

## **+BILL ANALYSIS**

C.S.H.B. 1858

By: Eiland

Technology, Economic Development & Workforce  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the Labor Code requires an individual to be unemployed for a waiting period of at least seven consecutive days to be eligible to receive unemployment compensation benefits. The Labor Code also establishes that benefits for the seven-day "waiting week" will be paid when the claimant has been paid benefits in the current benefit year equal to or exceeding three times the claimant's weekly benefit amount.

After Hurricane Ike struck the Texas Gulf Coast, many people could not work for a week because of the emergency. Many of these people were eligible for unemployment benefits for that week, but returned to work before receiving three times their weekly benefit amount. Under current law, they received no unemployment benefit payments for that week.

C.S.H.B. 1858 authorizes the governor to authorize an individual who is unemployed as a direct result of a natural disaster that results in a disaster declaration by the president of the United States to receive benefits for the unemployment compensation waiting period. The bill allows individuals who are able to return to work relatively quickly after an emergency to receive benefits for the period they were temporarily unemployed.

### **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**

C.S.H.B. 1858 amends the Labor Code to authorize the governor to approve the suspension of the unemployment compensation waiting period requirement to authorize an individual to receive benefits for that waiting period if the individual is unemployed as a direct result of a natural disaster that results in a disaster declaration by the president of the United States under federal law; is otherwise eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act; and is not receiving disaster unemployment assistance benefits for the period included in that waiting period. The bill defines "disaster unemployment assistance benefits" for purposes of these provisions.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1858 differs from the original by authorizing the governor to approve the suspension of the unemployment compensation waiting period requirement during a disaster, rather than the Texas Workforce Commission as in the original. The substitute removes a provision from the original that includes suspending the unemployment compensation waiting period requirement

among the duties of the commission.