

---

The original instrument was prepared by Mary Dozier O'Brien. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

---

## DIGEST

Riser (SB 121)

Present law provides for three exceptions to the requirement that unemployment benefits paid are included in the experience rating records of employers.

Proposed law provides for a fourth exception stating that when the payment of benefits is caused by an act or omission of a third party, such benefits shall not be included in the experience rating of such employer.

Proposed law provides that such a determination of fault of a third party shall be determined in accordance with the Oil Pollution Act, 33 U.S.C. 2701, et seq.

Proposed law requires that the amount of both regular and extended benefits paid out due to the fault of a third party or parties shall be reimbursed by the responsible third party or parties.

Proposed law provides relative to employers who directly reimburse the Unemployment Trust Fund for benefits paid to their employees, and proposed law states that these employers shall also be repaid by the responsible third party or parties.

Proposed law is remedial in nature and shall be retroactively applied back to January 1, 2010.

Effective August 15, 2011.

(Amends R.S. 23:1533 and 1553(E))

### Summary of Amendments Adopted by Senate

#### Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the original bill.

1. Amendments require that the amount of both regular and extended benefits paid out due to the fault of a third party or parties shall be reimbursed by the responsible third party or parties.
2. Amendments delete the reference to the U.S. Coast Guard.
3. Amendments insert the same exception language in the part of Title 23 that deals

with employers who directly reimburse the Unemployment Trust Fund for benefits paid to their employees.

4. Amendments provide that all sections of the bill are remedial in effect and shall apply retroactively to January 1, 2010.
5. Amends R.S. 23:1552(E).

Senate Floor Amendments to engrossed bill.

1. Technical amendments.