

By: Deshotel

H.B. No. 2120

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the wages credited to an individual for the purpose of
3 computing the individual's unemployment compensation benefits.

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

5 SECTION 1. Section 207.002, Labor Code, is amended by
6 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
7 read as follows:

8 (a) An eligible individual who is totally unemployed in a
9 benefit period is entitled to benefits for the benefit period at the
10 rate of 1/25 of the wages received by the individual from
11 employment by employers during that quarter in the individual's
12 base period in which wages were highest. For purposes of this
13 subsection, the wages received by the individual from employment by
14 employers during the individual's base period include wages ordered
15 to be paid to the individual by a final order of the commission
16 under Chapter 61 that:

17 (1) were due to be paid to the individual by an
18 employer during the individual's base period; and

19 (2) will be credited to the date or dates on which the
20 payment of those wages was due.

21 (a-1) The commission by rule shall determine the method of
22 crediting wages to a particular quarter for purposes of Subsection
23 (a).

24 (a-2) The rate of benefits paid under this section may not

1 be more than the maximum weekly benefit amount computed under
2 Subsection (b) or less than the minimum weekly benefit amount
3 computed under Subsection (b) for each benefit period.

4 SECTION 2. Section 207.004, Labor Code, is amended by
5 amending Subsection (a) and adding Subsection (a-1) to read as
6 follows:

7 (a) The commission shall credit as benefit wage credits
8 during an individual's base period:

9 (1) [an individual's] wages the individual received
10 for employment from an employer during the individual's base
11 period; and

12 (2) wages ordered to be paid by a final order issued by
13 the commission under Chapter 61 that:

14 (A) were due to be paid by an employer during the
15 individual's base period; and

16 (B) will be credited to the date or dates on which
17 the payment of those wages was due [as the individual's benefit wage
18 credits].

19 (a-1) The commission by rule shall determine the method of
20 crediting wages to an individual's base period for purposes of
21 Subsection (a).

22 SECTION 3. The changes in law made by this Act apply only to
23 eligibility for unemployment benefits based on an unemployment
24 compensation claim that is filed with the Texas Workforce
25 Commission on or after the effective date of this Act. A claim
26 filed before that date is governed by the law in effect on the date
27 the claim was filed, and the former law is continued in effect for

1 that purpose.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.