

By: Reynolds

H.B. No. 1995

Substitute the following for H.B. No. 1995:

By: Perez

C.S.H.B. No. 1995

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirement that an unemployed individual be  
3 actively seeking work to be eligible for unemployment compensation  
4 benefits.

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

6 SECTION 1. Section 207.021(a), Labor Code, is amended to  
7 read as follows:

8 (a) Except as provided by Chapter 215, an unemployed  
9 individual is eligible to receive benefits for a benefit period if  
10 the individual:

11 (1) has registered for work at an employment office  
12 and has continued to report to the employment office as required by  
13 rules adopted by the commission;

14 (2) has made a claim for benefits under Section  
15 208.001;

16 (3) is able to work;

17 (4) is available for work;

18 (5) is actively seeking work in accordance with rules  
19 adopted by the commission;

20 (6) for the individual's base period, has benefit wage  
21 credits:

22 (A) in at least two calendar quarters; and

23 (B) in an amount not less than 37 times the  
24 individual's benefit amount;

1           (7) [~~(6)~~] after the beginning date of the individual's  
2 most recent prior benefit year, if applicable, earned wages in an  
3 amount equal to not less than six times the individual's benefit  
4 amount;

5           (8) [~~(7)~~] has been totally or partially unemployed for  
6 a waiting period of at least seven consecutive days; and

7           (9) [~~(8)~~] participates in reemployment services, such  
8 as a job search assistance service, if the individual has been  
9 determined, according to a profiling system established by the  
10 commission, to be likely to exhaust eligibility for regular  
11 benefits and to need those services to obtain new employment,  
12 unless:

13                   (A) the individual has completed participation  
14 in such a service; or

15                   (B) there is reasonable cause, as determined by  
16 the commission, for the individual's failure to participate in  
17 those services.

18           SECTION 2. Section 207.0212(b), Labor Code, is amended to  
19 read as follows:

20           (b) Notwithstanding Section 207.021, the governor, by  
21 executive order, may suspend the waiting period requirement imposed  
22 under Section 207.021(a)(8) [~~207.021(a)(7)~~] to authorize an  
23 individual to receive benefits for that waiting period if the  
24 individual:

25                   (1) is unemployed as a direct result of a natural  
26 disaster that results in a disaster declaration by the president of  
27 the United States under the Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C. Section 5121 et seq.);

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

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

6 SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2013.