

House Bill 1433

By: Representatives Orrock of the 51st, Porter of the 119th, Smyre of the 111th, Hugley of the 113th, Oliver of the 56th, Post 2, and others

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 the lifting of the sunset provision of the alternative
3 base period; to provide that certain persons seeking part-time work are not disqualified from
4 receiving benefits by that fact alone; to provide for related matters; to repeal conflicting laws;
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment
9 security, is amended by lifting the sunset on the alternative base period by striking Code
10 Section 34-8-21, relating to the definition of "base period," and inserting in lieu thereof the
11 following:

12 "34-8-21.

13 (a) Except as provided in subsection (b) of this Code section, as used in this chapter, the
14 term 'base period' means the first four of the last five completed calendar quarters
15 immediately preceding the first day of an individual's benefit year; provided, however,
16 that, in the case of a combined wage claim under Code Section 34-8-80, the base period
17 shall be that applicable under the unemployment compensation law of the paying state.

18 (b) If an individual does not have sufficient wages to qualify for benefits under the
19 definition of base period in subsection (a) of this Code section, then his or her base period
20 shall be calculated using the last four completed quarters immediately preceding the first
21 day of the individual's benefit year. Such base period shall be known as the 'alternative
22 base period.' Applicants shall receive written notice of the alternative base period.
23 Implementation of the alternative base period shall commence on January 1, 2003,~~and~~
24 ~~shall conclude and terminate on June 30, 2004.~~ Implementation of the alternative base
25 period under this subsection shall be under such terms and conditions as the Commissioner
26 may prescribe by rules and regulations. All benefit payments made under this subsection

1 shall be paid exclusively from amounts credited to the account of this state in the
2 Unemployment Trust Fund by the secretary of the treasury of the United States pursuant
3 to Section 903 of the federal Social Security Act, as amended by the Job Creation and
4 Worker Assistance Act of 2002 (P.L. 107-147)."

5 **SECTION 2.**

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

8 "34-8-24.

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

15 **SECTION 3.**

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