

By: Eiland

H.B. No. 1858

A BILL TO BE ENTITLED

AN ACT

1
2 relating to suspension of the unemployment compensation waiting
3 period requirement during a disaster subject to a federal disaster
4 declaration.

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

6 SECTION 1. Subchapter B, Chapter 207, Labor Code, is
7 amended by adding Section 207.0212 to read as follows:

8 Sec. 207.0212. ELIGIBILITY OF CERTAIN PERSONS UNEMPLOYED
9 BECAUSE OF DISASTER. (a) In this section, "disaster unemployment
10 assistance benefits" means benefits authorized under Section 410,
11 Robert T. Stafford Disaster Relief and Emergency Assistance Act (42
12 U.S.C. Section 5177), and rules adopted under that section.

13 (b) Notwithstanding Section 207.021, the commission may
14 approve the suspension of the waiting period requirement imposed
15 under Section 207.021(a)(7) to authorize an individual to receive
16 benefits for that waiting period if the individual:

17 (1) is unemployed as a direct result of a natural
18 disaster that results in a disaster declaration by the president of
19 the United States under the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. Section 5121 et seq.);

21 (2) is otherwise eligible for unemployment
22 compensation benefits under this subtitle; and

23 (3) is not receiving disaster unemployment assistance
24 benefits for the period included in that waiting period.

1 SECTION 2. Section 301.0015(a), Labor Code, is amended to
2 read as follows:

3 (a) In administering its functions under this title or
4 another law, the commission shall limit its activities to:

5 (1) setting commission policies, including policies
6 that clearly separate the policymaking responsibilities of the
7 commission and the management responsibilities of the executive
8 director and commission staff;

9 (2) giving general direction to the executive director
10 regarding the implementation of the commission's policies, and
11 holding the executive director accountable for implementing the
12 policies;

13 (3) approving the commission's budget recommendation
14 to the legislature;

15 (4) reviewing under Subchapter D, Chapter 212, the
16 decision of an appeal tribunal regarding unemployment
17 compensation;

18 (5) reviewing under Subchapter D, Chapter 61, the
19 decision of a wage claim appeal tribunal regarding a wage claim;

20 (6) adopting rules necessary to administer the
21 commission's policies, including rules necessary for the
22 administration of this title and rules governing required reports,
23 procedures, and orders;

24 (7) responding to questions and comments that are
25 directed to the commission by the executive director and that
26 relate to setting or clarifying commission policies or relate to
27 other matters of general interest to the commission; [~~and~~]

1 (8) requesting information from commission staff; and
2 (9) suspending the unemployment compensation waiting
3 period under circumstances described by Section 207.0212.

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

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