

By: Reynolds

H.B. No. 3068

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to eligibility of certain job trainees for extended  
3 unemployment compensation benefits.

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

5 SECTION 1. Section 209.041, Labor Code, is amended to read  
6 as follows:

7 Sec. 209.041. ELIGIBILITY FOR EXTENDED BENEFITS. (a) An  
8 individual is eligible to receive extended benefits for a benefit  
9 period of unemployment in the individual's eligibility period if,  
10 with respect to the benefit period, the individual:

11 (1) has exhausted all regular benefits;

12 (2) satisfies the requirements of this subtitle for  
13 the receipt of regular benefits that are applicable to an  
14 individual claiming extended benefits, including not being  
15 disqualified for the receipt of benefits; and

16 (3) has within the individual's base period received  
17 benefit wage credits for employment by employers in an amount not  
18 less than:

19 (A) 40 times the individual's weekly benefit  
20 amount; or

21 (B) 1-1/2 times the individual's high-quarter  
22 benefit wage credits.

23 (b) Notwithstanding Subsection (a), an individual is also  
24 eligible to receive extended benefits for a benefit period of

1 unemployment in the individual's eligibility period as provided by  
2 Subchapter F.

3 SECTION 2. Chapter 209, Labor Code, is amended by adding  
4 Subchapter F to read as follows:

5 SUBCHAPTER F. EXTENDED BENEFITS FOR CERTAIN INDIVIDUALS ENROLLED  
6 IN CERTAIN TRAINING PROGRAMS

7 Sec. 209.101. ELIGIBILITY FOR EXTENDED BENEFITS.

8 Notwithstanding any other provision of this chapter, an individual  
9 is entitled to extended benefits as provided by this subchapter if  
10 the individual:

- 11 (1) is unemployed;  
12 (2) has exhausted all regular benefits; and  
13 (3) is enrolled in, and making satisfactory progress  
14 toward completion of, a commission-approved training program under  
15 Section 207.022 or a job training program under the Workforce  
16 Investment Act of 1998 (29 U.S.C. Section 2801 et seq.) designed to  
17 prepare individuals who have been separated from a declining  
18 occupation or who have been involuntarily and indefinitely  
19 separated from employment as a result of a permanent reduction of  
20 operations at the individual's place of employment.

21 Sec. 209.102. DURATION AND AMOUNT OF EXTENDED BENEFITS.

22 (a) Notwithstanding any other provision of this chapter, an  
23 eligible individual under Section 209.101 is entitled to receive  
24 extended benefits under this subchapter until the earlier of:

- 25 (1) the date the individual completes the training  
26 program; or  
27 (2) the expiration of 26 additional benefit periods.

1        (b) Notwithstanding any other provision of this chapter,  
2 the weekly amount of extended benefits payable to an eligible  
3 individual under Section 209.101 is an amount equal to the  
4 individual's average weekly benefit amount for the most recent  
5 benefit year.

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

12            SECTION 4. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2011.