

COMMITTEE ON COMMERCE
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2108
(Reference to printed bill)

1 Page 1, line 31, strike "G" insert "E"

2 Page 2, between lines 4 and 5, insert:

3 "Sec. 2. Section 23-771, Arizona Revised Statutes, is amended to
4 read:

5 23-771. Eligibility for benefits

6 A. An unemployed individual is eligible to receive benefits with
7 respect to any week only if the department finds that the individual:

8 1. Has registered for work at and thereafter has continued to report
9 at an employment office in accordance with the regulations prescribed by
10 the department.

11 2. Has made a claim for benefits in accordance with section 23-772.

12 3. Is able to work.

13 4. IS AVAILABLE FOR WORK.

14 ~~4.~~ 5. Except for an individual who is applying for shared work
15 benefits pursuant to article 5.1 of this chapter, ~~is available for work and~~
16 ~~both of the following apply:~~

17 ~~(a) The individual has engaged in a systematic and sustained effort~~
18 ~~to obtain work during at least four days of the week.~~

19 ~~(b) The individual has made at least one job contact per day on four~~
20 ~~different days of the week.~~ ACTIVELY SEEKS AND APPLIES FOR SUITABLE WORK
21 AND:

22 (a) CONDUCTS AT LEAST FIVE WORK SEARCH ACTIONS EACH WEEK IN ORDER TO
23 QUALIFY AS ACTIVELY SEEKING AND APPLYING FOR SUITABLE WORK. THE ACTIONS
24 SHALL INCLUDE ANY OF THE FOLLOWING:

1 (i) SUBMITTING RESUMES.

2 (ii) COMPLETING JOB APPLICATIONS.

3 (iii) ATTENDING JOB FAIRS.

4 (iv) ATTENDING INTERVIEWS WITH POTENTIAL EMPLOYERS.

5 (v) ATTENDING A DEPARTMENT-APPROVED TRAINING PROGRAM, WHICH SHALL
6 COUNT AS ONE WORK SEARCH ACTION FOR THE WEEK THE INDIVIDUAL ATTENDED THE
7 TRAINING PROGRAM.

8 (b) IF THE INDIVIDUAL IS APPLYING FOR A WEEKLY BENEFIT, PROVIDES A
9 WEEKLY REPORT TO THE DEPARTMENT THAT DETAILS THE INDIVIDUAL'S WORK SEARCH
10 ACTIONS FOR EVERY WEEK A BENEFIT IS SOUGHT.

11 ~~5.~~ 6. Has been unemployed for a waiting period of one week. A week
12 is not counted as a week of unemployment for the purpose of this paragraph:

13 (a) Unless it occurs within the benefit year that includes the week
14 with respect to which the individual claims payment of benefits.

15 (b) Unless the individual was eligible for benefits with respect to
16 the week as provided in this section and sections 23-775, 23-776 and
17 23-777.

18 (c) If benefits have been paid in respect to the week.

19 ~~6.~~ 7. Has met one of the following requirements:

20 (a) Has been paid wages for insured work during the individual's
21 base period equal to at least one and one-half times the wages paid to the
22 individual in the calendar quarter of the individual's base period in which
23 the wages were highest, and the individual has been paid wages for insured
24 work in one calendar quarter of the individual's base period equal to an
25 amount that is equal to at least three hundred ninety times the minimum
26 wage prescribed by section 23-363 that is in effect when the individual
27 files a claim for benefits.

28 (b) For a benefit year beginning on or after September 2, 1984, has
29 been paid wages for insured work during at least two quarters of the
30 individual's base period and the amount of the wages paid in one quarter

1 would be sufficient to qualify the individual for the maximum weekly
2 benefit amount payable under this chapter and the total of the individual's
3 base-period wages is equal to or greater than the taxable limit as
4 specified in section 23-622, subsection B, paragraphs 1 and 2.

5 ~~7.~~ 8. Following the beginning date of a benefit year established
6 under this chapter or the unemployment compensation law of any other state
7 and before the effective date of a subsequent benefit year under this
8 chapter, has performed services whether or not in employment as defined in
9 section 23-615 for which wages were payable in an amount equal to or in
10 excess of eight times the weekly benefit amount for which the individual is
11 otherwise qualified under section 23-779. In making a determination under
12 this paragraph, the department shall use information available in its
13 records or require the individual to furnish necessary information within
14 thirty days after the date notice is given that the information is
15 required.

16 B. If an unemployed individual cannot establish a benefit year as
17 defined in section 23-609 due to receipt during the base period of
18 compensation for a temporary total disability pursuant to chapter 6 of this
19 title, or any similar federal law, the individual's base period shall be
20 the first four of the last five completed calendar quarters immediately
21 preceding the first day of the calendar week in which the disability began.
22 Wages previously used to establish a benefit year may not be reused. This
23 subsection does not apply unless all of the following occur:

24 1. The individual has filed a claim for benefits not later than the
25 fourth calendar week of unemployment after the end of the period of
26 disability.

27 2. The claim is filed within two years after the period of
28 disability begins.

29 3. The individual meets the requirements of subsection A of this
30 section.

1 4. The individual has attempted to return to the employment where
2 the temporary total disability occurred.

3 C. If an unemployed individual is a member of the national guard or
4 other reserve component of the United States armed forces, the individual
5 is not considered to be either employed or unavailable for work by reason
6 of the individual's participation in drill, training or other national
7 guard or reserve activity that occurs on not more than one weekend per
8 month or in lieu of a weekend drill or the equivalent.

9 D. The department shall not disqualify an individual from receiving
10 benefits under this chapter on the basis of the individual's separation
11 from employment if the individual is a victim of domestic violence and
12 leaves employment due to a documented case involving domestic violence
13 pursuant to section 13-3601 or 13-3601.02. Benefits paid to an individual
14 pursuant to this subsection shall not be charged against an employer's
15 account pursuant to section 23-727, subsection G.

16 E. The department shall not disqualify an individual from receiving
17 benefits under this chapter on the basis of the individual's separation
18 from employment if the individual was terminated from employment for not
19 receiving a COVID-19 vaccine or COVID-19 booster shot required by the
20 employer. Benefits paid to an individual pursuant to this subsection shall
21 not be charged against an employer's account pursuant to section 23-727 if
22 the employer's requirement that employees receive the COVID-19 vaccine or
23 COVID-19 booster shot is required by law.

24 F. For the purposes of subsection A, paragraph 6 of this section,
25 wages shall be counted as wages for insured work for benefit purposes with
26 respect to any benefit year only if that benefit year begins subsequent to
27 the date on which the employing unit by which those wages were paid has
28 become an employer subject to this chapter."

29 Renumber to conform

House Amendments to H.B. 2108

- 1 Page 4, line 21, after "OR" insert "TO"
- 2 Strike lines 27 through 39
- 3 Reletter to conform
- 4 Page 5, line 2, strike "D" insert "B"
- 5 Amend title to conform

And, as so amended, it do pass

JUSTIN WILMETH
CHAIRMAN

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