

BILL ANALYSIS

Senate Research Center
80R3295 KSD-D

S.B. 194
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Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, parents of a terminally ill child are provided unemployment insurance benefits as long as they show evidence that there is no reasonable alternative care except for leaving their employment to care for the child. There is no existing provision permitting an individual to be eligible for unemployment benefits to care for a terminally ill spouse. This legislation would authorize unemployment benefits for spouses who can provide qualifying evidence such as a physician's statement or medical documentation that there is no availability of reasonable alternative care for a terminally ill spouse. In addition, this bill includes a chargeback provision to prevent an increase in the tax rate paid by employers to the state's Unemployment Insurance Trust Fund.

As proposed, S.B. 194 would allow a spouse of a terminally ill individual to receive unemployment insurance.

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

- (a) Prohibits benefits computed on benefit wage credits of an employee or former employee from being charged to the account of an employer if the employee's last separation from the employer's employment prior to the employee's benefit year resulted from the employee leaving the employee's workplace to care for the employee's terminally ill spouse as evidenced by a physician's statement or other medical documentation, if no reasonable, alternative care was available. Makes a nonsubstantive change.

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

- (a) Provides that an individual is not disqualified for benefits computed on benefit wage credits if the individual leaves the workplace to care for a terminally ill spouse as evidenced by a physician's statement or other medical documentation if no reasonable alternative care was available.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Provides that 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.