

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SENATE BILL 1322

AN ACT

AMENDING SECTIONS 23-630 AND 23-636, ARIZONA REVISED STATUTES; RELATING TO
EMPLOYMENT SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 23-630, Arizona Revised Statutes, is amended to
3 read:

4 23-630. On and off indicators

5 A. There is an Arizona on indicator for a week if the department
6 determines, in accordance with the regulations of the United States secretary
7 of labor, that for the period consisting of such week and the immediately
8 preceding twelve weeks:

9 1. The rate of insured unemployment in this state, not seasonally
10 adjusted:

11 (a) Equaled or exceeded one hundred twenty per cent of the average of
12 such rates for the corresponding thirteen-week period ending in each of the
13 preceding two calendar years, and

14 (b) Equaled or exceeded five per cent; or

15 2. The rate of insured unemployment in this state, not seasonally
16 adjusted, equaled or exceeded six per cent; OR

17 3. WITH RESPECT TO BENEFITS FOR WEEKS OF UNEMPLOYMENT BEGINNING AFTER
18 JANUARY 31, 2009:

19 (a) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT, SEASONALLY ADJUSTED,
20 ACCORDING TO THE UNITED STATES SECRETARY OF LABOR, FOR THE PERIOD CONSISTING
21 OF THE MOST RECENT THREE MONTHS FOR WHICH DATA FOR ALL STATES ARE PUBLISHED
22 BEFORE THE CLOSE OF SUCH WEEK EQUALS OR EXCEEDS SIX AND ONE-HALF PER CENT;
23 AND

24 (b) THE AVERAGE RATE OF TOTAL UNEMPLOYMENT IN THIS STATE, SEASONALLY
25 ADJUSTED, ACCORDING TO THE UNITED STATES SECRETARY OF LABOR, FOR THE THREE
26 MONTH PERIOD DESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH, EQUALS OR
27 EXCEEDS ONE HUNDRED TEN PER CENT OF SUCH AVERAGE FOR EITHER OR BOTH THE
28 CORRESPONDING THREE MONTH PERIODS ENDING IN THE TWO PRECEDING CALENDAR YEARS.

29 B. There is an Arizona off indicator for a week unless the department
30 determines in accordance with the regulations of the United States secretary
31 of labor that for the period consisting of such week and the immediately
32 preceding twelve weeks the conditions of subsection A, paragraph 1, ~~or~~ 2 OR 3
33 are satisfied.

34 C. SUBSECTION A, PARAGRAPH 3 ONLY APPLIES FROM AND AFTER JANUARY 31,
35 2009 UNTIL THE WEEK ENDING THREE WEEKS BEFORE THE LAST WEEK THE FEDERAL
36 SHARING IS AUTHORIZED BY PUBLIC LAW 111-5, SECTION 2005(a) OR THE WEEK ENDING
37 DECEMBER 12, 2009, WHICHEVER IS LATER.

38 D. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, THE GOVERNOR
39 SHALL SUSPEND THE PAYMENT OF EXTENDED BENEFITS UNDER THIS CHAPTER TO THE
40 EXTENT NECESSARY TO ENSURE THAT OTHERWISE ELIGIBLE INDIVIDUALS ARE NOT
41 DENIED, IN WHOLE OR IN PART, THE RECEIPT OF EMERGENCY UNEMPLOYMENT
42 COMPENSATION BENEFITS AUTHORIZED BY THE FEDERAL SUPPLEMENTAL APPROPRIATIONS
43 ACT OF 2008 (P.L. 110-252), THE UNEMPLOYMENT COMPENSATION EXTENSION ACT OF
44 2008 (P.L. 110-449) AND THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

1 (P.L. 111-5) AND THAT THIS STATE RECEIVES THE MAXIMUM REIMBURSEMENT FROM THE
2 FEDERAL GOVERNMENT FOR THE PAYMENT OF THOSE EMERGENCY BENEFITS.

3 Sec. 2. Section 23-636, Arizona Revised Statutes, is amended to read:

4 23-636. Total extended benefit amount; certain adjustments

5 A. EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, the total
6 extended benefit amount payable to an eligible individual with respect to his
7 applicable benefit year shall be the least of the following amounts:

8 1. Fifty per cent of the total amount of regular benefits which were
9 payable to him under this chapter in his applicable benefit year; or

10 2. Thirteen times his weekly benefit amount which was payable to him
11 under this chapter for a week of total unemployment in the applicable benefit
12 year.

13 B. If the amount computed in accordance with subsection A OR D OF THIS
14 SECTION is not a multiple of one dollar, it shall be computed to the next
15 lower multiple of one dollar.

16 C. Notwithstanding any other provision of this chapter, if the benefit
17 year of an individual ends within an extended benefit period, the remaining
18 balance of extended benefits that such individual would be entitled to
19 receive in that extended benefit period, with respect to weeks of
20 unemployment beginning after the end of the benefit year, shall be reduced by
21 the product of the number of weeks for which the individual received any
22 trade readjustment allowances within that benefit year, multiplied by the
23 individual's weekly extended benefit amount.

24 D. WITH RESPECT TO A HIGH UNEMPLOYMENT PERIOD, THE AMOUNTS IN
25 SUBSECTION A OF THIS SECTION SHALL BE APPLIED BY SUBSTITUTING THE FOLLOWING:

26 1. IN SUBSECTION A, PARAGRAPH 1 OF THIS SECTION, EIGHTY FOR FIFTY.

27 2. IN SUBSECTION A, PARAGRAPH 2 OF THIS SECTION, TWENTY FOR THIRTEEN.

28 E. SUBSECTION D OF THIS SECTION ONLY APPLIES FROM AND AFTER JANUARY
29 31, 2009 UNTIL THE WEEK ENDING THREE WEEKS BEFORE THE LAST WEEK THE FEDERAL
30 SHARING IS AUTHORIZED BY PUBLIC LAW 111-5, SECTION 2005(a) OR THE WEEK ENDING
31 DECEMBER 12, 2009, WHICHEVER IS LATER.

32 F. FOR THE PURPOSES OF SUBSECTION D OF THIS SECTION, "HIGH
33 UNEMPLOYMENT PERIOD" MEANS ANY PERIOD DURING WHICH AN EXTENDED BENEFIT PERIOD
34 APPLIES IF EIGHT PER CENT IS SUBSTITUTED FOR SIX AND ONE-HALF PER CENT IN
35 SECTION 23-630, SUBSECTION A, PARAGRAPH 3, SUBDIVISION (a).

36 Sec. 3. Emergency

37 This act is an emergency measure that is necessary to preserve the
38 public peace, health or safety and is operative immediately as provided by
39 law.