

The House Committee on Industrial Relations offered the following substitute to SB 167:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to
2 employment security, so as to provide for an extension of the reduction in contribution rates
3 through December 31, 2004; to extend the suspension of the surcharge based upon the
4 State-wide Reserve Ratio; to provide for effective dates; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment
8 security, is amended by striking subparagraph (d)(4)(B) of Code Section 34-8-156, relating
9 to the State-wide Reserve Ratio, and inserting in lieu thereof a new subparagraph (d)(4)(B)
10 to read as follows:
11

12 "(B) Except for any year or portion of a year during which the provisions of
13 paragraph (1) of subsection (f) of Code Section 34-8-155 apply, when the State-wide
14 Reserve Ratio, as calculated above, is less than 1.7 percent, there shall be an overall
15 increase in the rate, as of the computation date, for each employer whose rate is
16 computed under a rate table in Code Section 34-8-155 in accordance with the following
17 table:

18 If the State-wide Reserve Ratio:

19	Equals or	But Is	Overall
20	<u>Exceeds</u>	<u>Less Than</u>	<u>Increase</u>
21	1.5 percent	1.7 percent	25 percent
22	1.25 percent	1.5 percent	50 percent
23	0.75 percent	1.25 percent	75 percent
24	Under 0.75 percent		100 percent

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1 provided, however, that for the period of January 1 through December 31, ~~2003~~ 2004,
 2 the overall increase in the rate required under this subparagraph shall be suspended and
 3 the provisions of this subparagraph shall be null and void, except in the event the
 4 State-wide Reserve Ratio, as calculated above, is less than 1.00 percent, then the
 5 Commissioner of Labor, in consultation with the Governor, is directed to impose an
 6 increase in the overall rate of up to 40 percent, as of the computation date, for each
 7 employer whose rate is computed under a rate table in Code Section 34-8-155."

8 SECTION 2.

9 Said chapter is further amended by striking Code Section 34-8-24, relating to the definition
 10 of bona fide in the labor market, and inserting in lieu thereof the following:

11 "34-8-24.

12 As used in this chapter, the term 'bona fide in the labor market' means that any person
 13 claiming benefits under this chapter must be available for full-time or part-time
 14 employment, as that term is generally understood in the trade or work classification
 15 involved, without regard to prior work restrictions; provided in the case of availability for
 16 part-time employment that there is a labor market in which a reasonable demand exists for
 17 the part-time services which the claimant offers."

18 SECTION 3.

19 Section 1 of this Act shall become effective upon its approval by the Governor or upon its
 20 becoming law without such approval. Section 2 of this Act shall become effective on July
 21 1, 2004.

22 SECTION 4.

23 All laws and parts of laws in conflict with this Act are repealed.