

(Act No. 1628)

Administration

Requires director to report to the Employment Security Department Advisory Council on a quarterly basis as to any uses of stabilization tax proceeds deposited into the Employment Security Special Fund.

Financing

Renews provision requiring deposit of stabilization tax proceeds equal to 0.05 percent of taxable wages, collected from January 1, 2001 to December 31, 2002, into the Employment Security Special Fund.

ARKANSAS HB 2215 ENACTED and EFFECTIVE April 10, 2001
(Act No. 1467)

Administration

Changes reference from appeal referee to appeal hearing officer.

Changes the term of office for members of the Board of Review from 2 to 4 years, and 4 year terms are to run concurrently with the term of the Office of the Governor.

Requires the Chairman of the Board of Review to have a 4-year term beginning with the 2003 appointment.

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

Requires extended benefits not reimbursed by the federal government to be financed by the Indian tribe.

CALIFORNIA AB 1537 ENACTED September 5, 2001
(CH 255) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Provides that an "American employer" now includes any Indian tribe.

Amends the definition of "employment" and "employing unit" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such

services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Requires an Indian tribe that elects to make reimbursements to file a surety bond.

Under certain circumstances, terminates the reimbursement election and may terminate coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

Provides that any Indian tribe may elect unemployment compensation disability coverage for certain employees, provided the election is the result of a negotiated agreement between specific parties.

Requires extended benefits not reimbursed by the federal government to be financed by the Indian tribe.

CALIFORNIA SB 40 ENACTED October 1, 2001
(CH 255) EFFECTIVE upon enactment except as indicated

Benefits

Repeals the provision regarding eligibility of student with part-time availability.

Provides that an unemployed worker is not disqualified for eligibility for unemployment compensation benefits solely on the basis that he or she is only available for part-time work.

Specifies that if an individual restricts his or her availability to part-time work, such individual may be considered to be able to work and available for work if it is determined that all of the following conditions exist:

- (a) The claim is based on the part-time employment.
- (b) The claimant is actively seeking and is willing to accept work under essentially the same conditions as existed while the wage credits were accrued.
- (c) The claimant imposes no other restrictions and is in a labor market in which a reasonable demand exists for the part-time services he or she offers.

Requires that payments received from an employer who has failed to provide the advance notice of facility closure required by the federal Worker Adjustment Renotification and Training Act not be construed to be wages or compensation for personal services for eligibility determination purposes. Requires that benefits payable not be denied or reduced because of the receipt of payments related in any way to an employer's violation of the federal law.

Changes the base period determination as follows: Benefit year beginning--

January, February, or March - 4 quarters ending the previous September;

April, May, or June - 4 quarters ending the previous December;

July, August, or September - 4 quarters ending the previous March;

October, November, or December - 4 quarters ending the previous June.

Establishes new maximum benefit amount (MBA) tables for claims filed with an effective date beginning: on or after January 1, 2002 and prior to January 1, 2003 with a specified MBA of \$330; and on or after January 1, 2003 and before January 1, 2004 with a specified MBA of \$370; on or after January 1, 2004 and before January 1, 2005 with a specified MBA of \$410; on or after January 1, 2005 with a specified MBA of \$450.

Requires the Department to study the most effective and efficient means of capturing recent employee wages for the purposes of establishing eligibility for UI benefits including implementing an alternative base period. Requires the study to also identify federal and state resources that may be used to administer the UI program. Requires the study to be completed and submitted to the Legislature by December 31, 2002.

COLORADO SB 233 ENACTED June 5, 2001
(CH 308) EFFECTIVE upon enactment unless otherwise noted

Financing

Requires, on and after July 1, 2001, moneys from the statewide indirect cost allocation agreement with the federal government be used to supplement moneys in the employment support fund.

COLORADO HB 1404 ENACTED June 9, 2001
(Act 338) EFFECTIVE December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

May require an Indian tribe that elects to make reimbursements to execute and file a surety bond or deposit money or securities.

Under certain circumstances, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

CONNECTICUT HB 6775 ENACTED May 31, 2001
(Act 01-37)

Benefits

Clarifies that "wilful misconduct," in the case of absence from work, means an employee must be absent without either good cause for the absence or notice to the employer which the employee could reasonably have provided under the circumstances for 3 separate instances within an 18-month period. Eliminates the definition of "just cause."

CONNECTICUT

HB 7507
(Act 01-9)

ENACTED July 2, 2001
EFFECTIVE July 1, 2001

Coverage

Amends the definition of "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

May require an Indian tribe that elects to make reimbursements to execute and file a surety bond or deposit money or securities.

Under certain conditions, terminates the reimbursement election and may terminate coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

DELAWARE

SB 243
(CH 209)

ENACTED July 30, 2001
EFFECTIVE as indicated

Benefits

Increases the maximum weekly benefit amount from \$315 to \$330 for all new claims effective January 1, 2002, and thereafter as long as the balance in the UI Trust Fund is \$275 million or greater.

Financing

Reduces the supplemental assessment from 0.3 percent to 0.2 percent effective January 1, 2002, and thereafter whenever the UI Trust Fund balance is equal to or greater than \$300 million.

HAWAII

HB 670
(Act 112)

ENACTED and EFFECTIVE May 18, 2001

Administration

Clarifies that Reed Act monies may be requisitioned and used for the payment of benefits and for the payment of expenses incurred for the administration of Hawaii's unemployment compensation law and public employment offices pursuant to a specific

appropriation of the legislature.

Requires that moneys credited to the account in federal fiscal years ending in 2000, 2001, and 2002 to be used solely for the administration of the unemployment compensation program and the moneys are not subject to specific appropriation requirements. (Retroactive for fiscal years 2000 and 2001.)

Requires that the appropriation, obligation and expenditure or other disposition of Reed act money be accounted for in accordance with standards established by the U.S. Secretary of Labor.

HAWAII SB 3 c; HB 3 c ENACTED and EFFECTIVE November 2, 2001
(Act 112)

Benefits

Creates a temporary program providing state additional benefits (SAB) to unemployed workers by extending their unemployment insurance benefits.

Defines "applicable benefit year" to mean the individual's current benefit year if the individual has an unexpired benefit year or the individual's most recent benefit year for regular benefits ending on or after September 11, 2001.

Defines "continued claim certification" to mean an application that certifies the completion of a week of total, part-total, or partial unemployment to claim benefits for a week of unemployment.

Provides that the eligibility period for the receipt of SAB begins on the first Sunday following November 2, 2001 and ends on June 30, 2002.

Provides that an initial claim now includes an additional claim or a reopened claim.

Provides the following eligibility requirements must be met for receipt of SAB:

- An individual must file an initial claim or continued claim certification for regular benefits on or after September 11, 2001 and was paid benefits for the period after September 11, 2001;
- The week of unemployment must fall within the eligibility period;
- The individual must have exhausted all rights to receive regular benefits on or after September 11, 2001, or if not exhausted, the applicable benefit year expired on or after September 11, 2001;
- The individual must not be eligible to receive unemployment benefits under federal law or the laws of any other state, or any federal or federal-state extended benefits program, after September 11, 2001;
- Any additional or extended unemployment benefits paid under federal law or the laws of any other state, or any federal or federal-state extended benefits program must not be deducted from the total SAB amount, but will be in addition to SAB, and SAB will be paid only when such federal, federal-state, or other State's extended benefits are not payable; and
- The individual must have met all other eligibility conditions applied to regular

benefits , except no individual will be required to serve a waiting period in the eligibility period.

Provides that the weekly SAB amount will be equal to the weekly benefit amount payable in the applicable benefit year; the maximum SAB amount will be 13 times the weekly SAB amount.

Provides that no SAB will be payable beginning prior to or after the close of the eligibility period.

Provides that provisions applying to claims or payment of regular benefits apply to SAB, except where inconsistent with the State UI law.

Financing

Requires funds for SAB be withdrawn from the unemployment compensation trust fund.

Provides that administrative expenses incurred for SAB may be allocated from the state general fund.

Requires benefits paid under the SAB program be charged against base period employers' accounts except for employers on a contributory plan.

Requires contribution rate schedule C to be maintained effective for calendar year 2002 only; the governor may provide for a schedule change for 2002 under certain conditions.

ILLINOIS SB 252 ENACTED and EFFECTIVE August 17, 2001
(P.A. 92-0433)

Coverage

Excludes from employment service performed by a full-time student in the employment of an organized camp if certain conditions are met.

ILLINOIS SB 969 ENACTED and EFFECTIVE August 17, 2001
(P.A. 92-0441)

Coverage

Excludes from employment service performed on or after January 1, 2002, in the employ of a governmental entity as an election official or election worker and the amount of remuneration received for such service during the calendar year is less than \$1,000.

ILLINOIS SB 858 ENACTED and EFFECTIVE August 16, 2001
(P.A. 92-0396)

Administration

Provides for reconsideration of determinations related to back pay awards and wrongfully withheld wages. Changes the time period for reconsidering determinations from 2 to 3 years.

INDIANA

HB 1962
(P.L. 290)

ENACTED May 11
EFFECTIVE July 1, 2001

Benefits

Allows the waiver of liability for repayment of benefits upon the request of the individual if the benefits were received without fault of the individual's, the benefits were the result of payment made during the pendency of an appeal under which the individual is determined to be ineligible, and repayment would cause economic hardship.

Modifies the provisions reducing the maximum benefit amount for a separation under disqualifying conditions and for failure to apply for or accept suitable work by providing that the maximum benefit amount may not be reduced by more than 25% during any benefit or extended benefit periods.

Provides that the pension deduction provisions do not preclude an individual from delaying a claim to pension, retirement, or annuity payments until the individual has received the benefits otherwise eligible. Requires that weekly benefits received before the elected retirement date not be reduced by any pension, retirement, or annuity payment received on or after the elected retirement date.

Establishes a 20 day time period for an employing unit, including an employer, to notify the department of any facts which may affect an individual's eligibility or right to waiting period credits or benefits.

Financing

Provides that the amount of contributions estimated by the commissioner when an employer fails to file a report or files an incorrect report be considered prima facie correct.

Allows adjustment of such estimated amount of contribution on the basis of information ascertained after the expiration of the notice period if the employer or other interested party shows reasonable cause for untimely failure to file any payroll report and submits accurate and reliable reports.

Establishes a skills training program from January 1, 2002 to December 31, 2004.

Establishes a 0.09% skills training assessment upon a contributing employer's previous year's taxable wages; the assessment is not credited to the employer's experience account, and does not affect the contribution rate computation.

Requires deposit of the skills training assessment in the skills training fund that has been established. If the unemployment fund ratio is less than a specified amount, the

funds assessed for or deposited in the skills 2016 training fund must be directed or transferred to the unemployment insurance benefit fund.

Requires noncharging of unemployment benefits to the experience account of a base period employer when unemployment is a direct result of the condemnation of property by a municipal corporation, the state, or the federal government, a fire, flood, act of nature, when at least 50% of employees, including the claimant, became unemployed as a result. This exception does not apply when the unemployment was an intentional result of the employer or a person acting on behalf of the employer.

Establishes a new tax rate table for 2002 through 2004 with rates ranging from 0.15% to 5.4% under the most favorable schedule and 1.1% to 5.60% under the least favorable schedule.

IOWA SB 98 ENACTED May 25
EFFECTIVE January 1, 2001

Financing

Provides for noncharging employers' account for unemployment benefits directly caused by a major natural disaster declared by the President.

IOWA SB 418 ENACTED and EFFECTIVE May 3, 2001

Benefits

Prohibits the deduction of federal social security pensions from benefits to take into account the individuals' contribution to the pension program.

Coverage

Amends the definition of "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain circumstances, terminates the reimbursement election and may terminate coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

KANSAS HB 2303 ENACTED April 19, 2001
(CH 139) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or elect to make reimbursements for the full amount of regular benefits and extended benefits.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

May require an Indian tribe that elects to make reimbursements to file a surety bond or in lieu of a surety bond, to deposit money or securities, or to purchase and deliver a certificate of deposit to guarantee payment.

LOUISIANA HB 5a ENACTED March 27, 2001
 (Act 4) EFFECTIVE December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments.

LOUISIANA HB 953 ENACTED AND EFFECTIVE June 29, 2001
 (Act 1165)

Administration

Changes the reference from appeal "tribunal" to "referee" and eliminates the option that the tribunal consist of a body of three members.

Changes the authority to appoint referees and their alternates from the board of review to the secretary of the state Department of Labor.

LOUISIANA HB 990 ENACTED AND EFFECTIVE June 26, 2001
 (Act 860)

Benefits

Changes the amount an individual may elect to deduct and withhold from benefits for federal income tax from 15 percent to an amount equal to the amount allowable under federal law.

LOUISIANA HB 956 ENACTED AND EFFECTIVE June 15, 2001
 (Act 422)

Provides that an Indian tribe whose election is terminated becomes a taxpaying employer and is assigned the new employer tax rate until qualified for a rate based on experience.

MONTANA

HB 463

ENACTED May 1, 2001

EFFECTIVE July 1, 2001

Administration

Requires the Department of Labor and Industry to report to the legislature on the unemployment benefits applied for and granted under the domestic violence provision. The report must include information on applicant demographics and benefit costs.

Benefits

Provides that an individual who is otherwise eligible for benefits may not be denied benefits because the individual left work or was discharged because of circumstances resulting from the individual or a child of the individual being a victim of domestic violence, or due to an individual's attempt to protect themselves or their child from domestic abuse.

Specifies the conditions under which an individual must be treated as a victim of domestic violence.

Limits the duration of these benefits to 10 weeks within a 12-month period.

Terminates this provision July 1, 2003.

Financing

Non charges employers for the payment of unemployment benefits to an individual who left work due to circumstances stemming from domestic violence.

MONTANA

HB 579

ENACTED April 5, 2001

(CH 200)

EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employing unit" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments.

MONTANA SB 450 ENACTED and EFFECTIVE March 21, 2001
(CH 339)

Coverage

Narrows exclusion from employment for real estate agents to "qualified" agents as defined in 26 U.S.C. 3508, meaning those whose remuneration is substantially all directly related to sales or other output and who, by written contract, are not employees. The former exclusion applied to all agents licensed under State law. Adds an exclusion from employment for insurance salespeople paid solely by commission and without a guarantee of minimum earnings.

NEBRASKA LB 192 ENACTED and EFFECTIVE March 1, 2001

Administration

Eliminates language authorizing the Department of Labor to utilize a three-member tribunal to hear UI appeals; provides that the UI appeal tribunal will in each case consist of an administrative law judge.

Adds provisions concerning the independence of appeal tribunals from the State Department of Labor in making decisions about a claimant's eligibility for UI.

Provides that an employer appeal concerning the rate of combined unemployment tax or amount due shall be to a UI appeal tribunal, rather than to the Commissioner of Labor. Permits the Commissioner of Labor to appeal the appeal tribunal's decision regarding an employer's rate.

Specifies that fraud prosecutions involving receipt of UI benefits may be brought in any county where any part of the crime was committed, including the county in which the person received the benefits.

Benefits

Clarifies that employer-provided supplemental UI benefits are not wages for unemployment benefit or tax purposes and are not deductible from State-provided UI. This ensures that employees are not disqualified from receiving State-provided UI and do not have State-provided UI reduced while receiving supplemental UI.

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Requires an Indian tribe that elects to make reimbursements to file a surety bond or deposit money or securities on the same basis as other employers with the same election option.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments.

NEVADA AB 607 ENACTED May 31, 2001
(CH 313) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements for regular benefits and all of extended benefits.

Under certain conditions, suspends the reimbursement election when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

NEW JERSEY SB 1466 ENACTED and EFFECTIVE December 6, 2001
(CH 250)

Administration

Clarifies that an employee leasing firm (or professional employer organization) and a client company are both responsible for meeting the requirements of the state UI law.

NEW MEXICO HB 619 ENACTED April 4, 2001
(CH 249) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in UI coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

NORTH CAROLINA HB 311 ENACTED and EFFECTIVE June 7, 2001
(CH 207)

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

Requires extended benefits not reimbursed by the federal government to be financed by the Indian tribe.

Requires a refund to the Indian tribe employing unit of any credit balance in the account when the reimbursement method is changed to contributions or upon termination of coverage. (raises issue.)

NORTH CAROLINA HB 343 ENACTED June 29, 2001
(CH 251) EFFECTIVE upon enactment or as indicated

Financing

Provides for noncharging employer's account if the discharge of the claimant was solely for a bona fide inability to do the work for which he was hired but only where the claimant's period of employment was 100 days or less.

Eliminates noncharging provisions related to hiring pursuant to a job order placed with a local office of the Commission and the Work First Program.

Benefits (Effective September 1, 2001)

Eliminates the age limit for a minor child under the undue family hardship provision and provides that undue family hardship arises when an individual is unable to accept a particular shift because the individual is unable to obtain care for any disabled member of that individual's immediate family.

Defines "immediate family" as an individual's wife, husband, mother, father, brother, sister, son, daughter, grandmother, grandfather, grandson, granddaughter, whether the relationship is a biological, step-, half-, or in-law relationship.

NORTH CAROLINA HB 344 ENACTED AND EFFECTIVE June 15, 2001
(CH 184)

Administration

Eliminates the language that would allow certain but not all employers of specific domestic service employees to file reports annually. (Resolves pending issue.)

OREGON HB 2588 ENACTED May 24, 2001
 (CH 185) EFFECTIVE January 1, 2002

Financing

Provides that a business entity that has a single owner and is disregarded as an entity separate from its owner for federal tax purposes is deemed to be the same employing unit as its owner for unemployment compensation tax purposes. Applies to tax years beginning on or after January 1, 2002.

OREGON HB 2767 ENACTED and EFFECTIVE May 17, 2001
 (CH 144)

Benefits

Provides that an individual may not be disqualified from unemployment benefits if the individual is a victim of domestic violence and certain conditions are met.

OREGON SB 874 ENACTED June 28, 2001
 (CH 657) EFFECTIVE July 1, 2001

Benefits

Requires the Employment Department to provide unemployment insurance applicants with a JOBS Plus Program brochure at the time of application.

Requires the Employment Department to refer unemployment insurance recipients:

To available unsubsidized and subsidized jobs within a certain time period if certain conditions are met.

To the JOBS PLUS Program if appropriate and reassess the recipient's reemployability under certain conditions.

Establishes the time period limitations for recipient's participation in JOBS PLUS Program.

Provides reimbursement to employers participating in the JOBS PLUS Program by providing subsidized employment.

Establishes that the director may refer claimants to JOBS PLUS Program jobs for which the claimant does not have adequate skills or experience when such job is likely to result in an upgrade in the claimant's skills and experience.

Assigns the Employment Department, as appropriate, certain responsibilities in connection with the JOBS PLUS Program.

Removes the Adult and Family Services Division from connection with the JOBS PLUS Program.

OREGON	HB 3441 (CH 781)	ENACTED July 17, 2001 EFFECTIVE October 6, 2001
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Financing

Establishes the Oregon JOBS Plus Unemployment Wage Fund; provides that all moneys in the fund are appropriated continuously to the Employment Department for the payment of wages and wage-related and administrative expenses of participants in the JOBS Plus Program who are otherwise eligible to receive unemployment insurance benefits.

Imposes a tax on employers, except employers at a 5.4% rate, of 0.07% for the first two quarters of 2002 and 2003 for purposes of funding the JOBS Plus Unemployment Wage Fund.

Imposes a tax on employers, except employers at a 5.4% rate, of 0.03% for the first quarter of 2003 for purposes of funding the Wage Security Fund. Makes corresponding reduction in UI tax rates for these quarters.

OREGON	SB 397 (CH 885)	ENACTED July 31, 2001 EFFECTIVE January 1, 2002
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Financing

Imposes a tax on employers, except employers at a 5.4% rate, of 0.03% for the first quarter of every odd-numbered year for purposes of funding the Wage Security Fund. Makes corresponding reduction in UI tax rates for these quarters.

OREGON	HB 3596 (CH 572)	ENACTED June 22, 2001 EFFECTIVE applies retroactively to December 21, 2000
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Coverage

Amends the definition of "employer," "employment," and "employing unit" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements for regular benefits and all extended benefits.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

RHODE ISLAND SB 455 ENACTED July 13, 2001
(CH 254) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

May require an Indian tribe that elects to make reimbursements to execute and file a surety bond or deposit money or securities.

Extended benefits not reimbursed by the federal government will be financed in their entirety by the Indian tribe.

SOUTH DAKOTA HB 1020 ENACTED February 2, 2000
(CH 252) EFFECTIVE January 1, 2001

Administration

Changes the employer rate assignment provision to reflect the shift from Standard Industrial Classification system to North American Industry Classification System.

TENNESSEE SB 413, HB 745 ENACTED July 18, 2001
(CH 441) EFFECTIVE as indicated

Benefits

Increases the maximum weekly benefit amount from \$255 to \$275 on or after August 5, 2001.

TENNESSEE SB 1673, HB 1396 ENACTED June 12, 2001
EFFECTIVE July 1, 2001

Financing

Decreases the total number of premium rate tables from 10 to 6.

Requires variations from the standard rate of premiums for certain employers be determined, beginning July 1, 2001 by the reserve ratio of each employer in accordance with the premium rate tables 1-6, depending on the balance in the unemployment compensation trust fund.

Under the most favorable table, rates range from 0.0% to 10.0%. Under the least favorable table, rates range from 0.5% to 10.0%.

TENNESSEE SB 1676; HB 1435 ENACTED AND EFFECTIVE April 11, 2001
(CH 82)

Benefits

Amends provision concerning the treatment of back pay awards to provide that for unemployment insurance benefit purposes, the amount of back pay constitutes wages paid in the period for which it was awarded. Requires employers who are a party to a back pay award settlement to report whether such settlement was arrived at by subtracting the amount of unemployment benefits received. Establishes the requirements for payments to the unemployment fund by such employers in the event the settlement was or was not reduced by the amount of unemployment benefits received.

TEXAS HB 567 ENACTED June 14, 2001
(CH 903) EFFECTIVE September 1, 2001

Benefits

Changes the computation of the maximum weekly benefit amount from a computation based on the change in the 1976 average weekly wage to 47.6 percent of the preceding year's annual average weekly wage.

Changes the computation of the minimum weekly benefit amount from a computation based on the change in the 1976 average weekly wage to 7.6 percent of the preceding year's annual average weekly wage.

Financing

Permits certain employers of domestic workers to annually report quarterly wages and pay contributions. Requires such employers to make the reporting and paying election not later than December 31 of the year before the first calendar year reported; an election by such employer is not revocable by the employer before the second anniversary of the date of the election.

Requires contributions to be reported and paid by January 31 with respect to wages for employment paid in the preceding calendar year. Requires the commission to estimate the rate taking effect during the preceding calendar year subject to correction when a final computation is made.

Requires those electing employers to file, on the request of the commission, reports at other times as necessary to adjudicate a claim or to establish wage credits.

Requires the computation of any penalty or interest imposed on the elected employer in the same manner as for other types of employment.

Provides that in computing the benefit ratio for employers of domestic workers only and who have elected to file reports annually, only taxable wages for which contributions have been paid to the commission on or before January 31 may be used.

Provides that an employer who reports annually has the same computation date as other employers, but the final computation of a rate for the employer may not occur before February 1 of the year following the computation date.

TEXAS HB 1757 ENACTED June 14, 2001
 (CH 864) EFFECTIVE September 1, 2001

Financing

Provides a special unemployment compensation tax rate for employers engaged in agriculture classified as crop preparation services for market. Requires such employers to pay a contribution at the lowest of the following rates:

- 5.4 percent;
- the general tax rate applicable to that employer, with the deficit tax rate and replenishment tax rate; or
- any other tax rate applicable to that employer.

Eliminates the requirement to notify the Commission of an election.

TEXAS HB 2029 ENACTED and EFFECTIVE June 11, 2001

WASHINGTON SB 6007 ENACTED June 11, 2001
(CH 11) EFFECTIVE applies retroactively to December 21, 2000

Coverage

Amends the definition of "employment" and "employing unit" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

Under certain conditions, terminates the reimbursement election and coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.

May require an Indian tribe that elects to make reimbursement to execute and file a surety bond

or deposit money or securities.

Requires extended benefits not reimbursed by the federal government to be financed in their entirety by the Indian tribe.

WISCONSIN AB 553 ENACTED December 17, 2001
EFFECTIVE as noted

Benefits

Requires that eligible employees be paid benefits at the new weekly benefit rates for total unemployment which commences on or after December 30, 2001 and before December 29, 2002--the minimum weekly benefit rate is \$48 and the maximum benefit rate is \$324; and for total unemployment which commences on or after December 29, 2002--the minimum benefit rate is \$49 and the maximum benefit rate is \$329.

Extends through 2002 the work search provision by changing the period that an individual must conduct a reasonable search for suitable work from a 104-week period to a 156-week period beginning on January 2, 2000.

Requires the department, by rule, to require claimants to conduct a reasonable search for suitable work during the 156-week period, and, by rule, prescribe standards for the search to be considered reasonable.

Amends the pension provision to specify that a pension payment received under the federal Social Security Act will not reduce the weekly benefit amount. (First applies to weeks of unemployment beginning on January 5, 2003.)

Coverage (First applies with respect to employment after December 31, 2001.)

The definition of "employer" and "employment" includes service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

An Indian tribe can either pay contributions or elect to make reimbursement financing.

An Indian tribe that elects to make reimbursement financing must file assurance of reimbursement for the election to be valid; failure to file such assurance terminates pending election.

An Indian tribe may terminate the election and pay a contribution rate of 2.7% for 3 years; under certain conditions, may reelect reimbursement financing.

Under certain conditions, the Department terminates the reimbursement financing and the assurance when the tribe fails to make the required payments and terminates any pending election that fails to meet the requirements to file an assurance of reimbursement; under certain conditions, may reelect reimbursement financing.

The Department may consider the Indian tribe not to be an employer and may consider services performed for the tribe not to be employment for failure to make required payments.

Financing

Requires benefits to be charged to the funds balancing account whenever an employee fails without good cause to return to work with a former employer who recalls the employee within 52 weeks after last worked for that employer. (First applies with respect to determinations issued on December 30, 2001.)

Changes one of the conditions that must be satisfied for a transferee to be deemed a successor to the transfer included 100% of the transferor's total business on the date of the transfer. (First applies to partial transfers of businesses occurring after December 31, 2001 and to transfers of businesses of which the department receives notice after January 31, 2002.)

Provides that if a transfer included less than 100% of the transferor's total business on the date of the transfer, the department is required to allocate the transferor's experience to the successor in proportion to the payroll assignable to the transferred business and the liability of the successor will be proportioned to the extent of the transferred business. (First applies to partial transfers of businesses occurring after December 31, 2001 and to transfers of businesses of which the department receives notice after January 31, 2002.)

Extends through 2004 the administrative assessment on contributing employers.

Requires that penalties also be paid and credited to the administrative account.

Amends the UI law to include that employers are required to pay a tardy filing fee also for certain reimbursements or payment for forfeitures or other penalties.

Amends the provisions regarding levies for delinquent contributions for benefit overpayments: to clarify that contribution also includes certain reimbursements, fees and certain payments due for a forfeiture imposed on an employment unit or other penalty assessed by the department; to clarify that debt also means repayment of a benefit overpayment, or any liability of a 3rd party for failure to surrender to the department

property or rights to property subject to levy after certain proceeding to determine that liability; and to clarify that debtor means a person who owes the department a debt.

Provides that in the case of forfeitures imposed upon an employing unit, an individual debtor is entitled to an exemption from levy on wages.

WYOMING

SB 151
(Act 34)

ENACTED February 20, 2001
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Coverage

Amends the definition of "employer" and "employment" to include service performed for an Indian tribe, resulting in unemployment insurance coverage of such services.

Allows an Indian tribe to either pay contributions or to elect to make reimbursements.

May require an Indian tribe that elects to make reimbursements to file a surety bond.

Under certain circumstances, terminates the reimbursement election and may terminate coverage when a tribe fails to make the required payments; provides for reinstatement when failure is corrected.