

By: Zaffirini

S.B. No. 945

A BILL TO BE ENTITLED

AN ACT

relating to unemployment compensation benefits.

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

SECTION 1. Subchapter B, Chapter 201, Labor Code, is amended by adding Section 201.013 to read as follows:

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

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

(c) For an individual who does not have sufficient benefit wage credits to qualify for benefits under the computation of the base period as provided by Subsection (a) or (b), the base period is the four most recently completed calendar quarters preceding the

1 first day of the individual's benefit year.

2 SECTION 2. Section 207.021, Labor Code, is amended by  
3 adding Subsection (d) to read as follows:

4 (d) An individual is available for work for purposes of  
5 Subsection (a)(4) even if the individual is available only for  
6 part-time work if:

7 (1) the individual establishes to the satisfaction of  
8 the commission that the individual has a legitimate reason to limit  
9 the individual's employment to part-time work; and

10 (2) the individual's last work was part-time work.

11 SECTION 3. Section 207.045(d), Labor Code, is amended to  
12 read as follows:

13 (d) Notwithstanding any other provision of this section, an  
14 individual who is available to work may not be disqualified for  
15 benefits because the individual left work because of:

16 (1) a medically verified illness of the individual or  
17 the individual's minor child;

18 (2) injury;

19 (3) disability;

20 (4) pregnancy;

21 (5) an involuntary separation as described by Section  
22 207.046; ~~or~~

23 (6) a move from the area of the individual's employment  
24 that:

25 (A) was made with the individual's spouse who is  
26 a member of the armed forces of the United States; and

27 (B) resulted from the spouse's permanent change

1 of station of longer than 120 days or a tour of duty of longer than  
2 one year; or

3 (7) a move to a location from which it is impractical  
4 for the individual to commute that:

5 (A) was made with the individual's spouse who is  
6 not a member of the armed forces of the United States; and

7 (B) resulted from a change in the location of the  
8 spouse's employment.

9 SECTION 4. The following provisions are repealed:

10 (1) Section 201.011(1), Labor Code; and

11 (2) Section 207.045(c), Labor Code.

12 SECTION 5. The changes in law made by this Act apply only to  
13 eligibility for unemployment compensation benefits based on a claim  
14 that is filed with the Texas Workforce Commission on or after the  
15 effective date of this Act. A claim filed before the effective date  
16 of this Act is governed by the law in effect on the date the claim  
17 was filed, and the former law is continued in effect for that  
18 purpose.

19 SECTION 6. This Act takes effect September 1, 2009.