

CHAPTER 2

AN ACT HB 4021
[2002 First Special Session]

Relating to unemployment benefits; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) "Emergency benefits" means benefits totally financed by the state and payable under this chapter to exhaustees during an emergency benefit period.

(b) "Emergency benefit period" means a period beginning April 7, 2002, and ending on December 28, 2002, as provided in section 6 of this 2002 Act.

(c) "Exhaustee," "extended benefits," and "regular benefits" have the meanings given those terms in ORS 657.321.

(2) During an emergency benefit period described in subsection (1) of this section, an individual may receive emergency benefits beginning with the 14th week following the week for which the individual exhausted regular benefits, and in an amount equal to the weekly benefit amount of the individual's most recent regular unemployment benefit claim subject to the provisions of this chapter, if:

(a) The individual has exhausted regular benefits under this chapter;

(b) The individual continues to otherwise meet the eligibility requirements for regular benefits under this chapter;

(c) The individual's benefit year expired after January 5, 2002; and

(d) The individual has been paid wages by an employer or employers subject to the provisions of this chapter during the base period of the individual's applicable benefit year in an amount equal to or in excess of 40 times the individual's applicable weekly benefit amount.

(3) The maximum emergency benefits an individual may receive under this section is 50 percent of the individual's most recent regular unemployment benefit claim.

(4) Notwithstanding any other provision of this section, the Director of the Employment Department may not pay emergency benefits under this section if the director determines that the federal government has increased the maximum extended benefit amount payable to any eligible individual with respect to the applicable benefit year to 100 percent of the total amount of regular benefits that are payable to the individual under this chapter in the applicable benefit year.

SECTION 2. In addition to the weekly benefit amount payable to an eligible individual under this chapter, the Director of the Employment

Department shall pay the eligible individual \$20 each week. Benefits paid to an eligible individual under this section may not be included in the benefits considered under ORS 657.150 (5).

SECTION 3. (1) Except as provided in subsection (2) of this section, the provisions of section 2 of this 2002 Act apply from March 17, 2002, to October 5, 2002.

(2) The provisions of section 2 of this 2002 Act apply from March 17, 2002, to December 28, 2002, if:

(a) The United States Secretary of Labor notifies the state on or before October 1, 2002, that funds will be distributed to the state under section 903 of the Social Security Act, as amended;

(b) The funds described in paragraph (a) of this subsection equal or exceed \$23 million; and

(c) Federal law permits the state to use \$23 million or more of the funds described in paragraph (a) of this subsection for the payment of benefits.

SECTION 4. Notwithstanding the tax schedules in Table A of ORS 657.462, for wages paid during the third calendar quarter of 2002, the tax rate assigned each employer subject to ORS 657.459 and 657.462 shall be determined in accordance with schedule III-K, adopted as follows:

Table with 2 columns: Tax Rate and Cumulative Taxable Payroll Limits (Percentage of Total Taxable Payroll). The table lists rates from 0.66% to 4.56% and their corresponding cumulative limits up to 99.90%.

4.76%	99.90% but less than 99.94%
4.96%	99.94% but less than 99.97%
5.40%	99.97% to 100.00%

SECTION 5. Notwithstanding the tax schedules in Table A of ORS 657.462, for wages paid during the fourth calendar quarter of 2002, the tax rate assigned each employer subject to ORS 657.459 and 657.462 shall be determined in accordance with schedule III-K as set forth in section 4 of this 2002 Act if:

(1) The United States Secretary of Labor notifies the state on or before October 1, 2002, that funds will be distributed to the state under section 903 of the Social Security Act, as amended;

(2) The funds described in subsection (1) of this section equal or exceed \$23 million; and

(3) Federal law permits the state to use \$23 million or more of the funds described in subsection (1) of this subsection for the payment of benefits.

SECTION 6. The provisions of section 1 of this 2002 Act apply from March 17, 2002, to December 28, 2002.

SECTION 7. Section 1 of this 2002 Act applies only to benefits paid for weeks beginning on or after April 7, 2002.

SECTION 8. An employer's account may not be charged for benefits paid to an unemployed individual under sections 1 and 2 of this 2002 Act. Notwithstanding ORS 657.504, reimbursing political subdivisions, reimbursing nonprofit employers and reimbursing Indian tribes are not required to pay into the Unemployment Compensation Trust Fund an amount equal to the benefits paid to an unemployed individual under sections 1 and 2 of this 2002 Act.

SECTION 9. Sections 1 to 8 of this 2002 Act are added to and made a part of ORS chapter 657.

SECTION 10. This 2002 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2002 Act takes effect on March 17, 2002.

Filed in the office of Secretary of State February 25, 2002
Effective date March 17, 2002