

1-1 By: Cook of Navarro (Senate Sponsor - Fraser) H.B. No. 2273
1-2 (In the Senate - Received from the House April 7, 2005;
1-3 April 11, 2005, read first time and referred to Committee on
1-4 Business and Commerce; May 18, 2005, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; May 18, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the administration of the unemployment compensation
1-9 system by the Texas Workforce Commission.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 207.002, Labor Code, is amended by
1-12 amending Subsection (c) and adding Subsection (c-1) to read as
1-13 follows:

1-14 (c) The commission shall determine the average weekly wage
1-15 in covered employment and compute the maximum and minimum weekly
1-16 benefit amount not later than October 1 of each year based on the
1-17 annual average weekly wage for the preceding year. If a benefit
1-18 amount computed under this subsection includes cents [~~is not a~~
1-19 ~~multiple of \$1~~], the commission shall adjust [~~increase~~] the benefit
1-20 amount as follows:

1-21 (1) if the computed benefit amount includes at least
1-22 one cent but not more than 49 cents, the commission shall round the
1-23 benefit down to the nearest [~~to the next~~] multiple of \$1; and

1-24 (2) if the computed benefit amount includes at least
1-25 50 cents but not more than 99 cents, the commission shall round the
1-26 benefit amount up to the nearest multiple of \$1.

1-27 (c-1) An increase in the maximum weekly benefit amount may
1-28 not exceed \$14 in any year. An increase in the minimum weekly
1-29 benefit amount may not exceed \$1 in any year.

1-30 SECTION 2. Section 207.007(b), Labor Code, is amended to
1-31 read as follows:

1-32 (b) An individual claiming benefits in a proceeding before
1-33 the commission or a court may be represented by counsel or another
1-34 authorized agent. Counsel or an agent representing an individual
1-35 under this subtitle may [~~not~~] charge and collect [~~or receive~~] a fee
1-36 for the counsel's or agent's [~~these~~] services [~~greater than an~~
1-37 ~~amount approved by the commission~~].

1-38 SECTION 3. Section 207.101(a), Labor Code, is amended to
1-39 read as follows:

1-40 (a) An eligible individual may elect to have federal income
1-41 tax withheld from benefits. The commission shall withhold federal
1-42 income taxes from the benefits of an individual who elects the
1-43 withholding as provided by the Federal Unemployment Tax Act (26
1-44 U.S.C. Section 3301 et seq.) and Section 303, Social Security Act
1-45 (42 U.S.C. Section 503) [~~, as those laws are amended by P.L.~~
1-46 ~~103-465~~].

1-47 SECTION 4. The change in law made by this Act by the
1-48 amendment of Section 207.007, Labor Code, applies only to a
1-49 proceeding before the Texas Workforce Commission or a court that is
1-50 commenced on or after the effective date of this Act. A proceeding
1-51 commenced before the effective date of this Act is governed by the
1-52 law in effect on the date the proceeding was commenced, and the
1-53 former law is continued in effect for that purpose.

1-54 SECTION 5. This Act takes effect September 1, 2005.

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