

By: Deshotel

H.B. No. 1782

A BILL TO BE ENTITLED

AN ACT

1
2 relating to alternative base periods for the computation of
3 unemployment compensation benefits.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 201, Labor Code, is
6 amended by adding Section 201.013 to read as follows:

7 Sec. 201.013. DEFINITION OF BASE PERIOD; ALTERNATIVE BASE
8 PERIODS. (a) For purposes of this subtitle and subject to this
9 section, an individual's base period is the four consecutive
10 completed calendar quarters, prescribed by the commission, in the
11 five consecutive completed calendar quarters preceding the first
12 day of an individual's benefit year.

13 (b) For an individual precluded because of a medically
14 verifiable illness or injury from working during a major part of a
15 calendar quarter of the period that would otherwise be the
16 individual's base period under Subsection (a), the base period is
17 the first four calendar quarters of the five consecutive calendar
18 quarters preceding the calendar quarter in which the illness began
19 or the injury occurred if the individual files an initial claim for
20 benefits not later than 24 months after the date on which the
21 individual's illness or injury began or occurred.

22 (c) For an individual who does not have sufficient benefit
23 wage credits to qualify for benefits under the computation of the
24 base period as provided by Subsection (a) or (b), the base period is

1 the four most recently completed calendar quarters preceding the
2 first day of the individual's benefit year.

3 (d) For purposes of establishing qualifications for
4 benefits under the base period computation provided under
5 Subsection (c), an individual for whom wage information for the
6 most recent calendar quarter is not yet accessible to or obtainable
7 by the commission may demonstrate that qualification by providing
8 an affidavit supported by payroll documentation available to the
9 individual for that calendar quarter. The commission by rule shall
10 adopt a procedure for an individual to provide the affidavit and
11 documentation permitted under this subsection.

12 SECTION 2. Section 201.011(1), Labor Code, is repealed.

13 SECTION 3. This Act applies only to eligibility for
14 unemployment compensation benefits based on a claim that is filed
15 with the Texas Workforce Commission on or after the effective date
16 of this Act. A claim filed before the effective date of this Act is
17 governed by the law in effect on the date the claim was filed, and
18 the former law is continued in effect for that purpose.

19 SECTION 4. This Act takes effect September 1, 2021.