

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

HOUSE BILL 1657

By: Montgomery

AS INTRODUCED

An Act relating to labor; creating the Entrepreneurship Act of 2017; directing Oklahoma Employment Security Commission to establish certain program; providing for eligibility; providing for partial repayment of benefits; amending 40 O.S. 2011, Section 2-106, which relates to the Employment Security Act of 1980; reducing weekly benefit total; providing for codification; and providing an effective date.

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 4-320 of Title 40, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Entrepreneurship Act of 2017".

B. The Oklahoma Employment Security Commission is hereby directed to establish a program which encourages entrepreneurs to create new businesses. To be eligible for the program an individual, within the first twenty (20) weeks of receiving benefits, shall have established a business entity with the Oklahoma

1 Secretary of State. Any individual participating in the program
2 shall be eligible for benefits for not more than forty (40) weeks.
3 The Commission shall provide for a partial repayment of benefits
4 received in excess of Section 2-106 of Title 40 of the Oklahoma
5 Statutes within ten (10) years of the individual filing for
6 benefits.

7 SECTION 2. AMENDATORY 40 O.S. 2011, Section 2-106, is
8 amended to read as follows:

9 Section 2-106. MAXIMUM BENEFIT AMOUNT.

10 An otherwise eligible individual shall be entitled during any
11 benefit year to a total amount of benefits equal to whichever is the
12 lesser of:

13 1. ~~Twenty-six (26)~~ Twenty-four (24) times the weekly benefit
14 amount of the individual;

15 2. The applicable percentage of the state's average annual wage
16 for the second preceding calendar year as determined by the
17 Commission, rounded to the nearest multiple of One Hundred Dollars
18 (\$100.00). The applicable percentage is determined by the
19 conditional factor in place during the calendar year in which the
20 individual files for benefits. The conditional factor is determined
21 pursuant to the provisions of Section 3-113 of this title. The
22 applicable percentages for this paragraph are as follows:

23 a. twenty-five percent (25%) during any calendar year in
24 which the balance in the Unemployment Compensation

1 Fund is in excess of the amount required to initiate
2 conditional contribution rates, pursuant to the
3 provisions of Section 3-113 of this title,

4 b. twenty-three and three-fourths percent (23.75%) during
5 calendar years in which condition "a" exists,

6 c. twenty-two and one-half percent (22.5%) during
7 calendar years in which condition "b" exists,

8 d. twenty-one and one-fourth percent (21.25%) during
9 calendar years in which condition "c" exists, and

10 e. twenty percent (20%) during calendar years in which
11 condition "d" exists; or

12 3. The applicable percentage of the individual's wages for
13 insured work paid during the base period of the individual. The
14 applicable percentage is determined by the conditional factor in
15 place during the calendar year in which the individual files for
16 benefits. The conditional factor is determined pursuant to the
17 provisions of Section 3-113 of this title. The applicable
18 percentages for this paragraph are as follows:

19 a. fifty percent (50%) during any calendar year in which
20 the balance in the Unemployment Compensation Fund is
21 in excess of the amount required to initiate
22 conditional contribution rates, pursuant to the
23 provisions of Section 3-113 of this title,
24

- 1 b. forty-seven and one-half percent (47.5%) during
2 calendar years in which condition "a" exists,
3 c. forty-five percent (45%) during calendar years in
4 which condition "b" exists,
5 d. forty-two and one-half percent (42.5%) during calendar
6 years in which condition "c" exists, and
7 e. forty percent (40%) during calendar years in which
8 condition "d" exists.

9 SECTION 3. This act shall become effective November 1, 2017.

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