

Amend CSSB 1569 (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 209.022, Labor Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Subsections (b), (c), (d), and (f) do not apply to a week to which this subsection or Section 209.0221 applies. In addition to the "off" indicator weeks described by Subsections (c) and (d), a week is a state "off" indicator week if the average rate of unemployment and the average rates of total unemployment in this state are less than the applicable average rates described by Section 209.0221. This subsection applies only during a week in which Section 209.0221 applies.

SECTION _____. Subchapter B, Chapter 209, Labor Code, is amended by adding Section 209.0221 to read as follows:

Sec. 209.0221. ADDITIONAL "ON" INDICATOR WEEKS; CONSTRUCTION WITH CERTAIN OTHER LAW. (a) In addition to "on" indicator weeks described by Section 209.022, with respect to weeks of unemployment beginning on or after February 1, 2009, a week is a state "on" indicator week if:

(1) the average rate of total unemployment, as determined by the secretary for the period consisting of the most recent three months for which data for all states are published before the close of the week, equals or exceeds six and one-half percent; and

(2) the average rate of total unemployment in this state, as determined by the secretary for the three-month period described by Subdivision (1), equals or exceeds 110 percent of the average rate of total unemployment in this state for either or both of the corresponding three-month periods of the two preceding calendar years.

(b) The rate of insured unemployment as used in this section is to be seasonally adjusted.

(c) During a period during which this section applies, the following provisions do not apply:

(1) Section 209.082, to charges to a reimbursing employer, except that charges described by that section may not be

used in determining the replenishment ratio under Section 204.045;
and

(2) Section 209.083, to charges to a taxed employer.

(d) This section takes effect February 1, 2009, and expires the week ending four weeks before the last week for which 100 percent federal sharing is authorized by Section 2005(c), Pub. L. No. 111-5, or another substantially similar federal law concerning extended unemployment benefits.

SECTION _____. Subchapter C, Chapter 209, Labor Code, is amended by adding Section 209.0421 to read as follows:

Sec. 209.0421. INCLUSION OF CERTAIN PERIODS IN ELIGIBILITY PERIOD. Notwithstanding any other eligibility provisions in this chapter, an individual's eligibility period includes any eligibility period described by Section 2005(b), Pub. L. No. 111-5. This section applies only during a week in which Section 209.0221 applies.

SECTION _____. Subchapter D, Chapter 209, Labor Code, is amended by adding Section 209.0621 to read as follows:

Sec. 209.0621. MAXIMUM TOTAL EXTENDED BENEFIT AMOUNT DURING HIGH UNEMPLOYMENT PERIOD. (a) For purposes of this section, "high unemployment period" means any period that is otherwise described by Section 209.0221 in which the average rate of total unemployment described by Section 209.0221(a)(1) equals or exceeds eight percent.

(b) Section 209.062 does not apply during a high unemployment period.

(c) During a high unemployment period the total extended benefit amount payable to an eligible individual for the individual's eligibility period is 80 percent of the total amount of regular benefits that were payable to the individual under this subtitle in the individual's applicable benefit year.

(d) This section applies only during a week in which Section 209.0221 applies.

SECTION _____. The change in law made by this Act in amending provisions of Chapter 209, Labor Code, applies only to a claim for extended unemployment compensation benefits that is filed with the Texas Workforce Commission on or after the effective date of this

Act. A claim for extended unemployment compensation benefits that is filed with the Texas Workforce Commission before the effective date of this Act is governed by the law in effect on the date that the claim was filed, and the former law is continued in effect for that purpose.