

By: Deshotel

H.B. No. 162

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the adoption of an alternative base period for
3 computation of unemployment compensation benefits.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 201.011(1), Labor Code, is repealed.

6 SECTION 2. Subchapter B, Chapter 201, Labor Code, is
7 amended by adding Section 201.013 to read as follows:

8 Sec. 201.013. DEFINITION OF BASE PERIOD; ALTERNATE BASE
9 PERIODS. (a) For purposes of this subtitle and subject to this
10 section, an individual's base period is the four consecutive
11 completed calendar quarters, prescribed by the commission, in the
12 five consecutive completed calendar quarters preceding the first
13 day of an individual's benefit year.

14 (b) For an individual precluded because of a medically
15 verifiable injury or illness from working during a major part of a
16 calendar quarter of the period that would otherwise be the
17 individual's base period under Subsection (a), the base period is
18 the first four calendar quarters of the five consecutive calendar
19 quarters preceding the calendar quarter in which the illness began
20 or the injury occurred if the individual files an initial claim for
21 benefits not later than 24 months after the date on which the
22 individual's injury or illness began or occurred.

23 (c) For an individual who does not have sufficient benefit
24 wage credits to qualify for benefits under the computation of the

1 base period as provided by Subsection (a) or (b), the base period is
2 the four most recently completed calendar quarters preceding the
3 first day of the individual's benefit year.

4 SECTION 3. This Act applies only to eligibility for
5 unemployment compensation benefits based on a claim that is filed
6 with the Texas Workforce Commission on or after the effective date
7 of this Act. A claim filed before the effective date of this Act is
8 governed by the law in effect on the date the claim was filed, and
9 the former law is continued in effect for that purpose.

10 SECTION 4. This Act takes effect September 1, 2009.