

2025 Regular Session

HOUSE BILL NO. 521

BY REPRESENTATIVE LYONS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

UNEMPLOYMENT COMP: Provides for unemployment eligibility of certain school employees

1 AN ACT

2 To amend and reenact R.S. 23:1600(6)(a)(iii) and (iv), to enact R.S. 23:1600(9), and to
3 repeal R.S. 23:1600(6)(a)(ii), relative to unemployment benefits; to provide for
4 eligibility requirements; to remove the prohibition on certain school employees from
5 receiving unemployment benefits; to allow certain school employees to receive
6 unemployment benefits under certain circumstance; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 23:1600(6)(a)(iii) and (iv) are hereby amended and reenacted and
10 R.S. 23:1600(9) is hereby enacted to read as follows:

11 §1600. Benefit eligibility conditions

12 An unemployed individual shall be eligible to receive benefits only if the
13 administrator finds that:

14 * * *

15 (6)(a) Benefits based on service in employment defined in R.S.
16 23:1472(12)(F)(I) (II), (IV), and (VII) shall be payable in the same amount, on the
17 same terms and subject to the same conditions as benefits payable on the basis of
18 other services subject to this Act; except that:

19 * * *

(iii) With respect to any services described in clause (i) ~~or (ii)~~ compensation payable on the basis of such services shall be denied to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(iv) With respect to any services described in clause (i) ~~or (ii)~~, compensation payable on the basis of services in any such capacity shall be denied as specified in clauses (i), ~~(ii)~~, and (iii) to any individual who performed such services in any educational institution, while in the employ of an educational service agency, ~~or to any crossing guards~~, whether employed by a school board or another political subdivision of the state, and for this purpose the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

* * *

(9)(a) He is employed by an educational institution to perform services in any other capacity that is not instructional, research, or principal administrative, including as a cross guard, whether employed by a school board or another political subdivision of the state.

(b) A claimant who applies for benefits pursuant to this Paragraph shall only be entitled to benefits if he is otherwise eligible to receive benefits pursuant to this Chapter.

(c) A claimant who receives benefits pursuant to this Paragraph shall only be eligible to receive benefits for any week that commences during a period between two successive academic terms.

* * *

Section 2. R.S. 23:1600(6)(a)(ii) 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 521 Original

2025 Regular Session

Lyons

Abstract: Allows school employees who are employed in any other capacity that is not instructional, research, or principal administrative to collect unemployment benefits during the summer term.

Present law provides a list of conditions that provide for when an unemployed individual is considered eligible to receive unemployment benefits. One of those conditions provided for in present law is that benefits based on service in employment as defined in present law shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other services except for the following:

- (1) Services performed in an instructional, research, or principal administrative capacity for any educational institution, including institutions of higher education and local public school systems.
- (2) Services performed in any other capacity for an educational institution, including crossing guards, whether employed by a school board or another political subdivision of the state. Unless, compensation was denied to the employee and he was not offered an opportunity to perform services for the educational institution for the following academic year or term.

Proposed law repeals the prohibition on school employees who perform services in any other capacity for an educational institution, including cross guards. Proposed law otherwise retains present law.

Present law prohibits all school employees, including those employed by an educational service agency, from collecting unemployment benefits during a period that is established and is customarily a vacation period or holiday recess during the academic year or term, if the school employee is returning to work after the vacation period or holiday recess.

Proposed law repeals the aforementioned prohibition on school employees who are employed in any other capacity that is not instructional, research, or principal administrative. Proposed law otherwise retains present law.

Proposed law allows a school employee who is employed in any other capacity that is not instructional, research, or principal administrative, including cross guards, to collect unemployment benefits, if he meets eligibility requirements and would have otherwise been eligible to receive benefits. Proposed law further provides that the claimant can only receive benefits during the summer period between two successive academic terms.

(Amends R.S. 23:1600(6)(a)(iii) and (iv); Adds R.S. 23:1600(9); Repeals R.S. 23:1600(6)(a)(ii))