

House Bill 1555 (FLOOR SUBSTITUTE) (AM)

By: Representatives Channell of the 77th, Teilhet of the 34th, Post 2, and Watson of the 60th,
Post 2

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 extend the suspension of the surcharge on the
5 employer contribution rate based upon the State-wide Reserve Ratio; to provide an effective
6 date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

13 "34-8-21.

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

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

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

6 **SECTION 2.**

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

9 "34-8-24.

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

16 **SECTION 3.**

17 Said chapter is further amended by striking subparagraph (d)(4)(B) of Code Section
 18 34-8-156, relating to the State-wide Reserve Ratio, and inserting in lieu thereof a new
 19 subparagraph (d)(4)(B) to read as follows:

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

25 If the State-wide Reserve Ratio:

26	Equals or	But Is	Overall
27	<u>Exceeds</u>	<u>Less Than</u>	<u>Increase</u>
28	1.5 percent	1.7 percent	25 percent
29	1.25 percent	1.5 percent	50 percent
30	0.75 percent	1.25 percent	75 percent
31	Under 0.75 percent		100 percent

32 provided, however, that for the period of January 1 through December 31, ~~2004~~ 2005,
 33 the overall increase in the rate required under this subparagraph shall be suspended and
 34 the provisions of this subparagraph shall be null and void, except in the event the

1 State-wide Reserve Ratio, as calculated above, is less than 1.00 percent, then the
2 Commissioner of Labor shall have the option of imposing an increase in the overall rate
3 of up to 35 percent, as of the computation date, for each employer whose rate is
4 computed under a rate table in Code Section 34-8-155. ~~The issues of part-time
5 employment coverage and military transfer coverage will be considered in a study
6 committee to meet in the summer of 2003."~~

7 **SECTION 4.**

8 This Act shall become effective upon its approval by the Governor or upon its becoming law
9 without such approval.

10 **SECTION 5.**

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