

## BILL SUMMARY

1st Session of the 53rd Legislature

<b>Bill No.:</b>	<b>SB 756</b>
<b>Version:</b>	<b>Proposed Committee Sub. 1</b>
<b>Request Number:</b>	<b>7231</b>
<b>Author:</b>	<b>Rep. R. McDaniel/ Sen. Newberry</b>
<b>Date:</b>	<b>4/12/2011</b>
<b>Impact:</b>	<b>State Budget Impact - \$0</b>

### Research Analysis

SB 756, as engrossed, modifies the definition of “employment” as used within the Employment Security Act of 1980 (the Act) to exclude service performed in the employ of an elementary or secondary school which is operated primarily for religious purposes as defined in certain federal statutes. Service performed as part of an unemployment work-relief or work-training program assisted or financed by an Indian tribe, by an individual receiving such work-relief or work training is also excluded from the definition of employment. The measure also modifies the definition of “benefit wages” as used within the Act to mean certain taxable wages.

The measure modifies when an individual will be disqualified to receive benefits for unemployment if the individual fails to apply for or accept an offer of suitable work as defined in previous sections of the Act. The measure removes language that prohibits an individual who is disqualified for a week of an occurrence of circumstances beyond his control to become eligible for certain extended benefits until the individual has become reemployed and earned a certain amount of wages.

The measure modifies several appellate procedure requirements for the Board of Review and the Appeal Tribunal of the Oklahoma Employment Security Commission (the Commission).

The PCS requires the Commission to give notice to each base period employer of a claimant after the claimant is issued his or her fifth week of benefits by the Commission or after the Commission receives notice of amounts paid as benefits by another state. The measure describes what will be sufficient notice. Twenty (20) days thereafter, the employer may file objections to being charged with the benefit wages and the measure lists what must be included in the objection. The Commission will then determine whether the employer is entitled to be relieved from the charging of benefit wages. The employer may file a protest the determination and request oral hearing where the Commission will make a written order, which the employer may appeal. The employer will be relieved of benefit wage charges in certain listed circumstances.

The measure allows remittance to be made by electronic fund transfer to the Commission and an administrative service fee to be charged.

Board of Review members will be paid a salary bi-weekly instead of monthly.

Information released to certain governmental entities and certain vendors is added to the types of information the Commission is not prevented from disclosing and limits such liability in the disclosure of such information.

Prepared By: Andrea Merten

## **Fiscal Analysis**

SB 756 in its current form amends statutes related to the Oklahoma Employment Security Commission (OESC); in general the amendments clarify state statutes, bring state statutes in line with federal law and streamline certain OESC processes. Section 13 authorizes a \$25 administrative service fee for electronic fund transfers to OESC which fail due to insufficient funds in the payor's account; however, revenue related to such fee is anticipated to be minimal. OESC is a non appropriated state agency; therefore, the measure has no direct impact on the state budget or appropriations.

Prepared By: John McPhetridge

## **Other Considerations**

N/A