

REFERENCE TITLE: unemployment insurance; definition; benefit amount

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1715

Introduced by
Senators Bowie: Navarrete; Representatives Chávez, Epstein, Jermaine,
Pawlik, Salman

AN ACT

AMENDING SECTIONS 23-621 AND 23-779, ARIZONA REVISED STATUTES; RELATING TO
EMPLOYMENT SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 23-621, Arizona Revised Statutes, is amended to read:

23-621. Unemployed; definition

A. An individual shall be deemed ~~"unemployed"~~ with respect to any week during which the individual performs no services and with respect to which no wages are payable to the individual, or with respect to any week of less than full-time work without any fault on the individual's part if the wages payable to the individual with respect to the week are less than **ONE HUNDRED SEVENTY PERCENT OF** the individual's weekly benefit amount.

B. An individual shall not be deemed ~~"unemployed"~~ with respect to any week of less than full-time work if the loss of full-time work is directly attributable to the fault of the individual.

C. An individual shall not be deemed ~~"unemployed"~~ if the individual is receiving wages in lieu of notice or severance pay. The period of time for which wages in lieu of notice or severance pay are allocable shall be determined by either of the following:

1. If there was a written contract between the employer and the claimant in effect at the time of separation, allocate to the appropriate period in accordance with the contract, continuing for the number of work days that the pay would cover at the regular wage or salary rate.

2. If no written contract was in effect at the time of separation, allocate to the appropriate period following the last day of performance of services, continuing for the number of work days that the pay would cover at the regular wage or salary rate.

D. For the purposes of this section, "severance pay" includes all amounts that an employer pays to an employee due to the employee's resignation, termination or participation in an exit incentive program or inclusion in a reduction in force or in consideration for the employee's release of actual or potential claims for the termination of employment. Severance pay does not include any amounts that the employer pays for health benefits or pursuant to any employee benefit plan.

Sec. 2. Section 23-779, Arizona Revised Statutes, is amended to read:

23-779. Amount of benefits

A. The weekly benefit amount of an individual shall be an amount equal to one twenty-fifth of the person's total wages for insured work paid during that quarter of the person's base period in which such total wages were highest, but if:

~~1. From and after June 30, 1999 and before July 1, 2004, this amount is more than two hundred five dollars, the weekly benefit amount shall be two hundred five dollars.~~

~~2. From and after June 30, 2004, this amount is more than two hundred forty dollars~~ **\$240**, the weekly benefit amount shall be ~~two hundred forty dollars~~ **\$240**.

1 B. If the weekly benefit amount is less than the maximum weekly
2 benefit prescribed in subsection A ~~OF THIS SECTION~~ and is not a multiple
3 of ~~one-dollar~~ \$1, the amount shall be rounded to the nearest dollar, with
4 an even one-half dollar being rounded to the next higher multiple of ~~one~~
5 ~~dollar~~ \$1. An individual's benefit amount shall not be redetermined
6 during the person's benefit year because of a new maximum or minimum
7 weekly benefit amount becoming effective during the person's benefit year.

8 C. Each eligible individual unemployed with respect to any week
9 shall be paid with respect to that week a benefit in an amount equal to
10 the person's weekly benefit amount less that part of the wages, if any,
11 payable to the person with respect to that week ~~which~~ ~~THAT~~ is in excess of
12 ~~thirty~~ \$160 dollars. The benefit, if not a multiple of ~~one-dollar~~ \$1,
13 shall be rounded to the nearest dollar, with an even one-half dollar being
14 rounded to the next higher multiple of ~~one-dollar~~ \$1.