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AMENDED IN SENATE SEPTEMBER 4, 2015
AMENDED IN SENATE AUGUST 31, 2015
AMENDED IN SENATE JUNE 18, 2015
AMENDED IN ASSEMBLY MARCH 18, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 908

Introduced by Assembly Members Gomez and Burke
(Coauthor: Assembly Member Gonzalez)
(Principal coauthor: Senator Jackson)
(Coauthors: Assembly Members Alejo, Bonilla, Bonta, Gonzalez,
Holden, Levine, Nazarian, and Weber)

February 26, 2015

An act to amend, repeal, and add Sections 985, 2655, 3301, and 3303 of amend Section 2655 of, to amend, repeal, and add Section 3303 of, and to add and repeal Section 2655.1 of, the Unemployment Insurance Code, relating to disability compensation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 908, as amended, Gomez. Disability compensation: disability insurance.

Existing unemployment compensation disability law provides a formula for determining benefits available to qualifying disabled individuals. For an individual who has quarterly base wages of greater than \$1,749.20, the weekly benefit is calculated by multiplying base

wages by 55% and dividing the result by 13. For a benefit that is not a multiple of \$1, existing law provides that the benefit shall be computed to the next higher multiple of \$1. However, existing law provides that this amount may not exceed the maximum workers' compensation temporary disability indemnity weekly benefit amount.

Under existing law, the family temporary disability insurance program provides up to 6 weeks of wage replacement benefits to workers who take time off work to care for specified persons, or to bond with a minor child within one year of the birth or placement of the child in connection with foster care or adoption. Existing law defines "weekly benefit amount" for purposes of this program to mean the amount of benefits available to qualifying disabled individuals pursuant to unemployment compensation disability law.

This bill would revise the formula for determining benefits available pursuant to unemployment compensation disability law and for the family temporary disability insurance program, for periods of disability commencing after January 1, ~~2017~~, 2018, *but before January 1, 2022*, to provide a weekly benefit amount minimum of \$50 ~~and a maximum~~ *of and increase the wage replacement rate to specified percentages, but not to exceed the maximum* ~~worker's~~ workers' compensation temporary disability indemnity weekly benefit amount established by the Department of Industrial Relations pursuant to existing law.

~~This bill would require the family temporary disability insurance program to provide up to 8 weeks of wage replacement benefits on and after January 1, 2017.~~

Existing law deems an individual to be eligible for family temporary disability benefits if, among other things, the individual is unable to perform his or her regular or customary work for a 7-day waiting period during each disability benefit period. and prohibits payments for benefits during this waiting period.

This bill, on and after January 1, ~~2017~~, 2018, also would remove the 7-day waiting period for these benefits.

~~Under existing law, workers are required to pay contributions on remuneration that is equal to 4 times the maximum weekly benefit for a calendar year multiplied by 13 and divided by 55%. Existing law requires these contributions to be deposited into the Unemployment Compensation Disability Fund, a special fund in the State Treasury, and those funds are continuously appropriated for the purpose of providing disability benefits and making payment of expenses in administering those provisions.~~

~~This bill, on and after January 1, 2017, instead would require contributions on remuneration of less than \$150,000, and would require this limit to increase annually by an amount equal to the percentage increase in the state average weekly wage, as defined. No contributions would be required on remuneration exceeding that amount.~~

~~This bill, by authorizing an increase in the amount of workers' contributions into, and an increase in the expenditure of money from, from the Unemployment Compensation Disability Fund, would make an appropriation.~~

~~This bill would require, by ~~October~~ July 1, ~~2016, 2017~~, the Employment Development Department to report to the Assembly Committee on Insurance and Senate Committee on Labor and Industrial Relations specified information regarding the waiting period for disability benefits. *The bill also would require, by March 1, 2021, the department to prepare a report to the Legislature and specified legislative committees on levels and trends regarding utilization, costs, and rates with respect to family leave and disability insurance.*~~

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 ~~SECTION 1. Section 985 of the Unemployment Insurance~~
2 ~~Code is amended to read:~~

3 ~~985. (a) Section 984 shall not apply to that part of the~~
4 ~~remuneration which, after remuneration with respect to~~
5 ~~employment equal to four times the maximum weekly benefit for~~
6 ~~each calendar year specified in Section 2655 multiplied by 13 and~~
7 ~~divided by 55 percent has been paid to an individual by an~~
8 ~~employer, is paid to the individual by the employer.~~

9 ~~(b) This section shall become inoperative and repealed on~~
10 ~~January 1, 2017.~~

11 ~~SEC. 2. Section 985 is added to the Unemployment Insurance~~
12 ~~Code, to read:~~

13 ~~985. (a) Section 984 shall not apply to that part of the~~
14 ~~remuneration that, when earned in 2017, exceeds one hundred fifty~~
15 ~~thousand dollars (\$150,000). Commencing on January 1, 2018,~~
16 ~~and each January 1 thereafter, this limit amount shall increase by~~
17 ~~an amount equal to the percentage increase in the state average~~
18 ~~weekly wage as compared to the prior year.~~

~~(b) For purposes of this section, “state average weekly wage” means the average weekly wage paid by employers to employees covered by unemployment insurance as reported by the United States Department of Labor for California for the 12 months ending on March 31 of the calendar year preceding the year in which the disability occurred.~~

~~(c) This section shall become operative on January 1, 2017.~~

~~SEC. 3.~~

~~SECTION 1. Section 2655 of the Unemployment Insurance Code is amended to read:~~

~~2655. (a) Except as provided in subdivisions (b), (c), and (d), (e), and (f), an individual’s “weekly benefit amount” shall be the amount appearing in column B in the table set forth in this subdivision on the line of which in column A of the table there appears the wage bracket containing the amount of wages paid to the individual for employment by employers during the quarter of his or her disability base period in which wages were the highest.~~

A	B
Amount of wages in highest quarter	Weekly benefit amount
\$75–1,149.99.....	\$50
1,150–1,174.99.....	51
1,175–1,199.99.....	52
1,200–1,224.99.....	53
1,225–1,249.99.....	54
1,250–1,274.99.....	55
1,275–1,299.99.....	56
1,300–1,324.99.....	57
1,325–1,349.99.....	58
1,350–1,374.99.....	59
1,375–1,399.99.....	60
1,400–1,424.99.....	61
1,425–1,449.99.....	62
1,450–1,474.99.....	63
1,475–1,499.99.....	64
1,500–1,524.99.....	65
1,525–1,549.99.....	66
1,550–1,574.99.....	67
1,575–1,599.99.....	68

1	1,600–1,624.99.....	69
2	1,625–1,649.99.....	70
3	1,650–1,674.99.....	71
4	1,675–1,699.99.....	72
5	1,700–1,724.99.....	73
6	1,725–1,749.20.....	74

7

8 (b) For periods of disability commencing on or after January 1,
9 1990, and prior to January 1, 1991, if the amount of wages paid
10 an individual for employment by employers during the quarter of
11 his or her disability base period in which these wages were highest
12 exceeds one thousand seven hundred forty-nine dollars and twenty
13 cents (\$1,749.20), the weekly benefit amount shall be 55 percent
14 of these wages divided by 13, but not exceeding two hundred
15 sixty-six dollars (\$266) or the maximum workers' compensation
16 temporary disability indemnity weekly benefit amount, whichever
17 is less. If the benefit payable under this subdivision is not a multiple
18 of one dollar (\$1), it shall be computed to the next higher multiple
19 of one dollar (\$1).

20 (c) For periods of disability commencing on or after January 1,
21 1991, but before January 1, 2000, if the amount of wages paid an
22 individual for employment by employers during the quarter of his
23 or her disability base period in which these wages were highest
24 exceeds one thousand seven hundred forty-nine dollars and twenty
25 cents (\$1,749.20), the weekly benefit amount shall be 55 percent
26 of these wages divided by 13, but not exceeding three hundred
27 thirty-six dollars (\$336). If the benefit payable under this
28 subdivision is not a multiple of one dollar (\$1), it shall be computed
29 to the next higher multiple of one dollar (\$1).

30 (d) (1) For periods of disability commencing on or after January
31 1, 2000, *but before January 1, 2018*, if the amount of wages paid
32 an individual for employment by employers during the quarter of
33 his or her disability base period in which these wages were highest
34 exceeds one thousand seven hundred forty-nine dollars and twenty
35 cents (\$1,749.20), the weekly benefit amount shall be equal to 55
36 percent of these wages divided by 13, but not exceeding the
37 maximum workers' compensation temporary disability indemnity
38 weekly benefit amount.

39 (2) Notwithstanding the maximum workers' compensation
40 temporary disability indemnity weekly benefit amount of paragraph

1 ~~(1) of subdivision (d), (1), if the benefit under this subdivision is~~
 2 ~~not a multiple of one dollar (\$1), it shall be computed to the next~~
 3 ~~higher multiple of one dollar (\$1).~~

4 ~~(e) This section shall become inoperative and repealed on~~
 5 ~~January 1, 2017.~~

6 *(e) For periods of disability commencing on and after January*
 7 *1, 2018, but before January 1, 2022, an individual’s “weekly*
 8 *benefit amount” shall be as follows:*

9 *(1) When the amount of wages paid to the individual for*
 10 *employment by employers during the quarter of the individual’s*
 11 *disability base period in which these wages were highest is less*
 12 *than nine hundred twenty-nine dollars (\$929), then fifty dollars*
 13 *(\$50).*

14 *(2) When the amount of wages paid to the individual for*
 15 *employment by employers during the quarter of the individual’s*
 16 *disability base period in which these wages were highest is nine*
 17 *hundred twenty-nine dollars (\$929) or more, and is less than*
 18 *one-third of the amount of the state average quarterly wage, then*
 19 *70 percent of the amount of wages paid to the individual for*
 20 *employment by employers during the quarter of the individual’s*
 21 *disability base period in which these wages were highest, divided*
 22 *by 13. If the weekly benefit amount is not a multiple of one dollar*
 23 *(\$1), it shall be computed to the next higher multiple of one dollar*
 24 *(\$1).*

25 *(3) Except as provided in paragraph (4), when the amount of*
 26 *wages paid to the individual for employment by employers during*
 27 *the quarter of the individual’s disability base period in which these*
 28 *wages were highest is one-third of the amount of the state average*
 29 *quarterly wage, or more, then either (A) 23.3 percent of the state*
 30 *average weekly wage or (B) 60 percent of the amount of wages*
 31 *paid to the individual for employment by employers during the*
 32 *quarter of the individual’s disability base period in which these*
 33 *wages were highest divided by 13, whichever amount is greater.*
 34 *If the weekly benefit amount is not a multiple of one dollar (\$1),*
 35 *it shall be computed to the next higher multiple of one dollar (\$1).*

36 *(4) An individual’s “weekly benefit amount” shall not exceed*
 37 *the maximum workers’ compensation temporary disability*
 38 *indemnity weekly benefit amount established by the Department*
 39 *of Industrial Relations pursuant to Section 4453 of the Labor Code.*

1 (f) (1) For periods of disability commencing on or after January
 2 1, 2022, if the amount of wages paid an individual for employment
 3 by employers during the quarter of his or her disability base period
 4 in which these wages were highest exceeds one thousand seven
 5 hundred forty-nine dollars and twenty cents (\$1,749.20), the weekly
 6 benefit amount shall be equal to 55 percent of these wages divided
 7 by 13, but not exceeding the maximum workers' compensation
 8 temporary disability indemnity weekly benefit amount established
 9 by the Department of Industrial Relations pursuant to Section 4453
 10 of the Labor Code.

11 (2) Notwithstanding the maximum workers' compensation
 12 temporary disability indemnity weekly benefit amount of paragraph
 13 (1) of subdivision (d), if the benefit under this subdivision is not a
 14 multiple of one dollar (\$1), it shall be computed to the next higher
 15 multiple of one dollar (\$1).

16 (g) For purposes of this section:

17 (1) "State average quarterly wage" means the state average
 18 weekly wage multiplied by 13.

19 (2) "State average weekly wage" means the average weekly
 20 wage paid by employers to employees covered by unemployment
 21 insurance as reported by the United States Department of Labor
 22 for California for the 12 months ending on March 31 of the
 23 calendar year preceding the year in which the disability occurred.

24 ~~SEC. 4. Section 2655 is added to the Unemployment Insurance~~
 25 ~~Code, to read:~~

26 2655. (a) ~~Except as provided in subdivisions (b), (c), (d), and~~
 27 ~~(e), an individual's "weekly benefit amount" shall be the amount~~
 28 ~~appearing in column B in the table set forth in this subdivision on~~
 29 ~~the line of which in column A of the table there appears the wage~~
 30 ~~bracket containing the amount of wages paid to the individual for~~
 31 ~~employment by employers during the quarter of his or her disability~~
 32 ~~base period in which wages were the highest.~~

A	B
Amount of wages in	Weekly benefit
—highest quarter	amount
— \$75–1,149.99.....	\$50
1,150–1,174.99.....	51
1,175–1,199.99.....	52
1,200–1,224.99.....	53

1	1,225-1,249.99.....	-54
2	1,250-1,274.99.....	-55
3	1,275-1,299.99.....	-56
4	1,300-1,324.99.....	-57
5	1,325-1,349.99.....	-58
6	1,350-1,374.99.....	-59
7	1,375-1,399.99.....	-60
8	1,400-1,424.99.....	-61
9	1,425-1,449.99.....	-62
10	1,450-1,474.99.....	-63
11	1,475-1,499.99.....	-64
12	1,500-1,524.99.....	-65
13	1,525-1,549.99.....	-66
14	1,550-1,574.99.....	-67
15	1,575-1,599.99.....	-68
16	1,600-1,624.99.....	-69
17	1,625-1,649.99.....	-70
18	1,650-1,674.99.....	-71
19	1,675-1,699.99.....	-72
20	1,700-1,724.99.....	-73
21	1,725-1,749.20.....	-74

22

23 (b) ~~For periods of disability commencing on or after January 1,~~
24 ~~1990, and prior to January 1, 1991, if the amount of wages paid~~
25 ~~an individual for employment by employers during the quarter of~~
26 ~~his or her disability base period in which these wages were highest~~
27 ~~exceeds one thousand seven hundred forty-nine dollars and twenty~~
28 ~~cents (\$1,749.20), the weekly benefit amount shall be 55 percent~~
29 ~~of these wages divided by 13, but not exceeding two hundred~~
30 ~~sixty-six dollars (\$266) or the maximum workers' compensation~~
31 ~~temporary disability indemnity weekly benefit amount, whichever~~
32 ~~is less. If the benefit payable under this subdivision is not a multiple~~
33 ~~of one dollar (\$1), it shall be computed to the next higher multiple~~
34 ~~of one dollar (\$1).~~

35 (c) ~~For periods of disability commencing on or after January 1,~~
36 ~~1991, but before January 1, 2000, if the amount of wages paid an~~
37 ~~individual for employment by employers during the quarter of his~~
38 ~~or her disability base period in which these wages were highest~~
39 ~~exceeds one thousand seven hundred forty-nine dollars and twenty~~
40 ~~cents (\$1,749.20), the weekly benefit amount shall be 55 percent~~

1 of these wages divided by 13, but not exceeding three hundred
2 thirty-six dollars (\$336). If the benefit payable under this
3 subdivision is not a multiple of one dollar (\$1), it shall be computed
4 to the next higher multiple of one dollar (\$1).

5 (d) (1) For periods of disability commencing on or after January
6 1, 2000, but before January 1, 2017, if the amount of wages paid
7 an individual for employment by employers during the quarter of
8 his or her disability base period in which these wages were highest
9 exceeds one thousand seven hundred forty-nine dollars and twenty
10 cents (\$1,749.20), the weekly benefit amount shall be equal to 55
11 percent of these wages divided by 13, but not exceeding the
12 maximum workers' compensation temporary disability indemnity
13 weekly benefit amount.

14 (2) Notwithstanding the maximum workers' compensation
15 temporary disability indemnity weekly benefit amount of paragraph
16 (1), if the benefit under this subdivision is not a multiple of one
17 dollar (\$1), it shall be computed to the next higher multiple of one
18 dollar (\$1).

19 (e) For periods of disability commencing on and after January
20 1, 2017, an individual's "weekly benefit amount" shall be as
21 follows:

22 (1) When the amount of wages paid to the individual for
23 employment by employers during the quarter of the individual's
24 disability base period in which these wages were highest is less
25 than eight hundred thirteen dollars (\$813), then fifty dollars (\$50).

26 (2) When the amount of wages paid to the individual for
27 employment by employers during the quarter of the individual's
28 disability base period in which these wages were highest is eight
29 hundred thirteen dollars (\$813) or more, and is less than one-third
30 of the amount of the state average base period wages, then
31 80percent of the amount of wages paid to the individual for
32 employment by employers during the quarter of the individual's
33 disability base period in which these wages were highest, divided
34 by 13. If the weekly benefit amount is not a multiple of one dollar
35 (\$1), it shall be computed to the next higher multiple of one dollar
36 (\$1).

37 (3) Except as provided in paragraph (4), when the amount of
38 wages paid to the individual for employment by employers during
39 the quarter of the individual's disability base period in which these
40 wages were highest is one-third of the amount of the state average

1 base period wages, or more, then either (A) 26.67 percent of the
2 state average weekly wage, or (B) 60 percent of the amount of
3 wages paid to the individual for employment by employers during
4 the quarter of the individual's disability base period in which these
5 wages were highest divided by 13, whichever amount is greater.
6 If the weekly benefit amount is not a multiple of one dollar (\$1),
7 it shall be computed to the next higher multiple of one dollar (\$1).

8 (4) An individual's "weekly benefit amount" shall not exceed
9 the maximum workers' compensation temporary disability
10 indemnity weekly benefit amount established by the Department
11 of Industrial Relations pursuant to Section 4453 of the Labor Code.

12 (f) For purposes of this section:

13 (1) "State average base period wages" means the state average
14 weekly wage multiplied by 13.

15 (2) "State average weekly wage" means the average weekly
16 wage paid by employers to employees covered by unemployment
17 insurance as reported by the United States Department of Labor
18 for California for the 12 months ending on March 31 of the
19 calendar year preceding the year in which the disability occurred.

20 (g) This section shall become operative on January 1, 2017.

21 SEC. 5. Section 3301 of the Unemployment Insurance Code
22 is amended to read:

23 3301. (a) (1) The purpose of this chapter is to establish, within
24 the state disability insurance program, a family temporary disability
25 insurance program. Family temporary disability insurance shall
26 provide up to six weeks of wage replacement benefits to workers
27 who take time off work to care for a seriously ill child, spouse,
28 parent, grandparent, grandchild, sibling, or domestic partner, or
29 to bond with a minor child within one year of the birth or placement
30 of the child in connection with foster care or adoption.

31 (2) Nothing in this chapter shall be construed to abridge the
32 rights and responsibilities conveyed under the CFRA or pregnancy
33 disability leave.

34 (b) An individual's "weekly benefit amount" shall be the amount
35 provided in Section 2655. An individual is eligible to receive
36 family temporary disability insurance benefits equal to one-seventh
37 of his or her weekly benefit amount for each full day during which
38 he or she is unable to work due to caring for a seriously ill or
39 injured family member or bonding with a minor child within one

1 year of the birth or placement of the child in connection with foster
2 care or adoption.

3 (e) ~~The maximum amount payable to an individual during any~~
4 ~~disability benefit period for family temporary disability insurance~~
5 ~~shall be six times his or her “weekly benefit amount,” but in no~~
6 ~~case shall the total amount of benefits payable be more than the~~
7 ~~total wages paid to the individual during his or her disability base~~
8 ~~period. If the benefit is not a multiple of one dollar (\$1), it shall~~
9 ~~be computed to the next higher multiple of one dollar (\$1).~~

10 (d) ~~No more than six weeks of family temporary disability~~
11 ~~insurance benefits shall be paid within any 12-month period.~~

12 (e) ~~An individual shall file a claim for family temporary~~
13 ~~disability insurance benefits not later than the 41st consecutive~~
14 ~~day following the first compensable day with respect to which the~~
15 ~~claim is made for benefits, which time shall be extended by the~~
16 ~~department upon a showing of good cause. If a first claim is not~~
17 ~~complete, the claim form shall be returned to the claimant for~~
18 ~~completion and it shall be completed and returned not later than~~
19 ~~the 10th consecutive day after the date it was mailed by the~~
20 ~~department to the claimant, except that such time shall be extended~~
21 ~~by the department upon a showing of good cause.~~

22 (f) ~~This section shall become inoperative and shall be repealed~~
23 ~~on January 1, 2017.~~

24 ~~SEC. 6. Section 3301 is added to the Unemployment Insurance~~
25 ~~Code, to read:~~

26 ~~3301. (a) (1) The purpose of this chapter is to establish, within~~
27 ~~the state disability insurance program, a family temporary disability~~
28 ~~insurance program. Family temporary disability insurance shall~~
29 ~~provide up to eight weeks wage replacement benefits to workers~~
30 ~~who take time off work to care for a seriously ill child, spouse,~~
31 ~~parent, grandparent, grandchild, sibling, or domestic partner, or~~
32 ~~to bond with a minor child within one year of the birth or the~~
33 ~~placement of the child in connection with foster care or adoption.~~

34 (2) ~~Nothing in this chapter shall be construed to abridge the~~
35 ~~rights and responsibilities conveyed under the CFRA or pregnancy~~
36 ~~disability leave.~~

37 (b) ~~An individual’s “weekly benefit amount” shall be the amount~~
38 ~~provided in Section 2655. An individual is eligible to receive~~
39 ~~family temporary disability insurance benefits equal to one-seventh~~
40 ~~of his or her weekly benefit amount for each full day during which~~

1 he or she is unable to work due to caring for a seriously ill or
 2 injured family member or bonding with a minor child within one
 3 year of the birth or the placement of the child in connection with
 4 foster care or adoption.

5 (e) The maximum amount payable to an individual during any
 6 disability benefit period for family temporary disability insurance
 7 shall be eight times his or her “weekly benefit amount,” but in no
 8 case shall the total amount of benefits payable be more than the
 9 total wages paid to the individual during his or her disability base
 10 period. If the benefit is not a multiple of one dollar (\$1), it shall
 11 be computed to the next higher multiple of one dollar (\$1).

12 (d) No more than eight weeks of family temporary disability
 13 insurance benefits shall be paid within any 12-month period.

14 (e) An individual shall file a claim for family temporary
 15 disability insurance benefits not later than the 41st consecutive
 16 day following the first compensable day with respect to which the
 17 claim is made for benefits, which time shall be extended by the
 18 department upon a showing of good cause. If a first claim is not
 19 complete, the claim form shall be returned to the claimant for
 20 completion and it shall be completed and returned not later than
 21 the 10th consecutive day after the date it was mailed by the
 22 department to the claimant, except that such time shall be extended
 23 by the department upon a showing of good cause.

24 (f) This section shall become operative on January 1, 2017.

25 SEC. 2. Section 2655.1 is added to the Unemployment
 26 Insurance Code, to read:

27 2655.1. (a) By March 1, 2021, the department shall prepare
 28 and submit to the Legislature, including the legislative committees
 29 described in subdivision (c), a report that includes data on levels
 30 and trends between January 1, 2017, and the latest date for which
 31 data is available in 2020, in the following:

32 (1) Utilization of paid family leave and disability insurance by
 33 income level, including, but not limited to, utilization of paid family
 34 leave by low-wage workers.

35 (2) Benefit costs.

36 (3) Supplemental disability insurance contribution rates.

37 (b) The report described in subdivision (a) shall also include
 38 projections of utilization and costs for three subsequent years
 39 beginning January 1, 2022, with the assumption that the wage

1 replacement rates that are in effect on January 1, 2018, remain
2 in effect.

3 (c) A report submitted pursuant to this section shall be submitted
4 in compliance with Section 9795 of the Government Code and
5 shall be submitted to the Assembly Committee on Insurance, the
6 Senate Committee on Labor and Industrial Relations, the Assembly
7 and Senate Committees on Appropriations, the Assembly
8 Committee on Budget, and the Senate Committee on Budget and
9 Fiscal Review.

10 (d) Pursuant to Section 10231.5 of the Government Code, this
11 section is repealed on January 1, 2024.

12 ~~SEC. 7.~~

13 SEC. 3. Section 3303 of the Unemployment Insurance Code
14 is amended to read:

15 3303. (a) On and after July 1, 2014, an individual shall be
16 deemed eligible for family temporary disability insurance benefits
17 equal to one-seventh of his or her weekly benefit amount on any
18 day in which he or she is unable to perform his or her regular or
19 customary work because he or she is bonding with a minor child
20 during the first year after the birth or placement of the child in
21 connection with foster care or adoption or caring for a seriously
22 ill child, parent, grandparent, grandchild, sibling, spouse, or
23 domestic partner, only if the director finds all of the following:

24 (1) The individual has made a claim for temporary disability
25 benefits as required by authorized regulations.

26 (2) The individual has been unable to perform his or her regular
27 or customary work for a seven-day waiting period during each
28 disability benefit period, with respect to which waiting period no
29 family temporary disability insurance benefits are payable.

30 (3) The individual has filed a certificate, as required by Sections
31 2708 and 2709.

32 (b) This section shall become inoperative and *shall be* repealed
33 on January 1, ~~2017~~. 2018.

34 ~~SEC. 8.~~

35 SEC. 4. Section 3303 is added to the Unemployment Insurance
36 Code, to read:

37 3303. (a) On and after July 1, 2014, an individual shall be
38 deemed eligible for family temporary disability insurance benefits
39 equal to one-seventh of his or her weekly benefit amount on any
40 day in which he or she is unable to perform his or her regular or

1 customary work because he or she is bonding with a minor child
2 during the first year after the birth or placement of the child in
3 connection with foster care or adoption, or caring for a seriously
4 ill child, parent, grandparent, grandchild, sibling, spouse, or
5 domestic partner, only if the director finds both of the following:

6 (1) The individual has made a claim for temporary disability
7 benefits as required by authorized regulations.

8 (2) The individual has filed a certificate, as required by Sections
9 2708 and 2709.

10 (b) This section shall become operative on January 1, ~~2017~~.
11 ~~2018~~.

12 ~~SEC. 9.~~

13 ~~SEC. 5.~~ (a) By ~~October~~ *July* 1, ~~2016~~, *2017*, the Employment
14 Development Department shall report to the Assembly Committee
15 on Insurance and the Senate Committee on Labor and Industrial
16 Relations the projected costs and potential benefits associated with
17 options to reduce, eliminate, or otherwise modify the waiting period
18 for disability insurance benefits.

19 (b) The report to be submitted pursuant to subdivision (a) shall
20 be submitted in compliance with Section 9795 of the Government
21 Code.

22 (c) Pursuant to Section 10231.5 of the Government Code, this
23 section is repealed on January 1, ~~2020~~, *2021*.