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# A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT BENEFITS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that section 383-23,  
2 Hawaii Revised Statutes, is not compatible with prevailing wages  
3 and serves as a disincentive for persons seeking additional  
4 employment because the statute imposes a greater restriction on  
5 individuals seeking to maximize work opportunities and penalizes  
6 individuals with multiple employers. The legislature further  
7 finds that amending section 383-23, Hawaii Revised Statutes,  
8 serves the public interest by encouraging individuals to seek  
9 gainful employment.

10           The purpose of this Act is to maximize the weekly benefit  
11 amount that an eligible individual who is unemployed is entitled  
12 to receive, regardless of the wages earned by the eligible  
13 individual.

14           SECTION 2. Section 383-23, Hawaii Revised Statutes, is  
15 amended to read as follows:

16           "~~§383-23~~ **Weekly benefit for unemployment.** [~~For weeks~~  
17 ~~beginning prior to January 5, 1992, each eligible individual who~~  
18 ~~is unemployed, as defined in section 383-1, in any week shall be~~



1 ~~paid with respect to that week a benefit in an amount equal to~~  
2 ~~the individual's weekly benefit amount less that part of the~~  
3 ~~wages (if any) payable to the individual with respect to that~~  
4 ~~week which is in excess of \$2.]~~ Effective for weeks beginning  
5 January 5, 1992, and thereafter, each eligible individual who is  
6 unemployed, as defined in section 383-1, in any week shall be  
7 paid with respect to that week a benefit in an amount equal to  
8 the individual's weekly benefit amount less that part of the  
9 wages (if any) payable to the individual with respect to that  
10 week which is in excess of \$50. Effective for weeks beginning  
11 January 1, 2006, and thereafter, each eligible individual who is  
12 unemployed, as defined in section 383-1, in any week shall be  
13 paid with respect to that week a benefit in an amount equal to  
14 the individual's weekly benefit amount. The benefit, if not a  
15 multiple of \$1, shall be computed to the next higher multiple of  
16 \$1."

17 SECTION 3. The funds payable under this Act shall be  
18 withdrawn from the unemployment compensation trust fund pursuant  
19 to sections 383-121 to 383-123, Hawaii Revised Statutes.

20 SECTION 4. No provision of this Act shall apply to the  
21 payment of unemployment insurance benefits if that provision



1 conflicts with federal statutes and jeopardizes the receipt of  
2 federal funds.

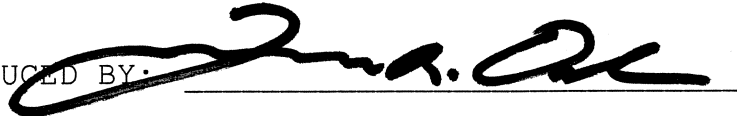
3 In the event any provision in this Act jeopardizes the  
4 receipt of federal funds, the governor may revise any provision  
5 of this Act to the extent required to maximize the receipt of  
6 federal funds. The governor shall promptly report any such  
7 revision and reasons therefor to the legislature at the next  
8 legislative session.

9 SECTION 5. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2006.

12

INTRODUCED BY:



Kirk Caldwell

JAN 24 2006



HB 2628

**Report Title:**

Unemployment Insurance; Weekly Benefits

**Description:**

Encourages eligible claimants of unemployment insurance to seek gainful employment by permitting claimants to receive their weekly benefit amount and be employed in a part-time job that pays less than their weekly benefit amount.

