change in whole or in part any action, determination, or decision) that is applicable to all other employers to nonprofit organizations.

**MISSISSIPPI**HB 211  
(CH 508)ENACTED April 30, 2000  
EFFECTIVE July 1, 2000Administrative

Modifies the filing of lien provisions to require that the commission deliver a copy of the warrant issued to the sheriff on employers failing to pay contributions and assessments to the clerk of the circuit court.

Further modifies the lien provisions to, among other things, specify that a judgement not be a lien upon the property of the employer for a period of more than 7 years from the date of filing of the notice of the tax lien unless action be brought before the expiration of such time or unless the commission refiles such notice of tax lien before the expiration of such time. The judgment is a lien upon the property of the employer for a period of 7 years from the date of refiling such notice of tax lien unless action be brought before the expiration of such time or unless the commission refiles (without limit to the number of times) such notice of tax lien before the expiration of such time.

Permits the commission to issue the warrant directly to the circuit clerk of any county of the State for enrollment upon the judgment rolls of the county.

**NEBRASKA**

LB 953

ENACTED and EFFECTIVE  
April 6, 2000Benefits

Provides that an individual is deemed to have left employment for good cause if escaping abuse and is not disqualified from benefits for voluntarily leaving work provided all reasonable efforts to preserve the employment were made.

Provides that no benefits will be charged to an employers experience account for benefits paid based on the claimant voluntarily leaving work with good cause to escape abuse.

Deletes the language requiring the suspension of certain provisions of the extended benefits program.

Coverage

Makes technical corrections in the exclusion from employment for services performed in rehabilitation facilities or sheltered workshops.

**NEW MEXICO**HB 157  
(CH 27)ENACTED and EFFECTIVE  
March 6, 2000Administrative

Deletes the requirements for the risk management advisory board to annually determine and transfer balances of the State government unemployment compensation

reserve fund.

Provides that the State government unemployment compensation reserve fund money may be used to establish and maintain a reserve fund for reimbursing state agencies for benefits paid to their former employees.

**SOUTH DAKOTA**

HB 1020  
(CH 252)

ENACTED February 2, 2000

Financing

Provides that after December 31, 2000, new employer rates will be assigned based on the North American Industry Classification System, rather than the Standard Industrial Classification System.

**UTAH**

HB 345  
(CH 292)

ENACTED March 16, 2000

Benefits

Increases the maximum weekly benefit payable from 60 to 65 percent of the "insured average fiscal year weekly wage" during the preceding fiscal year for individuals whose benefit year begins on or after January 1, 2001.

Financing

Beginning January 1, 2000, establishes the social contribution at a fixed amount of 0.1 percent rather than a calculated amount, provided the reserve factor is 1.000 or less. Retains the current procedures when the reserve factor is greater than 1.000 - - social costs for the previous 4 years divided by total taxable wages

Modifies the determination of the reserve factor to set it at a rate that sustains an adequate reserve. Defines "adequate reserve" as "between 17 and 19 months of benefits at the average of the five highest benefit cost rates in the last 25 years."

**UTAH**

SB 83  
(CH 156)

ENACTED March 7, 2000

Appeals

Eliminates the requirement for a recorded hearing in cases of UI fraud. Therefore, determinations regarding fraud are appealable in the same manner as appeals from other benefit determinations.

Coverage

Changes the definition of wages to conform with Section 3306(b), Federal Unemployment Tax Act with some modifications.

Benefits

Deletes the authority for the Employment Security Department to deduct a processing fee when intercepting or deducting child support from unemployment insurance benefits.

**2000 Regular Legislative Sessions**

<b>States</b>	<b>Convens 2000 date</b>	<b>Adjourns</b>
<b>Alaska</b>	January 10th	May 10th
<b>Alabama</b>	February 1st	March 21st
<b>Arkansas</b>	No Regular 2000 Session	
<b>Arizona</b>	January 10th	April 14th
<b>California</b>	January 3rd	August 31st
<b>Colorado</b>	January 5th	May 3rd
<b>Connecticut</b>	February 9th	May 3rd
<b>Deleware</b>	January 11th	June 30th
<b>Florida</b>	March 7th	May 6th
<b>Georgia</b>	January 10th	March 17th
<b>Hawaii</b>	January 19th	May 5th
<b>Iowa</b>	January 10th	April 18th
<b>Idaho</b>	January 10th	May 10th
<b>Illinois</b>	January 12th	January 9th 2001
<b>Indiana</b>	January 11th	March 14th
<b>Kansas</b>	January 10th	April 12th
<b>Kentucky</b>	January 4th	April 15th
<b>Louisiana</b>	April 24th	June 7th
<b>Massachusetts</b>	January 5th	January 2nd 2001
<b>Maryland</b>	January 12th	April 10th
<b>Maine</b>	January 5th	April 15th
<b>Michigan</b>	January 1st	December 31st
<b>Minnesota</b>	February 1st	May 22nd
<b>Missouri</b>	January 5th	May 30th
<b>Mississippi</b>	January 4th	May 7th
<b>Montana</b>	No Regular 2000 session	
<b>North Carolina</b>	May 10th	July 26th
<b>North Dakota</b>	No Regular 2000 session	
<b>Nebraska</b>	January 5th	April 17th
<b>New Hampshire</b>	January 5th	July 1st
<b>New Jersey</b>	January 11th	January 8th
<b>New Mexico</b>	January 18th	February 22nd

<b>Nevada</b>	No Regular 2000 Session	
<b>New York</b>	January 5th	January 2nd 2001
<b>Ohio</b>	January 4th	December 31st
<b>Oklahoma</b>	February 7th	May 26th
<b>Oregon</b>	No Regular 2000 Session	
<b>Pennsylvania</b>	January 4th	November 30th
<b>Rhode Island</b>	January 4th	July 14th
<b>South Carolina</b>	January 11th	June 1st
<b>South Dakota</b>	January 11th	March 14th
<b>Tennessee</b>	January 11th	April 27th
<b>Texas</b>	No Regular 2000 Session	
<b>Utah</b>	January 17th	March 2nd
<b>Virginia</b>	January 12th	February 25th
<b>Vermont</b>	January 4th	April 25th
<b>Washington</b>	January 10th	March 8th
<b>Wisconsin</b>	January 3rd	May 4th
<b>West Virginia</b>	January 12th	March 11th
<b>Wyoming</b>	February 21st	March 10th
<b>U.S. Congress</b>	January 3rd	October 27th