

BILL ANALYSIS

H.B. 1348
By: Christian
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under the Texas Unemployment Compensation Act, individuals who are discharged from employment for misconduct or who leave voluntarily without good cause can avoid a disqualification from receiving unemployment insurance benefits by accepting, and then being laid off from, a brief temporary job, regardless of the nature of the claimant's previous employment or of the temporary work. In such cases, the tax liability is absorbed by the claimant's base period employers or by the unemployment insurance compensation fund. The purpose of this legislation is to limit the avoidance of disqualification for benefits when the claimant's last employment was less than a week, unless the work was for a covered employer.

H.B. 1348 addresses the anomaly in current law that tends to circumvent the intent of the workforce attachment provisions of the unemployment insurance program by clarifying the terms "last work" and "person for whom the claimant last worked."

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1348 amends the Labor Code to clarify that the terms "last work" and "person for whom the claimant last worked," when used in connection with an initial claim for unemployment compensation benefits, refer to: the last person for whom the claimant actually worked, if the claimant worked for that person for at least 30 hours during a week; or the employer, as defined by the unemployment laws of Texas or any other state, for whom the claimant last worked.

EFFECTIVE DATE

September 1, 2009.