

BILL ANALYSIS

Senate Research Center
80R2153 KSD-D

S.B. 142
By: Zaffirini
Business and Commerce
2/5/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Unemployment insurance benefits are used by victims of domestic violence who must leave their jobs to protect themselves against family violence, but the evidence required to demonstrate violence deters many claims. Current law requires three forms of evidence of domestic violence to demonstrate eligibility for unemployment benefits: an active or recently issued protective order documenting that the employee is a victim of family violence or stalking, a police record documenting that the employee is a victim of family violence or stalking, and a physician's statement or other medical documentation of family violence against the employee.

As proposed, S.B. 142 allows a victim of family violence who leaves his or her workplace to escape domestic violence or stalking to present only one form of evidence, rather than three, regarding the violence in qualifying for unemployment insurance benefits.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Reenacts Section 204.022(a), Labor Code, as amended by Chapters 39, 493, and 728, Acts of the 79th Legislature, Regular Session, 2005, and amends it as follows:

(a)(11) Adds subdivision (11) to prohibit benefit wage credits of an employee or former employee from being charged to an account of an employer if the employee's last separation from the employer's employment before the employee's benefit year resulted from the employee leaving the workplace to protect the employee from family violence or stalking as evidenced by one of three certain forms of documentation, rather than three forms of documentation. Makes a conforming change.

SECTION 2. Amends Section 207.046(a), Labor Code, as follows:

(a) Provides that an employee is not disqualified for benefits if the employee leaves the workplace to protect the employee from family violence or stalking as evidenced by one of three certain forms of documentation, rather than by three forms of documentation.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Provides that to the extent of any conflict, this Act prevails over another Act of the 80th Legislature, Regular Session, 2007, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Effective date: upon passage or September 1, 2007.