

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB794
Version:	Engrossed
Request Number:	
Author:	Rep. Wallace/ Sen. Leewright
Date:	3/29/2021
Impact:	OESC: no material impact

Research Analysis

Engrossed SB794 provides that electronic e-filing will be the Oklahoma Employment Security Commission's preferred filing method for tendering and receiving documents following the completion of business process transformation. The measure also provides that if an individual has been employed by a nonseasonal employer during the base period of their benefit year, the individual may become eligible for benefits during a between-season denial period based only on the wages of nonseasonal employment.

The bill requires, in the event of overpayment of benefits to an individual, notice to be sent of the determination of overpayment. If the individual disagrees with the determination they may file an appeal within 10 days; or if no appeal is filed the determination will be deemed final and no further appeal is allowed.

SB794 allows OESC to enter into an agreement with the Department of Human Services for information required in order to identify persons owing child support. Language is removed requiring an applicant to disclose that they owe child support. OESC would withhold the amount determined by DHS. An employer's benefit wages would not include wages paid to an employee who was separated from employment as a direct result of a pandemic.

The measure makes it the fiduciary duty of OESC to return overpayments received in the Employer's Unemployment Tax Account. Upon termination of the employer's account, OESC would issue a refund of any remaining credit balance. Finally, statutory language is updated and clarified, and gendered language is replaced with gender-neutral language.

Prepared By: Sean Webster

Fiscal Analysis

Officials for the Oklahoma Employment Security Commission (OESC) anticipate no material fiscal impact as a result of the provisions of SB 794 in its current form.

Prepared By: John McPhetridge

Other Considerations

None.

