

## **BILL ANALYSIS**

Senate Research Center  
82R1022 KSD-F

S.B. 92  
By: Lucio  
Economic Development  
4/11/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 92 would permit a person's eligibility for unemployment benefits to be calculated using the worker's earnings from the four most recent completed calendar quarters of earnings. Currently, Texas does not use the most recent three to six months of work history because, historically, the Texas Workforce Commission needed additional time to process claims by hand. The passage of S.B. 92 will also qualify Texas for \$555.7 million in federal stimulus money. Texas will receive \$185 million of this money within 30 days of Texas' passage of S.B. 92.

As proposed, S.B. 92 amends current law relating to the adoption of an alternative base period for computation of unemployment compensation benefits.

### **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. Repealer: Section 201.011(1) (defining "base period"), Labor Code.

SECTION 2. Amends Subchapter B, Chapter 201, Labor Code, by adding Section 201.013, as follows:

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

(b) Provides that the base period, 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), 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) Provides that the base period, 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 Subsections (a) and (b), is the four most recently completed calendar quarters preceding the first day of the individual's benefit year.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.