

Senate Bill No. 2

CHAPTER 4

An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

[Approved by Governor May 6, 2002. Filed with
Secretary of State May 6, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2, Alarcon. Unemployment insurance: benefits compensation.

Under existing law, for new claims filed on or after January 1, 1992, and prior to January 1, 2002, the weekly unemployment compensation benefit for an individual whose highest wages in the quarter of his or her base period exceeded \$4,966.99 is 39% of those wages divided by 13, not to exceed \$230. In the case of new claims filed with an effective date beginning on or after January 1, 2002, and prior to January 1, 2003, the weekly benefit amount for individuals whose highest wages in the quarter of his or her base period exceeds \$2,781.99 is 45% of those wages not to exceed \$330.

This bill would, instead, apply this provision to existing and new claims, as provided, filed on or after September 11, 2001, and prior to January 1, 2003. This bill would also state the intent of the Legislature that certain provisions of the bill be construed to allow the benefit period of a qualified unemployed person, as defined, to run from the date that the qualified unemployed person became unemployed, as provided.

Existing federal law, the Job Creation and Worker Assistance Act of 2002, authorizes the United States Secretary of the Treasury, in the 2002-03 fiscal year, to transfer to each state's Unemployment Trust Fund a specified amount of money that may be utilized by each state for specified purposes.

This bill would require that \$600,000,000 of the moneys transferred to the state's Unemployment Trust Fund pursuant to this federal law be utilized for the payment of unemployment compensation and for ensuring the solvency of the state's Unemployment Trust Fund.

Because these provisions would increase the amount of unemployment compensation paid, these provisions would increase the amount payable from the Unemployment Fund, a continuously appropriated special fund, and thereby would make an appropriation.

Appropriation: yes.



The people of the State of California do enact as follows:

SECTION 1. Section 1280 of the Unemployment Insurance Code is amended to read:

1280. (a) For any new claims filed with an effective date on or after January 1, 1992, and prior to September 11, 2001, an individual's weekly benefit amount is the amount appearing in column B in the following table opposite that wage bracket in column A that contains the amount of wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

| A | B |
|---------------------------------------|--------------------------|
| Amount of wages in highest quarter | Weekly benefit amount |
| \$900.00– 948.99 | 40 |
| 949.00– 974.99 | 41 |
| 975.00–1,000.99 | 42 |
| 1,001.00–1,026.99 | 43 |
| 1,027.00–1,052.99 | 44 |
| 1,053.00–1,078.99 | 45 |
| 1,079.00–1,117.99 | 46 |
| 1,118.00–1,143.99 | 47 |
| 1,144.00–1,169.99 | 48 |
| 1,170.00–1,195.99 | 49 |
| 1,196.00–1,221.99 | 50 |
| 1,222.00–1,247.99 | 51 |
| 1,248.00–1,286.99 | 52 |
| 1,287.00–1,312.99 | 53 |
| 1,313.00–1,338.99 | 54 |
| 1,339.00–1,364.99 | 55 |
| 1,365.00–1,403.99 | 56 |
| 1,404.00–1,429.99 | 57 |
| 1,430.00–1,455.99 | 58 |
| 1,456.00–1,494.99 | 59 |
| 1,495.00–1,520.99 | 60 |
| 1,521.00–1,546.99 | 61 |
| 1,547.00–1,585.99 | 62 |
| 1,586.00–1,611.99 | 63 |
| 1,612.00–1,637.99 | 64 |
| 1,638.00–1,676.99 | 65 |



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| 1,677.00–1,702.99 | 66 |
| 1,703.00–1,741.99 | 67 |
| 1,742.00–1,767.99 | 68 |
| 1,768.00–1,806.99 | 69 |
| 1,807.00–1,832.99 | 70 |
| 1,833.00–1,871.99 | 71 |
| 1,872.00–1,897.99 | 72 |
| 1,898.00–1,936.99 | 73 |
| 1,937.00–1,975.99 | 74 |
| 1,976.00–2,001.99 | 75 |
| 2,002.00–2,040.99 | 76 |
| 2,041.00–2,066.99 | 77 |
| 2,067.00–2,105.99 | 78 |
| 2,106.00–2,144.99 | 79 |
| 2,145.00–2,170.99 | 80 |
| 2,171.00–2,209.99 | 81 |
| 2,210.00–2,248.99 | 82 |
| 2,249.00–2,287.99 | 83 |
| 2,288.00–2,326.99 | 84 |
| 2,327.00–2,352.99 | 85 |
| 2,353.00–2,391.99 | 86 |
| 2,392.00–2,430.99 | 87 |
| 2,431.00–2,469.99 | 88 |
| 2,470.00–2,508.99 | 89 |
| 2,509.00–2,547.99 | 90 |
| 2,548.00–2,586.99 | 91 |
| 2,587.00–2,625.99 | 92 |
| 2,626.00–2,664.99 | 93 |
| 2,665.00–2,703.99 | 94 |
| 2,704.00–2,742.99 | 95 |
| 2,743.00–2,781.99 | 96 |
| 2,782.00–2,820.99 | 97 |
| 2,821.00–2,859.99 | 98 |
| 2,860.00–2,898.99 | 99 |
| 2,899.00–2,937.99 | 100 |
| 2,938.00–2,989.99 | 101 |
| 2,990.00–3,028.99 | 102 |
| 3,029.00–3,067.99 | 103 |
| 3,068.00–3,106.99 | 104 |



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| 3,107.00–3,158.99 | 105 |
| 3,159.00–3,197.99 | 106 |
| 3,198.00–3,236.99 | 107 |
| 3,237.00–3,288.99 | 108 |
| 3,289.00–3,327.99 | 109 |
| 3,328.00–3,379.99 | 110 |
| 3,380.00–3,418.99 | 111 |
| 3,419.00–3,470.99 | 112 |
| 3,471.00–3,509.99 | 113 |
| 3,510.00–3,561.99 | 114 |
| 3,562.00–3,600.99 | 115 |
| 3,601.00–3,652.99 | 116 |
| 3,653.00–3,704.99 | 117 |
| 3,705.00–3,743.99 | 118 |
| 3,744.00–3,795.99 | 119 |
| 3,796.00–3,847.99 | 120 |
| 3,848.00–3,899.99 | 121 |
| 3,900.00–3,938.99 | 122 |
| 3,939.00–3,990.99 | 123 |
| 3,991.00–4,042.99 | 124 |
| 4,043.00–4,079.99 | 125 |
| 4,080.00–4,116.99 | 126 |
| 4,117.00–4,153.99 | 127 |
| 4,154.00–4,190.99 | 128 |
| 4,191.00–4,227.99 | 129 |
| 4,228.00–4,264.99 | 130 |
| 4,265.00–4,301.99 | 131 |
| 4,302.00–4,338.99 | 132 |
| 4,339.00–4,375.99 | 133 |
| 4,376.00–4,412.99 | 134 |
| 4,413.00–4,449.99 | 135 |
| 4,450.00–4,486.99 | 136 |
| 4,487.00–4,523.99 | 137 |
| 4,524.00–4,560.99 | 138 |
| 4,561.00–4,597.99 | 139 |
| 4,598.00–4,634.99 | 140 |
| 4,635.00–4,671.99 | 141 |
| 4,672.00–4,708.99 | 142 |
| 4,709.00–4,745.99 | 143 |



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| 4,746.00–4,782.99 | 144 |
| 4,783.00–4,819.99 | 145 |
| 4,820.00–4,856.99 | 146 |
| 4,857.00–4,893.99 | 147 |
| 4,894.00–4,930.99 | 148 |
| 4,931.00–4,966.99 | 149 |

If the amount of wages paid an individual for employment by employers exceeds four thousand nine hundred sixty-six dollars and ninety-nine cents (\$4,966.99) in the quarter of his or her base period in which these wages were highest, the individual’s weekly benefit amount shall be 39 percent of these wages divided by 13, but in no case shall this amount exceed two hundred thirty dollars (\$230). If the benefit payable under this subdivision is not a multiple of one dollar (\$1), it shall be computed to the next higher multiple of one dollar (\$1).

(b) Notwithstanding subdivision (a), for existing claims on or after September 11, 2001, provided that the unemployment benefits have not been exhausted as of September 11, 2001, and for all new claims filed with an effective date beginning on or after September 11, 2001, and prior to January 1, 2003, an individual’s weekly benefit amount is the amount for weeks of unemployment beginning on or after September 11, 2001, appearing in column B in the following table opposite that wage bracket in column A that contains the amount of wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

| A | B |
|---------------------------------------|--------------------------|
| Amount of wages in highest quarter | Weekly benefit amount |
| \$900.00– 948.99 | 40 |
| 949.00– 974.99 | 41 |
| 975.00–1,000.99 | 42 |
| 1,001.00–1,026.99 | 43 |
| 1,027.00–1,052.99 | 44 |
| 1,053.00–1,078.99 | 45 |
| 1,079.00–1,117.99 | 46 |
| 1,118.00–1,143.99 | 47 |
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| 1,170.00–1,195.99 | 49 |
| 1,196.00–1,221.99 | 50 |
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| 1,248.00–1,286.99 | 52 |
| 1,287.00–1,312.99 | 53 |
| 1,313.00–1,338.99 | 54 |
| 1,339.00–1,364.99 | 55 |
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| 1,638.00–1,676.99 | 65 |
| 1,677.00–1,702.99 | 66 |
| 1,703.00–1,741.99 | 67 |
| 1,742.00–1,767.99 | 68 |
| 1,768.00–1,806.99 | 69 |
| 1,807.00–1,832.99 | 70 |
| 1,833.00–1,871.99 | 71 |
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| 1,937.00–1,975.99 | 74 |
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| 2,587.00–2,625.99 | 92 |
| 2,626.00–2,664.99 | 93 |
| 2,665.00–2,703.99 | 94 |
| 2,704.00–2,742.99 | 95 |
| 2,743.00–2,781.99 | 96 |

If the amount of wages paid an individual for employment by employers exceeds two thousand seven hundred eighty-one dollars and ninety-nine cents (\$2,781.99) in the quarter of his or her base period in which these wages were highest, the individual’s weekly benefit amount shall be 45 percent of these wages divided by 13, but in no case may this amount exceed three hundred thirty dollars (\$330).

(c) For new claims filed with an effective date beginning on or after January 1, 2003, an individual’s weekly benefit amount is the amount appearing in column B in the following table opposite the wage bracket in column A that contains the wages paid to the individual for employment by employers during the quarter of his or her base period in which his or her wages were the highest.

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|---------------------------------------|--------------------------|
| Amount of wages in highest quarter | Weekly benefit amount |
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| 1,742.00–1,767.99 | 68 |
| 1,768.00–1,806.99 | 69 |
| 1,807.00–1,832.99 | 70 |

If the amount of wages paid an individual for employment by employers exceeds one thousand eight hundred thirty-two dollars and ninety-nine cents (\$1,832.99) in the quarter of his or her base period in which these wages were highest, the individual’s weekly benefit amount shall be 50 percent of these wages divided by 13, but in no case shall this amount exceed the applicable of the following:

(1) For new claims filed with an effective date beginning on or after January 1, 2003, and before January 1, 2004, three hundred seventy dollars (\$370).

(2) For new claims filed with an effective date beginning on or after January 1, 2004, and before January 1, 2005, four hundred ten dollars (\$410).

(3) For new claims filed with an effective date beginning on or after January 1, 2005, four hundred fifty dollars (\$450).

If the benefit payable under this subdivision is not a multiple of one dollar (\$1), it shall be computed to the next higher multiple of one dollar (\$1).

SEC. 2. (a) It is the intent of the Legislature in enacting the amendments to Section 1280 of the Unemployment Insurance Code that those amendments be construed to allow a qualified unemployed person’s benefit year to begin on the date that the qualified unemployed person became unemployed.

(b) For purposes of subdivision (a), “qualified unemployed person” means a person who meets all of the following conditions:

(1) The person became unemployed on or after September 11, 2001, and before January 1, 2002.



(2) The person did not file a claim for unemployment compensation benefits on or before January 1, 2002, because that individual sought the additional benefits that would have been paid on or after January 1, 2002.

(3) The person filed a new claim for unemployment compensation benefits with an effective date beginning on January 6, 2002, or January 13, 2002.

(c) It is the further intent of the Legislature to make the payment of unemployment insurance benefit increases effective in the most expeditious manner.

SEC. 3. From the moneys transferred to the state's Unemployment Trust Fund pursuant to subsection (d) of Section 1103 of Title 42 of the United States Code, six hundred million dollars (\$600,000,000) shall be utilized for the payment of unemployment compensation and for ensuring the solvency of the state's Unemployment Trust Fund.

