

By: Orr

H.B. No. 916

A BILL TO BE ENTITLED

AN ACT

relating to the amount of a chargeback for unemployment compensation benefits paid to a person who is partially unemployed.

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

SECTION 1. Subchapter B, Chapter 204, Labor Code, is amended by adding Section 204.0211 to read as follows:

Sec. 204.0211. CHARGEBACK OF BENEFITS PAID TO PARTIALLY UNEMPLOYED INDIVIDUAL. (a) Notwithstanding Section 204.021, this section applies to the determination of the amount of a chargeback to an employer's account based on benefits paid to a claimant during a benefit period in which:

(1) the claimant is partially unemployed; and

(2) the employer employs the claimant.

(b) If the claimant works the claimant's customary working hours for the employer during the benefit period, benefits paid to the claimant for that benefit period may not be charged to the employer's account.

(c) If there has been a reduction in the claimant's customary working hours for the employer during the benefit period, the amount of the chargeback to the employer's account based on that benefit period is computed by:

(1) dividing the number of hours the employee worked for the employer during that benefit period by the number of hours the employee customarily works for that employer during a

1 comparable period; and

2 (2) multiplying the quotient by the amount that would
3 be charged back to the employer's account under Section 204.021
4 based on benefits paid to the claimant during a benefit period in
5 which the employee is totally unemployed.

6 SECTION 2. The changes in law made by this Act apply only to
7 a claim for unemployment compensation benefits filed with the Texas
8 Workforce Commission on or after the effective date of this Act. A
9 claim filed before the effective date of this Act is governed by the
10 law in effect on the date the claim was filed, and the former law is
11 continued in effect for that purpose.

12 SECTION 3. This Act takes effect September 1, 2013.