

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1296

By: Reese

AS INTRODUCED

An Act relating to labor; providing for extended base period for certain job related injuries under the Employment Security Act of 1980; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-202A of Title 40, unless there is created a duplication in numbering, reads as follows:

If an individual lacks sufficient base period wages because of a job related injury for which the individual received total temporary disability payments awarded by the Worker's Compensation Court, upon written application by the claimant, an extended base period will be substituted for the current base period on a quarter-by-quarter basis as needed to establish a valid claim. "Extended base period" means the four quarters prior to the claimant's base period. These four quarters may be substituted for base period quarters on a quarter-by-quarter basis to establish a valid claim regardless of whether the wages have been used to establish a prior claim, except any wages earned that would render the Commission out of compliance with applicable federal law will be excluded if used in a prior

claim. Benefits paid on the basis of an extended base period, which would not otherwise be payable, shall be noncharged.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-6013

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