

By: Rodriguez

H.B. No. 4221

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a temporary waiver of certain unemployment benefit
3 eligibility conditions and of the recovery of certain improper
4 benefits.

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

6 SECTION 1. Subchapter B, Chapter 207, Labor Code, is
7 amended by adding Section 207.0213 to read as follows:

8 Sec. 207.0213. TEMPORARY WAIVER OF CERTAIN ELIGIBILITY
9 CONDITIONS. (a) Notwithstanding Section 207.021, if the commission
10 finds that in any seven-day period the number of initial claims
11 filed under this subtitle is more than five times the number of
12 initial claims filed under this subtitle in the preceding seven-day
13 period, the commission shall suspend for a period of 30 days the
14 following eligibility conditions to authorize an individual who is
15 otherwise eligible to receive benefits under this subtitle to
16 receive those benefits:

17 (1) the condition imposed under Section 207.021(a)(5)
18 that an individual be actively seeking work; and

19 (2) the condition imposed under Section 207.021(a)(8)
20 that an individual have been totally or partially unemployed for a
21 waiting period.

22 (b) The period of a suspension imposed under Subsection (a)
23 begins on the first day of the seven-day period in which the
24 increased number of initial claims were filed.

1 SECTION 2. Section 214.002, Labor Code, is amended by
2 adding Subsection (a-1) to read as follows:

3 (a-1) Notwithstanding Subsection (a) and except as
4 otherwise provided by this subsection, if the commission finds that
5 in any seven-day period the number of initial claims filed under
6 this subtitle is more than five times the number of initial claims
7 filed under this subtitle in the preceding seven-day period, the
8 commission may not seek to recover the amount of any improper
9 benefits received during the 30-day period beginning on the first
10 day of the seven-day period in which the increased number of initial
11 claims were filed. This subsection does not apply to improper
12 benefits obtained by a person due to a nondisclosure or
13 misrepresentation that is known or fraudulent.

14 SECTION 3. This Act takes effect September 1, 2021.