

FIRST REGULAR SESSION

# HOUSE BILL NO. 989

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE RIZZO.

Read 1<sup>st</sup> time March 15, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2293L.011

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### AN ACT

To amend chapter 288, RSMo, by adding thereto one new section relating to extra unemployment compensation for certain industrial employees, with an emergency clause.

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

Section A. Chapter 288, RSMo, is amended by adding thereto one new section, to be  
2 known as section 288.395, to read as follows:

**288.395. 1. Extra unemployment compensation benefits shall be available as  
2 provided by this section to applicants who meet the requirements set forth in this section  
3 and who are permanently laid off due to lack of work after February 1, 2001, if such  
4 applicants were employed and laid off by:**

5       **(1) Any steel manufacturer doing business in a city with a population of more than  
6 three hundred fifty thousand inhabitants located in more than one county; and**

7       **(2) Any vendor of steel manufactured by a manufacturer described in subdivision  
8 (1) of this subsection, if said vendor is located in a city with a population of more than three  
9 hundred fifty thousand inhabitants located in more than one county, and if such vendor  
10 derived at least five percent of its total revenue in the year 2000 from direct sales of steel  
11 manufactured by such a manufacturer.**

12       **2. The extra unemployment compensation benefits allowed by this section shall be  
13 payable from the fund and shall not affect the future tax rate of a taxpaying employer, nor  
14 shall such extra benefits be charged to the reimbursing account of a government or  
15 nonprofit employer.**

16       **3. An applicant is eligible to receive extra unemployment compensation benefits  
17 pursuant to this section for any week during the seventy-eight week period following the  
18 effective date of the applicant's benefit account of regular unemployment compensation**

19 **benefits, as a result of a layoff described in subsection 1 of this section, if:**

20 **(1) A majority of the applicant's wage credits were with an employer described in**  
21 **subsection 1 of this section;**

22 **(2) The applicant otherwise meets the eligibility requirements set forth by law;**

23 **(3) The applicant is not subject to a disqualification pursuant to law; and**

24 **(4) The applicant is not entitled to regular unemployment compensation benefits**  
25 **and the applicant is not entitled to receive unemployment compensation benefits pursuant**  
26 **to any other state or federal law for that week.**

27

28 **If the applicant qualifies for a new regular benefit account at any time after exhausting**  
29 **regular unemployment compensation benefits as a result of a layoff described in subsection**  
30 **1 of this section, the applicant must apply for and exhaust entitlement to those new regular**  
31 **unemployment compensation benefits.**

32 **4. (1) The weekly extra unemployment compensation benefit amount available to**  
33 **an applicant pursuant to this section shall be the same as the applicant's weekly regular**  
34 **unemployment benefit amount on the benefit account established as a result of a layoff**  
35 **described in subsection 1 of this section.**

36 **(2) If an applicant qualifies for a new benefit account in this or any other state,**  
37 **after exhausting regular unemployment benefits as a result of a layoff described in**  
38 **subsection 1 of this section and the weekly benefit amount on that new account is less than**  
39 **the applicant's extra unemployment compensation benefit amount, the applicant shall be**  
40 **entitled to receive a weekly benefit amount pursuant to this section equal to the difference**  
41 **between the weekly benefit amount on the new benefit account and the applicant's weekly**  
42 **amount of extra unemployment compensation benefits. If the weekly benefit amount on**  
43 **the new benefit account exceeds the weekly amount of extra unemployment compensation**  
44 **benefits, the applicant shall not be entitled to any extra unemployment compensation**  
45 **benefits until the applicant exhausts unemployment compensation benefits on that new**  
46 **account.**

47 **5. Notwithstanding any other law to the contrary, an applicant whose layoff is**  
48 **described in subsection 1 of this section shall be eligible to receive any type of**  
49 **unemployment benefits for any week even if the applicant has a pending claim for that**  
50 **week for payment in an amount equal to or in excess of the applicant's weekly**  
51 **unemployment benefit amount in the form of compensation for loss of wages under the**  
52 **workers' compensation law of this state or any other state or pursuant to a similar law of**  
53 **the United States. If payment is made on the workers' compensation claim for any week**  
54 **for which any type of unemployment compensation benefits are received, the**

55 **unemployment compensation benefits for that week shall be reduced by the amount of**  
56 **workers' compensation benefits received for that week. The amount of the reduction shall**  
57 **be an overpayment and may be recovered in the manner set forth by law. This subsection**  
58 **shall be effective on the date of any layoff described in this section which takes place after**  
59 **this section becomes law.**

Section B. Because immediate action is necessary to provide income security to the  
2 citizens of this state affected by the layoffs described in this act, the enactment of section A of  
3 this act is deemed necessary for the immediate preservation of the public health, welfare, peace  
4 and safety, and is hereby declared to be an emergency act within the meaning of the constitution,  
5 and the enactment of section A of this act shall be in full force and effect upon its passage and  
6 approval.