

FIRST REGULAR SESSION

SENATE BILL NO. 458

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time February 28, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1704S.02I

AN ACT

To repeal section 288.060, RSMo, and to enact in lieu thereof one new section relating to the reduction of state unemployment benefits, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 288.060, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 288.060, to read as follows:

288.060. 1. All benefits shall be paid through employment offices in
2 accordance with such regulations as the division may prescribe.

3 2. Each eligible insured worker who is totally unemployed in any week
4 shall be paid for such week a sum equal to his or her weekly benefit amount.

5 3. Each eligible insured worker who is partially unemployed in any week
6 shall be paid for such week a partial benefit. Such partial benefit shall be an
7 amount equal to the difference between his or her weekly benefit amount and
8 that part of his or her wages for such week in excess of twenty dollars, and, if
9 such partial benefit amount is not a multiple of one dollar, such amount shall be
10 reduced to the nearest lower full dollar amount. For calendar year 2007 and each
11 year thereafter, such partial benefit shall be an amount equal to the difference
12 between his or her weekly benefit amount and that part of his or her wages for
13 such week in excess of twenty dollars or twenty percent of his or her weekly
14 benefit amount, whichever is greater, and, if such partial benefit amount is not
15 a multiple of one dollar, such amount shall be reduced to the nearest lower full
16 dollar amount. Termination pay, severance pay or pay received by an eligible
17 insured worker who is a member of the organized militia for training or duty
18 authorized by Section 502(a)(1) of Title 32, United States Code, shall not be
19 considered wages for the purpose of this subsection.

20 4. The division shall compute the wage credits for each individual by

21 crediting him or her with the wages paid to him or her for insured work during
22 each quarter of his or her base period or twenty-six times his or her weekly
23 benefit amount, whichever is the lesser. In addition, if a claimant receives wages
24 in the form of termination pay or severance pay and such payment appears in a
25 base period established by the filing of an initial claim, the claimant may, at his
26 or her option, choose to have such payment included in the calendar quarter in
27 which it was paid or choose to have it prorated equally among the quarters
28 comprising the base period of the claim. **From the effective date of this act**
29 **until December 31, 2013, the maximum total amount of benefits payable**
30 **to any insured worker during any benefit year shall not exceed ten**
31 **times his or her weekly benefit amount, or thirty-three and one-third**
32 **percent of his or her wage credits, whichever is the lesser. Beginning**
33 **January 1, 2014,** the maximum total amount of benefits payable to any insured
34 worker during any benefit year shall not exceed twenty times his or her weekly
35 benefit amount, or thirty-three and one-third percent of his or her wage credits,
36 whichever is the lesser. For the purpose of this section, wages shall be counted
37 as wage credits for any benefit year, only if such benefit year begins subsequent
38 to the date on which the employing unit by whom such wages were paid has
39 become an employer. The wage credits of an individual earned during the period
40 commencing with the end of a prior base period and ending on the date on which
41 he or she filed an allowed initial claim shall not be available for benefit purposes
42 in a subsequent benefit year unless, in addition thereto, such individual has
43 subsequently earned either wages for insured work in an amount equal to at least
44 five times his or her current weekly benefit amount or wages in an amount equal
45 to at least ten times his or her current weekly benefit amount.

46 5. In the event that benefits are due a deceased person and no petition
47 has been filed for the probate of the will or for the administration of the estate
48 of such person within thirty days after his or her death, the division may by
49 regulation provide for the payment of such benefits to such person or persons as
50 the division finds entitled thereto and every such payment shall be a valid
51 payment to the same extent as if made to the legal representatives of the
52 deceased.

53 6. The division is authorized to cancel any benefit warrant remaining
54 outstanding and unpaid one year after the date of its issuance and there shall be
55 no liability for the payment of any such benefit warrant thereafter.

56 7. The division may establish an electronic funds transfer system to

57 transfer directly to claimants' accounts in financial institutions benefits payable
58 to them pursuant to this chapter. To receive benefits by electronic funds transfer,
59 a claimant shall satisfactorily complete a direct deposit application form
60 authorizing the division to deposit benefit payments into a designated checking
61 or savings account. Any electronic funds transfer system created pursuant to this
62 subsection shall be administered in accordance with regulations prescribed by the
63 division.

64 8. The division may issue a benefit warrant covering more than one week
65 of benefits.

66 9. Prior to January 1, 2005, the division shall institute procedures
67 including, but not limited to, name, date of birth, and Social Security verification
68 matches for remote claims filing via the use of telephone or the internet in
69 accordance with such regulations as the division shall prescribe. At a minimum,
70 the division shall verify the Social Security number and date of birth when an
71 individual claimant initially files for unemployment insurance benefits. If
72 verification information does not match what is on file in division databases to
73 what the individual is stating, the division shall require the claimant to submit
74 a division-approved form requesting an affidavit of eligibility prior to the payment
75 of additional future benefits. The division of employment security shall
76 cross-check unemployment compensation applicants and recipients with Social
77 Security Administration data maintained by the federal government at least
78 weekly. The division of employment security shall cross-check at least monthly
79 unemployment compensation applicants and recipients with department of
80 revenue drivers license databases.

Section B. In order to pay the balances on federal loans, section A of this
2 act is deemed necessary for the immediate preservation of the public health,
3 welfare, peace and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and
5 effect upon its passage and approval.

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