<u>CHAPTER 77</u> H.B. No. 1819

1 AN ACT

- 2 relating to an exclusion from unemployment compensation
- 3 chargebacks based on a separation from employment caused by certain
- 4 disasters.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 6 SECTION 1. Section 204.022(a), Labor Code, is amended to
- 7 read as follows:
- 8 (a) Benefits computed on benefit wage credits of an employee
- 9 or former employee may not be charged to the account of an employer
- 10 if the employee's last separation from the employer's employment
- before the employee's benefit year:
- (1) was required by a federal statute;
- 13 (2) was required by a statute of this state or an
- ordinance of a municipality of this state;
- 15 (3) would have disqualified the employee under Section
- 16 207.044, 207.045, 207.051, or 207.053 if the employment had been
- 17 the employee's last work;
- 18 (4) imposes a disqualification under Section 207.044,
- 19 207.045, 207.051, or 207.053;
- 20 (5) was caused by a medically verifiable illness of
- 21 the employee or the employee's minor child;
- 22 (6) was based on a natural disaster that results in a
- 23 disaster declaration by the president of the United States under
- 24 the Robert T. Stafford Disaster Relief and Emergency Assistance Act

- 1 (42 U.S.C. Section 5121 et seq.), if the employee would have been
- 2 entitled to unemployment assistance benefits under Section 410 of
- 3 that act (42 U.S.C. Section 5177) had the employee not received
- 4 state unemployment compensation benefits;
- 5 (7) was caused by a natural disaster, fire, flood, or
- 6 explosion that causes employees to be separated from one employer's
- 7 employment; [ex]
- 8 (8) resulted from the employee's resigning from
- 9 partial employment to accept other employment that the employee
- 10 reasonably believed would increase the employee's weekly wage; or
- 11 (9) was based on a disaster that results in a disaster
- declaration by the governor under Section 418.014, Government Code.
- SECTION 2. This Act applies only to a claim for unemployment
- 14 compensation benefits that is filed with the Texas Workforce
- 15 Commission on or after the effective date of this Act. A claim
- 16 filed before that date is governed by the law in effect on the date
- 17 the claim was filed, and the former law is continued in effect for
- 18 that purpose.
- 19 SECTION 3. This Act takes effect immediately if it receives
- 20 a vote of two-thirds of all the members elected to each house, as
- 21 provided by Section 39, Article III, Texas Constitution. If this
- 22 Act does not receive the vote necessary for immediate effect, this
- 23 Act takes effect September 1, 2003.

Maria Duchurst

For Caddul

President of the Senate

Speaker of the House

I certify that H.B. No. 1819 was passed by the House on April 3, 2003, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1819 was passed by the Senate on May 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

15 MAY '03

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE

4:45 pm O'CLOCK

Se retary of State