AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§1592. Weekly benefit amount

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

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§1595. Duration of benefits

A. (1) Any otherwise eligible individual shall be entitled to a total amount of benefits equal to twenty-six twelve...
times his weekly benefit amount as determined pursuant to R.S. 23:1592 when
provided that such total amount of benefits, if not a multiple of one dollar, shall be
computed to the nearest multiple of one dollar; the state's average unemployment rate
is at or below five and one half percent.

(2) In addition to the twelve 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.

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

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

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

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

(2) For the purposes of this Section, "state average employment rate" means
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, who shall be responsible for collecting and publishing unemployment
rate data.
D. The Louisiana Workforce Commission shall promulgate all rules and regulations as are necessary for the purposes of carrying out the provisions of this Section.

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

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

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.

Proposed 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.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
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)