

House Bill 904

By: Representatives Strickland of the 111<sup>th</sup>, Shaw of the 176<sup>th</sup>, Fleming of the 121<sup>st</sup>, Bryant of the 162<sup>nd</sup>, and Kirby of the 114<sup>th</sup>

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 change certain contribution rates and credits; to change certain  
3 provisions relating to rate of employer contributions; to extend certain provisions relating to  
4 variations in the standard rate; to extend provisions relating to administrative assessments;  
5 to reduce the percentage of the administrative assessment to be assessed for a certain period;  
6 to provide exceptions; to change certain provisions relating to additional assessments for a  
7 new or newly covered employer; to extend the provision relating to automatic repeal; to  
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 8 of Title 34 of the Official Code of Georgia Annotated, relating to employment  
12 security, is amended by revising Code Section 34-8-151, relating to rate of employer  
13 contributions, as follows:

14 "34-8-151.

15 (a) For periods prior to April 1, 1987, or after December 31, ~~2016~~ 2022, each new or  
16 newly covered employer shall pay contributions at a rate of 2.7 percent of wages paid by  
17 such employer with respect to employment during each calendar year until the employer  
18 is eligible for a rate calculation based on experience as defined in this chapter, except as  
19 provided in Code Sections 34-8-158 through 34-8-162.

20 (b) For periods on or after April 1, 1987, but on or before December 31, 1999, each new  
21 or newly covered employer shall pay contributions at a rate of 2.64 percent of wages paid  
22 by such employer with respect to employment during each calendar year until the employer  
23 is eligible for a rate calculation based on experience as defined in this chapter, except as  
24 provided in Code Sections 34-8-158 through 34-8-162.

25 (c) For periods on or after January 1, 2000, but on or before December 31, 2016, each new  
26 or newly covered employer shall pay contributions at a rate of 2.62 percent of wages paid

27 by such employer with respect to employment during each calendar year until the employer  
 28 is eligible for a rate calculation based on experience as defined in this chapter, except as  
 29 provided in Code Sections 34-8-158 through 34-8-162.

30 (d) For periods on or after January 1, 2017, but on or before December 31, 2022, each new  
 31 or newly covered employer shall pay contributions at a rate of 2.64 percent of wages paid  
 32 by such employer with respect to employment during each calendar year until the employer  
 33 is eligible for a rate calculation based on experience as defined in this chapter, except as  
 34 provided in Code Sections 34-8-158 through 34-8-162."

### 35 SECTION 2.

36 Said chapter is further amended by revising the introductory language in subsections (c) and  
 37 (e) of Code Section 34-8-155, relating to benefit experience and variations from standard  
 38 rate, as follows:

39 "(c) For the periods prior to April 1, 1987, or after December 31, ~~2016~~ 2022, variations  
 40 from the standard rate of contributions shall be determined in accordance with the  
 41 following requirements:"

42 "(e) For the periods on or after January 1, 2000, but on or before December 31, ~~2016~~ 2022,  
 43 variations from the standard rate of contributions shall be determined in accordance with  
 44 the following requirements:"

### 45 SECTION 3.

46 Said chapter is further amended by revising Code Section 34-8-180, relating to creation of  
 47 administrative assessment upon all wages and assessments due quarterly, as follows:

48 "34-8-180.

49 ~~(a) For the periods on or after April 1, 1987, but on or before January 1, 2000, there is~~  
 50 ~~created an administrative assessment of .06 percent to be assessed upon all wages, as~~  
 51 ~~defined in Code Section 34-8-49, except wages of the following employers:~~

52 ~~(1) Those employers who have elected to make payments in lieu of contributions as~~  
 53 ~~provided by Code Section 34-8-158 or who are liable for the payment of contributions~~  
 54 ~~as provided in said Code section; or~~

55 ~~(2) Those employers who, by application of the State-wide Reserve Ratio as provided~~  
 56 ~~in Code Section 34-8-156, have been assigned the minimum positive reserve rate or the~~  
 57 ~~maximum deficit reserve rate.~~

58 ~~(b)~~(a) For the periods on or after January 1, 2000, but on or before December 31, 2016,  
 59 there is created an administrative assessment of 0.08 percent to be assessed upon all wages  
 60 as defined in Code Section 34-8-49, except the wages of:

61 (1) Those employers who have elected to make payments in lieu of contributions as  
 62 provided by Code Section 34-8-158 or who are liable for the payment of contributions  
 63 as provided in said Code section; or

64 (2) Those employers who, by application of the State-wide Reserve Ratio as provided  
 65 in Code Section 34-8-156, have been assigned the minimum positive reserve rate or the  
 66 maximum deficit reserve rate.

67 (b) For the periods on or after January 1, 2017, but on or before December 31, 2022, there  
 68 is created an administrative assessment of 0.06 percent to be assessed upon all wages as  
 69 defined in Code Section 34-8-49, except the wages of:

70 (1) Those employers who have elected to make payments in lieu of contributions as  
 71 provided by Code Section 34-8-158 or who are liable for the payment of contributions  
 72 as provided in said Code section; or

73 (2) Those employers who, by application of the State-wide Reserve Ratio as provided  
 74 in Code Section 34-8-156, have been assigned the minimum positive reserve rate or the  
 75 maximum deficit reserve rate.

76 (c) Assessments pursuant to this Code section shall become due and shall be paid by each  
 77 employer and must be reported on the employer's quarterly tax and wage report according  
 78 to such rules and regulations as the Commissioner may prescribe. The assessments  
 79 provided in this Code section shall not be deducted, in whole or in part, from the  
 80 remuneration of individuals in the employ of the employer. Any deduction in violation of  
 81 this subsection is unlawful."

#### 82 SECTION 4.

83 Said article is further amended by revising Code Section 34-8-181, relating to additional  
 84 assessment for new or newly covered employer, as follows:

85 "34-8-181.

86 ~~(a) For the periods on or after April 1, 1987, but on or before December 31, 1999, in~~  
 87 ~~addition to the rate paid under Code Section 34-8-151, each new or newly covered~~  
 88 ~~employer shall pay an administrative assessment of .06 percent of wages payable by it with~~  
 89 ~~respect to employment during each calendar year until it is eligible for a rate calculation~~  
 90 ~~based on experience as defined in this chapter, except as provided in Code Section~~  
 91 ~~34-8-158.~~

92 ~~(b)~~(a) For the periods on or after January 1, 2000, but on or before December 31, 2016, in  
 93 addition to the rate paid under Code Section 34-8-151, each new or newly covered  
 94 employer shall pay an administrative assessment of 0.08 percent of wages payable by it  
 95 with respect to employment during each calendar year until it is eligible for a rate

96 calculation based on experience as defined in this chapter, except as provided in Code  
97 Section 34-8-158.

98 (b) For the periods on or after January 1, 2017, but on or before December 31, 2022, in  
99 addition to the rate paid under Code Section 34-8-151, each new or newly covered  
100 employer shall pay an administrative assessment of 0.06 percent of wages payable by it  
101 with respect to employment during each calendar year until it is eligible for a rate  
102 calculation based on experience as defined in this chapter, except as provided in Code  
103 Section 34-8-158."

104 **SECTION 5.**

105 Said article is further amended by revising Code Section 34-8-185, relating to repealer of the  
106 article, as follows:

107 "34-8-185.

108 This article shall stand repealed in its entirety on ~~December 31, 2016~~ January 1, 2023."

109 **SECTION 6.**

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