

## **BILL ANALYSIS**

S.B. 859  
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Business & Industry  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under the Texas Unemployment Compensation Act, individuals who are discharged from employment for misconduct or leave voluntarily without good cause can avoid a disqualification from receiving unemployment insurance benefits by accepting then being laid off from a temporary job, regardless of the nature of the claimant's previous employment or of the temporary work. In such cases, the tax liability would be absorbed by the claimant's base period employers or by the Unemployment Insurance Compensation Fund.

S.B. 859 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**

S.B. 859 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.