

BILL ANALYSIS

Senate Research Center
81R4254 ALB-F

S.B. 859
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Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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.

As proposed, S.B. 859 limits the avoidance of disqualification from unemployment insurance benefits when the claimant's last employment was at least 30 hours during the week or unless the work was for a covered employer.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 208.002, Labor Code, as follows:

Sec. 208.002. New heading: INITIAL CLAIM; LAST WORK. (a) Provides that "last work" and "person for whom the claimant last worked," when used in connection with an initial claim, 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 Subchapter C (Definition of Employer), Chapter 201, or by the unemployment law of any other state, for whom the claimant last worked.

(b) Creates this subsection from existing text.

(c) Redesignates Subsection (b) as Subsection (c). Creates this subsection from existing text.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.