

JAN 27 2016

A BILL FOR AN ACT

RELATING TO UNEMPLOYMENT.

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

1 SECTION 1. The purpose of this Act is to create a
2 temporary program providing additional benefits to unemployed
3 workers by extending their unemployment insurance benefits. The
4 funds for state additional benefits payable under this Act shall
5 be withdrawn from the unemployment compensation trust fund
6 pursuant to sections 383-121 to 383-123, Hawaii Revised
7 Statutes. If necessary, additional moneys may be allocated from
8 the state general fund and used for the payment of expenses
9 incurred for the administration of state additional benefits.

10 SECTION 2. For the purpose of this Act:

11 "Benefit year" shall be defined as in section 383-1, Hawaii
12 Revised Statutes.

13 "Continued claim certification" means an application that
14 certifies the completion of a week of total, part-total, or
15 partial unemployment to claim benefits for a week of
16 unemployment as described in the definition of "continued claim
17 certification" in section 12-5-73, Hawaii Administrative Rules.



1 "Initial claim" includes a new claim, an additional claim,
2 or a reopened claim as defined in section 12-5-73, Hawaii
3 Administrative Rules.

4 "Regular benefits" means the unemployment insurance
5 benefits paid on an initial claim filed under chapter 383,
6 Hawaii Revised Statutes, except as provided for in sections 383-
7 168 through 383-176, Hawaii Revised Statutes.

8 "State additional benefits eligibility period" means the
9 period beginning on September 4, 2016, and ending on October 28,
10 2017. No state additional benefits shall be payable for weeks
11 beginning on or after October 29, 2017.

12 "State additional benefits" means the unemployment
13 compensation benefits payable under this Act.

14 "Week of unemployment" shall be as defined in section 383-
15 1, Hawaii Revised Statutes.

16 SECTION 3. An individual shall be eligible to receive a
17 payment of state additional benefits with respect to a week of
18 unemployment in accordance with this Act; provided that:

19 (1) The individual exhausted regular benefits under
20 chapter 383, Hawaii Revised Statutes, within the state
21 additional benefits eligibility period, or if regular



1 benefits were not exhausted, the individual's current
2 benefit year expired within the state additional
3 benefits eligibility period;

4 (2) The individual filed an initial claim and filed
5 continued claim certifications for state additional
6 benefits during the state additional benefits
7 eligibility period;

8 (3) The week of unemployment falls within the state
9 additional benefits eligibility period;

10 (4) The individual is not eligible to receive unemployment
11 benefits under federal law or the laws of any other
12 state, or any federal or federal-state extended
13 benefits program during the same weeks within the
14 state additional benefits eligibility period for which
15 state additional benefits are claimed; and

16 (5) The individual has met all other conditions of
17 eligibility that apply to regular benefits under
18 chapter 383, Hawaii Revised Statutes, except that no
19 individual shall be required to serve a waiting period
20 in the state additional benefits eligibility period.



1 SECTION 4. (a) The weekly state additional benefits
2 amount payable to an eligible individual for a week of total
3 unemployment within the state additional benefits eligibility
4 period shall be an amount equal to the weekly benefit amount
5 payable in the individual's current or most recently expired
6 benefit year within the state additional benefits eligibility
7 period.

8 (b) The maximum state additional benefits amount payable to
9 any eligible individual during the state additional benefits
10 eligibility period shall be thirteen times the individual's
11 weekly state additional benefits amount. . .

12 (c) No state additional benefits shall be payable for any
13 week beginning prior to the state additional benefits
14 eligibility period or for any week beginning after the state
15 additional benefits eligibility period ends.

16 SECTION 5. State additional benefits paid to an individual
17 shall be charged against the account of any of the individual's
18 base period employers in the same manner as regular benefits
19 were charged on the individual's current or most recently
20 expired benefit year within the state additional benefits
21 eligibility period.



1 SECTION 6. Except when the result would be inconsistent
2 with this Act, the provisions of chapter 383, Hawaii Revised
3 Statutes, which apply to claims for, or the payment of, regular
4 benefits shall apply to claims for, and the payment of, state
5 additional benefits.

6 SECTION 7. No provision contained in this Act shall apply
7 to the payment of state additional benefits if the provision
8 conflicts with federal statutes and jeopardizes the receipt of
9 federal administrative funding and certification for the federal
10 Unemployment Tax Act employer tax offset credit.

11 If any provision in this Act jeopardizes the receipt of
12 federal funds, the governor is authorized to revise any
13 provision of this Act to the extent required to maximize the
14 receipt of federal funds. The governor shall promptly report
15 any revision and reasons therefor to the legislature at the next
16 legislative session thereafter.

17 SECTION 8. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2016-2017 to carry
20 out the purposes of this Act.



S.B. NO. 3038

1 The sum appropriated shall be expended by the department of
2 labor and industrial relations for the purposes of this Act.

3 SECTION 9. This Act shall take effect upon its approval
4 and shall be repealed on ; provided that section 8
5 shall take effect on July 1, 2016.

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INTRODUCED BY: S.C. Finch-Agana

J. B. [Signature]

[Signature]

Arroyo de Beken

S.B. NO. 3038

Report Title:

Unemployment Insurance; State Additional Benefits; Appropriation

Description:

Creates a temporary program providing additional benefits to unemployed workers by extending their unemployment insurance benefits. Make an appropriation.

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