

By: Guillen

H.B. No. 2698

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for unemployment compensation benefits.

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

SECTION 1. Section 207.021, Labor Code, is amended to read as follows:

Sec. 207.021. BENEFIT ELIGIBILITY CONDITIONS. ~~[(a)]~~
Except as provided by Chapter 215, an unemployed individual is eligible to receive benefits for a benefit period if the individual:

(1) has registered for work at an employment office and has continued to report to the employment office as required by rules adopted by the commission;

(2) has made a claim for benefits under Section 208.001;

(3) is able to work;

(4) is available for work;

(5) for the individual's base period, has benefit wage credits:

(A) in at least two calendar quarters; and

(B) in an amount not less than 37 times the individual's benefit amount;

(6) after the beginning date of the individual's most recent prior benefit year, if applicable, earned wages in an amount equal to not less than six times the individual's benefit amount;

1 and

2 (7) ~~[has been totally or partially unemployed for a~~
3 ~~waiting period of at least seven consecutive days, and~~

4 ~~[(8)]~~ participates in reemployment services, such as a
5 job search assistance service, if the individual has been
6 determined, according to a profiling system established by the
7 commission, to be likely to exhaust eligibility for regular
8 benefits and to need those services to obtain new employment,
9 unless:

10 (A) the individual has completed participation
11 in such a service; or

12 (B) there is reasonable cause, as determined by
13 the commission, for the individual's failure to participate in
14 those services.

15 ~~[(b) A week may not be counted as a waiting period week for~~
16 ~~the purposes of this section.~~

17 ~~[(1) unless the individual has registered for work at~~
18 ~~an employment office in accordance with Subsection (a)(1),~~

19 ~~[(2) unless it is after the filing of an initial claim,~~

20 ~~[(3) unless the individual reports at an office of the~~
21 ~~commission and certifies that the individual has met the waiting~~
22 ~~period requirements,~~

23 ~~[(4) if benefits have been paid or are payable with~~
24 ~~respect to the week,~~

25 ~~[(5) if the individual does not meet the eligibility~~
26 ~~requirements of Subsections (a)(3) and (a)(4), and~~

27 ~~[(6) if the individual has been disqualified for~~

1 ~~benefits for the seven-day period under Section 207.044, 207.045,~~
2 ~~207.047, or 207.048.~~

3 ~~[(c) Notwithstanding any other provision of this section,~~
4 ~~an individual who has been paid benefits in the individual's~~
5 ~~current benefit year equal to or exceeding three times the~~
6 ~~individual's benefit amount is eligible to receive benefits on the~~
7 ~~individual's waiting period claim in accordance with this~~
8 ~~subtitle.]~~

9 SECTION 2. This Act takes effect September 1, 2003, and
10 applies only to a claim for unemployment compensation benefits that
11 is filed with the Texas Workforce Commission on or after that date.
12 A claim filed before that date is governed by the law in effect on
13 the date that the claim was filed, and the former law is continued
14 in effect for that purpose.